

Minutes of the Regular Meeting of TCSD Board of Directors
Held at 205 Marin Drive, Mill Valley
May 12, 2010
7:00pm

1. **CALL TO ORDER.** The Work Session of the Tamalpais Community Services District Board of Directors was called to order by President Steffen Bartschat at 7:04 p.m. on Wednesday, May 12, 2010.

2. **ROLL CALL.**

Board Members Present: The following members were present:

President Bartschat
Linda Johnson (L. Johnson)
Jim Jacobs
Gretchen Stagg
Rick Johnson (R. Johnson)

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, Bob Bunce, Wastewater Facilities Manager, Carol Buchholz, Director of Park & Recreation, and Recording Secretary Claudia Laughter.

Others Present: Jim Kasper, Rob Cole (FOG Program), Jennifer Faught-Meyers-Nave Attorneys, Bill McKean-President Marin Realtors Assoc., Kevin Connor (P&R Commission nominee), Paul Holland (P&R Commission nominee-representing his wife Elise Holland), Bernard (MyMapbook), and several unidentified members of the public

3. **APPROVE AGENDA.**

MOTION TO APPROVE THE AGENDA

M/S/C S. Bartschat/J. Jacobs

Ayes: 5

Nays: 0

4. **PUBLIC EXPRESSION.** President Bartschat invited public expression on non-agenda items, in response to which there was the following:

- Jim Kasper updated the Board on several grant projects: Sudden Oak Death Grant is still under review and the funds should start being received in June; The Fire Defense Grant should send responses on 6/14; and The Green Garden Project Grant may not hear for another month since the materials are still being reviewed.
- GM Elam introduced Jennifer Faught from Meyers-Nave representing John Bakker as Legal Counsel for TCSD

5. COMMISSION REPORTS.

Revitalization & Safety Commission – The Commission President was not present to give the report on the last R&S Meeting.

Park & Recreation Commission – Carol Buchholtz was present representing the Park & Recreation Commission and first introduced Commission candidates Kevin Connor and Paul Carrol standing in for his wife Elise Holland. President Bartschat asked each candidate what they would identify as the largest improvement project over the next few years. Mr. Connor stated that there was no single project, but that his focus would be using his background as a landscape architect to help with planning and implementation for TCSD projects, but if he had to choose one project, it would be to extend the bike bath through Tennessee Valley Road. He also stated that his particular interests were improvement projects and ecological sensitivity. Paul Carrol, speaking on behalf of his wife Elise, stated that she is involved in engagement of the community. The Board thanked both for their time and welcomed them to the Park and Recreation Commission.

MOTION TO ACCEPT KEVIN CONNOR AND ELISE HOLLAND AS MEMBERS OF P&R COMMISSION

M/S/C J.Jacobs/G. Stagg AYES: 5 NAYS: 0

Park & Recreation – Staff Report – The Park & Recreation Commission did not hold their monthly meeting in April because they did not have a quorum. Ms. Buchholz distributed a packet of information to the Board on the current programs and projects. The Farmer’s Market will open next week on May 18th; an example of the P&R Department logo as part of an ongoing branding project was submitted for feedback from the Board; draft signs for Kott Park and the Rhubarb Trail were also submitted for Board feedback. Also presented was a new Park and Recreation Newsletter that will be distributed to residents the last week of June that covers all of the summer programs. This fills the void that exists between our regular newsletter publishing dates. P&R is also going to be implementing a new online registration program that is an upgrade to our existing software in July.

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

A. PUBLIC HEARING – REGARDING AMENDING DISTRICT ORDINANCE NO. 81 THAT WOULD AMEND REGULATIONS CONCERNING FATS, OIL, AND GREASE (FOG) PRIVATE LATERAL INSPECTIONS AND CLARIFY VIOLATIONS AND ENFORCEMENT OF THE ORDINANCE – Jon Elam – GM Elam presented the first reading of Ordinance No. 81 – the document is to integrate sewer ordinances into a single document that would include upgrading our inspection plans. There will be two readings of the ordinance before formal ratification at the June Board Meeting. He then introduced Rob Cole from the Central Marin Sanitation Agency who presented to the Board with a draft letter that will be distributed to the Tam Valley restaurant owners about the FOG program. Mr. Cole reviewed the timeline for the project that once restaurant owners receive the letter, they will have approximately six months to comply.

