



# TAMALPAIS COMMUNITY SERVICES DISTRICT

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## TCSO BOARD OF DIRECTORS MEETING AGENDA

WEDNESDAY, JULY 12, 2023

REGULAR SESSION AT 7:00PM

TAM VALLEY COMMUNITY CENTER, 203 MARIN AVENUE, MILL VALLEY 94941

1. CALL TO ORDER

2. ROLL CALL President Steffen Bartschat

Directors: Vice President Jeff Brown, Jim Jacobs, Steve Levine, and Matt McMahon

3. APPROVE AGENDA

4. PUBLIC EXPRESSION

*Members of the public are invited to address the Board concerning topics which are not listed on the Agenda (If an item is agendaized, interested persons may address the Board during the Board's consideration of that item). Speakers should understand that except in very limited situations, State law precludes the Board from taking action on or engaging in extended deliberations concerning items of business which are not on the Agenda. Consequently, if further consideration is required, the Board may refer the matter to its staff or direct that the subject be added to an agenda for a future meeting. The Board reserves the right to limit the time devoted to this portion of the Agenda and to limit the duration of speakers' presentations.*

5. REGULAR BUSINESS: Board Actions

- A. Introduction of Laura Booth, the new GGNRA Vegetation Ecologist for Tam Valley
- B. Consider request from PG&E regarding relocation of a transmission tower to a transmission pole in the TCSO parking lot
- C. Approve revisions to the master fee schedule which includes incorporating current Wastewater and Solid Waste fees for service (e.g., non-Prop 218 fees such as inspection fees & extra pick-up fees, respectively), adding new and increasing existing Solid Waste fees for service, and applying the same annual CPI adjustments to Wastewater, Solid Waste, and Parks & Recreation fees for service.
- D. Consideration of Ordinance No. 100 restating and amending Ordinance No. 96 regulating the construction, use and maintenance of private sewer laterals; CEQA Exempt under Sections 15268, 15273, 15308
- E. Discuss revisions to the commemorative and memorial bench and picnic table program
- F. Authorize General Manager to enter into a professional services agreement with Robert W. Hayes for architectural services for the Tam Valley Community Center restrooms remodel project for a not-to-exceed amount of \$30,000

- G. Discuss agenda and meeting location (i.e., field trip to TCSB facilities) for July 26 and August 9, 2023 work sessions (oral staff report)

**6. REGULAR BUSINESS: Information Items**

- A. General Manager's report including update on Creekside Friday events
- B. Receive monthly financial reports
- C. Receive Sewer treatment plant update reports: SASM (6/15/23) and SMCSB (meets 7/11/23)
- D. Board member and/or Subcommittee report

**7. 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 minutes of June 14, 2023, regular meeting

**8. FUTURE AGENDA ITEMS**

- A. Review of meeting
- B. Board input for future Board Meeting Agendas

**9. ADJOURNMENT**

***NEXT MEETINGS***

***BOARD REGULAR WORK SESSION***

***July 26, 2023***

***8:30am***

***Tam Valley Community Center or tbd***

***NEXT REGULAR BOARD MEETING***

***August 9, 2023***

***7:00pm***

***Tam Valley Community Center***





## TAMALPAIS COMMUNITY SERVICES DISTRICT

Staff Report  
July 12, 2023

**TO:** BOARD OF DIRECTORS  
**FROM:** GARRETT TOY, GENERAL MANAGER  
**SUBJECT:** CONSIDER REQUEST FROM PG&E REGARDING RELOCATION OF TRANSMISSION TOWER TO A TRANSMISSION POLE IN THE TCSD PARKING LOT

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### RECOMMENDATION

Consider request from PG&E regarding relocation of transmission tower to a transmission pole in the TCSD parking lot and authorize staff to work out the details with PG&E and return to the Board for approval.

### DISCUSSION

PG&E has met with TCSD staff to discuss the replacement of an existing transmission tower located on the levee behind the County Flood Control Facility on Marin Ave. However, PG&E cannot replace the existing tower in the same location because the Army Corp of Engineers does not allow any new towers on levees. As a result, PG&E has to find an alternative location to align with the existing power lines. PG&E is proposing to place a new transmission pole (Lattice Steel Pole-LSP) in the asphalt pathway near the entry to the TCSD parking lot on Marin Ave.

Below are the following materials prepared by PG&E:

Attachment A. An aerial map showing the transmission lines, the existing tower, and the proposed new location for a transmission pole (LSP structure) located in the TCSD parking lot.

Attachment B. Visual simulation photo of existing and proposed structure (looking Northwest from Tennessee Valley Road).

Attachment C. Visual simulation photo of existing and proposed structure (looking Southwest from Tennessee Valley Road).

Attachment D. An example of a Lattice Steel Pole (LSP) structure.

PGE will provide more details and information on the scope and timing of the project at the meeting. PG&E is aware of TCSD's need for refuse trucks to access the parking lot during construction. Staff will have more information at the meeting regarding the impact of the LSP structure on the parking lot and pedestrian pathway. PG&E does have the ability to contribute funds toward improvements associated with the installation of the LSP structure such as landscaping and reconstructing the pathway.

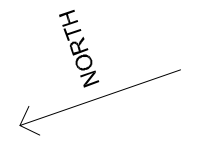
### FISCAL IMPACT

To be determined

ATTACHMENTS: A-D Photos as described above



200.0 ft. | HORIZ. SCALE



# Attachment A



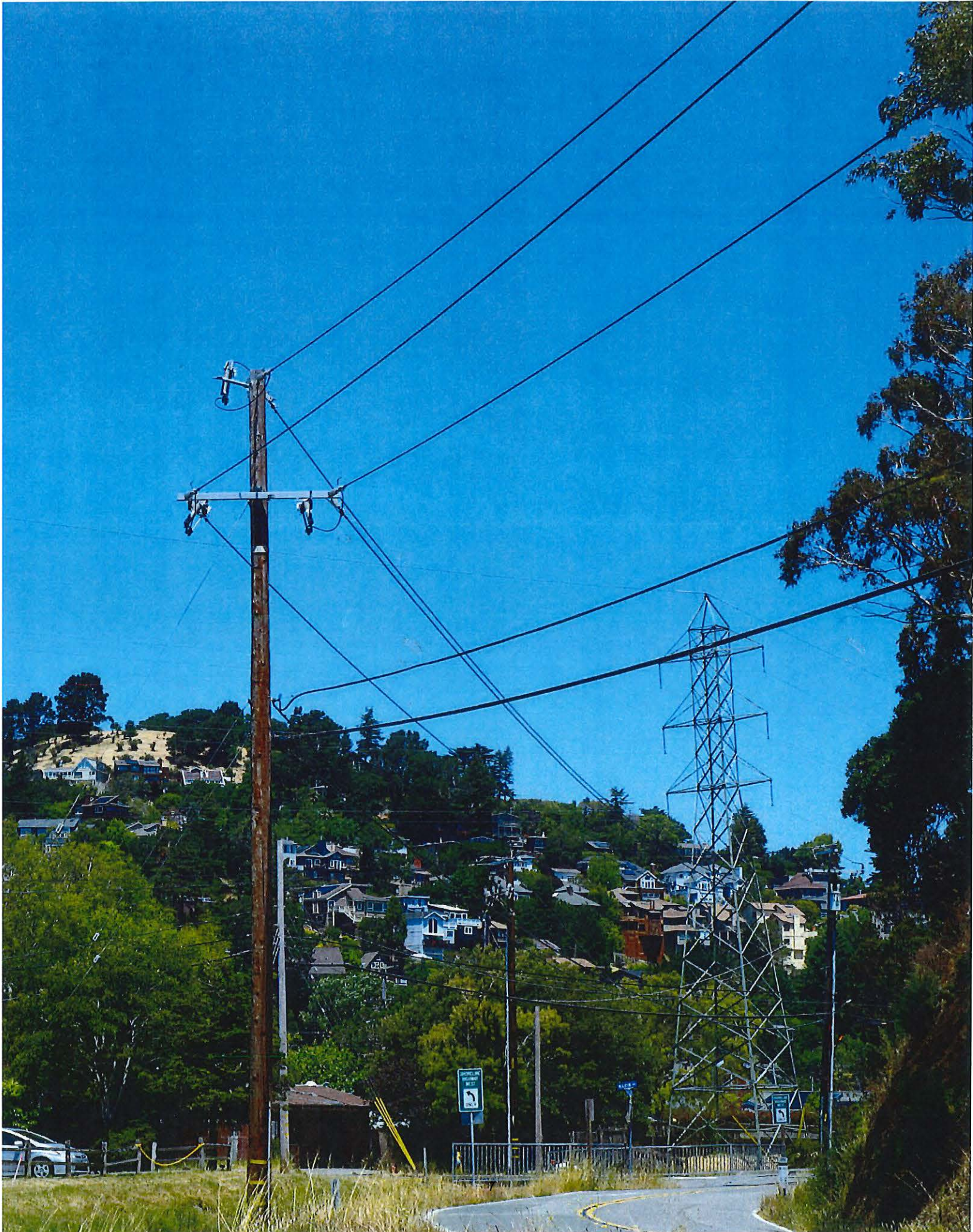


















# Attachment D

## PG&E Ignacio- Alto- Sausalito 60 kV Powerline 013/094 Replacement Project

Example single circuit lattice steel pole photo

Date: June 30, 2023







## TAMALPAIS COMMUNITY SERVICES DISTRICT

Staff Report  
July 12, 2023

**TO: BOARD OF DIRECTORS**

**FROM: GARRETT TOY, GENERAL MANAGER**

**SUBJECT: APPROVE REVISIONS TO THE MASTER FEE SCHEDULE WHICH INCLUDES INCORPORATING CURRENT WASTEWATER AND SOLID WASTE FEES FOR SERVICE (E.G., NON-PROP 218 FEES SUCH AS INSPECTION FEES & EXTRA PICK-UP FEES, RESPECTIVELY), ADDING NEW AND INCREASING EXISTING SOLID WASTE FEES FOR SERVICE, AND APPLYING THE SAME ANNUAL CPI ADJUSTMENTS TO WASTEWATER, SOLID WASTE, AND PARKS & RECREATION FEES FOR SERVICE.**

### RECOMMENDATION

Adopt Resolution 2023-13 which: a) incorporates Wastewater and Solid Waste fees into the Master Fee Schedule, b) adds new and increases Solid Waste fees as recommended, and c) applies the same CPI adjustments based on a Feb-Feb time period to Wastewater, Solid Waste, and Parks & Recreation fees for service with increases rounded up or down to the nearest dollar.

### BACKGROUND

In July 2018, TCSD established and revised Wastewater sewer capacity charges and connection fees. Per Resolution 2018-07, these fees have automatic annual increases by the percentage increase in the San Francisco-Oakland-San Jose Consumer Price Index (CPI) between April of the then-current year and April of the then-previous year to be effective on July 1<sup>st</sup> of each fiscal year. The CPI for April- April is 4.2%

In June 2022, TCSD approved a master fee schedule which included increases to Parks & Recreation rental rates for its facilities. The adopted increases were the first rental increases since 2014. Per Resolution 2022-08, rental rates have automatic annual increases to facility rental fees by the percentage increase in the San Francisco-Oakland-San Jose Consumer Price Index (CPI) between February of the then-current year and February of the then-previous year to be effective on July 1<sup>st</sup> of each fiscal year. The CPI for Feb. 2022 – Feb. 2023 results in a 5.3% increase in Parks & Recreation fee which are rounded to the nearest dollar.

At that time, staff indicated we would evaluate other TCSD fees for service such extra garbage pick-up fees and permits.

With regard to Solid Waste charge for services, the 1.5cu yd dumpsters fees were increased in August 2021, but the missed pick-up and extra garbage pick-up fees have not been increased for quite some time.

### DISCUSSION

As a best practice, most public agencies approve fees for service as part of a Master Fee Schedule and annually review and update the Master Fee Schedule as part of the budget approval process. This



review is a comprehensive approach and does mitigate the issue of inadvertently “forgetting” to update certain fees.

Specifically, we are proposing to incorporate the Wastewater and Solid Waste fees as part of the master fee schedule. As clarification, “fee/charges for service” are discretionary fees that only customers who request the specific service pay for such as extra garbage bag pick-up. A fee for service cannot and does not exceed the reasonable cost of providing the service for which the charge/fee is imposed.

Below is a discussion of those fees for service to be incorporated into the Master Fee Schedule by department.

### **Wastewater**

Currently, Wastewater capacity and connection fee increases are based on the CPI tied to the April-April time period (4.2%) and take effect July 1<sup>st</sup> every year. Staff would prefer Wastewater fee adjustments apply the Feb. – Feb. CPI (5.3%) time period similar to the Parks and Recreation rental fees. This would allow staff time to incorporate the fee adjustments into the proposed fiscal year budgets which are presented to the Board in May. The April-April CPI are usually not available until mid-May which then requires staff to revise all our budget revenue forecast prior to the May budget workshop. Staff recommends the Feb-Feb CPI time period be applied to calculate fee increases for the next fiscal year (FY24-25).

In addition, the master fee schedule includes a fee for applications to construct new sewer main line and laterals as well as deposits for engineering costs to review these applications. While such applications are not a common occurrence, staff did receive two applications in 2022 and charged application fees. The application fee is the same amount as the connection permit fee. We believe the time to review the application is similar to the amount of time we estimate for connection inspections and review. The deposit is used to cover the out-of-pocket costs for the TCSD engineer to review the plans. We clarified that time and materials cost includes a reasonable 10% administrative fee applied to the engineering costs to cover our administrative oversight and review. This is similar to the connection fee for multi-family/commercial projects which is charged on a time and materials basis including administrative overhead costs.

### **Solid Waste**

In July 2021, the Board raised the dumpster bin rental fees from \$70 per week to \$80 per week. The “dump & leave” fees were increased from \$40 to \$50 per week. The Board also approved annual CPI adjustments (April – April) rounded up to the nearest dollar which takes effect every July 1st. However, staff inadvertently did not increase the dumpster bin fees in July 2022 or July 2023. The dumpster bin fees are still \$80 per week. The CPI for 2022 and 2023 is 5.3% and 4.2%, respectively. If we apply the CPI adjustments retroactively, the dumpster bin fees would increase to \$89 per week and \$56 for dump & leave fees.

Staff is proposing a more modest increase of \$5 per week for both the dumpster rental and dump and leave fees. The proposed fee would be \$85 for dumpster bins and \$55 for dump & leave fees. We would apply the Board’s CPI adjustment policy for the next fiscal year, FY24-25. However, staff does

suggest that the Board modify its CPI time period to Feb. and Feb. for the same reasons stated for adjustments to Wastewater fees. In addition, fee increases would be rounded up or down to the nearest dollar.

The other fees such as for extra bag(s) or late pick-up fees have not been increased in quite some time (5-10 years ago). We recommend the extra bag pick-up fee be increased from \$7.50 to \$10 per bag and all extra/late pick-up fees for carts be increased by \$5.00. These increases do not cover the actual costs of providing the service or inflation over the time period, but it is a modest increase to help offset costs. We propose to increase these fees annually based on the Feb. to Feb. CPI.

We are proposing to add the following new fees for service:

- An initial handling fee of \$25 for the pick-up of bulky items. Currently, staff evaluates the item in the field and then estimates a fee for pick-up (ranges from \$15-\$100). We are proposing to charge an initial fee for handling plus a per item charge depending on the type and size of the item(s). As an operational matter, we should have an initial, minimum rate to tell customers which would also help cover administrative costs. The current process would not change: We go out into the field to evaluate the item and, if we determine we can pick-up the item at that time, we will not charge an additional fee above the initial \$25. This initial fee is similar to how Marin Sanitary Services charges for pick-up of bulky items.
- A \$30 fee for special pick-up of contaminated carts. Currently, when staff encounters a contaminated cart on regular route days, we issue "oops tags" and do not pick-up the cart until the owner removes the materials. However, there may be situations where it's not practical for the owner to remove the materials due to the cross-contamination, in which case we would charge the \$30 fee to pick-up the cart.
- A \$30 fee for special pick-up of overweight carts. Similarly for overweight carts, we issue an "oops tag" and do not pick-up the cart. The owner will need to partially empty the cart to reduce the weight and if they wanted a special pick-up, we would charge a \$30 fee.
- A replacement cart fee of cart costs plus a \$20 handling fee. Currently, we only replace carts that are damaged through normal wear and tear. However, sometimes customers want a new cart that is not damaged, but extremely dirty. This would create a fee to allow the replacement of such carts.
- An extra recycling or green cart rental fee. TCSD currently does not charge a fee for extra recycling or green carts. We believe there are approximately 100 or so customers with extra recycling and/or green carts. Our understanding is that extra recycling and/or green carts were provided free of charge to encourage diversion from refuse. However, we believe that at some point extra carts could begin to affect regular routes. In an effort to begin to address this issue, we are proposing to charge \$2.50/month for every extra recycling and/or green cart beyond the first one and no more than 3 extra recycling and/or green carts. The charge is a fee for service and would not appear on the tax rolls. Existing customers with extra recycling and/or green carts would be grandfathered in and not subject to this new rental fee, unless they request additional carts.
- A special services fee is a "catch-all" fee based on time and materials.



