
BOARD MINUTES FOR MEETING OF MAY 14, 2020

As a result of the COVID-19 pandemic, the Board Meeting came to order on-line in compliance with shelter-in-place orders, as allowed by Executive Order N-29-20 (March 17, 2020). The meeting started at 10:01 a.m.

MGSA Board Members Participating: President Craig Middleton, Vice President Greg Chanis, and Members Cristine Alilovich (departed at 11:25), Adam McGill, Angela Nicholson, and Andy Poster were present. Sean Condry was absent.

Program Contractors Attending: Executive Officer Michael Frank and General Counsel Dave Byers.

A. Report from Executive Officer

The Executive Officer reported on activities since the last meeting. In particular, he mentioned:

- Public Meetings - Getting up to speed on the legal and technical requirements of hosting public meetings virtually and using the Zoom application.
- MTA to MGSA Transition – Communicated that all member agencies are on track to rescind their ordinances and pass a resolution 30 days prior to July 1.
- Telecommunications
 - There are presently no pre-reservations of a streetlights.
 - AT&T negotiations are back in play as displayed by the closed session item on the agenda. No action will be taken today.
- Website – The website is officially in beta.

B. Board Meeting Minutes of March 12, 2020 Board Meeting

Motion by Chanis seconded by Nicholson to approve the minutes. Motion was approved 6 – 0 with Condry absent.

Public Comment

There was one public comment by Kevin Carroll regarding the Marin Recovers Website and taxis. The Executive Officer requested an email or call so the issue could be addressed.

MGSA Board Meeting Minutes for May 14, 2020

C. San Rafael Canal Neighborhood - School Wi-Fi Network on Streetlights (Frank)

Following a brief introduction by the Executive Officer, the Board approved Resolution 2020-15 authorizing the Executive Officer to sign an agreement to allow installation of Wireless Internet Access Points on streetlights in the Canal neighborhood of San Rafael to provide Wi-Fi internet access. Motion to approve resolution moved by McGill and seconded by Chanis. The Board voted 6 – 0 with Member Condry absent.

D. Office of the District Attorney's Mediation Program Report Transmittal (Frank)

No action taken. Report accepted by the Board.

E. Item Removed

F. Addition of the Cable Television Franchise and Public, Educational, and Government Access Program and Transition MTA Program Responsibilities to MGSA (Frank/Byers)

Following an introduction by Executive Officer Frank referencing his presentation at the prior Board Meeting and in the packet minutes, a motion was made by Chanis, seconded by Nicholson approving Resolution 2020-07 adding the Cable Television Franchise and Public, Educational, and Government Access Program to exhibit A and B of the Marin General Services Authority Joint Powers Agreement. Resolution 2020-07 was approved 6 – 0 with Condry absent.

G. Second Reading of an Ordinance to Establish a Public, Educational, and Governmental ("PEG") Access Fee (Frank/Byers)

A motion by McGill and seconded by Chanis to adopt having been previously introduced, a further reading of Ordinance No. 001, an Ordinance of the Marin General Services Agency Establishing a Public, Educational, and Government Access Fee was waived. Ordinance No. 001 was approved 6 – 0 with Condry absent.

H. MTA Program Responsibility Transition to MGSA Through Assignment of Agreement Actions (Frank/Byers)

- 1) Resolution No. 2020-08: Designated Access Provider (DAP) Agreement with Community Media Center of Marin (CMCM); and**
- 2) Resolution No. 2020-09: Agreement between the MTA and the City of Larkspur Governing the Use of the Agency's PEG Channels and Facilities by the City; and**
- 3) Resolution No. 2020-10: Settlement Agreement between the MTA and Comcast Cable Communications Management LLC regarding Franchise Fees; and**

MGSA Board Meeting Minutes for May 14, 2020

- 4) Resolution No. 2020-11: Ashpaugh & Sculco CPAs, PLC Agreement to Review the Franchise and PEG Fees Paid by AT&T and Comcast to the MTA; and**
- 5) Resolution No. 2020-12: Maher Accountancy Agreement to Conduct Independent Audit of the MTA for the Fiscal Year ending June 30, 2020.**

A motion was made by Chanis, seconded by Nicholson approving Resolutions 2020-07, 2020-08, 2020-09, 2020-10, 2020-11, and 2020-12 as listed above. All resolutions assuming rights, responsibilities, and obligations for certain contracts and directing the Executive Officer to execute the Assignment and Assumption Agreements were approved 6 – 0 with Condry absent.