The next portion of the Ordinance for review related to requiring certificates for residential laterals. President Bartschat wanted to discuss the proposal of requiring a certificate of disclosure for all home sales within Tam Valley or does this simply become an optional item. Currently, TCSD requires backflow devices for all renovation/remodeling projects within Tam Valley, but it is not required for property sales. There is also the proposal to encourage residents with bad laterals to have them cleaned out then they would receive a certificate verifying their status. The existing ordinance allows the Board to distribute the certificates if needed.

Bill McKean from the Marin Realtors Association requested that the terminology be changed (p. 12, Section 4 – change “Shall” to “May”).

MOTION TO ACCEPT THE ORDINANCE WITH CHANGES: CHANGE REQUIRING TO OPTIONAL PGROOM (P.11); SHALL TO MAY IN ITEM 4A P.12 & ADD LANGUAGE REGARDING EASEMENTS - MAKE CHANGES AND REFER MATTER BACK TO LEGAL COUNSEL

M/S/C S. Bartschat/J. Jacobs AYES: 5 NAYS: 0

- B. LOAN OF ART FOR THE COMMUNITY CENTER – Jon Elam – Mr. & Mrs. DeLong approached the office regarding local sculptor to loan to the community center for placement. Need to insure for up to \$5k (\$10/year). Mrs. DeLong was present and showed examples of Dennis Patton’s art on display at Bon Air. LJ-concern of vandalism and theft of art.

MOTION TO APPROVE ACCEPTANCE THE OFFER OF ART LOAN – 2 SCUPTURES FOR 2 YEARS

M/S/C J. Jacobs/G. Stagg AYES: 5 NAYS: 0

- C. PROPOSAL FROM MYMAPBOOK, LLC TO PRINT A MAPBOOK ON THE TAMALPAIS VALLEY – Jon Elam – GM Elam presented Bernard Catalinotto, Vice President of MyMapBook, a Tamalpais Valley-based company that is interested in working with TCSD to produce map books for residents of the Tam Valley. Mr. Catalinotto is requesting a letter of reference to potential advertisers. Estimated cost of the project is \$6,400 for 2,500 books. The books would be sent out to residents as a mailing probably with one of the newsletters. President Bartschat suggested that all Tam Valley trails, parks, and facilities also be prominently listed. L. Johnson addressed the boilerplate agreement – if Mr. Catalinotto is unable to find advertising, TCSD agrees to reimburse him \$1,500 plus 15%. President Bartschat requested that Mr. Catalinotto and GM Elam present a revised proposal along with a draft of the letter of recommendation for this to become an officially sanctioned project.

