

Minutes of the Regular Meeting of TCSD Board of Directors
Held at 205 Marin Drive, Mill Valley
March 10, 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 7:02 p.m. on Wednesday, March 10, 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, and Recording Secretary Claudia Laughter.

Not Present: Carol Buchholz, Director of Park & Recreation

Others Present: Rob Schaaf, Sue Hayes, Jim Kasper, Greg Brown, Kevin Brown, and an unidentified member of the public.

3. APPROVE AGENDA WITH CHANGES. C. Laughter requested a change to the Commission Reports Section noting that the meetings on February 16th for Revitalization & Safety and February 22nd for Park & Recreation would be reported on.

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 presented an update to the Board on two grant applications. The grant application for Sudden Oak Death (SOD) has been approved and will be approximately \$10,000 towards study and educational sessions for residents. He also reported that he and Sue Hayes attended a SOD class presented at the University of California, Berkeley that discussed the background and potential treatment for the disease. Mr. Kasper also reported that the Fire Safe grant had been submitted in late February and that approval is expected

sometime in June 2010. The grant is for approximately \$170,000 with in-kind matching coming from residents and TCSD to total \$250,000. President Bartschat thanks Mr. Kasper for all his volunteer work on these projects and mentioned that the GGNRA also heard of his work in Tam Valley.

Jeff Brown stated that his son Kevin Brown was attending the meeting as part of his Citizenship for Community merit badge.

5. COMMISSION REPORTS.

Revitalization & Safety Commission – Rob Schaaf reported on the February 16th R&S Meeting. Mr. Schaaf reported that while the Commission only has 5 members currently, there can be up to 12 and they are currently actively seeking more members. An item on creek monitoring has been submitted for publication in the April Newsletter. Sue Hayes responded that the data that is being collected for the creek monitoring will be reviewed quarterly and they are still trying to find an agency to submit it to that would be interested in the data. The beautification project is going well with evidence of all the daffodils that are blooming around Tam Valley with the poppies starting to come out as well. Mr. Schaaf stated that they are coordinating the next quarterly cleanup day to coincide with Earth Day in April. The R&S Commission will also be working on projects for the Fire Safe Grant program once the grant is approved. The Committee also presented the Good Neighbor Award to the Arco Station for their work with the beautification project.

Park & Recreation Commission – Sue Hayes reported on the February 22nd P&R Meeting. Ms. Hayes reported that there have been ongoing discussions regarding the lighting in the Community Center parking lot. They are working with one of the Community Center's neighbors who is experienced with lighting design to develop the correct combination of sufficient safety lighting as well as not being too intrusive to the neighbors. The other issue discussed with the continuing problems with dogs and owner-control in Eastwood Park. The problem has been dogs running into the children's play area and the potential liability issues for TCSD. Item H of the General Business will cover the initial bids for fencing to enclose the children's play area. Ms. Hayes also reported that rhubarb donated by Joan Irwin has been planted in the Community Center planter boxes. President Bartschat asked about a previous item regarding a ban on smoking in the public parks. Ms. Hayes reported that Director Buchholz had found the County ordinance that supported the ban.

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

A. LETTER FROM LAFCO REGARDING SASM – GM Elam recommended drafting a letter for President Bartschat's signature to send to LAFCO. The letter should state that the Board agrees to their participation in the monthly SASM General Manager's Meetings and that TCSD is pleased to provide any support they may need. The letter will be available for President Bartschat's signature.

B. CONSIDERATION OF HIRING A CONSULTANT TO STUDY TCSD RATES – GM Elam reminded the Board that one of their priorities for this year was to re-examine the current rate structure and to look to converting to a usage-based system. To this end, he is suggesting hiring of an outside consultant to examine the early stages and process of the project since it would be beyond the Staff's current abilities. GM Elam suggested adding the cost into next year's budget of approximately \$40,000. L. Johnson suggested contacting CSDA for any leads on consultants who have completed this type of project. President Bartschat questioned the need for a consultant. GM Elam restated that an outside consultant would bring an independent and professional opinion and strategy for the rate change. L. Johnson asked if the process would be put to a vote. GM Elam reminded the Board that it would again be another Proposition 218 process to change the rates. President Bartschat encouraged GM Elam and the Staff to find references and report back in June with recommendations.

