



TAMALPAIS COMMUNITY SERVICES DISTRICT

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TCSO BOARD OF DIRECTORS MEETING

MINUTES

WEDNESDAY, JANUARY 12, 2022

CLOSED SESSION 6:45 PM, REGULAR SESSION AT 7:00 PM

1. CALL TO ORDER

The Tamalpais Community Services District Board of Directors Meeting was called to order by President McMahon at 6:45pm on Wednesday, January 12, 2022.

2. ROLL CALL

President Matt McMahon

Vice President Jeff Brown, Directors Jim Jacobs, Steve Levine

Absent: Dir Bartschat

Staff Present: General Manager Heather Abrams; Assistant General Manager Alan Shear; Recording Secretary Cyndie Martel

Others Present: Gale Connor, Miller Star Regalia

3. APPROVE AGENDA

MOTION TO APPROVE THE AGENDA

M/S/C: M. MCMAHON/S. LEVINE AYES: 4 NAYS: 0 ABSENT: 1 (BARTSCHAT)

MOTION TO CONVENE TO CLOSED SESSION

M/S/C: M. MCMAHON/S. LEVINE AYES: 4 NAYS: 0 ABSENT: 1 (BARTSCHAT)

Dir Bartschat arrived at 6:46pm

4. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9

Name of Case: Jimmy Greene, et al. vs. Steve Kenyon, et al. (CIV1801100)

ADJOURN TO OPEN SESSION

MOTION TO ADJOURN TO OPEN SESSION – PRESENT ANY REPORTABLE ACTIONS

M/S/C: M. MCMAHON/ S. LEVINE AYES: 5 NAYS: 0 ABSENT: 0

The regular Board meeting reconvened at 7:00 p.m.

Staff Present: Alan Shear, AGM; Sarah Mehtar, Finance and Programs Manager

Others Present: Gary Phillips, Bob Murray and Associates; Lara Zegart; Debra Kaufman, R3 Consulting Group

REPORTABLE ACTIONS FROM CLOSED SESSION REPORTED BY THE PRESIDENT

There were no reportable actions.

5. 2022 OFFICES AND LIAISONS: Board Actions

A. Board designation of leadership roles and liaisons

The Board was in agreement that rotation of all roles was a good idea every few years. Nominations went as follows:

- i. President
Dir Bartschat
- ii. Vice President
VP Brown
- iii. SASM representative
Dir Jacobs as liaison with Pres McMahon as alternate.
- iv. SMCSB liaison
Dir Levine as liaison with VP Brown as alternate.
- v. Personnel and Recruiting Ad Hoc Committee
Dir Levine and VP Brown nominated to the Personnel and Recruiting Ad Hoc Committee.
- vi. Baywork representative
- vii. Marin County Special Districts Association representative
- viii. Marin Zero Waste Local Task Force
The new general manager was nominated as liaison to Baywork, Marin County Special Districts Association and Marin Zero Waste Local Task Force.

The Board asked for a list of District agency memberships and who would fill those roles. GM Abrams planned to meet with Jason Freid of LAFCO about the upcoming evaluation and would leave a list of tasks to complete.

GM Abrams introduced the District's new Assistant General Manager, Alan Shear. AGM Shear provided the Board with a short introduction.

There was no public comment.

MOTION TO ELECT BOARD LEADERSHIP, SUBCOMMITTEE AND LIAISON ROLES AS OUTLINED IN ITEM 5A

M/S/C: M. MCMAHON/J. JACOBS

AYES: 5

NAYS: 0

ABSTAIN: 0

6. PUBLIC EXPRESSION

Pres Bartschat invited public expression on non-agenda items, in response to which there was the following:

- Ms. Zegart expressed her appreciation to the Board and hoped the District had a solid year.
- Dir Levine thanked Ms. Zegart for the energy she brought to her job and her hard work.
- Pres Bartschat thanked Ms. Zegart for her service to TCSB and her help to build the community.

7. REGULAR BUSINESS: Information Items

A. Board Discussion with Recruiter for New General Manager

GM Abrams introduced Gary Phillips of the executive recruiting firm Bob Murray and Associates. Mr. Phillips gave the Board information on the process and timeline for the recruitment of the new general manager.

Mr. Phillips stated it was key to get the brochure out quickly. He would forward a pdf with any changes submitted for a final review from the Board. He would also reach out for a one-on-one meeting with each Board member. Targeted outreach would run through February with preliminary interviews with Bob Murray and Associates at the end of February. Mr. Phillips would then meet with the Board in closed session in mid-March to review candidates. Candidate interviews would occur at the end of March with reference checks and meeting with staff for fit, in early May.

The Board was comfortable with the brochure with a change in the language regarding salary.

There was no public comment.

Amelia Gabriele and Jimmy Greene joined the meeting at 7:27pm.

B. Annual State of the District Presentation

GM Abrams reviewed 2021 goals and their status stating she was proud of the work that the Board, staff and she accomplished over the last year, despite Covid. The Board felt it was good to reflect back and see accomplishments against goals and it was a great year despite the challenges.

There was no public comment.

C. Board Discussion regarding Interim General Manager with possible direction to the Personnel and Recruiting Ad Hoc Committee and General Manager

GM Abrams stated the Board asked to revisit this agenda item, she presented alternatives and asked the Board for feedback. The Board suggested the Personnel Committee meet with AGM Shear over the next few weeks to determine if he was interested in the interim position.