I. Streetlight Maintenance Services Maintenance Contract with DC Electric, Inc. (Frank)

Following an introduction of the item by Executive Officer Frank, a motion was made by Nicholson seconded by Poster approving Resolution 2020-13 authorizing the Executive Officer to execute a Streetlight Maintenance Services Contract with DC Electric, Inc. Motion was approved 6 – 0 with Condry absent.

J. Fiscal Year 2020/21 MGSA Operating Budget and Work Plan (Frank)

Executive Officer Frank presented the budget (presentation attached to minutes). Following Board questions and discussion about the Animal Care and Control methodology for allocation and concerns about dipping below the established reserve policy, there was one public comment by Kevin Carroll warning about the possible continued taxi revenue decrease. The motion to approve Resolution 2020-14 adopting the FY 20/21 Budget and Workplan as presented was made by Chanis and seconded by McGill. The resolution was passed 5 – 0 with Condry and Alilovich absent.

K. MGSA Executive Officer Recruitment and Article 9.3 of MGSA JPA Agreement

The Board decided to go into closed session and discuss those items prior to considering this item. Following closed session, the Board communicated that the Executive Officer position recruitment would be posted and close at the end of May.

CLOSED SESSION (The Board went into Closed Session at 11:35 am.)

L. Closed Session pursuant to Government Code Section 54957(b)(1), PUBLIC EMPLOYMENT, Title: Executive Officer

MGSA Board Meeting Minutes for May 14, 2020

M. Closed Session pursuant to Government Code Section 54957(b)(1), PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Title: Executive Officer

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

Property: MGSA Owned Streetlights
Agency Negotiators: Michael Frank, Executive Officer
Dave Byers, Esq., Byers/Richardson Law Offices
Negotiating Party: AT&T NEW CINGULAR WIRELESS PCS, LLC, a Delaware limited liability company (“AT&T”), LLC
Under Negotiation: Price and Terms

OPEN SESSION

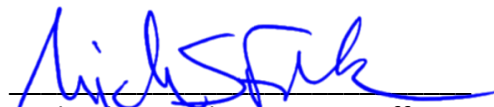
O. Report out from Closed Session

The Board came out of Closed Session at 11:50 a.m. They reported that there was nothing to report with regard to Agenda Item N, Real Property Negotiations with AT&T New Cingular Wireless PCS, LLC.

The Board then in open session took up Resolution 2020-16 authorizing the President of the MGSA to execute Amendment No. 3, amending the provisions of the Executive Officer’s Professional Services Agreement to increase the Executive Officer’s hours from 60% time to 80% time for a monthly contract amount of \$15,310. The motion to pass the resolution was made by Nicholson, seconded by Poster and was approved 5 – 0 with Condry and Alilovich absent.

P. Adjournment

The meeting adjourned at 12:00 p.m.


Michael S. Frank, Executive Officer

FY 2020/21 Budget and Workplan

May 14, 2020



Presentation Overview

- Introduction
- MMA Finance Subcommittee Request
- Budget Overview
- MTA / CATV Budget
- Animal Control Smoothing
- FY 20/21 Workplan



MGSA Budget Basics

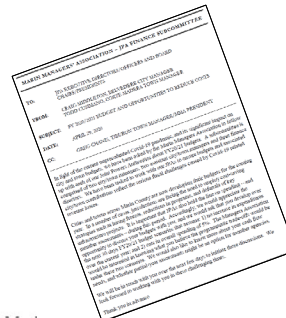


MGSA Budget Basics

- 10 Programs and 6 Funds
- No employees
 - No separate HR, IT, Risk, etc. functions
- 7 Part time contractors (including General Counsel)
 - No benefits
 - No retirement
 - Generally supply own computer / printer / supplies
 - No vehicles
 - Mostly work from home so minimal office space needed (hoteling)



MMA JPA Finance Subcommittee Request



- Hold the line on member assessments
- Status quo budget
- 5% reduction budget
- Timing of payments for cash flow purposes



Animal Care and Control

- 86% of jurisdiction contributions for programs is Animal Care and Control
 - Not part of MGSA Budget
 - Paid to manage contract
 - For jurisdiction ease, we invoice and deposit into County accounts
- 3rd year of 3-year contract
- 2% increase in contract
- Contractually obligated so minimal flexibility
- Start negotiations in September