C. DISCUSSION OF PROPOSED CONSTRUCTION AND DEMOLITION POLICY – GM Elam reminded the Board that when this topic was last visited, the issue was to be determined under County code and the Board had suggested holding a hearing with various haulers to determine a plan of action and cost data. Suggests the hearing be held in May.

MOTION TO HOLD A PUBLIC HEARING REGARDING CONSTRUCTION AND DEMOLITION POLICY AT THE MAY 12TH BOARD MEETING

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

D. PROPOSED AMENDMENT TO DISTRICT ORDINANCE NO. 81 REGARDING REQUIRING SEWER INTERCEPTORS TO PREVENT GREASE FATS OR OILS FROM BEING DEPOSITED IN THE DISTRICT'S SEWER COLLECTION SYSTEM – GM Elam reported that the management of the FOG program has improved including inspections of local restaurants who are not in compliance. In order to start the program with CMSA, Ordinance No. 81 will need to be updated and GM Elam is requesting that the Board hold the hearing at the May Board Meeting to amend the ordinance. R. Johnson asked how the amended ordinance will bring them into compliance. GM Elam replied that offenders will have six months to install the designated grease traps otherwise will face fines.

MOTION TO HOLD PUBLIC HEARING TO AMEND ORDINANCE NO. 81 AT THE MAY 12TH BOARD MEETING

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

E. RAIN CATCHMENT MATERIALS FROM MMWD – GM Elam reported that TCSD has been accepted by SPAWN, a program with MMWD, to conduct a pilot rain catchment program at no cost to TCSD. The program would also integrate demonstration classes for the Park & Recreation program which would explain credits on the State and Federal level for residents.

F. SOLAR WATER HEATING PROPOSAL – GM Elam restated that there has been a great deal of interest in the solar for water heating program. He suggested developing an outreach program that would identify key vendors and could be presented as a Park & Recreation

class. President Bartschat suggested installing a solar water heater for the Community Center and the Cabin.

G. REQUEST TO INCREASE EMPLOYEE DENTAL CONTRIBUTIONS – Jerry Taylor reported that mid-2008, TCSD wanted to increase employee benefits to cover those with family coverage. Employees have been paying the difference of the increase and is now requesting reimbursement backdated to July 2009 totaling \$2,155.

H. CHILDREN'S PLAY AREA FENCE AT EASTWOOD PARK – Jon Elam reported that with the advent of additional income in the Park and Recreation budget, it was time to reintroduce the idea of installing a fence around the children's play structure area at Eastwood Park similar to the fence already at Kay Park.

MOTION TO ACCEPT BID FROM ABLE FENCE COMPANY

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

Ayes: 5

Nays: 0

7. STAFF REPORTS.

- Carol Buchholz – Park & Recreation. Ms. Buchholz was not present at the meeting. Updates were covered by Park and Recreation Commission President Sue Hayes in her report earlier in the meeting.
- Bob Bunce – Sanitation – Mr. Bunce reported that he attended a meeting regarding Marge Anderson's Claim. Mr. Elam reminded the Board that it is important to have a backflow prevention ordinance to avoid future issues and that there are still many houses in Tam Valley that do not have backflow preventers. Mr. Bunce also reported on the SASM District Managers Meeting he attended and stated that Peter Banning spoke at the meeting that his goal was to consolidate Homestead, Alto, Almonte and Richardson Bay Sanitary Districts. Mr. Bunce also report on the SSGIS program that is now in its third year and the progress that has been achieved. Currently over 132,000 feet of pipe have been cleaned with two more miles of pipeline to be completed by the EPA deadline of June 30th.
- Jerry Taylor – Finance – Mr. Taylor reported that the sanitation budget is at 67% for the fiscal year; expenses are at 50.8% but there are three large components due to deferring issues. Refuse prices continue to rise with total operating expense inline at 68%. Disbursement report shows vacation payments to employees (capped at 200 hours/year) and SMCS payment.
- Jon Elam – Refuse – Mr. Elam reported that flow data for last year showed that refuse had a successful budget year. Mr. Elam then presented the results of a 100-house survey sent to Tam Valley residents on service usage. Feedback from

