

DRAFT MINUTES

**MEASURE W WEST MARIN TRANSIENT OCCUPANCY TAX RATE AREA
OVERSIGHT COMMITTEE**

(MWWM TOT Oversight Committee)

Regular Public Meeting

Thursday, February 9, 2023, 5:30 P.M.

Virtual Hearing via [Zoom](#) or call 669-444-9171; Meeting ID: 836 4146 3053; Passcode: 507568

The County of Marin encourages a respectful dialogue that supports freedom of speech and values diversity of opinion. Committee members, staff, and the public are expected to be polite and courteous.

- 1) **Call to Order** by Chair, Pamela Lichtenwalner at 5:36 PM.
Roll Call of committee members present: Allan Bortel, Michelle Clein, Pamela Lichtenwalner, Kirk Marckwald, and Scoby Zook.
Staff: Michelle Camacho, Molly Kron, Rhonda Kutter, Mina Martinovich, Stephen Raab, Kellie Sullivan, Leelee Thomas, and Jennifer Menicucci.
Guest: Stacey Laumann
- 2) **Public Comment:** None
- 3) **Approve Minutes from January 19, 2023** (Action Item): Chair Pamela Lichtenwalner asked the Committee if there were any corrections, comments to the previously circulated minutes of January 19, 2023. Vice Chair Scoby Zook noted two spelling corrections, one for the adding an 'e' on the word aide and adding an 'a' in the word annual. The Committee accepted these corrections.
M/s Bortel/Lichtenwalner moved to adopt the minutes of January 19, 2023, with the noted corrections.
Roll Call was taken of each Commissioner:
Ayes: All
Motion passes.
- 4) **Review of Measure W – Ordinance 3692** (Information Item):
County Counsel, Mr. Stephen Raab, highlighted the key items the Oversight Committee is responsible for overseeing, per Ordinance 3692, which was passed by West Marin voters on November 6, 2018.
 1. Allocations of funds for fire/emergency are consistent with Section 2 of Ordinance 3692
 2. Allocations of funds for community housing are consistent with Section 2 of Ordinance 3692. Review and oversight of an annual audit of expenditures/revenues of the 4% Measure W Transient Occupancy Tax, to ensure the monies are spent within the boundaries of West Marin Measure W TOT Tax Areas.
 3. Ensure administrative expenses of the County of Marin do not exceed 5%.

The Committee asked questions and had a robust discussion.
- 5) **FY21-22 Measure W Community Housing** (Information Item):
Guest presenter Ms. Stacey Laumann, a member of the Measure W Working Group for Community Housing, joined the meeting along with Ms. Leelee Thomas, Deputy Director of Housing and Federal Grants gave an overview of the fiscal year priorities for 2021-2022 and provided background on the working group process. Ms. Laumann discussed the composition of the working groups members. On an annual basis the working group discusses and evaluates priorities and makes a recommendation to the Community Development Agency Director. The Board of Supervisors approves priorities for allocating Measure W community housing funds annually. Ms. Thomas shared the processes of outreach and community engagement to inform the

public of the funding priorities and emphasized that applications are open on a rolling basis to allow more flexibility for applicants. The Committee asked various questions and had an educational discussion with the staff regarding the priority setting and the Board approval process. Ms. Rhonda Kutter, District 4 Aide, also offered to the Committee to meet with her for any further questions or discussions.

6) **FY21-22 Final Audit Review – by Internal Audit Division** (Action Item):

Ms. Michelle Camacho, Internal Audit Manager and Ms. Mina Martinovich, Director of Finance reviewed the fiscal year 2021-2022 Measure W Audit with the Committee. Ms. Camacho discussed the technical governance structures for the allocations of revenues and expenditures for each category fire/emergency and community housing. All allocations of revenues/expenditures passed the audit tests, with only two observations for Marin County Fire Department (MCFD) who is the administrator of funds as well as a recipient.

Ms. Camacho stated there were no findings, difficulties, or any non-compliant issues during the audit, and the specific recommendations for process improvements were accepted. Next, Ms. Martinovich reviewed the Appendices which included the balance sheets, and data exhibiting the funds were spent within the boundaries of the Measure W tax area. The Committee asked various question and then moved into a motion to adopt the FY21-22 Audit Report. Chair Pamela Lichtenwalner, disconnected from Zoom unexpectedly, and Vice Chair Scoby Zook resumed the motion, to accept the FY21-22 Audit Report.

M/s Zook/Clein moved to adopt the FY21-22 Audit Report.

Roll Call was taken of each Commissioner:

Ayes: Zook, Bortel, Clein, and Marckwald

Noes: None

Abstains: None

Motion passes.

7) **Selection of sub-committees** (Action Item):

Vice Chair Scoby Zook continued the meeting while waiting for Chair Pamela Lichtenwalner to reconnect to Zoom. A brief background on the sub-committees was discussed with the other Commissioners and it was determined to form two sub-committees. A Bylaw sub-committee and Board Letter sub-committee. Each sub-committee contains two members each to remain compliant per the Brown Act.

Chair Pamela reconnected to the meeting.

M/s Lichtenwalner/Bortel moved to accept Mr. Kirk Marckwald and Mr. Scoby Zook for the Bylaw sub-committee and Ms. Michelle Clein and Ms. Pamela Lichtenwalner for the Board Letter sub-committee.

Roll Call was taken of each Commissioner:

Ayes: All

Motion passes.

8) **Adjourn the meeting** (Action Item): Chair, Pamela Lichtenwalner adjourns the meeting at 7:27 PM.

The agenda is available on the Internet at the [County's website](#). Due to the COVID-19 pandemic, this meeting will not be held in person. For information about participating in the MWWM TOT Oversight Committee meetings via Zoom, see information above or call (415) 473-7097. Individuals who require language translation, special assistance or a disability related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact the staff support for the Committee, no later than 9:00 a.m. on the day before the meeting at (415) 473-7097 and/or email measurewoc@marincounty.org. Sufficient notification will enable the County to make reasonable arrangements for accommodations for this meeting, the materials related to it, and your ability to comment.