All MGSA Programs excluding Animal Control

-6.9%

	Total 2019/20	Total 2020/21	Change	% Change
Belvedere	16,270	12,600	(3,670)	-22.6%
Corte Madera	34,421	30,481	(3,941)	-11.4%
County	154,459	149,744	(4,715)	-3.1%
Fairfax	24,204	20,382	(3,822)	-15.8%
Larkspur	23,913	21,221	(2,692)	-11.3%
Mill Valley	47,024	42,726	(4,299)	-9.1%
Novato	60,292	60,625	333	0.6%
Ross	15,981	11,910	(4,071)	-25.5%
San Anselmo	39,926	35,712	(4,214)	-10.6%
San Rafael	132,386	128,860	(3,526)	-2.7%
Sausalito	31,606	27,765	(3,841)	-12.2%
Tiburon	36,688	32,458	(4,230)	-11.5%
Total	\$617,171	\$574,482	(42,689)	-6.9%

All MGSA Programs including Animal Control

.8%

	Total 2019/20	Total 2020/21	Change	% Change
Belvedere	42,339	41,389	(949)	-2.2%
Corte Madera	142,770	138,428	(4,343)	-3.0%
County	1,143,648	1,160,423	16,775	1.5%
Fairfax	116,668	115,144	(1,525)	-1.3%
Larkspur	161,615	154,262	(7,353)	-4.5%
Mill Valley	203,996	231,592	27,596	13.5%
Novato	774,852	793,948	19,096	2.5%
Ross	42,690	42,804	114	0.3%
San Anselmo	192,479	185,207	(7,272)	-3.8%
San Rafael	821,399	814,114	(7,285)	-0.9%
Sausalito	133,418	127,503	(5,916)	-4.4%
Tiburon	138,593	141,856	3,263	2.4%
Total	\$3,914,467	\$3,946,670	32,203	0.8%

General Fund Revenue (no MCEP)

	Adj Budget 2019/20	Est Actual 2019/20	Proposed 2020/21	Bud 19/20 vs 20/21 Prop
Beginning Fund Balance	93,882	74,339	50,079	
Revenues				
Member Contributions	170,000	170,000	190,000	20,000
Taxicab Permit Fees	100,000	75,000	75,000	(25,000)
Management/Overhead Fees	27,917	27,917	47,440	19,523
Telecommunication Fees	30,000	20,000	30,000	-
Interest	4,000	5,500	5,000	1,000
Total Revenue	\$331,917	\$298,417	\$347,440	15,523

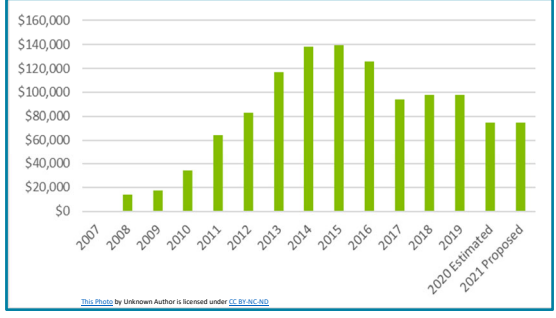


General Fund Revenue (no MCEP)

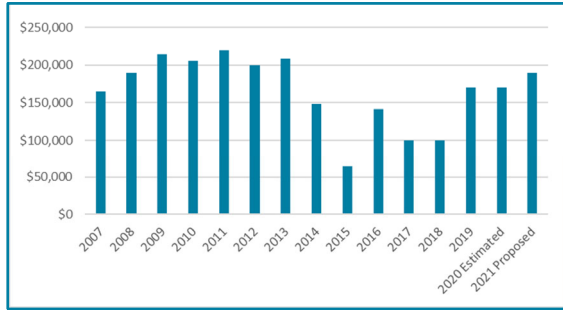
	Adj Budget 2019/20	Est Actual 2019/20	Proposed 2020/21	Bud 19/20 vs 20/21 Prop
Beginning Fund Balance	93,882	74,339	50,079	
Revenues				
Member Contributions	170,000	170,000	190,000	20,000
Taxicab Permit Fees	100,000	75,000	75,000	(25,000)
Management/Overhead Fees	27,917	27,917	47,440	19,523
Telecommunication Fees	30,000	20,000	30,000	-
Interest	4,000	5,500	5,000	1,000
Total Revenue	\$331,917	\$298,417	\$347,440	15,523