the refuse crew is that only, 25% of households actually recycle properly. The refuse crew also is now taking the recycling to the Richmond processing facility to save wear and tear on the trucks. The Richmond facility however gives half the price for recyclables that the Oakland facility does.

8. BOARD REPORTS & COMMENTS.

- A. HOMESTEAD VALLEY MEETING REPORT – February 23, 2010 – Steffen Bartschat – Homestead Valley is holding back EDUS but might rethink and has stated they do not opposed selling them to TCSD.
- B. ALTO BOARD MEETING REPORT – February 24, 2010 – Steffen Bartschat - They are completing their capital improvements and starting the Proposition 218 process for rate increases that will bring their charges close to TCSD's. There is a possibility of purchasing 33 EDUs from them.
- C. GATEWAY COMMISSION MEETING – February 25, 2010 – Linda Johnson – Not much progress on the Tennessee Valley pathway project and the March Gateway meeting has been cancelled. There is also no progress on the proposed banning of plastic bags in Tam Valley. The majority of the meeting was spent discussing housing issues. In 2014, 13 acres of County open space will be rezoned for affordable housing. The project will still need to fit additional criteria before completion.
- D. SASM MEETING REPORT – February 25, 2010 – Steffen Bartschat – President Bartschat was impressed with the SASM meeting where a there was a discussion of RMC's report on water storage work. He also commended Jim Jacobs for his work in preparing information for discussion. TCSD has offered to pay for its portion of the wet weather study.
- E. SMCSO MEETING – March 1, 2010 – Jon Elam – Discussion occurred on the EDU purchasing status. Status to be determined within 30-60 days.
- F. MARIN CLEAN ENERGY – Steffen Bartschat – President Bartschat reported that since TCSD had signed up in support of MCE, Charles McGlashan was inquiring if TCSD would facilitate a meeting for MCE to present its side of the debate to the general public. Mr. Elam reminded the Board that they originally voted to support this issue. After much debate, President Bartschat withdrew his request for hosting the MCE meeting. L. Johnson requested the minutes to

reflect that she has reconsidered her original vote in 2008 for MCE and stated that she does not support it.

- G. Board Member Rick Johnson requested from GM Elam to determine if the empty property near DeLano's was going to be converted into a medical marijuana facility.

9. CONSENT CALENDAR

- Monthly List of Checks and Disbursements Issued Approve

MOTION TO APPROVE THE CONSENT CALENDAR

M/S/C L. Johnson/R. Johnson

Ayes: 5 Nays: 0

- Approve Minutes:
 - February 10, 2010 Regular Meeting Approve
 - February 24, 2010 Work Session Approve

10. MEETING REVIEW – ITEMS FOR NEXT AGENDA

- Reminder – April Board Meeting has been cancelled
- Next Board Work Session is March 24, 2010
- April Board Works Session is April 28, 2010

11. ADJOURNMENT:

MOTION MOVE TO AJOURN
 M/S/C G. Stagg/R. Johnson
 AJOURNED 9:54 p.m.

Ayes: 5 Nays: 0

 President

 Secretary

Next Regular Board Meeting

Meeting: TCS D Board Work Session
 Date: March 24, 2010
 Time: 8:45AM
 Location: TCS D Main Offices