

**MARIN COUNTY COUNCIL OF MAYORS AND COUNCILMEMBERS
DRAFT MINUTES**

**Wednesday, June 27, 2012
Hosted by the Town of San Anselmo
Jason's Restaurant
300 Drake's Landing Road
Greenbrae, CA 94904**

Members Present

Belvedere: No members present
Corte Madera: Carla Condon, Diane Furst, Michael Lappert, Bob Ravasio
Fairfax: John Reed
Larkspur: Larry Chu, Ann Morrison, Brad Marsh
Mill Valley: Andrew Berman, Shawn Marshall, Stephanie Moulton-Peters
Novato: Pat Eklund, Jeanne MacLeamy, Madeline Kellner
Ross: Carla Small
San Anselmo: Kay Coleman, Lori Lopin, Tom McInerney
San Rafael: Damon Connolly, Marc Levine, Gary Phillips
Sausalito: No members present
Tiburon: Alice Fredericks

City Managers and City Staff: Corte Madera City Manager Dave Bracken; Novato Interim Community Development Director Bob Brown; Ross Interim Town Manager Pat Thompson; San Rafael City Manager Nancy Mackle; San Anselmo Town Manager Debbie Stutsman; Tiburon Town Manager Peggy Curran, and Tiburon Town Clerk (MCCMC Secretary) Diane Crane Iacopi.

Call to Order and Public Comment.

President Kellner called the meeting to order and asked for public comment. There was none.

Welcome and Introduction of Guests.

Mayor McInerney welcomed everyone to the meeting and said he was happy to see such a great turnout. He introduced the members of the San Anselmo Council who were present, along with San Anselmo Town Staff: Town Manager Debbie Stutsman, Chief of Police Charles Maynard, Ross Valley Fire Chief Roger Meagor, Deputy Town Attorney Megan Acevedo, Public Works Director Sean Condry, Community Development Director Dave Donery, Finance & Administrative Services Director Daria Carrillo, Town Librarian Linda Kenton, Interim Planning Director Diane Henderson, and Administrative Services Technician Joanne Kessel.

The Mayor welcomed the following guests: State Assemblymember Jared Huffman and aide Jenny Callaway, Supervisor Steve Kinsey, Superior Court Judge Faye D'Opal, Former San Anselmo Mayor and Marin Telecommunications Executive Director Barbara Thornton, League of Women Voters Patsy White, League of California Cities Nancy Bennett, and speaker, Institute for Local Government Executive Director Joanne Speers.

Mayor McInerney said it was a pleasure to host the meeting with Marin Community United and welcomed the representatives from the following school districts: Dixie, Kentfield, Larkspur-Corte Madera, Marin Community College, Mill Valley, Ross Valley, San Rafael City, Sausalito Marin City, Tampalpais Union High School, and the Marin County Office of Education.

He then turned the meeting over to Marin County Superintendent of Schools, Mary Jane Burke. Ms. Burke said she appreciated the opportunity to come together with the cities since 2005 as Community United. She acknowledged Alice Fredericks for her leadership and commitment to the idea of a partnership between the cities and schools for the greater good of the community.

She described some of the past programs and successes, such as the Healthy Kids Survey which spurred the adoption of social host ordinances. She said she looked forward to coming together tonight as a group to learn together.

The Superintendent said that many of the districts represented at the meeting had recently adopted their budgets for the coming year. She said they continued to have a laser focus to look at how to do a better job in light of the state budget realities with the resources that were available.

Approval of Minutes – May 23, 2012 meeting.

There was a motion and second (Eklund/Fredericks) to approve the minutes. Motion passed.

Adoption of Meeting Calendar for 2012-13.

President Kellner noted the change to the September meeting calendar, from Wednesday, September 26 to Monday, September 24, in recognition of Yom Kippur.

Appointment to Local and Regional Committees – ABAG.

President Kellner asked for nominations. She said that the incumbents had both submitted letters expressing their interest in reappointment. There was a motion and second (Morrison/Fredericks) to reappoint Pat Eklund as delegate and Dan Hillmer as alternate to the ABAG Executive Board for another two-year term. Motion passed.

Executive Committee for 2012-13 term.

President Kellner said that Herb Weiner had been nominated as President at the May meeting and that Larkspur Mayor Len Rifkind had submitted a letter for the position of Vice President.

There was a motion and second (Moulton-Peters/Eklund) to appoint Weiner and Rifkind. Motion passed.

Committee Reports

ABAG. Pat Eklund reminded the group of the importance of the July 19 joint meeting with MTC, the date of the adoption of the final Regional Housing Need Allocation (RHNA) Methodology, and release of draft allocations. She said that comments are due on July 11. Eklund said she could provide a link to the latest report to anyone who was interested. Eklund said she continued to fight for the cities' interests throughout the SCS process and appreciated the support of the membership in reappointment to the ABAG Board.

Golden Gate Bridge, Highway Transportation District (GGBHTD). Alice Fredericks directed people to the web link of the 75th Anniversary celebration. She said that ridership was up on ferries, busses, and that bridge traffic continued to increase beyond last year's levels at the same time (April 2011). She said the soft launch of all electronic tolling ("personless" toll booths) would commence in December of this year.

Transportation Authority of Marin (TAM). Alice Fredericks said the Greenbrae/Twin Cities interchange project had a long history dating back to 1999. In 2009, she said the Corte Madera Town Council passed a resolution opposing any solution that would close direct highway access to Madera Blvd. She said that alternative was removed from the scope of the project which triggered a redesign and additional work to meet Caltrans standards. Fredericks said the new alternatives were subject to further project approval and environmental process and will be presented for additional public comment at a workshop in the Fall. She invited all interested members to get in touch with TAM staff for more information.