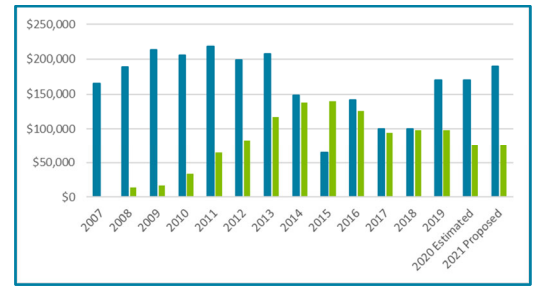
MGSA Historic Taxi Permit Revenue



MGSA Historic Member Contributions



Member Contributions & Taxi Revenue



General Fund Expenditures (no MCEP)

Expenditures	Adj Budget 2019/20	Est Actual 2019/20	Proposed 2020/21	Bud 19/20 2020/21
Insurance	15,000	11,000	15,000	-
Contract Services	270,000	245,962	277,586	7,586
Legal	25,000	28,365	25,000	-
Audit/Accounting	15,500	14,350	15,500	-
Rent	9,000	9,000	9,000	-
Office Expense	13,000	14,000	15,000	2,000
Total Expenditures	\$347,500	\$322,677	\$357,086	9,586
Net	(15,583)	(24,260)	(9,646)	5,936
Ending Fund Balance	78,299	50,079	40,433	(37,866)

NOTE: Below reserve balance policy.



Abandoned Vehicle Fund

	Adj Budget 2019/20	Est Actual 2019/20	Proposed 2020/21	Bud 19/20 vs 19/20 Prop
Beginning Fund Balance	\$28,162	\$31,232	\$15,860	(\$12,302)
Revenue				
DMV Reimbursement	1000	1,100	1,000	-
Interest	260,000	244,528	260,000	-
Total Revenue	\$261,000	\$245,628	\$261,000	-
Expenditures				
Program Administration	12,000	12,000	12,000	-
Jurisdiction Payments	270,000	249,000	249,000	(21,000)
Total Expenditures	\$282,000	\$261,000	\$261,000	(\$21,000)
Net	(\$21,000)	(\$15,372)	\$0	\$21,000
Ending Fund Balance	\$7,162	\$15,860	\$15,860	\$8,698



Marin Climate & Energy Partnership

	Adj Budget 2019/20	Est Actual 2019/20	Proposed 2020/21	Bud 19/20 vs 20/21 Prop
Beginning Fund Balance	23,431	48,232	94,376	
Revenue				
Member Contributions	35,000	37,500	22,500	(12,500)
Federal Grant/CEC	69,625	48,142	-	(69,625)
County Grant/PG&E	14,360	25,981	25,000	10,640
Total Revenue	\$118,985	\$111,623	\$47,500	(71,485)
Expenditures				
Overhead	7,000	7,000	7,000	-
Contract Services	75,220	58,479	75,550	330
Total Expenditures	\$82,220	\$65,479	\$82,550	330
Net	\$36,765	\$46,144	-\$35,050	(71,815)
Ending Fund Balance	\$60,196	94,376	\$59,326	(870)

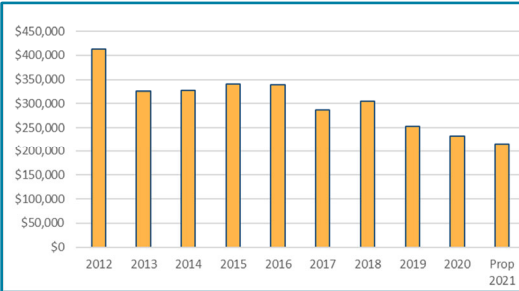


Marin Map

	Adj Budget 2019/20	Est Actual 2019/20	Proposed 2020/20	Bud 19/20 vs 20/21 Prop
Beginning Fund Balance	143,291	163,493	213,363	
Revenue				
Member Contributions	162,000	162,000	108,000	(54,000)
Interest	4,000	4,000	4,000	-
Total Revenue	\$166,000	\$166,000	\$112,000	\$(54,000)
Expenditures				
Executive Officer/Overhead	-	-	7,000	7,000
Program Administration	32,640	32,640	32,640	-
Other Contract Services	96,880	72,490	78,000	(18,800)
Projects	104,000	11,000	102,000	(2,000)
Total Expenditures	\$233,520	\$116,130	\$219,640	\$(13,880)
Net	\$(67,520)	\$49,870	\$(107,640)	\$(40,120)
Ending Fund Balance	\$75,771	\$213,363	\$105,723	\$29,952



