



Tamalpais Community Services District

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**Minutes of the Work Session Meeting of TCSD Board of Directors
Held at 305 Bell Lane, Mill Valley
October 26, 2011
8:45 a.m.**

1. **CALL TO ORDER.** The Work Session of the Tamalpais Community Services District Board of Directors was called to order by President Bartschat at 8:50a.m. on Wednesday, October 26, 2011.

2. **ROLL CALL.**

Board Members Present: The following members were present:

President Steffen Bartschat
Vice President Jim Jacobs
Linda Johnson
Jeff Brown
Gretchen Stagg

As five of five of the Board members were present at Roll Call, a quorum was constituted.

Staff Present: General Manager Jon Elam, Finance Director Jerry Taylor, and Recording Secretary Claudia Laughter.

Others Present: Tam Valley property owner Cela O'Connor (arrived 9:12a.m.)

3. **APPROVE AGENDA**

MOTION TO APPROVE THE AGENDA WITH THE CHANGE TO ADDRESS AGENDA ITEM B BEFORE AGENDA ITEM A:

M/S/C L. Johnson/G. Stagg AYES: 5 NAYS: 0

4. **PUBLIC EXPRESSION.** President Bartschat invited public expression on non-agenda items, in response to which there was the following: None when this agenda item was reached, but time was given to Ms. O'Connor at the end of the meeting.

5. **GENERAL BUSINESS.** It should be noted that GM Elam (and Staff) provided this work session's reports, financials, and other written materials.

B. Approval of Resolution 2011-07 - Finance Manager Jerry Taylor presented Resolution 2011-07 to the Board for approval which would provide for the advance of funds from the County of Marin to complete FY 2011-2012.

MOTION TO APPROVE RESOLUTION 2011-07 TO PROVIDE FOR THE BORROWING OF FUNDS FOR FISCAL YEAR 2011-2012

M/S/C L. Johnson/G. Stagg AYES: 5 NAYS: 0

- A. Continuation of Discussion of SMCSD/TCSO Contract - GM Elam reported he would be handing out a summary of the October 19th contract points to the Board at the end of this session.

Section 10 - Wastewater Quality Limits

10.3 - Change language to "*shall take reasonable action*" instead of "*shall monitor*"

Section 11 - Inflow and Infiltration Prevention

11.3.c - If TCSO doesn't provide the peak flow for any event where a spill occurs, then the District should not be responsible for a percentage of those fines.

Section 14 - Records and Accounts

Requesting a more defined record management system.

Section 15 - Events of Default - Remedies - Language was added for a 15-day payment schedule

Section 16 - Intergovernmental Cooperation, Communication and Assistance

GM Elam will be reviewing the annual expenses from SMCSD. President Bartschat requested a more formal criteria for TCSO's approval on expenditures.

Section 19 - Termination

19.2 - Regarding the phrase "alternative comparable service" - TCSO would agree to termination if SMCSD paid transfer costs. Unless both parties mutually agree, then it would make it difficult for either party to cancel the contract.

19.3 - Termination by TCSO "Existing Financing or Anticipated Financing is outstanding..." remove the anticipated language and rephrase as any already spent capital item and detailed definition of capital costs.

19.4 - President Bartschat suggested additional language that states either party will make a payment and to also change to Section 19.5.

19.5 - Requested greater clarification in language

Legal Counsel John Bakker will be available at the November 9th Board Meeting to review these changes as well as any further questions the Board has regarding the contract. After counsel review, the subcommittee will meet with SMCSD.

Public Expression: Tam Valley property owner Cela O'Connor requested that the Board write a letter of support for changes to Title 22 to restore rezoning in Tam Valley. GM Elam stated that since this is a County land-use issue, the Board does not get involved in zoning issues. Director Johnson stated that the Board has already sent a letter of support for Title 22 changes.

ADJOURNMENT

M/S/C L. Johnson/G. Stagg AYES: 5 NAYS: 0

Meeting was adjourned at 9:45 a.m.

Next Scheduled Board Meeting:

Date: November 9, 2011 Time: 7:00pm

Location: TCSD Community Center, 203 Marin Avenue, Mill Valley

SA RA 11/9/11
President Date

Jon Ah 11-10-11
Secretary Date