MOTION TO PROCEED WITH THE MYMAPBOOK PROJECT AFTER REVIEW OF A REVISED PROPOSAL

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

- D. ESTABLISH A DATE AND TIME FOR THE DISTRICT'S ANNUAL 2010-2011 BUDGET PLANNING WORKSHOP – Jon Elam

MOTION TO SET TIME/DATE FOR JUNE 15TH – 6:00PM-8:00PM AT TCSD OFFICES

M/S/C S. Bartschat/L. Johnson

AYES: 5

NAYS: 0

- E. ADDITIONAL INFORMATION – EDU PURCHASING FROM SASM AGENCIES – Jon Elam/Steffen Bartschat – President Bartschat reported that GM Elam reassessed the EDU purchasing information with the addition of data from the past six months and Nute Engineering's latest reports. GM Elam restated that there is the potential to purchase 1,162 EDUs from other District agencies. After careful consideration of the situation, GM Elam proposed a discussion with the SASM Board the following week to state that TCSD has reviewed the Nute Engineering Study as well as the EDU purchase option and is back to a plan that would divert the entire flow or nothing to SASM. It will also mean approaching SMCSO to discuss the final decision of transferring flow or not. President Bartschat asked the Board if they are prepared to consider giving up managing the treatment and expand the boundaries of our District to have residents participate in SMCSO elections. He also suggested drafting a letter to SMCSO exploring board positions for the District at the next Board meeting.
- F. BOARD APPOINTMENT – Jon Elam – GM Elam reported that Board Member Rick Johnson will be submitting his resignation. John Bakker, TCSD's Counsel from Meyers-Nave, sent a memo reminding TCSD of the process and deadlines for replacing a Board appointment. President Bartschat reminded the Board that he will be attending Stanford Business School in the Fall and a strategy for attendance will need to be developed.

7. STAFF REPORTS.

- Carol Buchholz – Park & Recreation – (Ms. Buchholz report was covered at the beginning of the meeting)
- Bob Bunce – Sanitation – Mr. Bunce reported that the playgrounds in Eastwood and Kay Parks have had more chips added to them which refreshes the look of the parks. His team has also completed the irrigation repairs. Regarding sewers, staff is continuing to address sewer issues on easements. Mr. Bunce distributed an updated map showing the sewer cleaning progress. President Bartschat suggested posting this map on our website for interested residents. GM Elam also reported that it has been another month with no sewer spills.
- Jerry Taylor – Finance – Mr. Taylor reviewed the disbursement reports covering March and April. Tipping fees have gone up 10%. He requested approval of disbursements.
- Jon Elam – Refuse – GM Elam reported that refuse was at 58% last month.

8. BOARD REPORTS & COMMENTS.

- A. SMCSD Meeting – May 3, 2010 – Jim Jacobs – Updated RMC project (see written report)
- B. MCE Evening – Steffen Bartschat – President Bartschat reported that the MCE open meeting was well received community; PG&E also held a similar meeting on May 10th at the TCSD Community Center.

MOTION FOR ADVISORY VOTE TO JOIN MCE -- DEEP GREEN OPTION EXPLORATION

M/S/C J. Jacobs/S. Bartschat Ayes: 4 Nays: 1

- C. Gateway cancelled – L. Johnson reported that the May Gateway meeting had been cancelled. The next meeting will occur on June 22nd. Topics to be discussed will be the status of the Tennessee Valley bike path and lighting.

9. CONSENT CALENDAR

- Monthly List of Checks and Disbursements Issued Approve

MOTION TO APPROVE THE CONSENT CALENDAR

M/S/C L. Johnson/G. Stagg Ayes: 5 Nays: 0

- Approve Minutes:
 - March 10, 2010 Regular Meeting Approve
 - March 24, 2010 Work Session Approve
 - April 28, 2010 Work Session Approve

10. MEETING REVIEW – ITEMS FOR NEXT AGENDA

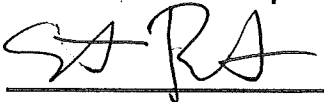
- Review of Sewer Rates for Apartments – Jon Elam
- Consolidation Idea – generate a letter to SMCS

11. ADJOURNMENT:

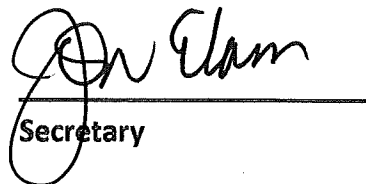
MOTION MOVE TO AJOURN

M/S/C G. Stagg/J. Jacobs Ayes: 5 Nays: 0

AJOURNED 10:05pm



President



Secretary

Next Regular Board Meeting

Meeting: TCSD Board Work Session Location: TCSD Main Offices-305 Bell Lane

Date: May 26, 2010 Time: 8:45AM