

**MARIN GENERAL SERVICES AUTHORITY**  
371 Bel Marin Keys Blvd., Suite 100, Novato, CA 94949  
PHONE: (415) 883-9100 FAX: (415) 883-9155

**MEMORANDUM**

**DATE:** March 11, 2010  
**TO:** MGSA Board of Directors  
**FROM:** Paul Berlant, Executive Officer  
**SUBJECT:** AGENDA ITEM: D: Marin County Stormwater Pollution Prevention Program

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Recommendation: Receive report on MCSTOPPP.

Summary: Terri Fashing of the Marin County Stormwater Pollution Prevention Program (MCSTOPPP) will present an update of 2009 - 2010 projects and accomplishments, the 2009 - 2010 Budget, and a preliminary 2010 - 2011 budget. Although a written report is not available at the time of the preparation of the agenda packet, one will be distributed at the March Board meeting.

**MARIN GENERAL SERVICES AUTHORITY**  
555 Northgate Drive, San Rafael, CA 94903  
PHONE: (415) 448-0359

**MEMORANDUM**

**DATE:** March 11, 2010  
**TO:** MGSA Board of Directors  
**FROM:** Paul Berlant, Executive Officer  
**SUBJECT:** AGENDA ITEM E: Taxicab Regulation Program Update

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Recommendation: Receive this update report.

Taxicab Regulation Program Update:

As of the end of February we have permitted eleven companies using 16 names and 85 vehicles. There are 157 drivers permitted, four more than reported in January.

Jeff Rawles continues to issue the 2010 renewals. He anticipates completing them by the end of June. All of the permitted companies have been cooperative.

We have also seen an increase in enforcement from member agencies. Mill Valley police have increased their vigilance for taxi permits on vehicles and San Rafael Police are stepping up training with officers. In addition, the County Clerk's office has begun referring taxi applicants to Jeff.

The last of the agencies that needed to confirm the November 2009 increase in taxi permit fees was scheduled to consider the change on March 3<sup>rd</sup>. I will report on their action at the March 11 meeting.

The motion to dismiss the traffic citation case involving Novato Taxi has been denied. The Commissioner ruled that the City of Novato and the MGSA have inherent police powers, which may be used to require permits in order to operate taxicabs, that taxicab drivers may be subject to mandatory drug testing, and that the requirement that drug/alcohol test results be reported to the City and MGSA is not preempted by the state Government Code section addressing taxicab permitting or federal regulation. Further, the Commissioner found that reporting such test results does not violate constitutional or statutory privacy rights of independent or employee-drivers of taxi companies.

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**MEMORANDUM**

**DATE:** March 11, 2010  
**TO:** MGSA Board of Directors  
**FROM:** Paul Berlant, Executive Officer  
**SUBJECT:** AGENDA ITEM: **G:** Marin Climate Energy Partnership Program Update

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Recommendation: Receive this update on the Marin Climate Energy Partnership Program.

Background:

As approved by the MGSA Board in January, we entered into a professional services contract with Christine O'Rourke for the position of "Sustainability Coordinator." She is serving as staff to the Steering Committee and following up with the member cities as they work on their Climate Action Plans.

In an email to the current and former chairs of the Steering Committee, Torri Estrada at Marin Community Foundation wrote that he understood that our MCF grant runs out on March 31<sup>st</sup>. He said he would like to be able to take something to his board in April so that we do not have a gap in support of the work being done by MCEP. In response, the Steering Committee Executive Committee asked Ms. O'Rourke to draft a brief grant description, which will be discussed by the full Steering Committee on March 4<sup>th</sup> (which is after this report is to be distributed). I will report further at the March 11<sup>th</sup> meeting.

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**MEMORANDUM**

**DATE:** March 11, 2010  
**TO:** MGSA Board of Directors  
**FROM:** Paul Berlant, Executive Officer  
**SUBJECT:** AGENDA ITEM II: Streetlight Update

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Recommendation: Receive this update report.

Streetlight Update:

On Wednesday, March 10, 2010, MEMT will host a LED/Induction Streetlight Peer Networking lunch meeting. The meeting's program is to provide an overview of LED and induction technologies as well as to provide a dialogue with experts in the field. A representative from the City of El Cerrito will discuss their experience with a lighting retrofit project and new PG&E rates for municipalities will be discussed. I will attend and report further at the March 11 meeting.

As the MEA moved forward I inquired as to any possible impact on streetlight rates. Response from MEA staff is that the rate with MEA will be exactly the same as we currently experience with PG&E. The major difference is that MEA will double the amount of renewable energy in the energy mix.

## MEMORANDUM

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**TO** : Board of Directors, MGSA

**FROM** : David J. Byers, General Counsel

**DATE** : March 2, 2010

**RE** : Adoption of Policy to Comply with the Brown Act

Since the MGSA is a Joint Powers Authority and at times information will be transferred from closed sessions of the MGSA to closed sessions of Member Agencies, it should adopt the attached policy as required by the Brown Act to ensure confidentiality. I have tracked the specific statutory language of Government Code § 54956.96. I propose that the Board approve this policy at the hearing of March 11, 2010.

## **Policy No. 1**

Pursuant to Government Code § 54956.96, the Marin General Services Authority hereby adopts the following policy:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the MGSA in a closed session shall be confidential. However, a member of the legislative body of a member local agency may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that member local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that member local agency.

(B) Other members of the legislative body of the local agency present in a closed session of that member local agency.

(2) Any designated alternate member of the legislative body of the MGSA who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the MGSA in lieu of a local agency member's regularly appointed member to attend closed sessions of the MGSA.