On another topic of interest, Fredericks also reported that the school district's crossing guard program was fully funded for another year with Measure A funds.

Legislative Committee. Alice Fredericks said that the committee had met without a quorum in May and agreed by consensus to weigh in on various budget bill trailers that affect cities as those bills are released. She said the group expressed concern about the lack of transparency in the last minute release of lengthy and complex bills so close to a floor vote, noting that there is not adequate time for constituents to read much less to consider and respond. She gave a list of bills opposed by the committee.

League of California Cities. Nancy Hall Bennett said both houses had completed their work on the state budget today. She thanked Assemblyman Huffman for holding the line in support of cities. She said the main concerns now were the clawback provisions, and she also agreed with Alice about the lack of transparency in the process and short notice in bringing bills forward. Ms. Bennett said that it was possible that pension reform might be complete by the time MCCMC met again in September. She said she would send out progress reports via email. Bennett said the next North Bay Division was scheduled for July 19 and that MRK was seeking presidency of the division at that meeting. Bennett also acknowledged and thanked Alice Fredericks for her service on the League state-wide Board of Directors and said she would be stepping down after the July meeting.

At this juncture, Assemblyman Huffman was invited to comment on the state budget. He received a standing ovation as he thanked his constituents and said what an honor it had been to represent them over the last six years.

The Assemblyman reported that the \$90 billion budget was better than January or May revise but said it was not great. He said that programs such as Healthy Families were now combined with Medical and said he knew people were already trying to making the the best of this at county level. With regard to: 1) Schools--he said the budget held the line with funding with a possible modest increase, but only if the Governor's tax measures pass in November; he said if it fails, the schools will be affected first; 2) RDA--last minute legislation takes excess ERAF away, he voted no but it passed; hopes it will be revised in clean-up legislation. Huffman also noted that public safety and education are on the chopping block this Fall.

Marin Telecommunications Agency (MTA). Andy Berman reported on three things: 1) the settlement with Comcast of the dispute over the collection of monies when the franchise agreement shifted to the state level; said it was settled favorably with both parties sharing the monies going forward; 2) Said the current focus of MTA was the Media Center; it is a great asset for use by local governments to meet their goals of transparency through the media of television and webcasting; 3) in partnership with Comcast now offering low cost broadband, computers and training to qualified low-income households.

SMART. Stephanie Moulton-Peters said the exciting news was that SMART had entered the construction phase and the agency was "staffing up". Said the board had paid attention to the work of the MCCMC Pension subcommittee and had established a second tier described as 2 per cent @ 60, calculated on average of 3 years, employer and employee contribution to CALPERS shared equally, and also looking at defined contribution plan.

Ms. Moulton-Peters said that the Sumitomo of America would open its rail yard in July. She also said the agency had acquired land near the Santa Rosa airport which would serve as a maintenance yard but would also allow another station site to serve the airport, thereby creating a true regional system by providing future transit between the Larkspur ferry terminal in the south and the airport in the north.

Presentation: Technology in Meetings: Finding the Best Balance

Speaker: Joanne Speers, Executive Director, Institute for Local Government

Ms. Speers said that technology presented new ways to reach and communicate information to the public, and enhance the transparency of government. However, she said it could also create

a distraction during meetings. She said that the use of technology had raised legal issues and issues of whether attention was being paid to the proceedings, the question of whether ex parte information was being introduced, and the like. She said this had led some cities to create policies prohibiting messaging during meetings. She also cautioned against the use of agency-issued equipment for private use; she said that state law prohibited the use of equipment paid for with public funds for personal purposes. She also said that personal use could be subject to public records disclosure obligations.

Ms. Speers talked about the way technology could enhance public input through discussion forums and social media platforms. She said that issues to pay attention to here were First Amendment requirements (no ability to delete content) and Open Meeting laws with regard to quorums and the like.

Ms. Speers also noted that paper wasn't "going away" any time soon, because not everyone had access to technology and the law still said that paper copies of agendas and notices must be posted in freely accessible areas.

During Q&A, Mayor McInerney asked about on-line research during meetings and whether there was anything wrong with doing a Google search, for instance, for a date of an event or a document related to the proceedings. Ms. Speers said that generally there was nothing wrong with it but suggested disclosure by the official doing the on-line research.

Larry Chu asked whether there was a higher burden being placed on technology users during meetings. Ms. Speers commented that the field was still new and that her role was to identify issues. She said that ILG had a checklist that it had created to assist local officials in thinking about these issues.

Peggy Curran asked for more information on what constituted a disclosable document on a city-issued electronic device. Ms. Speers said that there were two public records laws that applied, the first one governing the retention of documents, and the second being the Public Records Act. She said the latter stated that if someone requests a record, both paper and electronic records are disclosable, if they are owned, used or retained by a local agency. Speers noted that there is an exception for deliberative process privilege; she also noted that more would be learned as the law develops on this subject.

Adjournment.

President Kellner thanked the speaker and everyone for attending the meeting. She said it had been a wonderful combination of minds and an interesting topic. Kellner noted that this was her last meeting as President; she acknowledged Secretary Crane Iacopi for her service over the past year. She wished everyone a happy summer and adjourned the meeting to September 24, 2012, in San Rafael.

Meeting adjourned at 9:30 p.m.

Submitted,
Diane Crane Iacopi
MCCMC Secretary