AGM Shear stated he was willing to work with any option the Board chose. GM Abrams would coordinate scheduling meetings.

There was no public comment.

D. Board input for Board Planning Retreat and confirm date of Planning Retreat

GM Abrams stated the Board had not met in person to determine District goals since 2019 due to the ongoing COVID-19 pandemic. She asked the Board if they wanted to meet in person this year and to determine the date between 1/29/22, 2/5/22 or 2/12/22.

The Board discussed their options and determined they would wait for the arrival of the new general manager, with the hope COVID-19 would be on the downturn so the goal setting retreat could meet in person. They asked for a list of key items that needed to occur in 2022.

There was no public comment.

E. Financial reports

Ms. Mehtar provided the Board with financial highlights and answered questions. She reviewed the capital improvement and Measure A summaries. The District would have 10 years to spend the current Measure A funds even if the program was not renewed. Ms. Mehtar stated due to COVID-19, the District's auditors would not have their report until February.

There was no public comment.

F. Sewer treatment plants updates: SASM and SMCSO

SASM: In Dir Jacobs' absence, VP Brown attended the meeting on December 16 and reported elections for 2022 were conducted with Lew Kious re-elected as President, Al Leibof elected Vice President and Todd Gates elected Secretary. An addition to the FY 2021/2022 budget was requested to accommodate salary adjustments based on recent compensation and classification analyses.

SMCSO: Dir Levine reported elections for 2022 were conducted and Dan Rheiner was re-elected President, Bill Ring was elected Vice President. The District was recognized for its monitoring of COVID-19 in wastewater. All projects and operations continued with no issues. They offered Ms. Abrams congratulations on her career move.

There was no public comment.

8. REGULAR BUSINESS: Board Actions

- A. Waive the second reading and adopt the SB 1383 Compliant Solid Waste Enforcement Ordinance
GM Abrams reminded the Board that TCSO's request for waivers from certain provisions of SB 1383 were denied, therefore the District needed to pass the updated Ordinance 98.

The Board inquired if the District had the resources to manage this work with current staff. GM Abrams stated with R3's assistance, another 2 years to adjust, and the possibility of receiving a state grant for \$20,000, she was confident current staff could manage.

The Board expressed concerns about enforcing and collecting fines, remote monitoring and including the language empowering the community to send complaints about their neighbors. Ms. Kaufman stated CalRecycle developed the language for the model ordinance, it was not permitted to remove any language, and it had to include a system to accept complaints. R3 would be available to assist the District maneuvering through these new requirements.

Public comment:

- Ms. Gabriele commented that \$20,000 was not enough money to do advocacy and encouraged the Board to reach out to the state for other money.

MOTION TO WAIVE THE SECOND READING AND ADOPT THE SB 1383 COMPLIANT SOLID WASTE ENFORCEMENT ORDINANCE

M/S/C: S. BARTSCHAT/S. LEVINE AYES: 3 NAYS: 1 (MCMAHON) ABSENT: 0 ABSTAIN: 1 (LEVINE)

- B. Authorize the General Manager to execute and record the Phase A sewer CIP notice of acceptance of completion and pay contract change orders
GM Abrams stated all work for the FY 2021/2022 Phase A CIP had been completed by APB Engineering Inc and asked the Board to authorize execution and recording of the Notice of Completion, final progress payment and release of retention 35 days after filing the notice of completion and pay APB Engineering Inc amounts due.

There was no public comment.

MOTION TO AUTHORIZE THE GENERAL MANAGER TO EXECUTE AND RECORD THE PHASE A SEWER CIP NOTICE OF ACCEPTANCE OF COMPLETION AND PAY THE CONTRACT CHANGE ORDERS

M/S/C: S. LEVINE/J. BROWN AYES: 5 NAYS: 0 ABSENT: 0

9. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered to be routine and will be enacted by a single action of the Board. There will be no separate discussion unless specific items are removed from the Consent Calendar during adoption of the Agenda for separate discussion and action.

- A. Approve Resolution regarding continued COVID-19 emergency and TCSB continuing public meetings via Zoom pursuant to AB 361
- B. Approve Minutes of December 15, 2021 Board Meeting
- C. Approve Minutes of December 30, 2021 Special Meeting

MOTION TO APPROVE THE CONSENT CALENDAR

M/S/C: J. BROWN/S. LEVINE AYES: 5 NAYS: 0 ABSENT: 0

10. FUTURE AGENDA ITEMS

- A. Board input for January 26, 2022 Work Session
 - GM evaluation
 - COVID award for staff
 - Proclamation of appreciation for Lara and Kris
 - Personnel and Recruiting Ad Hoc Committee recommendation on hiring interim general manager

- B. Board input for February 9, 2022 Board Meeting Agenda
 - Update on GM search

There was no public comment.

11. ADJOURNMENT

MOTION TO ADJOURN THE MEETING

M/S/C: J. BROWN/S. LEVINE

AYES: 5

NAYS: 0

ABSENT: 0

MEETING ADJOURNED AT 8:49 P.M.



President



Secretary

**NEXT TCSB BOARD MEETING
JANUARY 26, 2022 – 8:30 AM
Tamalpais Valley Community Center, 203 Marin Ave**