

BOARD MINUTES FOR MEETING OF JULY 13, 2017

The meeting came to order in the San Rafael City Council Chambers at 10:02 a.m.

MGSA Board Members Attending: Vice President Jim Schutz, Members Regan Candelario, Dan Eilerman, Andy Poster and Dan Schwarz [arrived 10:04] were present and President Sean Condry and Member Adam Politzer were absent.

Program Contractors Attending: Executive Officer Michael Frank, General Counsel David Byers, and Christine O'Rourke.

A. Board Meeting Minutes of May 11, 2017

Motion by Eilerman, seconded by Candelario, to approve the minutes of the May 11, 2017 meeting. Motion was approved 3 – 0 – 1 with Poster abstaining and Schwarz, Condry, and Politzer absent.

B. Report from Executive Officer (Frank)

Frank reported on Executive Officer activities since the last meeting. In particular, he mentioned the design, construction, and move into new office space.

C. Public Comment

No public Comment.

D. Taxicab Regulation Program Update

Written update accepted by the Board. No action was taken.

E. MarinMap Program Update (Bush)

Written update accepted by the Board. No action was taken.

F. Grant Agreement with the California Energy Commission for MCEP and Resilient Neighborhoods Project (O'Rourke)

MGSA Board Meeting Minutes for July 13, 2017

O'Rourke introduced the item and responded to questions. Following discussion, a motion to approve Resolution 2017 – 06 titled, "Grant Agreement with the California State Energy Resources Conservation and Development Commission" was approved authorizing the Executive Officer to execute an agreement with the California Energy Commission for a Small Government Leadership Challenge Grant to implement the Marin Climate and Energy Partnership/Resilient Neighborhoods Grassroots Climate Action Project. The Resolution was put forward by Candelario and seconded by Eilerman.

The Resolution passed 5 – 0 with Condry and Politzer absent.

G. Delegation of Authority to Executive Officer to Accept Transfer of Streetlights from Member Agencies (Frank)

Frank introduced the item and responded to questions. Following discussion, a motion to approve, 1) Resolution 2017 – 07 titled, "Delegation to the MGSA Executive Officer the Authority to Accept Property Transfer of Streetlights from Member Agencies" delegating to the MGSA Executive Officer the authority to accept property transfer of streetlights from member agencies; and 2) directing the Executive Officer to bring back at the next regular Board Meeting an agenda item related to addressing and clarifying streetlight ownership by MGSA. The motion and Resolution was put forward by Eilerman and seconded by Poster.

The motion passed 5 – 0 with Condry and Politzer absent.

H. Closed Session – Real Property Negotiations - Government Code Section 54956.8.

Property: MGSA Owned Streetlights
Agency Negotiators: Michael Frank, Executive Officer
Dave Myers, Esq., Byers/Richardson Law Offices
Negotiating Party: Mobilite, LLC
Under Negotiation: Price and Terms

No action.

I. Closed Session – Real Property Negotiations - Government Code Section 54956.8.

Property: MGSA Owned Streetlights
Agency Negotiators: Michael Frank, Executive Officer
Dave Myers, Esq., Byers/Richardson Law Offices
Negotiating Party: GTE Mobilnet of CA Limited Partnership, dba Verizon Wireless
Under Negotiation: Price and Terms

MGSA Board Meeting Minutes for July 13, 2017

No action.

J. Approval of and Authorization for the Executive Officer to Execute a Streetlight Master License Agreement for Use of MGSA-Controlled Space on Streetlight Poles with Mobilitie LLC, a Nevada Limited Liability Company for a 5 Year Initial and Potential Extension Terms (Frank)

Frank introduced the item and responded to questions. Following discussion, a motion to approve Resolution 2017 – 08 titled, “Approving the Streetlight Master License Agreement for Use of MGSA-Controlled Space on Streetlight Poles by Mobilitie, LLC” was approved (with one change to the last word of Section 3.5 from “100” to “10”) which, 1) approves a Streetlight Master License Agreement (“SMLA”) with Mobilitie, LLC for a 5 year initial term and potential extension terms to allow Mobilitie to access and use MGSA controlled spaces on streetlight poles for the purpose of providing communication services; and 2) delegates to the Executive Officer the authority to execute on behalf of the MGSA any documents necessary to administer the SMLA and non-substantive modifications to the SMLA that may be required and approved by MGSA’s legal counsel. The Resolution was put forward by Schwarz and seconded by Candelario.

The motion passed 5 – 0 with Condry and Politzer absent.

K. Approval of and Authorization for the Executive Officer to Execute a Streetlight Master License Agreement for Use of MGSA-Controlled Space on Streetlight Poles with GTE Mobilnet of California Limited Partnership, DBA Verizon Wireless for a 5 Year Initial and Potential Extension Terms (Frank)

Frank introduced the item and responded to questions. Following discussion, a motion to approve Resolution 2017 – 09 titled, “Approving the Streetlight Master License Agreement for Use of MGSA-Controlled Space on Streetlight Poles by GE Mobilnet of California Limited partnership, dba Verizon wireless (“Verizon”)” was approved (with one change to the last word of Section 3.5 from “100” to “10”) which, 1) approves a Streetlight Master License Agreement (“SMLA”) with Verizon for a 5 year initial term and potential extension terms to allow Verizon to access and use MGSA controlled spaces on streetlight poles for the purpose of providing communication services; and 2) delegates to the Executive Officer the authority to execute on behalf of the MGSA any documents necessary to administer the SMLA and non-substantive modifications to the SMLA that may be required and approved by MGSA’s legal counsel. The Resolution was put forward by Schwarz and seconded by Poster.

The motion passed 5 – 0 with Condry and Politzer absent.

MGSA Board Meeting Minutes for July 13, 2017

L. Closed Session – Personnel Matter - MGSA Executive Officer Compensation - Government Code Section 54956.9(a)

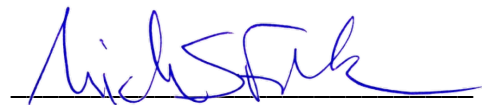
The Board came out of closed session and directed the Executive Officer to set up a Special Meeting Closed Session on this topic at the soonest possible time that all Board Members are available.

M. Executive Officer Hours and Compensation (Frank)

No action taken.

N. Adjournment

The meeting adjourned at 11:43 a.m.



Michael S. Frank, Executive Officer