These fee increases would take effect 9/1/23 to provide an opportunity to inform the community of the increase. In the future, CPI adjustments will occur on July 1.

**Parks and Recreation**

Per Resolution 2022-08, rental fees were increased by a CPI adjustment factor of 5.3% (Feb. 2022-Feb 2023) rounded up to nearest dollar, effective July 1<sup>st</sup>. However, we are proposing that the fee adjustment be rounded up or down to the nearest dollar. The attached Master Fee Schedule shows the new rental rates which were effective 7/1/23 rounded to the nearest dollar.

**Other Administrative Fees**

No increase in fees are proposed. Administrative fees do not use an annual CPI adjustment. We also added an "Appeal Filing Fee" of \$250. There currently is no appeal fee. An appeals fee is useful to prevent frivolous appeals.

**Future CIP Adjustments**

For consistency purposes, we are proposing that future CPI adjustments for Wastewater, Solid Waste, and Parks & Recreation fees for service apply the Feb. to Feb. CPI time period. We also propose that fee increases be rounded up or down to the nearest dollar.

**Impact on TCSD Resources**

The proposed increases will slightly increase revenues and help offset costs. The fee increases for Wastewater and Parks & Recreation were reflected in the proposed budget. However, the proposed budget did not increase the Solid Waste fees for service. Based on the average number of debris bin rentals and special pick-ups over the past two years, we estimate an approximate increase of \$1,100 in annual revenue. While the increase in revenue is nominal, it is important to ensure that customers pay reasonable costs for discretionary services so as not to burden the overall cost of operations to all rate payers.

**Attachments**

- A) Resolution with Master Fee Schedule





**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
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**RESOLUTION NO. 2023-13**

**A RESOLUTION OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT REVISING AND UPDATING ITS MASTER FEE SCHEDULE**

**WHEREAS**, in 2018, TCSD established and revised Wastewater sewer capacity charges and connections fees which are consider fees for service; and

**WHEREAS**, in 2022, the Board of the Tamalpais Community Services District ("TCSD") adopted a Master Fee Schedule for Parks & Recreation and Administrative fees for service; and

**WHEREAS**, TCSD has Solid Waste fees for service such as extra cart pick-ups; and

**WHEREAS**, several Solid Waste fees for services have not been increased for quite some time; and

**WHEREAS**, TCSD from time to time will add new fees for services to the master fee schedule based on the reasonable costs to provide such services; and

**WHEREAS**, TCSD has adopted policies to have certain fees to be increased annually by the Consumer Price index (CPI) for the Bay Area to take effect on July 1<sup>st</sup> of each fiscal year; and

**WHEREAS**, TCSD would like for all its fee for services to use the same time period for the Consumer Price index (CPI) for the Bay Area as well as the same "rounding" policy; and

**WHEREAS**, TCSD wants to reconfirm and incorporate all its fees for service into its Master Fee Schedule; and

**WHEREAS**, TCSD will review the Master Fee Schedule as part of the annual budget approval process; and

**WHEREAS**, this Resolution supersedes any previous resolutions with provisions regarding CPI adjustments to fees for service for Wastewater, Solid Waste, and Parks & Recreation; and

**WHEREAS**, State of California Government Code Section 61115 (a)(1) permits the TCSD Board of Directors by resolution to "Establish rates or other charges for services and facilities that the district provides."

**NOW THEREFORE, BE IT RESOLVED** that the Board of Directors of the Tamalpais Community Services District does hereby adopt the updated Master Fee Schedule attached herein as Exhibit A incorporated herein by reference, with the effective dates as noted in the Master Fee Schedule.

**BE IT FURTHER RESOLVED** that the Board of Directors of the Tamalpais Community Services District does hereby authorize that Solid Waste, Wastewater, and Parks & Recreation fees for service contained in the Master Fee Schedule be increased annually by the percentage increase in the San Francisco-Oakland-San Jose Consumer Price Index (CPI-U) between February of the



then-current year and February of the then-previous year to be effective on July 1<sup>st</sup> of each fiscal year; and the increases be rounded up or down to the nearest dollar.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Tamalpais Community Service District at a duly noticed meeting held in said District on the 12th day of July 2023 by the following vote:

AYES:

NAYS:

ABSENT:

\_\_\_\_\_  
Steffen Bartschat, President

ATTEST:

\_\_\_\_\_  
Secretary, Tamalpais Community Services District



# EXHIBIT A-MASTER FEE SCHEDULE

## MASTER FEE SCHEDULE- TCSD FACILITY FEES

Community Center	Type	FY 2023-24 Fees Effective 7/1/23*	FY22-23
	Tam Valley Residents	\$ 90.00	\$ 85
	Non Residents	\$ 118.00	\$ 112
	Tam Valley Non Profits	\$ 101.00	\$ 96
	Non-Profits	\$ 110.00	\$ 104
	Public Agencies	\$ 79.00	\$ 75
	Commercial	\$ 135.00	\$ 128
	Cleaning	\$ 224.00	\$ 213
	Attendant	\$ 35.00	\$ 33
	Attendant after 8 hrs	\$ 45.00	\$ 43
	Security/Cleaning Deposit	\$ 500.00	\$ 500
Full Day rate	(8 hours- save 10% from std rate)		
	Tam Valley Residents	\$ 644.00	\$ 612
	Non Residents	\$ 849.00	\$ 806
	Tam Valley Non-Profits	\$ 728.00	\$ 691
	Non-Profits	\$ 789.00	\$ 749
	Public Agencies	\$ 569.00	\$ 540
	Commercial	\$ 971.00	\$ 922
<b>Cabin</b>			
	Tam Valley Residents	\$ 40.00	\$ 38
	Non Residents	\$ 51.00	\$ 48
	Tam Valley Non Profits	\$ 40.00	\$ 38
	Non-Profits	\$ 45.00	\$ 43
	Public Agencies	\$ 35.00	\$ 33
	Commercial	\$ 67.00	\$ 64
	Cleaning	\$ 168.00	\$ 160
	Security/Cleaning Deposit	\$ 150.00	\$ 150
Full Day rate	(8 hours- save 10% from std rate)		
	Tam Valley Residents	\$ 289.00	\$ 274
	Non Residents	\$ 364.00	\$ 346
	Tam Valley Non Profits	\$ 289.00	\$ 274
	Non-Profits	\$ 326.00	\$ 310
	Public Agencies	\$ 251.00	\$ 238
	Commercial	\$ 485.00	\$ 461
<b>Parks</b>			
	Tam Valley Residents Only	\$ 28.00	\$ 27
	Tam Valley Non-Profits	\$ 28.00	\$ 27
	Non-Residents/Commercial	\$ 42.00	\$ 40
	Non-Profits/Public Agency	\$ 36.00	\$ 34
facility notes:	additional hours at std rate		
	2 hr min rental		

\*Note: Per Resolution 2022-08, but rounded up or down to the nearest dollar.



**MASTER FEE SCHEDULE SOLID WASTE FEES FOR SERVICE**

Service Type	FY22-23	FY23-24
	Fee	Effective 9/1/23*
<b>Debris Bin</b>		
Per week	\$80 (as of 7/2021)	\$85
Dump and leave	\$50 (as of 7/2021)	\$55
<b>Extra Pick-Up</b>		
Trash or green waste bags	\$7.50	\$10.00
<b>Late Pick-up/ Extra Pick-up</b>		
Per Trash Cart (35 gal)	\$7.50	\$10.00
Per Trash Cart (65 gal)	\$15.00	\$20.00
Per Recycle Cart	\$15.00	\$20.00
Per Green Cart	\$15.00	\$20.00
<b>Other Services</b>		
Overweight cart (weight must be reduced before special pick-up)	n/a	\$30
Contamination any size/type of cart (special pick-up)	n/a	\$30
Replacement Cart damaged by homeowner or request for new cart to replace non- damaged cart	n/a	Cart cost plus \$20 handling fee
Special Handling Bulky Items	n/a	\$25 base fee plus per item fee as applicable
Bulky Items	Varies (e.g., \$15-\$100) per staff discretion	Varies per staff discretion
Extra carts	No charge for extra recycling or green carts	\$30 per year (\$2.50 month) for each extra recycling and/or green cart but no more than 3 extra carts (only applies to new requests)
Other Special Services	Time and Materials	Time and Materials
*Note- Beginning in FY24-25, rates increase by CPI (Feb. to Feb.) rounded to the nearest dollar effective on July 1st		



**MASTER FEE SCHEDULE WASTEWATER FEES FOR SERVICE**

SERVICE TYPE	FY22-23 Fee	FY23-24 Effective 7/1/23*
<b>Sewer Capacity Charge</b>		
Single Family per DU	\$16,683	\$17,384
Duplexes per DU	\$11,124	\$11,591
Multi-Family per DU	\$9,533	\$9,933
Commercial per EDU	\$16,683	\$17,384
<b>Other Charges/Fees</b>		
Single-Family - Connection Fee	\$548	\$571
Multifamily/Commercial Connection Fee	Time & Materials (plus 10% administrative fee) Minimum charge same as single-family.	Time & Materials (plus 10% administrative fee) Minimum charge same as
Application Fee New Sewer Construction	\$548	\$571
Engineering/Legal Review of applications for new sewer laterals and/or main extensions	Time and materials plus 10% administrative fee; deposit required based on staff estimates	Time and materials plus 10% administrative fee; deposit required based on staff estimates
Any other services	Time and Materials plus 10% administrative overhead	Time and Materials plus 10% administrative overhead
*Note- Resolution 2018-07, CPI adjustment based on April-April period rounded up or down to the nearest dollar. Beginning FY24-25, CPI adjustment based on Feb. to Feb. CPI.		



**MASTER FEE SCHEDULE  
ADMINISTRATIVE FEES**

Service	2023 Fees (effectation 7/1/23)*
Returned Checks	\$50
Duplications- printed	\$0.25 per page for the first 10 pages; \$0.10 per page thereafter
Document scanning	\$5 per request; \$0.10 per page scanned
Candidate filing	\$25
Candidate statement	candidate pays any required County and/or state fees
TCSD Research Fee	\$200 deposit, \$50/hr; min 30 minutes
Initiative/Referendum Filing	\$200
Appeals filing fee (eff. 7/12/23)	\$250
<i>*Note: all fees same as 2022, unless otherwise noted</i>	



**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
**Staff Report**  
**July 12, 2023**

**TO: BOARD OF DIRECTORS**

**FROM: GARRETT TOY, GENERAL MANAGER**

**SUBJECT: CONSIDERATION OF ORDINANCE NO. 100 RESTATING AND AMENDING  
ORDINANCE NO. 96 REGULATING THE CONSTRUCTION, USE, AND  
MAINTENANCE OF PRIVATE SEWER LATERALS; CEQA EXEMPT UNDER SECTIONS  
15268, 15273, 15308**

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**RECOMMENDATION**

Introduce and waive first reading of “An Ordinance Of The Tamalpais Community Services District Restating And Amending Ordinance No. 96 Regulating The Construction, Use, And Maintenance Of Private Sewer Laterals”

**BACKGROUND**

On February 8, 2017, the Tamalpais Community Services District (“TCSD or District”) Board of Directors adopted Ordinance No. 96 which restated and amended Ordinance No. 81 which regulated the construction, use, and maintenance of private sewer laterals within the District.

**DISCUSSION**

Staff has reviewed Ordinance No. 96 and believes it would be beneficial to clarify the requirements for inspections, maintenance, and/or improvements of private sewer laterals within the District. Attached is a redline and a clean copy of the proposed revisions.

Specifically, we are proposing the following revisions:

- General revisions to improve clarity and consistency. Section titles now match the Section titles listed. We reordered and added to the definitions. We also reworded the “Effective Date” Section of the ordinance.
- Clarified the payment of applicable fees. We clarified that owners must pay applicable fees such as capacity charges and connection fees.
- Revised inspection requirements. Currently, if a property has a newly constructed or completely replaced sewer service lateral that is less than ten (10) years old, no further inspections are required for home improvements over \$40,000 or the sale of property.



The proposed revision adds the provision that an inspection may be required for new or completely replaced sewer laterals more than five (5) years old, but less than ten (10) years old if staff determines that field conditions have significantly changed (e.g., buried clean out) to warrant an inspection. We also clarified the inspection requirements for partial replacement of a sewer lateral. These revisions reflect the process that staff currently employs.

- Section 460 was changed to "Reserved" from "Responsibility of Property Owner." There was no Section 460 in Ordinance No. 96 even though it was listed as a "Section" in the ordinance. Staff finds that "Responsibility of Property Owner" is reflected throughout the various sections of the Ordinance and that there is no need to have a separate section for owner responsibilities. We "Reserved" Section 460 for any additional requirements that may be needed in the future.
- Added Appeals Process. We added an Appeals section which establishes a deadline for appeals.
- Restated and Amended Ordinance. Added recitals and added Section to clarify this Ordinance restates and amends Ordinance No. 96 and supersedes any previous ordinances regulating private sewer laterals.
- CEQA. We added the required CEQA language.

Ordinances require two Board meetings to approve. The first meeting is the introduction of the ordinance, and the second meeting is the adoption. The revisions would then take effect 30 days after the adoption of the ordinance. The ordinance is also published in the Marin IJ after the adoption.

#### CEQA

See "SECTION 620. CEQA FINDINGS AND DETERMINATIONS" in Ordinance No. 100 for the CEQA citations.

#### FISCAL IMPACT

n/a

#### ATTACHMENTS

Redline of Ordinance No. 96

Clean version of Ordinance No. 100

**ORDINANCE NO. 10096**

**AN ORDINANCE OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT RESTATING AND AMENDING ORDINANCE NO. 96 REGULATING THE CONSTRUCTION, USE, AND MAINTENANCE OF PRIVATE SEWER LATERALS**

WHEREAS, on February 8, 2017, the THE TCSD Tamalpais Community Services District ("TCSD or District") Board of Directors adopted Ordinance No. 96 which restated and amended Ordinance No. 81 which regulated the construction, use, and maintenance of hereby establishes an ordinance to regulate the construction, use, and maintenance of private sewer laterals within the District; and-

WHEREAS, the District desires to restate and amend Ordinance No. 96 to clarify requirements for inspections, maintenance, and/or improvements of private sewer laterals within the District. IN ORDER TO ENSURE THE PROPER CONSTRUCTION AND MAINTENANCE OF PRIVATE SEWER LATERALS WITHIN TCSD (HEREINAFTER REFERRED TO AS "THE DISTRICT"), THE BOARD OF DIRECTORS DO HEREBY ORDAIN:

NOW, THEREFORE, the Board of Directors of the Tamalpais Community Services District does ordain as follows:

**SECTION Sections:**

- 100 Findings
- 150 Definitions
- 200 Sewer Laterals - New Construction
- 250 Connection Permits and Fees
- 280 Improper and Illegal Connections to Private Sewer Laterals
- 300 Ownership, Maintenance, and Repair of Private Sewer Laterals ~~sewer Lateral~~
- Maintenance**
- 400 Sewer Laterals - Mandatory Inspections
- 410 Sewer Laterals Inspections- Access to Premises
- 420 Sewer Laterals - Inspection Report - Requirements
- 430 Sewer Laterals - Required Repairs
- 440 Sewer Laterals - Common Interest Developments
- 450 Sewer Laterals - Multiple Connections
- 460 Reserved Responsibilities of the Property Owner
- 500 Prohibited Discharges
- 550 Punishment - Prohibited Discharges
- 560 Damage to District's Sewer System
- 570 Punishment - Contractors - Violation of Section 280
- 580 Appeals

**SECTION 100 - FINDINGS**



Agency finds and determines that Infiltration and Inflow (hereinafter referred to as I&I) is a serious problem for the District in that during heavy rains, a significant amount of water is introduced into the District's system as a result of the I&I from breaches in the entire pipeline system that leads to the treatment facility. To a great extent, much of this I&I is introduced into the District's pipelines and sewer mains from the sewer laterals or unpermitted drainage structures leading from a property to the District's sewer mains. As a result of I&I, the District's sewer treatment facilities have the potential to become overburdened during periods of heavy rains leading to sewage overflows and possible spills into the waters of the San Francisco Bay. Such overflows and spills can lead not only to significant fines and penalties against the District by State and Federal water regulatory agencies, but may pose a significant risk to the environment, and the health and safety of the public at large.

