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BOARD MINUTES FOR MEETING OF SEPTEMBER 29, 2017

The meeting came to order in the San Rafael City Council Chambers at 10:00 a.m.

MGSA Board Members Attending: President Sean Condry, Vice President Jim Schutz, Members, Dan Eilerman, Andy Poster, Member Adam Politzer (arrived 10:08), and Dan Schwarz were present and Regan Candelario was absent.

Program Contractors Attending: Executive Officer Michael Frank, General Counsel David Byers, Wayne Bush, and Jeff Rawles.

A. Board Meeting Minutes of July 13, 2017 Regular Meeting and August 29, 2017 Special Meeting

Motion by Eilerman, seconded by Schwarz to approve the minutes of the July 13, 2017 and August 29, 2017 meetings. Motion was approved 5 – 0 with Politzer and Candelario absent.

B. Report from Executive Officer

Frank introduced Rob Carson, the new MCSTOPPP program coordinator. The Executive Officer reported on activities since the last meeting. In particular, he mentioned that MGSA will be starting the animal care and control negotiations process. He confirmed the Marin Manager's Association appointment of Dan Schwarz and Jim Schutz to those negotiations. He also said that he had not received any input to an email he sent to City Managers regarding any issues with the Animal Control Program. The Executive Officer also reported to the Board that he previously committed to come back to them in January regarding new telecommunications revenue and any allocations to local jurisdictions. Given that there has been no ongoing revenue to date that discussion may need to wait until the Spring. He mentioned a meeting with Verizon, their contractors, and our contractor DC Electric. Verizon appears to be ready to come forward to local agencies with telecommunication equipment soon.

C. Public Comment

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No public Comment.

D. Taxicab Regulation Program Update

Rawles provided the Board with an update of activities since the last Board meeting. No action was taken.

E. MarinMap Program Update

Bush provided the Board with an update of activities since the last Board meeting. No action was taken.

F. Streetlight Ownership Update and Transfer

A revised draft resolution for use by jurisdictions was distributed to the Board by Staff. It is attached to these minutes.

By motion the Board took the following actions:

- 1) directed the Executive Officer to approach member agencies regarding clarification of streetlight ownership; and
- 2) directed the Executive Officer and the MGSA General Counsel to finalize a draft staff report and resolution for use by member jurisdictions.

Motion by Schwarz, seconded by Poster, was approved 6 – 0 with Candelario absent.

G. Professional Services Contracts' Changes: Taxicab Regulation Program/AVAP Administration; MCEP Sustainability Coordination; and MGSA Support Services

The resolutions and contract amendments were put forward with modifications cited below for approval by Schutz and seconded by Poster. They were passed 6 to 0 with Candelario absent.

Resolution 2017 – 13 titled, "AMENDMENT NO. 10 TO THE PROFESSIONAL SERVICES AGREEMENT WITH REGIONAL GOVERNMENT SERVICES FOR THE AVAP AND TAXICAB REGULATION PROGRAM SERVICES AND DELEGATION OF AVAP TERMINATION AUTHORITY TO THE EXECUTIVE OFFICER." This resolution was passed as originally submitted.

Contract Amendment No. 10 titled, "AMENDMENT NO. 10 TO THE AGREEMENT FOR PROFESSIONAL SERVICES FOR THE TAXICAB REGULATION AND ABANDONED VEHICLE PROGRAMS." This resolution was passed but RGS signature line added.

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Resolution 2017 – 14 titled, “AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CANDICE BOZZARD FOR OFFICE SUPPORT SERVICES.” This resolution passed as is.

Contract Amendment No. 2 titled, “AMENDMENT NO. 2 TO AGREEMENT FOR PROFESSIONAL SERVICES FOR SUPPORT OF MGSA OPERATIONS.” This resolution passed as is.

Resolution 2017 – 15 titled, “AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CHRISTINE O’ROURKE FOR SUSTAINABILITY COORDINATION SERVICES.” This resolution was passed by the Board but the last paragraph was revised as follows, “NOW THEREFORE, BE IT RESOLVED, that the MGSA Board of Directors authorizes the MGSA Executive Officer to execute Amendment No. 2 moving to a month-to-month agreement with no end date *starting January 1, 2018* and a rate increase from \$90 per hour to \$95 per hour *for non-grant work* starting on January 1, 2018. All other terms and scope of work would remain the same.

Contract Amendment No. 2 titled, “AMENDMENT NO. 2 TO AGREEMENT FOR PROFESSIONAL SERVICES FOR SUSTAINABILITY COORDINATION OF THE MARIN CLIMATE AND ENERGY PARTNERSHIP.” Passed but changed based on revisions made by the Board to Resolution 2017 – 15.

H. Budget Adjustments to the MGSA FY 2017/18 Adopted Budget

A motion approving Resolution 2017 - 16 titled, “Budget Amendment to FY 2017/18 MGSA Adopted Budget” was put forward by Eilerman and seconded by Schutz. The resolution was approved 6 to 0 with Candelario absent.

I. MGSA Strategic Planning Discussion and Possible Ad-Hoc Committee Appointment

Following discussion, the Board lengthened their November 9, 2017 meeting until 2:00 p.m. to focus on Strategic Planning.

J. Adjournment

The meeting adjourned at 11:50 a.m.


Michael S. Frank, Executive Officer

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RESOLUTION NO.

A RESOLUTION TRANSFERRING CERTAIN STREETLIGHTS FROM _____ TO
THE MARIN GENERAL SERVICES AUTHORITY

WHEREAS, certain local agencies within the County of Marin formed the Marin Street Light Acquisition Authority (“MSLAJPA”) in 1985 to acquire certain streetlights from PG&E;

WHEREAS, the MSLAJPA did acquire those streetlights by eminent domain in 1986 and it was decided that the MSLAJPA would retain title to the lights and provide a system of countywide maintenance and insurance for the streetlights;

WHEREAS, the MSLAJPA on behalf of its members has always had as a policy that any new or replaced streetlights would be owned by the MSLAJPA;

WHEREAS, the MSLAJPA subsequently became the Marin General Services Authority (“MGSA”) and the streetlights were transferred to that joint powers authority as expressed in Exhibit A to the Joint Powers Agreement Creating the Marin General Services Authority of which _____ is a Member and MGSA continues to contract for the maintenance of the streetlights and maintain insurance for the streetlights;

WHEREAS, it is beneficial to have one agency manage the maintenance contract and maintain insurance for the streetlights in Marin County as has been proven in the past and such transfer of property is permitted by law under Government Code § 6508;

WHEREAS, it is important the ownership of streetlights within Marin County be certain and not subject to any concepts of implied ownership or control;

NOW, THEREFORE, be it resolved that the _____ of _____ offers to transfer the streetlights described in the attached Exhibit A to the MGSA and this offer will become effective upon acceptance by the MGSA.

Exhibit A

All streetlight and associated facilities defined as a luminaire, mast arm, streetlight only pole and associated wiring within the jurisdictional limits of _____ that previously have not been offered and accepted by the Marin General Services Authority or its predecessor the Marin Street Light Acquisition Joint Powers Authority.