MTA / CATV Operating Budget



CATV Operating Fund

	Adj Budget 2019/20	Est Actual* 2019/20	Proposed 2020/20	Bud 19/20 vs 20/21 Prop
Beginning Fund Balance	\$226,771		\$35,000	
Revenue				
Interest	5,000		5,000	-
Franchise Fees	4,000,000		3,500,000	(500,000)
Other Revenue	8,100		8,200	100
Total Revenues	4,013,100		3,513,200	(500,000)

	Adj Budget 2019/20	Est Actual* 2019/20	Proposed 2020/20	Bud 19/20 vs 20/21 Prop
Expenditures				
MGSA/Program Administration	82,000		45,929	(36,071)
Broadband for Jurisdictions	24,000		20,000	(4,000)
Professional Services	97,000		101,071	4,071
Other Expenses	29,000		48,500	19,500
Jurisdiction Payments	3,781,100		3,297,700	(483,400)
Total Expenditures	\$4,013,100		\$3,513,200	(\$499,900)
Net	\$0		\$0	
Ending Fund Balance	\$226,771		\$35,000	(\$191,771)



CATV PEG Fund

	Adj Budget 2019/20	Est Actual 2019/20	Proposed 2020/20	Bud 19/20 vs 20/21 Prop
Beginning Fund Balance			\$500	\$500
Revenue				
Interest	500		500	-
PEG Fees	850,000		750,000	(100,000)
Total Revenues	\$850,500		\$750,500	(\$100,000)

	Adj Budget 2019/20	Est Actual 2019/20	Proposed 2020/20	Bud 19/20 vs 20/21 Prop
Expenditures				
Community Media Center Contract	850,000		750,500	(99,500)
Total Expenditures	\$850,000		\$750,500	(\$99,500)
Net	\$500		\$0	(\$500)
Ending Fund Balance	\$500		\$500	\$0



All MGSA Programs excluding Animal Control

-6.9%



	Total 2019/20	Total 2020/21	Change	% Change
Belvedere	16,270	12,600	(3,670)	-22.6%
Corte Madera	34,421	30,481	(3,941)	-11.4%
County	154,459	149,744	(4,715)	-3.1%
Fairfax	24,204	20,382	(3,822)	-15.8%
Larkspur	23,913	21,221	(2,692)	-11.3%
Mill Valley	47,024	42,726	(4,299)	-9.1%
Novato	60,292	60,625	333	0.6%
Ross	15,981	11,910	(4,071)	-25.5%
San Anselmo	39,926	35,712	(4,214)	-10.6%
San Rafael	132,386	128,860	(3,526)	-2.7%
Sausalito	31,606	27,765	(3,841)	-12.2%
Tiburon	36,688	32,458	(4,230)	-11.5%
Total	\$617,171	\$574,482	(42,689)	-6.9%

Animal Control Smoothing Methodology

2019 Service Calls	3 Year Average Service Calls	50% Allocation	2019 Population	50% Allocation	PROPOSED FY 20/21 NO SMOOTHING	3 Year Average FY 20/21 SMOOTHING
78	88	\$15,235	2,148	\$13,105	\$28,789	\$28,340
232	301	\$52,309	10,047	\$61,296	\$107,947	\$113,606
237	279	\$48,544	7,721	\$47,105	\$94,762	\$95,649
280	341	\$59,319	12,578	\$76,738	\$133,041	\$136,056
494	471	\$81,795	14,675	\$89,532	\$188,866	\$171,326
2,005	2,253	\$391,538	54,115	\$330,153	\$733,323	\$721,691
77	67	\$11,586	2,526	\$15,411	\$30,894	\$26,997
352	444	\$77,161	12,902	\$78,715	\$149,495	\$155,875
1,586	1,942	\$337,433	60,046	\$366,338	\$685,254	\$703,771
271	336	\$58,450	7,416	\$45,245	\$99,738	\$103,694
260	273	\$47,385	9,362	\$57,117	\$109,399	\$104,503
5,872	6,794	\$1,180,755	193,536	\$1,180,755	\$2,361,509	\$2,361,509



Recommendations

- Determine Animal Care and Control smoothing methodology and timing
- Adopt Budget as presented with above methodology decision
- Future Budget Reduction Opportunities
 - Return to discuss with Board in September