The District has determined that it is in the public interest that the private sewer laterals I&I problem be addressed and that it has become the policy of the District that the upgrade and repair of private sewer laterals become a priority of TCSD.

Furthermore, the recitals above are each incorporated by reference and adopted as findings by the Board of Directors of the Tamalpais Community Services District.

## SECTION 150 - DEFINITIONS

~~LATERAL SEWER, LATERAL, or PRIVATE SEWER LATERAL is hereby defined as a privately owned sewer which conveys sewage from a building to the District's collection system, including all pipes, fittings, and appurtenances from the outer face of the building served to the connection into the Agency's sewer main including the connection itself.~~

COMMERCIAL BUILDING means any building, or portion thereof, designed, intended, or used to accommodate a business, commercial, or industrial enterprise, or a public or private school.

COMMON INTEREST DEVELOPMENT means a development characterized by individual ownership of a condominium housing unit or a residential parcel coupled with the shared ownership of (or right to use) common areas and facilities, including, but not limited to, condominium projects, community apartment projects, stock cooperatives and planned unit developments, which contain three (3) or more dwelling units and which have a sewer service lateral shared by three (3) or more dwelling units.

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DISTRICT or TCSD is the Tamalpais Community Services District.

DISTRICT BOARD is the Tamalpais Community Services District Board of Directors.

DISTRICT STAFF are employees and/or designated contractual representatives of the Tamalpais Community Services District.



INFILTRATION means water other than sewage which enters into the District's collection system through cracks, breaks, open joints, or other deficiencies which may exist in laterals or in the District's system.

INFLOW means any water other than sewage that is directed toward or connected to the District's collection system through drainage ditches, open or enclosed culverts, roof drains, yard or area drains, or any other source of storm or ground water.

~~INFILTRATION means water other than sewage which enters into the District's collection system through cracks, breaks, open joints, or other deficiencies which may exist in laterals or in the District's system.~~

INFLOW AND INFILTRATION are sometimes referred to collectively as "I&I".

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NOTICE TO REPAIR means the notice issued by the District to the owner advising that the owner appears to be in violation of the respective code or ordinance with respect to the owners sewer service lateral, or in violation of the Code or Ordinance in a manner of the sewer service lateral's connection to the District's sewer system, which order directs the abatement of the identified violation in a timely manner.

OWNER means any person, partnership, association, corporation or fiduciary having legal title (or any partial interest) in any real property situated within the District.

SEWER MAIN means a District-owned pipeline designed and operated to accept sewage from a sewer service lateral for disposal/treatment.

SEWER SERVICE LATERAL INSPECTION means an inspection of a sewer service lateral that consists of the retention of a licensed plumber by the Owner, ~~or TCSD staff~~, in order to visually examine and inspect a sewer service lateral in the manner deemed appropriate by the District. Such an inspection shall, at a minimum, include the use of a closed-circuit television inspection device for



the purposes of determining whether the sewer service lateral complies with the requirements of this Ordinance Chapter.

~~DISTRICT STAFF are representatives from the District who can provide free video inspections for sewer lateral lines.~~

## SECTION 200 - ~~NEW CONSTRUCTION~~ SEWER LATERALS - NEW CONSTRUCTION

All new residential, apartment, industrial, and commercial buildings shall have installed a new sewer service lateral. A minimum four-inch lateral shall serve single or duplex residential dwelling units. A minimum six-inch lateral shall be installed to serve buildings with three or more residential units, and industrial and commercial buildings. Construction shall conform to District standards.

## SECTION 250 - CONNECTION PERMITS AND FEES

Prior to constructing a lateral or connecting a new building to an existing lateral, or undertaking a repair of a lateral, the owner shall apply for and obtain a permit from the District and pay sewer capacity charges, connection fees, and/or other applicable fees per District policies and regulations. The application shall include a plan showing the location of the lateral and the proposed repair or replacement, and all buildings, other utilities, significant features, and topography of the property and showing the public right-of-way or easement in which the lateral and the District's sewer are located, and the proposed connection of the lateral to the District's sewer main.

All vacant, undeveloped parcels are required to pay the sewer capacity charge, unless the property owner(s) can demonstrate to the District's satisfaction that the property had previously paid the sewer capacity charge.

## SECTION 280 - IMPROPER AND ILLEGAL CONNECTIONS TO PRIVATE SEWER LATERAL

It shall be improper and illegal for a Contractor or Homeowner to connect the following to a private sewer lateral: storm drains, roof drains, pool drains, and/or non-sewage pipes or drains. Violation of this Section is punishable under Section 570.

## SECTION 300 - OWNERSHIP, MAINTENANCE, AND REPAIR OF PRIVATE SEWER LATERALS

A. Private sewer laterals shall be owned, maintained, and repaired by the owner of the property which the lateral serves. The entire service lateral, from the building connection to and including the "wye" connection or other tie into the sewer main, shall fall within the Owner's responsibility for installation, maintenance, and repair.

B. Property owners must clean, maintain, and repair laterals servicing their property sufficient to keep the lateral in operable condition at all times. The property owner shall perform such duties as may be required in response to observed overflows or seepage attributable to the lateral or as discovered by smoke testing, televising, or video inspecting the private laterals. Where such



maintenance requires excavation and/or replacement of existing facilities, the property owner shall apply for and receive a connection permit (see Section 250 above) from the District.

#### **SECTION 400 — SEWER LATERALS - MANDATORY INSPECTIONS**

**A. HEALTH AND SAFETY BASIS FOR REQUIRING A SEWER SERVICE LATERAL INSPECTION.** An Owner shall have the sewer service lateral of his or her real property inspected in accordance with the requirements of this Chapter (as directed and within the time period indicated by the District) upon the occurrence of any of the following events:

1. **Overflow or Malfunction.** Whenever the District determines that the sewer service lateral has recently overflowed or has recently malfunctioned.

2. **Lateral Failure or Lack of Maintenance.** Whenever, based on sewer system testing conducted by the District (of either the sewer service lateral or the District's public sewer system), the District finds that there is sufficient evidence to conclude that the sewer service lateral has failed, is likely to fail, or has not been properly maintained.

3. **Public Health Threat.** Upon any other reasonable cause to believe that there is a threat to the public health, safety, or welfare due to the condition of a sewer service lateral.

4. **Age of pipes and/or extent of foliage causing higher flow within the service area.**

- a. Whenever the District determines that the age of pipes (clay, plastic, or other material) in combination with observed foliage (tree roots near the sewer lateral suggesting root intrusion causing infiltration), or the age of the pipes independently are causing a higher than average flow in a neighborhood or area, the District may direct an inspection of the sewer service lateral to determine the condition and potential need for repairs.

**B. EVENTS REQUIRING A SEWER SERVICE LATERAL INSPECTION -RESIDENTIAL PROPERTIES.** An Owner shall have the sewer service lateral of his or her residential property inspected in accordance with the requirements of this Chapter upon the occurrence of any of the following events:

1. **Home Additions and Improvements.** Prior to the Issuance of a County building permit for a residential building addition or new improvements on the real property where said addition or improvements (or cumulative additions or improvements through multiple projects over the prior three years) have a value of \$40,000 or greater.

- a. District shall notify the Building and Planning Department of Marin County of this requirement so that Issuance of a building permit is conditioned upon meeting the requirement of a lateral inspection.

2. **Transfer of Property Title.** Where the sale of any real property with a lateral sewer is proposed, the Seller shall have the sewer lateral inspected and certified prior to the transfer of property title.



- 1) It shall be the responsibility of the Seller to coordinate an inspection of the sewer lateral upon listing the home for sale.
- 2) Should the Seller fail to have an inspection conducted on the property prior to the sale of the property, the District shall require the new Owner to conduct an inspection and make any necessary repairs to the lateral.
  - a) The District shall make all reasonable efforts to find out about any real property sold within the District's boundaries to ensure compliance with this section.
3. Whenever the District is replacing a sewer line, conducting repairs of a sewer main, or the County is doing road resurfacing. Owners will be notified by the District of any current work and need for an inspection report on their lateral prior to the road work or construction so that any remedial work to the lateral is completed prior to the construction or road work.
  - a. Where an Owner refused to provide an inspection, the District may conduct a televised inspection and the Owner shall be responsible for the costs of such an inspection. Should an inspection reveal the need for repairs, the District may issue a Notice of Repair to the Owner and have the remedies provided for in Section 430 D of this Ordinance to ensure repairs and made and costs are paid.

**C. LATERAL INSPECTIONS - COMMERCIAL (NON-RESIDENTIAL) AND COMMON INTEREST DEVELOPMENT REAL PROPERTIES**

1. Commercial or Non-Residential Properties. An Owner of a commercial property within the District shall have that property's sewer service lateral(s) inspected in accordance with Sections A and B of Section 400.
2. Common Interest Developments. The Owner or Owners of a Common Interest Development shall have the property's sewer service lateral(s) inspected in accordance with Sections A and B of Section 400.

**D. EXCEPTION TO INSPECTION FOR RECENT PRIOR INSPECTIONS AND REPAIRS.** The following exceptions do not apply to any inspection required under Subparagraph A above. The following are exceptions to the inspection requirements of subparagraphs B and C above as indicated.

1. Prior Replacement of Service Lateral. An Owner otherwise required to perform a sewer service lateral inspection under B above hereof shall not be required to perform such an inspection under the following conditions:

- a. If the Owner (or the Owner's predecessor-in-interest) has originally installed or has replaced in its entirety, his, her, or their property's sewer service lateral within the five ten (5-10) years, and received District certification of the improvements, prior to the date of the application for a building permit, listing the property for sale or the road work or sewer repair, or-
- b. If the Owner (or the Owner's predecessor-in-interest) has originally installed or has replaced in its entirety, his, her, or their property's sewer service lateral between five (5) and ten (10)



years, and received District certification of the improvements, prior to the date of the application for a building permit, listing the property for sale or the road work or sewer repair, District staff may require a sewer service lateral inspection if staff determines, in its sole discretion, that field conditions have significantly changed (e.g., sewer clean-out buried/removed) to warrant such an inspection.

2. Prior Inspection or Repair of a Service Lateral. An Owner otherwise required to perform an inspection Under B or C above shall not be required to perform such an inspection if the Owner has either completed a remedial inspection (conducted in accordance with the inspection requirements of this Chapter) or completed a permitted repair or partial replacement of the sewer lateral and received a District certification within the three (3) years prior to the date the inspection would otherwise be required.

**SECTION 410 - SEWER LATERAL INSPECTIONS - ACCESS TO PROPERTIES ~~FOR SEWER LATERAL INSPECTIONS~~**

The District (or any designated representative thereof) is hereby authorized to inspect any sewer system for the following purposes:

- A. To determine the size, depth, and location of any sewer connection.
- B. To determine the end outlet of any sewer connection by depositing harmless testing materials in any plumbing fixture attached hereto and flushing the same, if necessary.
- C. To determine, by measurements and samples, the quantity and nature of the sewage or wastewater being discharged into any sewer.
- D. To determine the location of the roof, swimming pool, floor and surface drains, and whether or not they physically connect to a sewer.
- E. To assess the condition of the lateral where the District suspects that the lateral may be allowing inflow or infiltration.

Nothing herein shall be deemed to provide the District with any right or authority to enter a building or other apparently private or interior area of a real property, except to the extent such entry is expressly authorized by State law.

**SECTION 420 - SEWER LATERAL INSPECTION REPORT - REQUIREMENTS**

- A. **INSPECTION REPORT STANDARDS.** The sewer service lateral inspection report required by this Chapter shall be prepared in accordance with the following requirements and specifications.
  - 1. The inspection report shall be prepared by a licensed plumber or District staff.



2. The inspection report shall identify all of the following:
  - a. Any and all defects that could allow infiltration into the lateral or otherwise create a maintenance issue in the District's sewer system. Such defects may include but not be limited to the following: displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow or infiltration or extraneous water, root intrusion, grease and sediment deposits or other conditions likely to increase the chance for blockage of the sewer service.
  - b. Whether any connection, by pipes or otherwise, allows rainwater or groundwater to enter the sewer service lateral or public sewer.
  - c. Whether the sewer service lateral has an approved backwater device where any outlet or trap of the sewer service lateral is below the level of the nearest manhole. If a device is already installed, the report shall indicate whether the device is functioning properly.
3. The inspection report shall contain an express certification from the inspector that the property has been inspected for any outdoor drain connection to the District's sewer system and that no such unpermitted lateral exists. The report shall be prepared in a format acceptable to the District.
4. Based upon the District's evaluation of the deficiencies outlined in the report, the District will determine the level of repair or replacement that is required.

B. **COMPLIANCE WITH REGULATIONS.** The inspection report shall, in all other aspects, comply with the requirements and specifications described in the District's specification for a sewer service lateral inspection report as established in Subsection 1 below:

1. Requirements for an inspection report. The following items are required to be addressed in an inspection report:
  - a. Date of inspection.
  - b. Name of inspector and name of plumbing firm along with license number (or name of District staff).
  - c. Certification that a televised video was taken of the lateral.
  - d. A certification that no roof, swimming pool, floor and/or surface drains, or any other non-sewage drains are physically connected to the lateral or sewer main.
  - e. Identification with respect to the sewer lateral of any displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow or infiltration or extraneous water, root intrusion, grease and sediment deposits, or other conditions likely to increase the chance for blockage of the sewer service.
  - f. Certification that an installed backwater device is in place where any outlet or trap of the sewer service lateral is below the level of the nearest manhole. If a backwater device is already installed, the report shall indicate whether the backwater device is functioning properly.
  - g. A Declaration under penalty of perjury that the report is true and correct.

## SECTION 430 - SEWER LATERALS - REQUIRED REPAIRS

A. **NOTICE TO REPAIR.** Upon receipt of the sewer service lateral inspection report pursuant to this Chapter, the District will determine whether it indicates any deficiencies in the operation of the sewer service lateral and, thereafter, shall provide the Owner(s) with a Notice to Repair as may be deemed appropriate. The Notice to Repair/Replace shall specifically identify the deficiencies to be corrected and shall establish a deadline within which the Owner(s) shall complete the required corrective actions within ninety (90) days of the date of Notice of Repair/Replace, unless the time for correction is extended by the Board of Directors. The corrective actions may include a requirement that the lateral be replaced altogether and also may include the installation of cleanouts and backwater valves if those devices are otherwise required by this Ordinance or any uniform code adopted by the Agency.

B. **OBLIGATIONS OF THE OWNER.** The Owner shall repair his or her sewer service lateral to the satisfaction of the District, and, if a permit is required for the repairs, the Owner shall obtain a final permit inspection and approval of the relevant District official.

C. **REPAIRS TO IMPROPER CONNECTIONS CONSISTING OF MULTIPLE PRIVATE CONNECTIONS TO A COMMON LATERAL.** A sewer service lateral serving more than one residential dwelling, except as provided for in Section 450 is an improper connection and shall be repaired or replaced as deemed appropriate by the District. The Owner of each affected residential dwelling shall be responsible for disconnecting their sewer service lateral from the common lateral and connecting to the nearest sewer main, if required.

D. **FAILURE TO REPAIR UPON AGENCY NOTIFICATION.** Should an Owner fail to conduct the required repairs upon issuance of a Notice of Repair by the District, the District shall have several options in order to ensure that the repair or replacement is completed.

1. **Public Nuisance.** Continued habitation of any home, building, or continued operation of any industrial facility in violation of a Notice to Repair or Replace a private sewer lateral is hereby declared to be a Public Nuisance. The District may cause proceedings to be brought for the abatement of the occupancy of the home, building, or industrial facility (i.e., a court order directing the occupant[s] to vacate the home, building, or industrial facility until the directed repairs are made) during the period of such violation. The District shall have the right to recover its attorney fees and costs for the pursuit of the abatement.

2. **Disconnection of Private Sewer Lateral to Sewer Main.** The District shall have the right to commence proceedings in Marin Superior Court to seek a court order disconnecting the private sewer lateral from the sewer main, thus leaving the home, building, or industrial facility without sewer service. The District shall have the right to recover its attorney fees and costs for the pursuit of the disconnection.

3. **Corrections of Violations.** Section 6523 of the California Health and Safety Code provides that in order to enforce the provisions of any Ordinance of the District, the District may correct any violation of an Ordinance of the District. The cost of such corrections may be added to any sewer service charge payable by the person violating the Ordinance or the Owner or tenant of the property



upon which the violation occurred, and/or the District may place a lien on the property wherein the violation occurred or the District may pursue a Civil Action for recovery of the costs. Whatever option the District pursues under this Subsection 3, the District shall be entitled to its costs and attorney fees.

#### **SECTION 440 – SEWER LATERALS - COMMON INTEREST DEVELOPMENTS**

The Homeowners Association of a Common Interest Development shall, along with the Owner, be jointly and severally liable for the duties and obligations imposed by this Chapter in relation to any sewer service lateral located within a common area of the development. If no Homeowners Association exists, then the individual unit owners, both jointly and individually, shall be liable for the duties and obligations with respect to sewer service laterals established by this Chapter.

#### **SECTION 450 - PRIVATE SEWER LATERALS - MULTIPLE CONNECTIONS**

It shall be the policy of the District to require one private sewer lateral serving one single family home. However, the District is cognizant that the sewer service system within the District is old and contains many hillside single family homes that are serviced by one private sewer lateral (e.g., one private sewer lateral for two or more homes). Where there is no problem with a sewer service lateral that serves multiple residences, then the District shall allow the multiple service lateral. Where repairs are necessary, the Owners of the residences served by the lateral shall jointly be responsible for the repairs. Where repairs and/or replacement of such a lateral is necessary, the District may ~~required~~require the construction of a new private service lateral for each residential ~~single family~~single-family home or the construction of a new larger private service lateral to accommodate the multiple residences.

#### **SECTION 460- RESERVED**

#### **SECTION 500 – PROHIBITED DISCHARGES**

No person shall discharge or deposit, or cause or allow to be discharged or deposited into the District sewer system any wastewater which contains any of the following:

1. Cooking grease whether emulsified or not
2. Waste automotive radiator coolant
3. Explosive mixtures
4. Radioactive wastes
5. Solid or viscous wastes which may cause obstruction to the flow in a sewer pipeline, including cleansing wipes or "flushable" wipes
6. Any toxic substances in excess of the United States Environmental Protection Agency standards pursuant to Section 307(a) of the Clean Water Act, or any other substances which may interfere with the biological processes of the wastewater system-
7. Petroleum products of any kind
- 7.8. Other substances or waste products as identified and adopted by the District Board as detrimental to the wastewater system



## **SECTION 550 - ~~PUNISHMENT FOR VIOLATION OF~~ PROHIBITED DISCHARGES**

A. **MISDEMEANOR.** Section 6523 of the California Health and Safety Code provides that the violation of any ordinance, rule, or regulation of a sanitary district by any person is a misdemeanor punishable by imprisonment in the County jail not to exceed 30 days or by a fine not to exceed one-thousand dollars (\$1,000) or both. Each and every connection, occupancy, prohibited discharge in violation of this Ordinance shall be deemed a separate violation and each and every day or part of a day a violation of the Ordinance, rule or regulation continues shall be deemed a separate offense hereunder and shall be punishable as such.

## **SECTION 560 - DAMAGE TO DISTRICT SEWER SYSTEM**

It is unlawful for any person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment that is part of the District Sewer System. Any violation of this Section shall be punishable under Section 550 (above) and any violation may constitute other crimes under the California Penal Code or the United State Codes.

## **SECTION 570 - PUNISHMENT - CONTRACTORS - VIOLATION OF SECTION 280**

Should a Contractor make any connections in violation of Section 280 of this Ordinance, the Contractor shall be guilty of a misdemeanor within the meaning of Section 6523 of the California Health and Safety Code.

## **SECTION 580 - APPEALS**

All decisions of the General Manager regarding the implementation of this Ordinance shall be final unless appealed. However, applicants may request an appeal of an adverse determination or any conditions or limitations per this Ordinance, within ten (10) days from the date the General Manager issues a decision or makes a determination. All appeals shall contain a statement of the grounds for the appeal. Appeals shall be made to the District Board who shall hear the matter and render a determination as soon as reasonably practicable, but in no event later than sixty (60) days after an appeal has been filed. Applicants are required to pay an appeal filing fee of \$150. Following the filing of an appeal, the District Board shall hold a public hearing on the matter. All determinations on an appeal shall address and be based upon the same findings required to be made in the original determination from which the appeal is taken.

## **SECTION 600. TERM.**

This Ordinance remains in full force and effect until this Ordinance is rescinded by the Board of Directors.

## **SECTION 610. EXISTING ORDINANCES.**

This Ordinance shall supersede Ordinance No. 96 and any other previous ordinances regulating the construction, use, and maintenance of private sewer laterals

## **SECTION 620. CEQA FINDINGS AND DETERMINATIONS.**



In accordance with the California Environmental Quality Act ("CEQA," Public Resources Code §§ 21000 et seq.) and the regulations promulgated by the State of California pursuant to CEQA ("State Guidelines"), the District's Board of Directors finds and determines that with respect to the Board's approval and adoption of this Ordinance:

1. In some parts, the Ordinance merely represents a unification, restatement and clarification of existing policies and procedures of the District with regard to the matters addressed in the Ordinance and, therefore to that extent, neither the Ordinance itself nor its adoption constitutes a "project" as that term is defined under CEQA; and
2. To the extent that any portion of the Code may be a "project" for purposes of CEQA, it is found and determined that:
  - i) Those portions of the Code that establish policies and procedures which are ministerial in nature are statutorily exempt from the requirements of CEQA. (State Guidelines, §15268)
  - ii) Those portions of the Code that establish or reestablish fees, rates and/or charges are statutorily exempt from the requirements of CEQA in that in each instance the fee, rate and/or charge is necessary for purposes of meeting operating expenses of the District, meeting financial reserve needs and requirements of the District and/or obtaining funds for capital projects which are necessary to maintain services within existing service areas in the District. (State Guidelines, §15273);
  - iii) Those portions of the Code that establish regulatory processes and procedures with regard to the disposal of wastewaters and solid waste and the use of the District's wastewater facilities constitute procedures for the protection of the environment and, therefore, they are categorically exempt from the requirements of CEQA. (State Guidelines, Categorical Exemption Class 8, §15308.); and
  - iv) Neither the Code, nor any part of it, nor its adoption by the District's Board of Directors, nor its operation and enforcement by the District is likely to have a significant effect on the environment.

## **SECTION 700 - SEVERABILITY**

If any Section, Subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such a decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and every Section, Subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more Sections, Subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

## **SECTION 750 - EFFECTIVE DATE OF ORDINANCE AND PUBLICATION**

~~This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of~~

fifteen (15) days after said passage, with the names of the Directors voting for or against the same, in the Marin Independent Journal, a newspaper of general circulation published in the County of Marin, State of California:

Upon adoption, this Ordinance or a summary shall be published once in a newspaper of general circulation published in the District within 15 days from and after its adoption, and the Ordinance shall be in full force and effect thirty days from and after its final passage and adoption.

The foregoing ordinance was duly noticed and introduced at a regular meeting of the Tamalpais Community Services District Board of Directors held in said District on the 12th day of July 2023, and thereafter adopted at a regular meeting of the Board, held in said District on the    <sup>th</sup> day of    2023 by the following vote:

AYES, and in favor thereof, Directors:

NOES, Directors: \_\_\_\_\_

ABSENT, Directors: \_\_\_\_\_

\_\_\_\_\_  
/s)  
Steffen Bartschat :  
President, Board of Directors  
Tamalpais Community Services District

ATTEST:

\_\_\_\_\_  
Board Secretary



~~PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Tamalpais Community Services District, held on 8th day of February, 2017 by the following vote:~~

~~AYES: 5~~

~~NAYS: 0~~

~~ABSENT: 0~~

~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

~~President, Board of Directors~~

~~ATTEST:~~

~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
Secretary

**ORDINANCE NO. 100**

**AN ORDINANCE OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT RESTATING AND AMENDING ORDINANCE NO. 96 REGULATING THE CONSTRUCTION, USE, AND MAINTENANCE OF PRIVATE SEWER LATERALS**

**WHEREAS**, on February 8, 2017, the Tamalpais Community Services District ("TCSD or District") Board of Directors adopted Ordinance No. 96 which restated and amended Ordinance No. 81 which regulated the construction, use, and maintenance of private sewer laterals within the District; and

**WHEREAS**, the District desires to restate and amend Ordinance No. 96 to clarify requirements for inspections, maintenance, and/or improvements of private sewer laterals within the District.

**NOW, THEREFORE**, the Board of Directors of the Tamalpais Community Services District does ordain as follows:

**SECTIONS**

- 100 Findings
- 150 Definitions
- 200 Sewer Laterals - New Construction
- 250 Connection Permits and Fees
- 280 Improper and Illegal Connections to Private Sewer Laterals
- 300 Ownership, Maintenance, and Repair of Private Sewer Laterals
- 400 Sewer Laterals - Mandatory Inspections
- 410 Sewer Laterals Inspections- Access to Premises
- 420 Sewer Laterals - Inspection Report - Requirements
- 430 Sewer Laterals - Required Repairs
- 440 Sewer Laterals - Common Interest Developments
- 450 Sewer Laterals - Multiple Connections
- 460 Reserved
- 500 Prohibited Discharges
- 550 Punishment - Prohibited Discharges
- 560 Damage to District's Sewer System
- 570 Punishment - Contractors - Violation of Section 280
- 580 Appeals

**SECTION 100 - FINDINGS**

Agency finds and determines that Infiltration and Inflow (hereinafter referred to as I&I) is a serious problem for the District in that during heavy rains, a significant amount of water is introduced into the District's system as a result of the I&I from breaches in the entire pipeline system that leads to the treatment facility. To a great extent, much of this I&I is introduced into the District's pipelines and sewer mains from the sewer laterals or unpermitted drainage structures



leading from a property to the District's sewer mains. As a result of I&I, the District's sewer treatment facilities have the potential to become overburdened during periods of heavy rains leading to sewage overflows and possible spills into the waters of the San Francisco Bay. Such overflows and spills can lead not only to significant fines and penalties against the District by State and Federal water regulatory agencies, but may pose a significant risk to the environment, and the health and safety of the public at large.

The District has determined that it is in the public interest that the private sewer laterals I&I problem be addressed and that it has become the policy of the District that the upgrade and repair of private sewer laterals become a priority of TCSD.

Furthermore, the recitals above are each incorporated by reference and adopted as findings by the Board of Directors of the Tamalpais Community Services District.

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**INFLOW** means any water other than sewage that is directed toward or connected to the District's collection system through drainage ditches, open or enclosed culverts, roof drains, yard or area drains, or any other source of storm or ground water.

**INFLOW AND INFILTRATION** are sometimes referred to collectively as "I&I".

**LATERAL SEWER, LATERAL, or PRIVATE SEWER LATERAL** is hereby defined as a privately owned sewer which conveys sewage from a building to the District's collection system, including all

pipes, fittings, and appurtenances from the outer face of the building served to the connection into the Agency's sewer main including the connection itself.

NOTICE TO REPAIR means the notice issued by the District to the owner advising that the owner appears to be in violation of the respective code or ordinance with respect to the owners sewer service lateral, or in violation of the Code or Ordinance in a manner of the sewer service lateral's connection to the District's sewer system, which order directs the abatement of the identified violation in a timely manner.

OWNER means any person, partnership, association, corporation or fiduciary having legal title (or any partial interest) in any real property situated within the District.

SEWER MAIN means a District-owned pipeline designed and operated to accept sewage from a sewer service lateral for disposal/treatment.

SEWER SERVICE LATERAL INSPECTION means an inspection of a sewer service lateral that consists of the retention of a licensed plumber by the Owner in order to visually examine and inspect a sewer service lateral in the manner deemed appropriate by the District. Such an inspection shall, at a minimum, include the use of a closed-circuit television inspection device for the purposes of determining whether the sewer service lateral complies with the requirements of this Ordinance.

## **SECTION 200 - SEWER LATERALS - NEW CONSTRUCTION**

All new residential, apartment, industrial, and commercial buildings shall have installed a new sewer service lateral. A minimum four-inch lateral shall serve single or duplex residential dwelling units. A minimum six-inch lateral shall be installed to serve buildings with three or more residential units, and industrial and commercial buildings. Construction shall conform to District standards.

## **SECTION 250 - CONNECTION PERMITS AND FEES**

Prior to constructing a lateral or connecting a new building to an existing lateral, or undertaking a repair of a lateral, the owner shall apply for and obtain a permit from the District and pay sewer capacity charges, connection fees, and/or other applicable fees per District policies and regulations. The application shall include a plan showing the location of the lateral and the proposed repair or replacement, and all buildings, other utilities, significant features, and topography of the property and showing the public right-of-way or easement in which the lateral and the District's sewer are located, and the proposed connection of the lateral to the District's sewer main.

All vacant, undeveloped parcels are required to pay the sewer capacity charge, unless the property owner(s) can demonstrate to the District's satisfaction that the property had previously paid the sewer capacity charge.



## **SECTION 280 - IMPROPER AND ILLEGAL CONNECTIONS TO PRIVATE SEWER LATERAL**

It shall be improper and illegal for a Contractor or Homeowner to connect the following to a private sewer lateral: storm drains, roof drains, pool drains, and/or non-sewage pipes or drains. Violation of this Section is punishable under Section 570.

## **SECTION 300 - OWNERSHIP, MAINTENANCE, AND REPAIR OF PRIVATE SEWER LATERALS**

A. Private sewer laterals shall be owned, maintained, and repaired by the owner of the property which the lateral serves. The entire service lateral, from the building connection to and including the "wye" connection or other tie into the sewer main, shall fall within the Owner's responsibility for installation, maintenance, and repair.

B. Property owners must clean, maintain, and repair laterals servicing their property sufficient to keep the lateral in operable condition at all times. The property owner shall perform such duties as may be required in response to observed overflows or seepage attributable to the lateral or as discovered by smoke testing, televising, or video inspecting the private laterals. Where such maintenance requires excavation and/or replacement of existing facilities, the property owner shall apply for and receive a connection permit (see Section 250 above) from the District.

## **SECTION 400 – SEWER LATERALS - MANDATORY INSPECTIONS**

A. **HEALTH AND SAFETY BASIS FOR REQUIRING A SEWER SERVICE LATERAL INSPECTION.** An Owner shall have the sewer service lateral of his or her real property inspected in accordance with the requirements of this Chapter (as directed and within the time period indicated by the District) upon the occurrence of any of the following events:

1. **Overflow or Malfunction.** Whenever the District determines that the sewer service lateral has recently overflowed or has recently malfunctioned.
2. **Lateral Failure or Lack of Maintenance.** Whenever, based on sewer system testing conducted by the District (of either the sewer service lateral or the District's public sewer system), the District finds that there is sufficient evidence to conclude that the sewer service lateral has failed, is likely to fail, or has not been properly maintained.
3. **Public Health Threat.** Upon any other reasonable cause to believe that there is a threat to the public health, safety, or welfare due to the condition of a sewer service lateral.
4. **Age of pipes and/or extent of foliage causing higher flow within the service area.**
  - a. Whenever the District determines that the age of pipes (clay, plastic, or other material) in combination with observed foliage (tree roots near the sewer lateral suggesting root intrusion causing infiltration), or the age of the pipes independently are causing a higher than average flow in a neighborhood or area, the District may direct an inspection of the sewer service lateral to determine the condition and potential need for repairs.

**B. EVENTS REQUIRING A SEWER SERVICE LATERAL INSPECTION -RESIDENTIAL PROPERTIES.**

An Owner shall have the sewer service lateral of his or her residential property inspected in accordance with the requirements of this Chapter upon the occurrence of any of the following events:

1. Home Additions and Improvements. Prior to the Issuance of a County building permit for a residential building addition or new improvements on the real property where said addition or improvements (or cumulative additions or improvements through multiple projects over the prior three years) have a value of \$40,000 or greater.

a. District shall notify the Building and Planning Department of Marin County of this requirement so that Issuance of a building permit is conditioned upon meeting the requirement of a lateral inspection.

2. Transfer of Property Title. Where the sale of any real property with a lateral sewer is proposed, the Seller shall have the sewer lateral inspected and certified prior to the transfer of property title.

1) It shall be the responsibility of the Seller to coordinate an inspection of the sewer lateral upon listing the home for sale.

2) Should the Seller fail to have an inspection conducted on the property prior to the sale of the property, the District shall require the new Owner to conduct an inspection and make any necessary repairs to the lateral.

a) The District shall make all reasonable efforts to find out about any real property sold within the District's boundaries to ensure compliance with this section.

3. Whenever the District is replacing a sewer line, conducting repairs of a sewer main, or the County is doing road resurfacing. Owners will be notified by the District of any current work and need for an inspection report on their lateral prior to the road work or construction so that any remedial work to the lateral is completed prior to the construction or road work.

a. Where an Owner refused to provide an inspection, the District may conduct a televised inspection and the Owner shall be responsible for the costs of such an inspection. Should an inspection reveal the need for repairs, the District may issue a Notice of Repair to the Owner and have the remedies provided for in Section 430 D of this Ordinance to ensure repairs and made and costs are paid.

**C. LATERAL INSPECTIONS - COMMERCIAL (NON-RESIDENTIAL) AND COMMON INTEREST DEVELOPMENT REAL PROPERTIES**

1. Commercial or Non-Residential Properties. An Owner of a commercial property within the District shall have that property's sewer service lateral(s) inspected in accordance with Sections A and B of Section 400.



2. Common Interest Developments. The Owner or Owners of a Common Interest Development shall have the property's sewer service lateral(s) inspected in accordance with Sections A and B of Section 400.

D. **EXCEPTION TO INSPECTION FOR RECENT PRIOR INSPECTIONS AND REPAIRS.** The following exceptions do not apply to any inspection required under Subparagraph A above. The following are exceptions to the inspection requirements of subparagraphs B and C above as indicated.

1. Prior Replacement of Service Lateral. An Owner otherwise required to perform a sewer service lateral inspection under B above hereof shall not be required to perform such an inspection under the following conditions:

- a. If the Owner (or the Owner's predecessor-in-interest) has originally installed or has replaced in its entirety, his, her, or their property's sewer service lateral within five (5) years, and received District certification of the improvements, prior to the date of the application for a building permit, listing the property for sale or the road work or sewer repair, or
- b. If the Owner (or the Owner's predecessor-in-interest) has originally installed or has replaced in its entirety, his, her, or their property's sewer service lateral between five (5) and ten (10) years, and received District certification of the improvements, prior to the date of the application for a building permit, listing the property for sale or the road work or sewer repair, District staff may require a sewer service lateral inspection if staff determines, in its sole discretion, that field conditions have significantly changed (e.g., sewer clean-out buried/removed) to warrant such an inspection.

2. Prior Inspection or Repair of a Service Lateral. An Owner otherwise required to perform an inspection Under B or C above shall not be required to perform such an inspection if the Owner has either completed a remedial inspection (conducted in accordance with the inspection requirements of this Chapter) or completed a permitted repair or partial replacement of the sewer lateral and received a District certification within the three (3) years prior to the date the inspection would otherwise be required.

#### **SECTION 410 - SEWER LATERAL INSPECTIONS - ACCESS TO PROPERTIES**

The District (or any designated representative thereof) is hereby authorized to inspect any sewer system for the following purposes:

- A. To determine the size, depth, and location of any sewer connection.
- B. To determine the end outlet of any sewer connection by depositing harmless testing materials in any plumbing fixture attached hereto and flushing the same, if necessary.
- C. To determine, by measurements and samples, the quantity and nature of the sewage or wastewater being discharged into any sewer.
- D. To determine the location of the roof, swimming pool, floor and surface drains, and whether or not they physically connect to a sewer.

E. To assess the condition of the lateral where the District suspects that the lateral may be allowing inflow or infiltration.

Nothing herein shall be deemed to provide the District with any right or authority to enter a building or other apparently private or interior area of a real property, except to the extent such entry is expressly authorized by State law.

#### **SECTION 420 - SEWER LATERAL INSPECTION REPORT - REQUIREMENTS**

A. **INSPECTION REPORT STANDARDS.** The sewer service lateral inspection report required by this Chapter shall be prepared in accordance with the following requirements and specifications.

1. The inspection report shall be prepared by a licensed plumber or District staff.
2. The inspection report shall identify all of the following:
  - a. Any and all defects that could allow infiltration into the lateral or otherwise create a maintenance issue in the District's sewer system. Such defects may include but not be limited to the following: displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow or infiltration or extraneous water, root intrusion, grease and sediment deposits or other conditions likely to increase the chance for blockage of the sewer service.
  - b. Whether any connection, by pipes or otherwise, allows rainwater or groundwater to enter the sewer service lateral or public sewer.
  - c. Whether the sewer service lateral has an approved backwater device where any outlet or trap of the sewer service lateral is below the level of the nearest manhole. If a device is already installed, the report shall indicate whether the device is functioning properly.
3. The inspection report shall contain an express certification from the inspector that the property has been inspected for any outdoor drain connection to the District's sewer system and that no such unpermitted lateral exists. The report shall be prepared in a format acceptable to the District.
4. Based upon the District's evaluation of the deficiencies outlined in the report, the District will determine the level of repair or replacement that is required.

B. **COMPLIANCE WITH REGULATIONS.** The inspection report shall, in all other aspects, comply with the requirements and specifications described in the District's specification for a sewer service lateral inspection report as established in Subsection 1 below:

1. Requirements for an inspection report. The following items are required to be addressed in an inspection report:



- a. Date of inspection.
- b. Name of inspector and name of plumbing firm along with license number (or name of District staff).
- c. Certification that a televised video was taken of the lateral.
- d. A certification that no roof, swimming pool, floor and/or surface drains, or any other non-sewage drains are physically connected to the lateral or sewer main.
- e. Identification with respect to the sewer lateral of any displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow or infiltration or extraneous water, root intrusion, grease and sediment deposits, or other conditions likely to increase the chance for blockage of the sewer service.
- f. Certification that an installed backwater device is in place where any outlet or trap of the sewer service lateral is below the level of the nearest manhole. If a backwater device is already installed, the report shall indicate whether the backwater device is functioning properly.
- g. A Declaration under penalty of perjury that the report is true and correct.

#### **SECTION 430 - SEWER LATERALS - REQUIRED REPAIRS**

A. **NOTICE TO REPAIR.** Upon receipt of the sewer service lateral inspection report pursuant to this Chapter, the District will determine whether it indicates any deficiencies in the operation of the sewer service lateral and, thereafter, shall provide the Owner(s) with a Notice to Repair as may be deemed appropriate. The Notice to Repair/Replace shall specifically identify the deficiencies to be corrected and shall establish a deadline within which the Owner(s) shall complete the required corrective actions within ninety (90) days of the date of Notice of Repair/Replace, unless the time for correction is extended by the Board of Directors. The corrective actions may include a requirement that the lateral be replaced altogether and also may include the installation of cleanouts and backwater valves if those devices are otherwise required by this Ordinance or any uniform code adopted by the Agency.

B. **OBLIGATIONS OF THE OWNER.** The Owner shall repair his or her sewer service lateral to the satisfaction of the District, and, if a permit is required for the repairs, the Owner shall obtain a final permit inspection and approval of the relevant District official.

C. **REPAIRS TO IMPROPER CONNECTIONS CONSISTING OF MULTIPLE PRIVATE CONNECTIONS TO A COMMON LATERAL.** A sewer service lateral serving more than one residential dwelling, except as provided for in Section 450 is an improper connection and shall be repaired or replaced as deemed appropriate by the District. The Owner of each affected residential dwelling shall be responsible for disconnecting their sewer service lateral from the common lateral and connecting to the nearest sewer main, if required.

D. **FAILURE TO REPAIR UPON AGENCY NOTIFICATION.** Should an Owner fail to conduct the required repairs upon issuance of a Notice of Repair by the District, the District shall have several options in order to ensure that the repair or replacement is completed.

1. Public Nuisance. Continued habitation of any home, building, or continued operation of any industrial facility in violation of a Notice to Repair or Replace a private sewer lateral is hereby declared to be a Public Nuisance. The District may cause proceedings to be brought for the abatement of the occupancy of the home, building, or industrial facility (i.e., a court order directing the occupant[s] to vacate the home, building, or industrial facility until the directed repairs are made) during the period of such violation. The District shall have the right to recover its attorney fees and costs for the pursuit of the abatement.

2. Disconnection of Private Sewer Lateral to Sewer Main. The District shall have the right to commence proceedings in Marin Superior Court to seek a court order disconnecting the private sewer lateral from the sewer main, thus leaving the home, building, or industrial facility without sewer service. The District shall have the right to recover its attorney fees and costs for the pursuit of the disconnection.

3. Corrections of Violations. Section 6523 of the California Health and Safety Code provides that in order to enforce the provisions of any Ordinance of the District, the District may correct any violation of an Ordinance of the District. The cost of such corrections may be added to any sewer service charge payable by the person violating the Ordinance or the Owner or tenant of the property upon which the violation occurred, and/or the District may place a lien on the property wherein the violation occurred or the District may pursue a Civil Action for recovery of the costs. Whatever option the District pursues under this Subsection 3, the District shall be entitled to its costs and attorney fees.

#### **SECTION 440 – SEWER LATERALS - COMMON INTEREST DEVELOPMENTS**

The Homeowners Association of a Common Interest Development shall, along with the Owner, be jointly and severally liable for the duties and obligations imposed by this Chapter in relation to any sewer service lateral located within a common area of the development. If no Homeowners Association exists, then the individual unit owners, both jointly and individually, shall be liable for the duties and obligations with respect to sewer service laterals established by this Chapter.

#### **SECTION 450 - SEWER LATERALS - MULTIPLE CONNECTIONS**

It shall be the policy of the District to require one private sewer lateral serving one single family home. However, the District is cognizant that the sewer service system within the District is old and contains many hillside single family homes that are serviced by one private sewer lateral (e.g., one private sewer lateral for two or more homes). Where there is no problem with a sewer service lateral that serves multiple residences, then the District shall allow the multiple service lateral. Where repairs are necessary, the Owners of the residences served by the lateral shall jointly be responsible for the repairs. Where repairs and/or replacement of such a lateral is necessary, the District may require the construction of a new private service lateral for each residential single-family home or the construction of a new larger private service lateral to accommodate the multiple residences.

#### **SECTION 460- RESERVED**



## **SECTION 500 – PROHIBITED DISCHARGES**

No person shall discharge or deposit, or cause or allow to be discharged or deposited into the District sewer system any wastewater which contains any of the following:

1. Cooking grease whether emulsified or not
2. Waste automotive radiator coolant
3. Explosive mixtures
4. Radioactive wastes
5. Solid or viscous wastes which may cause obstruction to the flow in a sewer pipeline, including cleansing wipes or "flushable" wipes
6. Any toxic substances in excess of the United States Environmental Protection Agency standards pursuant to Section 307(a) of the Clean Water Act, or any other substances which may interfere with the biological processes of the wastewater system
7. Petroleum products of any kind
8. Other substances or waste products as identified and adopted by the District Board as detrimental to the wastewater system

## **SECTION 550 – PUNISHMENT PROHIBITED DISCHARGES**

A. **MISDEMEANOR.** Section 6523 of the California Health and Safety Code provides that the violation of any ordinance, rule, or regulation of a sanitary district by any person is a misdemeanor punishable by imprisonment in the County jail not to exceed 30 days or by a fine not to exceed one-thousand dollars (\$1,000) or both. Each and every connection, occupancy, prohibited discharge in violation of this Ordinance shall be deemed a separate violation and each and every day or part of a day a violation of the Ordinance, rule or regulation continues shall be deemed a separate offense hereunder and shall be punishable as such.

## **SECTION 560 - DAMAGE TO DISTRICT SEWER SYSTEM**

It is unlawful for any person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment that is part of the District Sewer System. Any violation of this Section shall be punishable under Section 550 (above) and any violation may constitute other crimes under the California Penal Code or the United State Codes.

## **SECTION 570 - PUNISHMENT - CONTRACTORS - VIOLATION OF SECTION 280**

Should a Contractor make any connections in violation of Section 280 of this Ordinance, the Contractor shall be guilty of a misdemeanor within the meaning of Section 6523 of the California Health and Safety Code.

## **SECTION 580 - APPEALS**

All decisions of the General Manager regarding the implementation of this Ordinance shall be final unless appealed. However, applicants may request an appeal of an adverse determination

or any conditions or limitations per this Ordinance, within ten (10) days from the date the General Manager issues a decision or makes a determination. All appeals shall contain a statement of the grounds for the appeal. Appeals shall be made to the District Board who shall hear the matter and render a determination as soon as reasonably practicable, but in no event later than sixty (60) days after an appeal has been filed. Applicants are required to pay an appeal filing fee of \$150. Following the filing of an appeal, the District Board shall hold a public hearing on the matter. All determinations on an appeal shall address and be based upon the same findings required to be made in the original determination from which the appeal is taken.

#### **SECTION 600. TERM.**

This Ordinance remains in full force and effect until this Ordinance is rescinded by the Board of Directors.

#### **SECTION 610. EXISTING ORDINANCES.**

This Ordinance shall supersede Ordinance No. 96 and any other previous ordinances regulating the construction, use, and maintenance of private sewer laterals

#### **SECTION 620. CEQA FINDINGS AND DETERMINATIONS.**

In accordance with the California Environmental Quality Act ("CEQA," Public Resources Code §§ 21000 *et seq.*) and the regulations promulgated by the State of California pursuant to CEQA ("State Guidelines"), the District's Board of Directors finds and determines that with respect to the Board's approval and adoption of this Ordinance:

1. In some parts, the Ordinance merely represents a unification, restatement and clarification of existing policies and procedures of the District with regard to the matters addressed in the Ordinance and, therefore to that extent, neither the Ordinance itself nor its adoption constitutes a "project" as that term is defined under CEQA; and
2. To the extent that any portion of the Code may be a "project" for purposes of CEQA, it is found and determined that:
  - i) Those portions of the Code that establish policies and procedures which are ministerial in nature are statutorily exempt from the requirements of CEQA. (State Guidelines, §15268)
  - ii) Those portions of the Code that establish or reestablish fees, rates and/or charges are statutorily exempt from the requirements of CEQA in that in each instance the fee, rate and/or charge is necessary for purposes of meeting operating expenses of the District, meeting financial reserve needs and requirements of the District and/or obtaining funds for capital projects which are necessary to maintain services within existing service areas in the District. (State Guidelines, §15273);
  - iii) Those portions of the Code that establish regulatory processes and procedures with regard to the disposal of wastewaters and solid waste and the use of the District's wastewater facilities constitute procedures for the protection of the environment and, therefore, they are categorically exempt from the requirements of CEQA. (State Guidelines, Categorical Exemption Class 8, §15308.); and



iv) Neither the Code, nor any part of it, nor its adoption by the District's Board of Directors, nor its operation and enforcement by the District is likely to have a significant effect on the environment.

**SECTION 700 - SEVERABILITY**

If any Section, Subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such a decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and every Section, Subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more Sections, Subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

**SECTION 750 - EFFECTIVE DATE OF ORDINANCE AND PUBLICATION**

Upon adoption, this Ordinance or a summary shall be published once in a newspaper of general circulation published in the District within 15 days from and after its adoption, and the Ordinance shall be in full force and effect thirty days from and after its final passage and adoption.

The foregoing ordinance was duly noticed and introduced at a regular meeting of the Tamalpais Community Services District Board of Directors held in said District on the 12th day of July 2023, and thereafter adopted at a regular meeting of the Board, held in said District on the \_\_\_<sup>th</sup> day of \_\_\_ 2023 by the following vote:

AYES, and in favor thereof, Directors:

NOES, Directors: \_\_\_\_\_

ABSENT, Directors: \_\_\_\_\_

\_\_\_\_\_  
Steffen Bartschat  
President, Board of Directors  
Tamalpais Community Services District

ATTEST:

\_\_\_\_\_  
Board Secretary



## TAMALPAIS COMMUNITY SERVICES DISTRICT

Staff Report  
July 12, 2023

**TO: BOARD OF DIRECTORS**

**FROM: ALAN SHEAR, ASSISTANT GENERAL MANAGER**

**SUBJECT: DISCUSS REVISIONS TO THE COMMEMORATIVE AND MEMORIAL BENCH AND PICNIC TABLE PROGRAM**

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### **RECOMMENDATION**

Discuss and consider options for the commemorative and memorial bench and picnic table program and provide direction to staff as appropriate.

### **BACKGROUND**

The TCSD commemorative and memorial bench and picnic table program (Program) offers the opportunity for someone to purchase a bench or picnic table and place it in a park or open space area in Tam Valley. A bronze plaque is also purchased by the requestor and affixed to the bench or table.

Currently, if someone is interested in participating in the Program, they reach out to staff to discuss placement and installation of the bench or picnic table and go to the TCSD website to pay for the item (See Attachment 1). There is currently no guideline, policy, or limit on the number and/or location of benches and tables. This has created a number of memorial benches in Eastwood Park and in front of the Community Center.

### **DISCUSSION**

Staff is looking for direction from the Board on potential changes to the current Program to create additional options and better manage the impact to the parks, but yet continue to allow participants to create a lasting memorial. Options and changes for the Board to consider are as follows:

-Include the option to purchase a memorial boulder or side table or other appropriate memorial furniture and affix a plaque to it.

-Allow new plaques to be installed on non-memorial furniture in parks at a cost to be determined.

-Designate certain areas in parks and open spaces for potential bench or picnic table placement/replacement and implement a maximum number of such memorial furniture per area.



-Allow for additional plaques, at cost to be determined, on existing memorial furniture if requested by the same party who purchased the furniture.

-Add an additional 15% administrative fee to the cost of purchasing the bench, picnic table, or other furniture to account for the staff time associated with the request.

-Require the requestor to purchase "white glove" service to include delivery, assembly and installation of the item.

-Staff would continue to not be responsible for maintenance of the memorial items, but would offer the option of coordinating the effort to bring in a third-party for maintenance, paid for by the owner of the bench or table.

-TCSD would consider replacement of bench or table if it is damaged or destroyed by an extreme weather event or earthquake, contingent on a successful claim filed to TCSD risk management pool.

Next Steps

Based upon the discussion and direction provided by the Board tonight, staff will return at a subsequent meeting with a proposed policy for commemorative and memorial benches, picnic tables and other furniture/boulders, incorporating the Board comments.

**FISCAL IMPACT**

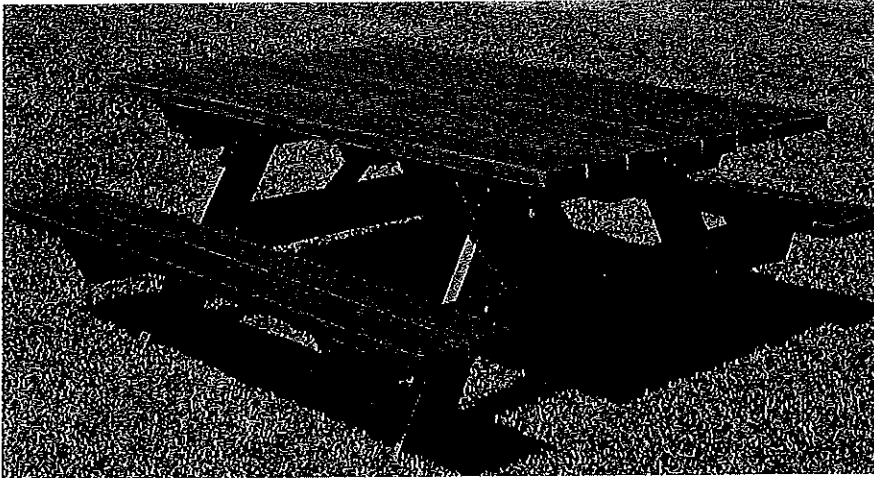
N/A

**ATTACHMENT**

Current TCSD Commemorative and Memorial Bench and Picnic Table Program

## Commemorative and Memorial Redwood Picnic Table

### Table description:



- California Redwood
- 5ft long table and benches
- 34.5in tabletop width
- Traditional standard design
- Slightly rounded corners
- Transparent sealant
- No umbrella hole

### Plaque description (to be mounted on bench or table):

- Bronze
- Raised Satin Copy & Border
- 1/8" Single Line Border
- Dark Green Pebble Background
- Times New Roman font, size 20-24
- Size is roughly 2.5x8in. with 2 lines of text *requiring multiple proofs or changing plaque text will incur additional fees* **\$4100**



## Commemorative and Memorial Teak Bench



### Teak Bench description:

- Solid first-quality teak
- 5ft long
- Flat back rail
- Sculpted arms
- Contoured seat
- Golden sealer

### Plaque description (to be mounted on bench or table):

- Bronze
- Raised Satin Copy & Border
- 1/8" Single Line Border
- Dark Green Pebble Background
- Times New Roman font, size 20-24
- Size is roughly 2.5x8in. with 2 lines of text

*\*requiring multiple proofs or changing plaque text will incur additional fees*

**\$3200**

Pay Now



**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
**Staff Report**  
**JULY 12, 2023**

**TO: BOARD OF DIRECTORS**

**FROM: ALAN SHEAR, ASSISTANT GENERAL MANAGER**

**SUBJECT: AUTHORIZE GENERAL MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ROBERT W. HAYES FOR ARCHITECTURAL SERVICES FOR THE TAM VALLEY COMMUNITY CENTER RESTROOMS REMODEL PROJECT FOR A NOT-TO-EXCEED AMOUNT OF \$30,000**

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**RECOMMENDATION**

Authorize General Manager to enter into a professional services agreement with Robert W. Hayes, Architect and Associates, for architectural design plans and specifications services for the Tam Valley Community Center Restrooms Remodel Project for a not-to-exceed amount of \$30,000.

**BACKGROUND**

The current Community Center restrooms are original from when the building was constructed approximately thirty years ago. Similar to any public facility, the bathrooms have been heavily used over the years for both District and private events. Due to age, level of usage and ADA accessibility, remodeling the restrooms is needed and highly desired.

At its February 2022 meeting, the TCSD Board established a Community Center Repairs Ad Hoc Subcommittee with the purpose of prioritizing repairs to the Community Center. The subcommittee has met several times during the previous months to review and discuss proposed repair projects. Remodeling the restrooms and making them ADA compliant has been a goal of the Board for many years.

In February 2023, the TCSD Board reviewed three options to remodel the bathrooms. All three options maintained the current fixtures count (men's room = one urinal and one toilet; women's room = two toilets) while meeting current ADA-accessibility requirements. ADA guidelines require a minimum turnaround radius of sixty (60) inches. All three design options incorporated that necessity, as well as the current accessibility requirements for grab bar, mirror, bath accessories, soap and towel dispensers. All three design options included replacing the existing drinking fountain in the lobby with a new accessible high-low drinking fountain with bottle filler and a cane-detectable rail.

The Board directed staff to revise the three options to utilize a design with a single gender-neutral restroom with individual toilet compartments and a common sink.

Staff originally presented three revised options to the Ad Hoc Subcommittee on May 2. After a thorough discussion and consideration of each option, the Subcommittee recommended design Option A with changing the smallest toilet compartment (30") to a urinal.

The item and recommendation then went to the full Board on May 10. The Board selected Option A but wanted the entry door moved towards the middle of the wall and the smallest toilet compartment to remain a toilet, not a urinal, and enlarged beyond the 30" in the original design.

The revised design Option A, reflecting the requested changes, was returned to the Board on June 14, and approved.

### **DISCUSSION**

Now that the Board has approved a design to remodel the bathrooms in the Tam Valley Community Center, staff is recommending Robert W. Hayes, Architect and Associates to provide the architectural design plans and specification services for the project at a not-to-exceed amount of \$30,000.

Since Mr. Hayes is the Architect who designed the approved layout of the remodeled bathrooms, he is very familiar with the project and the Community Center, and therefore an appropriate selection to provide architectural services.

Staff is still working with Mr. Hayes on a final scope of work for the project. However, through conversations and a draft scope of work submitted by Mr. Hayes, there is a high level of confidence the final scope will fall between \$25,000 - \$30,000. Staff is requesting spending authority in an amount not-to-exceed \$30,000 from the Board now in hopes of beginning project design sooner rather than later. Knowing the amount of time each phase of the project will take prior to construction, it is important to begin the design process now to meet a limited construction window in late Spring/early Summer of 2024 (i.e., between Rhubarb Revue and Creekside Fridays). If for some reason the proposal exceeds \$30,000, staff will bring the final scope of work for approval to the August Board meeting. The scope of work will include the following services:

- Architectural construction drawings and product specifications
- Mechanical, electrical, and plumbing engineering construction drawings and product specifications
- County plan check review
- Bid phase work including assembling bid package, conducting a bid walk meeting, and responding to general contractor questions

### **FISCAL IMPACT**

Measure A funds are allocated for this project in the Five-Year CIP budget.

### **ATTACHMENTS**

None



**TCSD BOARD**  
**REGULAR WORK SESSION AND SPECIAL MEETING SCHEDULE**  
**FY23/24**

DATES	TOPIC
July 26, 2023	Field Trip- Parks and/or other TCSD facilities
August 23	Field Trip- Parks and other TCSD Facilities
September 27 - CANCELLED	Cancelled for vacations
October 25	tbd
November Special Meeting (tbd)	To replace cancelled meeting
November 22 - CANCELLED	Cancelled for Thanksgiving Holiday
December 27- CANCELLED	Cancelled for holidays
January 24, 2024	tbd
February (Sat.)	Retreat
February 28	Cancelled due to retreat
March 27	Discuss 5-Yr CIP and use of capital reserves
April 24	Discuss 5-yr operating budget forecasts
May 22	Budget Workshop
June 26	



## TAMALPAIS COMMUNITY SERVICES DISTRICT

Staff Report  
Board Meeting  
July 12, 2023

**TO:** BOARD OF DIRECTORS  
**FROM:** GARRETT TOY, GENERAL MANAGER  
**SUBJECT:** GENERAL MANAGER'S REPORT

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### RECOMMENDATION

Receive the report for activities in June 2023 and provide comments as appropriate.

### DISCUSSION

#### Wastewater Statistics and Work

- June flow through Bell Lane Pump Station: we will report in Aug
- June flow through Bob Bunce Pump Station: we will report in Aug.
- Rain: no measurable amount
- Sewer System Overflows (SSO): 0
- Lateral Inspections Jan - June: 31 (for resales, ADU's, CIP, other)
- Repairs were completed at Flamingo pump station #2 for check valves and shutoff valves for both pumps. This station was experiencing longer cycling times due to check valves not seating correctly and shutoff valves were almost impossible to turn.
- We completed some repairs of buried manholes/rod holes in the Marin View area. The picture below shows a raised manhole with new retaining wall on steep hillside below 307 & 305 Via Recodo.



Solid Waste Statistics and Work

- Staff retained a firm to conduct the required SB 1383 lid-flip audit in late June. The firm randomly audited approximately 100 residential customers and 10 commercial accounts. We anticipate having the audit report in August. The preliminary findings suggests residents are doing a better job with recycling and green waste.

SOLID WASTE CALLS FOR SERVICE 2023

TYPE OF SERVICE	Month					
	Jan	Feb	March	April	May	June
Missed pick-up	26	27	20	20	18	25
New Service request	2	2	5	7	12	11
Replacement carts	17	8	10	6	8	18
Dumpsters	14	11	5	7	4	4
Extra trash pick-up	17	20	17	16	12	11
Late put out	2	4	2	-	1	2
Other	-	-	-	1	2	-
Total	78	72	59	57	57	71

YTD Total

394

Parks and Recreation Work

- We are scheduled to replace the door and locking mechanism for the Eastwood Park restroom in mid-July.
- The dog water fountain in Kay Park is broken again. We are getting estimates for repair.
- The gross non-bar revenue for the first two Creekside Friday events is approximately \$3,660. The gross bar revenue is approximately \$2,660. In comparison to last year at this time, food sales are higher because we held the 2<sup>nd</sup> Creekside Friday event before July 4<sup>th</sup> instead of the week of July 4<sup>th</sup>. The preliminary expenses, not including part-time staff costs, are approximately \$7,100, but \$3,000 of those expenses are for costs (e.g., banners, signs, portable toilets) associated with the entire Creekside Friday series. The attendance has been good. We estimate approximately 300+ attendees at each Creekside event so far.

Administration

- Staff continues to work with Nute Engineering on the design of the various CIP projects.
- We attended the PARC meeting on June 9<sup>th</sup>.





**TAMALPAIS COMMUNITY SERVICES DISTRICT**

ITEM 6B.

Staff Report  
July 12, 2023

**TO: BOARD OF DIRECTORS**  
**FROM: SARAH MEHTAR, FINANCE AND PROGRAMS MANAGER**  
**SUBJECT: RECEIVE MONTHLY FINANCIAL REPORTS**

**RECOMMENDATION**

Receive and file the June 2023 financial reports.

**BACKGROUND**

In the fall of 2021, the TCSD Financial Reporting Ad Hoc Committee provided additional recommendations regarding reports and the schedule to reflect industry standards and provide improved transparency into TCSDs finances. TCSD staff continues to provide all required financial reporting.

**Schedule of Reports**

Disbursements (checks & credit card register)	Monthly
Budget year-to-date report	Monthly
CIP project expenditure report	Quarterly
Measure A expenditure report	Quarterly
Treasurer’s report	Quarterly
Audited financial statements	January
Proposed and adopted budgets	May and June
Multi-year financial plans	As needed
Mid-year budget report	Jan or Feb

**DISCUSSION**

As of June 30, 2023, TCSD had the following cash and investment balances:

Institution	Account	May 31, 2023	June 30, 2023
Wells Fargo	General Checking	\$ 458,852.22	\$ 12,442.59
Wells Fargo	General Savings	\$ 2,620,474.77	\$ 1,269,393.57
Wells Fargo	General Merchant Services	\$ 34,831.95	\$ 6,345.37
State of CA - LAIF	General Account	\$7,913,291.24	\$9,413,291.24
<b>TOTALS</b>		<b>\$11,027,450.18</b>	<b>\$10,701,472.77</b>

The State of California Local Agency Investment Fund (LAIF) earned 2.74% as the quarterly apportionment rate for the quarter ending March 31, 2023. The LAIF interest rate for May 2023 was 2.993% which is 0.123 percentage points higher from the prior month and 2.309 percentage points higher from May 2022.

TCSD budgets are divided into the District's three main service areas: a) Wastewater, b) Solid Waste, and c) Parks and Recreation. Wastewater and Solid Waste are proprietary funds based on service fees, whereas the Parks and Recreation fund is a governmental fund supported primarily by ad valorem property tax revenues and Measure A parks funds generated by sales tax revenues. Expenses for each of the three funds are tracked separately.

### **MONTHLY REPORTS**

The disbursement reports for June 2023 are attached to this report (Attachment A). The largest disbursement for the period was to U.S. Bank National Association in the amount of \$297,495.60 for the Wastewater Debt Service scheduled payment.

The preliminary annual budget report (Attachment B) is through the end of June 2023. The report gives the cumulative totals for the fiscal year with budget comparisons. YTD Parks and Recreation revenues are \$1,022,512, which meets the budget. YTD Wastewater revenues are \$5,724,617, which is 98% of budget. Finally, YTD Solid Waste revenues are YTD \$2,808,243, which meets the budget.

Expenditures from FY22-23 are still being received and processed, therefore, what is shown in this report is not final for the year. After the year-end close in August, a more comprehensive and complete analysis will be provided at the Board's September meeting. The analysis will compare the Actual Year-End estimates to the Adopted FY22-23 Budget and the Projected Year-End Estimates as shown in the Adopted FY23-24 Budget.

### **FISCAL IMPACT**

N/A

### **ATTACHMENTS**

- A. Monthly Disbursement Reports
- B. Year-to-Date Annual Budget Reports



Tamalpais Community Services District  
Disbursements from U.S. Bank Credit Card

Attachment A

Date	Name	Memo	Amount
06/20/2023	Marin Lumber Inc.	Eastwood Park Restroom Door / Lock Replacement	\$ 1,861.62
06/13/2023	Honey Bucket	Porta Potty at Creekside Fridays	\$ 1,227.84
06/27/2023	Vistaprint.com	logo caps for staff & board	\$ 745.49
06/16/2023	FasTrak	Bridge Account Replenishment	\$ 510.00
06/01/2023	Microsoft	Software Licenses	\$ 366.66
06/01/2023	Streamline, Inc.	Streamline member fee- June 2023	\$ 300.00
06/06/2023	Verizon Wireless	Device & Data Plan	\$ 294.59
06/10/2023	Go To Communications, Inc.	(415)388-6393 Voice & Data Lines and Wireless Services	\$ 249.93
06/12/2023	BingBanners	Signage for Creekside Fridays	\$ 240.30
06/15/2023	Lagunitas Brewing	Deposit on 3 Kegs	\$ 225.00
06/15/2023	Costco	Soda Drinks for Creekside and Board Snacks	\$ 215.03
06/13/2023	CA Park & Recreation Society	Staff Development	\$ 200.00
06/09/2023	Labor Law Center	California Labor Law Posters	\$ 168.74
06/19/2023	BingBanners	Signage for Creekside Fridays	\$ 166.81
06/19/2023	Amazon.com	Kitchen Supplies (Food Thermometer and Test Strips)	\$ 146.24
06/03/2023	Comcast	Internet May 13 - Jun 12 @ 203 Marin Ave.	\$ 141.59
06/08/2023	QuickBooks Time, Inc.	Online Time Card Service- May 2023	\$ 132.00
06/10/2023	Verizon Wireless	Data Plan for Refuse Driver's iPads	\$ 120.48
06/14/2023	Amazon.com	Napkin Holders for Creekside	\$ 116.88
06/05/2023	Terminix	Pest Control Servicing at Community Center & Main Office	\$ 106.00
06/19/2023	Smart & Final	Creekside Supplies	\$ 95.02
06/19/2023	Smart & Final	Creekside Food (Extra Burgers)	\$ 94.49
06/27/2023	Amazon.com	Supplies / tools for events	\$ 79.93
06/30/2023	Costco	Board Meeting Snacks and Office Coffee	\$ 77.95
06/28/2023	Survey Monkey	Survey Monkey Community Polling	\$ 69.00
06/15/2023	Chevron	Propane for Creekside Friday #1	\$ 65.75
06/26/2023	CR Automotive, Inc	4: Smog (Dodge Caravan)	\$ 62.00
06/30/2023	Smart & Final	BBQ Tools for Creekside	\$ 42.58
06/14/2023	O'Reilly Auto Parts	9: Broken Spark Plug Repair and Wipper Fluid and funnel for all vehicles	\$ 42.03
06/05/2023	Harbor Freight Tools	Clamp for P&R Grill; Shop Fan Wheels; Clips for Refuse	\$ 41.47
06/19/2023	Amazon.com	Cash Box for events	\$ 31.32
06/07/2023	Harbor Freight Tools	Wheels to Repair Black BBQ Grill	\$ 30.56
06/13/2023	Shutter Stock	Stock Images for P&R	\$ 29.00
06/26/2023	Chevron	Propane for Creekside Friday #2	\$ 25.88
06/19/2023	Petty Cash Admin TCSD	Testing of Clover Credit Card Processing Devices	\$ 16.00
06/27/2023	US Postal Service	Mailing Eye Glasses to Lion's Club for recycling	\$ 11.75
06/18/2023	Safeway	Tape for Oops Tags for Route Audit	\$ 8.80





Tamalpais Community Services District  
Disbursements from Wells Fargo Transaction Account  
June 2023

Date	Num	Name	Memo	Amount
06/06/2023	44232	U.S. Bank Trust National Assoc. - C.O.P	COP- Wastewater Debt Service Payment 6	297,495.60
06/30/2023		QuickBooks Payroll Service	Payroll on 06/30/2023	60,121.44
06/02/2023		QuickBooks Payroll Service	Payroll on 06/02/2023	57,604.77
06/09/2023	100276	CERBT - OPEB	FY22-23 Deposit to Trust Fund for Retirees' Medical Benefits	56,500.00
06/16/2023		QuickBooks Payroll Service	Payroll on 06/16/2023	55,698.60
06/02/2023	100257	Kaiser Foundation Health Pln	June 2023 Medical	22,045.47
06/05/2023	100272	J W Mobile/Napa Truck Service	15, 20, 21, 93 : Truck Maint. and Fuel Conditioner for Diesel Tank	19,174.41
06/30/2023	100324	Northside Engineering Inc.	Raise existing manholes in multiple locations	18,960.00
06/02/2023	100263	Marin Sanitary Service	May 2023 Solid Waste 136.71 tons @\$106.52/T	14,562.37
06/16/2023	100303	Marin County Employees Retirement Sys.	PP12 2023 Jun 3 - Jun 16, 2023	13,862.80
06/30/2023	100312	Marin County Employees Retirement Sys.	PP13 2023 Jun 17 - Jun 30, 2023	13,862.80
06/02/2023	100254	Marin County Employees Retirement Sys.	PP11 2023 May 20 - Jun 2, 2023	13,837.51
06/08/2023	100279	Marin Resource Recovery Center	Green Waste, 124.09 Tons @ \$96.60/T, May, 2023	11,986.90
06/29/2023		U. S. Bank Corporate Payment System	Credit Card Purchases - Statement June 22, 2023	11,960.38
06/02/2023	100267	Roy's Sewer Service, Inc.	Maint. Cleaning Scheduled on Multiple Locations	11,400.00
06/05/2023	100275	Star Creek Land Stewards, Inc.	Grazing Services: 400 Goats within 9 acres of Marinview Community	9,889.00
06/09/2023	100281	Diesel Direct	1,705.50 gal Diesel, for Above Ground Tank and 350.1 gal for UST	9,256.47
06/09/2023	100284	Roy's Sewer Service, Inc.	Hydro Hotspot & Rodder Cleaning	7,787.50
06/09/2023	100283	Jorges Tree Services	Monthly Parks & Open Space Mani.- 3 days/week - May	7,240.00
06/30/2023	100322	J W Mobile/Napa Truck Service	12, 15, 20, 94 and 95 : Truck Maint.	5,088.73
06/16/2023	100302	Marin County Employees Retirement Sys.	PEPRA W/H PP12 2023 Jun 3 - Jun 16, 2023	4,791.63



Tamalpais Community Services District  
Disbursements from Wells Fargo Transaction Account  
June 2023

Date	Num	Name	Memo	Amount
06/30/2023	100310	Marin County Employees Retirement Sys.	PEPRA W/H PP13 2023 Jun 17 - Jun 30, 2023	4,791.63
06/02/2023	100251	Marin County Employees Retirement Sys.	PEPRA W/H PP11 2023 May 20 - Jun 2, 2023	4,533.58
06/02/2023	100260	Conservation Corps North Bay	MarinView Trail Enhancement	4,080.00
06/15/2023	100298	Safe House Corporation	Billing Final 50% Professional Installation of Security System	3,975.00
06/15/2023	100308	Sewerage Agency of So.Marín	TCSD Share of Marin Map License Invoice	3,875.00
06/30/2023	100320	Clements Tree Service	Trim Trees by Eastwood Park Tennis Court and on McGlashan Pathway; Remove deadwood in tree near Linda Way; Remove brush pile and tree work at multiple locations; Safety prune Eucalyptus tree & Cypress Tree in Community Center parking lot	3,643.75
06/15/2023	100294	Teamsters Anthem PPO	Medical Insurance Premium	3,441.58
06/15/2023	100297	Miller Starr Regalia	Greene Vs. Kenyon Litigation, May 2023	3,197.00
06/30/2023	100318	Bay Cities Refuse Service, Inc.	Good Earth, Dumping Trash Compactor May 2023, 9 Trips, 11.87 tons	2,880.17
06/15/2023	100292	Hayes, Robert, Architect	Community Center Bathroom Remodel	2,700.00
06/02/2023	100266	Pacific Window Cleaning & Janitorial, Inc	Cleaning Services May 2023	2,350.00
06/26/2023		Sewerage Agency of So.Marín	TCSD Share of SSMP Plan Update	2,341.85
06/15/2023	100293	Proud City Inc.	New Website - Progress Payment	2,250.00
06/08/2023	100278	County of Marin/Env.Health Services	2023-24 Refuse Collection Vehicle Operating Permit Renewal	2,223.00
06/23/2023	100305	Friends of Tam Valley	Creekside Friday 1 (6/16) Beverage Sales	2,098.00
06/02/2023	100256	ChromaGraphics	Creekside Fridays Postcards Mailed	2,074.18
06/30/2023	100327	Preferred Truck & Equip.	Satellite Trucks (#6, 7, 12, 15) Bed Rollers	2,004.02
06/30/2023	100317	AT&T	Office Data Lines, Wireless Services Bunce Pump Station & Comm. Ctr. Alarm Phone Lines	1,938.19





Tamalpais Community Services District  
 Disbursements from Wells Fargo Transaction Account  
 June 2023

Date	Num	Name	Memo	Amount
06/05/2023	100273	Matrix Computer Solutions	Monthly Service fee and IT Service calls	1,874.50
06/02/2023	100265	Pacific Gas & Electric	Office, Shop, Cabin and CC Gas & Electricity and Kay Park Electricity,	1,436.50
06/02/2023	100258	AT&T	Office Data Lines, Wireless Services & Comm. Ctr. Alarm Phone Lines	1,419.32
06/15/2023	100299	Sysco	Creekside Friday #1	1,322.69
06/02/2023	100259	Cintas	Uniforms, Carpets, Towels, Soap	1,309.17
06/30/2023	100325	Pacific Gas & Electric	Office, Shop, Cabin and CC Gas & Electricity and Kay Park and Eastwood Electricity,	1,236.89
06/09/2023	100288	Marin Sanitary Service	Flat Rate for Svc.	1,100.00
06/16/2023	100304	Cole Tate	Creekside Friday Band June 16, 2023	1,000.00
06/30/2023	100326	Perfect Timing Personnel Services, Inc.	Front Desk Sub: Jun 21-22, 2023	776.29
06/30/2023	100330	Sysco	Creekside Friday #2	765.68
06/09/2023	100287	Marin Sanitary Service	Two of 25yard Metal Debris Box	750.00
06/30/2023	100314	Juke Joint Band	Creekside Friday Band- Juke Joint - June 30, 2023	750.00
06/09/2023	100286	Atco Pest Control	Pest Control for Eastwood Park and C.C Center	675.00
06/09/2023	100285	Wells Fargo Fin. Lse. - RMC	Copier Lease 5/20- 6/19/23	650.90
06/15/2023	100291	Safety-Kleen Systems, Inc.	Solvent Tank in Shop 6/1/23	639.06
06/02/2023	100262	Integrity Electric Inc.	Troubleshoot Electrical work at Comm. Ctr. Parking Lot and at Eastwood Park Bathroom	625.00
06/30/2023	100328	Rocky Soil Landscaping, Inc.	Irrigation Check & Repair at Eastwood and Kay Park (Leaks from Tree Damage)	605.00
06/09/2023	100282	e-Recycling of California	Misc e-waste picked up 6/6/23	570.00
06/02/2023	100264	Miller Starr Regalia	Greene Vs. Kenyon Litigation, Apr 2023	520.00
06/02/2023	100252	Employee Personal W/H	Employee Personal W/H	500.00
06/16/2023	100300	Employee Personal W/H	Employee Personal W/H	500.00
06/30/2023	100311	Employee Personal W/H	Employee Personal W/H	500.00
06/10/2023	100307	Johnson Controls Security Solutions	Jul-Sept 2023, Monitoring Alarm - 203 Marin Ave	371.28





Tamalpais Community Services District  
Disbursements from Wells Fargo Transaction Account  
June 2023

Date	Num	Name	Memo	Amount
06/10/2023	100306	Johnson Controls Security Solutions	Jul-Sep 2023, Monitoring Alarm - 305 Bell Ln	328.07
06/30/2023	100321	Eco-Check Compliance, Inc.	30 day designated operator inspection per UST regulations	300.00
06/30/2023	100331	XIO, Inc.	Flow Meter Monitoring at Bob Bunce Pump Station	282.00
06/03/2023	100271	Goodman Building Supply Co.	Supplies to Fix Broken Hose Caddy at Shop; Saw Baldes for Shop; Tools for Repairs at Office	278.49
06/09/2023	44233	VSP Vision Service Plan (CA)	Employee Vision Coverage May and Jun	277.10
06/30/2023	100335	Preferred Truck & Equip.	12 & 15 Truck Parts	194.57
06/02/2023	100270	The Urban Farmer Store	Eastwood Park - Vinyl	177.31
06/02/2023	100268	Stericycle, Inc.	June 2023 Medical Waste Services	176.82
06/30/2023	100329	Stericycle, Inc.	July 2023 Medical Waste Services	176.82
06/02/2023	100261	Hagel Supply Company	Cleaning Supplies for P&R	169.14
06/30/2023	100323	Napa Auto Parts- DNG Enterprises	Fuel Filter	141.01
06/02/2023	100255	Schwartz, Jack (v)	Reimbursement Seniors' Lunches	135.08
06/30/2023	100313	Goodman Building Supply Co.	Screen Mesh to Catch Basin in Yard; Oil Change Materials; Top Soil	128.07
06/30/2023	100319	Burkell Plumbing Inc.	Test Backflow Device at Cabin	125.00
06/02/2023	100253	Teamsters Anthem PPO	856-131145	119.67
06/16/2023	100301	Teamsters Anthem PPO	856-131145	119.67
06/08/2023	100277	Mencarelli, Mark (v)	Reimburse for D.O.T. Fees	115.00
06/29/2023	100309	Schwartz, Jack (v)	Reimbursement Seniors' Lunches	104.37
06/14/2023	100290	Schwartz, Jack (v)	Reimbursement Seniors' Lunches	99.38
06/15/2023	100296	Bio-Pest	Ant Control Service, DOS 5/10/23	95.00
06/09/2023	100280	Access Answering Service	Answering Service - June	92.00
06/15/2023	100295	AT&T (Internet)	Internet service Bob Bunce Pump Station	64.20
06/20/2023	44268	Optum Financial (COBRA)	Apr- COBRA Administration for TCSD Staff	4.44



**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
**Preliminary Budget Report**  
**FY 2022-23**

Attachment B

	<b>WASTEWATER DEPT.</b>			
	June 2023	Budget 2022-23	% of Budget Spent	Comments
Ordinary Revenue/Expense				
Revenue				
4101 · Sanitation Service Charges	\$ 5,724,617.98	\$ 5,848,600	98%	
4103 · Permits/Lateral Connection Fees	\$ 45,402.00	\$ 34,100	133%	
4104 · Muir Woods Sanitation Svc. Chrg.	\$ 53,756.43	\$ 35,100	153%	Flow variation
4420 · Interest Revenue	\$ 53,795.96	\$ 10,000	538%	
4430 · Miscellaneous Revenue	\$ 3,462.40	-	-	
<b>Total Revenue</b>	<b>\$ 5,881,034.77</b>	<b>\$ 5,927,800</b>	<b>99%</b>	
Expense				
5010 · Salaries				
5011 · Wages and P.T.O	\$ 399,826.70	\$ 384,600	104%	
5012 · Overtime Pay	\$ 3,727.12	\$ 5,200	72%	
5013 · Performance Recognition	\$ 7,450.00	\$ 7,700	97%	
5014 · Temporary Help	\$ 16,763.12	\$ 7,900	212%	Front Desk Sub.
<b>Total 5010 · Salaries</b>	<b>\$ 427,766.94</b>	<b>\$ 405,400</b>	<b>106%</b>	
5020 · Employee Benefits				
5021 · Health Insurance	\$ 50,118.90	\$ 67,100	75%	
5022 · Retirement Contributions	\$ 84,393.27	\$ 95,200	89%	
5023 · Social Security and Medicare	\$ 31,348.24	\$ 31,100	101%	
5024 · Other Employee Benefits	\$ -	\$ 1,000	0%	
5025 · Retiree Medical Insurance	\$ 13,016.40	\$ 23,200	56%	
5026 · Reserve-Retiree Medical Insu.	\$ 22,600.00	\$ 22,600	100%	OPEB Reserve
<b>Total 5020 · Employee Benefits</b>	<b>\$ 201,476.81</b>	<b>\$ 240,200</b>	<b>84%</b>	
5110 · Wastewater Treatment Expense				
5111 · SMCSO Sewage Treatment O&M	\$ 2,589,427.80	\$ 2,606,800	99%	
5121 · SASM Sewage Treatment & Capital	\$ 173,370.00	\$ 173,400	100%	
5131 · Almonte and Homestead Svc Fees	\$ 8,139.00	\$ 9,000	90%	
<b>Total 5110 · Wastewater Treatment Expense</b>	<b>\$ 2,770,936.80</b>	<b>\$ 2,789,200</b>	<b>99%</b>	
5140 · Sewer System Maint. & Repair	\$ 215,324.57	\$ 303,900	71%	
5400 · TCSD Board Fees	\$ 4,772.00	\$ 7,000	68%	
5401 · Professional Services	\$ 40,979.76	\$ 131,100	31%	
5420 · Staff Training & Travel Expense	\$ 4,127.94	\$ 6,500	64%	
5425 · Office and Technology	\$ 19,614.19	\$ 18,900	104%	
5430 · Telephone and Alarms	\$ 13,279.14	\$ 11,300	118%	
5431 · Public Communications	\$ 1,132.05	\$ 7,000	16%	
5432 · Insurance	\$ 50,643.45	\$ 50,500	100%	
5437 · Miscellaneous	\$ 605.85	\$ 1,000	61%	
5438 · Fees and Permits	\$ 25,650.64	\$ 27,900	92%	
5439 · Utilities	\$ 8,959.58	\$ 7,500	119%	
5440 · Fuel Expense	\$ 8,763.40	\$ 12,000	73%	
5450 · Maintenance and Supply	\$ 103,454.84	\$ 80,000	129%	Incl. Office Remodel
5483 · Debt Issuance Costs	\$ 1,324,295.60	\$ 1,338,600	99%	
<b>Total Expense</b>	<b>\$ 5,221,783.56</b>	<b>\$ 5,438,000</b>	<b>96%</b>	





TAMALPAIS COMMUNITY SERVICES DISTRICT  
Preliminary Budget Report  
FY 2022-23

**SOLID WASTE DEPT.**

	June 2023	Budget 2022-23	% of Budget Spent	Comments
Ordinary Revenue/Expense				
Revenue				
4201 · Solid Waste Service Charges	\$ 2,808,243.32	\$ 2,611,000	108%	
4202 · Other Solid Waste Services	\$ 8,210.00	\$ 9,000	91%	
4410 · Donations/Fundraising/Grants	\$ 28,329.23	\$ 5,000	567%	SB1383 Compliance Grant
4420 · Interest Revenue	\$ 26,797.98	\$ 7,000	383%	
4430 · Miscellaneous Revenue	\$ 3,462.40	-	-	
<b>Total Revenue</b>	<b>\$ 2,875,042.93</b>	<b>\$ 2,632,000</b>	<b>109%</b>	
Expense				
5010 · Salaries				
5011 · Wages and P.T.O	\$ 662,632.34	\$ 630,100	105%	
5012 · Overtime Pay	\$ 47,272.48	\$ 58,500	81%	
5013 · Performance Recognition	\$ 11,756.00	\$ 12,400	95%	
5014 · Temporary Help	\$ 21,894.89	\$ 26,200	84%	
<b>Total 5010 · Salaries</b>	<b>\$ 743,555.71</b>	<b>\$ 727,200</b>	<b>102%</b>	
5020 · Employee Benefits				
5021 · Health Insurance	\$ 130,412.41	\$ 140,700	93%	
5022 · Retirement Contributions	\$ 196,774.07	\$ 224,900	87%	
5023 · Social Security and Medicare	\$ 55,439.38	\$ 51,600	107%	
5024 · Other Employee Benefits	\$ (1,030.79)	\$ 2,100	-49%	
5025 · Retiree Medical Insurance	\$ 24,873.69	\$ 44,600	56%	
5026 · Reserve-Retiree Medical Insu.	\$ 25,400.00	\$ 25,400	100%	OPEB Reserve
<b>Total 5020 · Employee Benefits</b>	<b>\$ 431,868.76</b>	<b>\$ 489,300</b>	<b>88%</b>	
5210 · Solid Waste Disposal Expense				
5211 · Waste Disposal Fees	\$ 188,439.13	\$ 214,100	88%	
5212 · Recycling Fees	\$ 1,973.34	\$ 50,000	4%	
5213 · Green Waste Disposal Fees	\$ 113,357.25	\$ 127,800	89%	
5214 · Debris Day Expenses	\$ 3,601.82	\$ 3,000	120%	
<b>Total 5210 · Solid Waste Disposal Expense</b>	<b>\$ 307,371.54</b>	<b>\$ 394,900</b>	<b>78%</b>	
5400 · TCS D Board Fees				
5401 · Professional Services	\$ 57,922.60	\$ 116,000	50%	
5420 · Staff Training & Travel Expense	\$ 3,876.84	\$ 3,200	121%	
5425 · Office and Technology	\$ 18,760.40	\$ 19,000	99%	
5430 · Telephone and Alarms	\$ 6,704.54	\$ 7,000	96%	
5431 · Public Communications	\$ 4,191.49	\$ 20,000	21%	
5432 · Insurance	\$ 67,733.41	\$ 75,900	89%	
5437 · Miscellaneous	\$ 644.19	\$ 1,000	64%	
5438 · Fees and Permits	\$ 35,681.96	\$ 41,600	86%	
5439 · Utilities	\$ 2,683.76	\$ 3,500	77%	
5440 · Fuel Expense	\$ 61,669.93	\$ 85,500	72%	
5450 · Maintenance and Supply				
5451 · General Supplies	\$ 5,259.51	\$ 4,100	128%	
5452 · Maint. & Supply Contract Svc	\$ 14,313.77	\$ 11,600	123%	
5454 · Vehicle Repair & Maint.	\$ 207,521.63	\$ 138,000	150%	
5456 · Bridge Tolls	\$ 5,292.00	\$ 4,000	132%	
5457 · Solid Waste Carts & Bins	\$ 39,000.91	\$ 50,000	78%	
5461 · Meeting Supplies	\$ 1,861.62	\$ 700	266%	
5470 · Yard & Bldg. Improvements	\$ 34,008.88	\$ 8,500	400%	Office Remodel
<b>Total 5450 · Maintenance and Supply</b>	<b>\$ 307,258.32</b>	<b>\$ 216,900</b>	<b>142%</b>	
5471 · Minor Equipment				
5472 · Donations/Grants Paid Expenses	\$ 8,000.00	\$ 5,000	160%	
Vehicle Lease	\$ 44,804.48	\$ 44,900	100%	
<b>Total Expense</b>	<b>\$ 2,106,499.93</b>	<b>\$ 2,258,700</b>	<b>93%</b>	





TAMALPAIS COMMUNITY SERVICES DISTRICT  
Preliminary Budget Report  
FY 2022-23

**PARKS AND RECREATION DEPT.**

	June 2023	Budget 2022-23	% of Budget Spent	Comments
<b>Ordinary Revenue/Expense</b>				
<b>Revenue</b>				
4301 · Taxes	\$ 1,022,512.41	\$ 975,800	105%	
4303 · Tia's After School Program Rev	\$ 30,155.00	\$ 15,000	201%	
4310 · Facilities Rental & Fees	\$ 30,555.50	\$ 26,000	118%	
4320 · Park Rentals	\$ 3,266.00	\$ 3,900	84%	
4330 · Class Fees	\$ 30,635.00	\$ 11,900	257%	
4350 · TCSD Event Revenue	\$ 61,713.03	\$ 66,500	93%	
4410 · Donations/Fundraising/Grants	\$ 11,796.23	\$ 15,000	79%	
4420 · Interest Revenue	\$ 8,932.65	\$ 5,000	179%	
4430 · Miscellaneous Revenue	\$ 9,969.15	\$ 1,000	997%	
<b>Total Revenue</b>	<b>\$ 1,209,534.97</b>	<b>\$ 1,120,100</b>	<b>108%</b>	
<b>Expense</b>				
5011 · Wages and P.T.O	\$ 403,395.07	\$ 406,700	99%	
5012 · Overtime Pay	\$ 5,553.79	\$ 7,500	74%	
5013 · Performance Recognition	\$ 7,253.00	\$ 7,800	93%	
5014 · Temporary Help	\$ 28,713.71	\$ 36,600	78%	
<b>Total 5010 · Salaries</b>	<b>\$ 444,915.57</b>	<b>\$ 458,600</b>	<b>97%</b>	
5020 · Employee Benefits				
5021 · Health Insurance	\$ 68,275.34	\$ 58,500	117%	
5022 · Retirement Contributions	\$ 84,039.34	\$ 164,200	51%	
5023 · Social Security and Medicare	\$ 34,471.92	\$ 32,500	106%	
5024 · Other Employee Benefits	\$ -	\$ 2,100	0%	
5025 · Retiree Medical Insurance	\$ 2,474.09	\$ 5,900	42%	
5026 · Reserve-Retiree Medical Insu.	\$ 8,500.00	\$ 8,500	100%	OPEB Reserve
<b>Total 5020 · Employee Benefits</b>	<b>\$ 197,760.69</b>	<b>\$ 271,700</b>	<b>73%</b>	
5300 · Events Expense	\$ 78,539.96	\$ 63,500	124%	
5330 · Tree & Landscaping Services	\$ 28,595.25	\$ 18,100	158%	
5331 · Landscaping Contract Svc	\$ 59,600.00	\$ 35,000	170%	
5332 · McGlashan Trail Maintenance	\$ 4,627.50	\$ 5,400	86%	
5340 · Instructor Fees	\$ 14,650.35	\$ 7,600	193%	
5341 · Tia's Afterschool Program Exp	\$ 13,974.42	\$ 10,000	140%	
5400 · TCSD Board Fees	\$ 4,556.00	\$ 4,200	108%	
5401 · Professional Services	\$ 28,464.83	\$ 19,900	143%	
5420 · Staff Training & Travel Expense	\$ 799.34	\$ 5,700	14%	
5425 · Office and Technology	\$ 23,544.88	\$ 25,100	94%	
5430 · Telephone and Alarms	\$ 15,286.47	\$ 11,700	131%	
5431 · Public Communications	\$ 5,553.63	\$ 5,100	109%	
5432 · Insurance	\$ 35,807.99	\$ 32,800	109%	
5437 · Miscellaneous	\$ 440.35	\$ 1,100	40%	
5438 · Fees and Permits	\$ 17,414.71	\$ 13,900	125%	
5439 · Utilities	\$ 19,405.10	\$ 22,000	88%	
5440 · Fuel Expense	\$ 3,368.10	\$ 4,600	73%	
5450 · Maintenance and Supply				
5451 · General Supplies	\$ 12,160.32	\$ 9,300	131%	
5452 · Maint. & Supply Contract Svc	\$ 24,322.05	\$ 16,100	151%	
5454 · Vehicle Repair & Maint.	\$ 1,139.27	\$ 5,800	20%	
5458 · Cabin/Comm.Ctr. Maint. & Supply	\$ 9,611.95	\$ 4,000	240%	
5459 · Park Maint.	\$ 11,242.34	\$ 19,000	59%	
5461 · Meeting Supplies	\$ 770.30	\$ 700	110%	
5470 · Yard & Bldg. Improvements	\$ 14,041.06	\$ 8,500	165%	
<b>Total 5450 · Maintenance and Supply</b>	<b>\$ 73,287.29</b>	<b>\$ 63,400</b>	<b>116%</b>	
5471 · Minor Equipment	\$ 466.55	\$ 3,300	14%	
5472 · Donations/Grants Paid Expenses	\$ 13,838.32	\$ 8,000	173%	
<b>Total Expense</b>	<b>\$ 1,084,897.30</b>	<b>\$ 1,090,700</b>	<b>99%</b>	

Date: June 15, 2023

To: Steffen and Garrett,

I attended the SASM Meeting for June 15, 2023, at the SASM wastewater plant conference room.

#### **ATTENDANCE**

All SASM Commissioners were present: Lew Kiou, president of the SASM board (Almonte Sanitary District), Peter McIntosh (Richardson Bay Sanitary District), Stephen Burke (City of Mill Valley), Jim Jacobs (Tamalpais Community Services District), Todd Gates of the Alto Sanitary District, and Al Leibof (Homestead Valley Sanitary District) attended the meeting. A quorum was present.

SASM Staff: Mark Grushayev, Director of the Wastewater Treatment Plant was present. Brian Exberger, SASM Chief Treatment Plant Operator was also in the audience. Andrew Poster, P.E., City Engineer and Director of Public Works and Todd Cusimano, City Manager for the City of Mill Valley absent. Bonner Buehler, Manager for Homestead Valley was in the audience. No other members of the public were present.

#### **CLOSED SESSION**

Although originally planned, the closed session was canceled the day before the SASM meeting, so no closed session occurred.

#### **BUSINESS SESSION**

No violations occurred in the past month and there were no known NPDES limit exceedances or sanitary sewer overflows (SSOs) in June 2023.

#### **LATERAL REPLACEMENT PROGRAM**

Inflow and Infiltration (I&I) is estimated to be about half related to the sewer mains and about half to the laterals. Lateral inspections are required for house sales and major renovations over \$50,00. Laterals deemed to be leaking must be repaired. The SASM commissioners improved the lateral program by raising the amount of the grant to \$2,500 from \$2,250, and the total amount of funds from \$50,000 to \$65,000. This program is for lower income residents, earning less than \$120,000 per year, and verification with 1099 and IRS tax returns are required for the verification. The loan program was cancelled as home equity loans are available from banks and credit unions. Contractors are now charging about \$8,000 to \$10,000 for lateral replacements, up from \$2,000 to \$3,000 per lateral replacement about 10 years ago. The SASM grants can be paid directly to the licensed contractor performing the work. The program will be re-evaluated next year and will be adjusted based on participation numbers and grants given out.

#### **NEXT SASM MEETING**

Future meetings will be live at the SASM conference room at the SASM plant at 6 pm (one hour earlier than prior live meetings). The next SASM meeting is July 20, 2023, at 6:00 pm. I will not attend the meeting or the August 17, 2023, meeting. I will let Jeff Brown know.

#### **TCSD ISSUES**

Garrett must have answered all the questions, as the TCSD issues were not even brought up at the meeting.

Sincerely,

Jim Jacobs



## TAMALPAIS COMMUNITY SERVICES DISTRICT

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### TCSD BOARD OF DIRECTORS MEETING

### MINUTES

WEDNESDAY, JUNE 14, 2023, 7:00 PM

#### 1. CALL TO ORDER

The Tamalpais Community Services District Board of Directors Meeting was called to order by President Bartschat at 7:03 pm on Wednesday June 14, 2023.

#### 2. ROLL CALL

President Steffen Bartschat

Vice President Jeff Brown, Directors Jim Jacobs, Steve Levine, Matt McMahon (absent)

Staff Present: General Manager (GM), Garrett Toy; Assistant General Manager, Alan Shear; Finance and Programs Manager, Sarah Mehtar; Events and Communications Coordinator, Camille Eposito; TCSD Clerk, Natalie Callahan

Others present: Marin County Supervisor, Stephanie Moulton-Peters; SMFD Fire Inspector, Marshal Nau; Park Ranger, Mia Monroe

#### 3. APPROVE AGENDA

##### MOTION TO APPROVE THE AGENDA

M/S: S. LEVINE / J. JACOBS AYES: 4 (S. BARTSCHAT, J. BROWN, J. JACOBS, S. LEVINE)

NAYS: 0 ABSENT: 1 (M. McMAHON)

#### 4. PUBLIC EXPRESSION

Ranger Mia Monroe gave a couple of updates on county wide activities:

- Big project mid-July in Muir woods working on salmon habitat enhancement project.
- They are in the next phase of the dam removal in Tennessee Valley.
- Invitation to the Evolving Shorelines Tour on June 30, 2023.
- She wants to introduce Laura Booth, new GGNRA staff, at the next meeting.

#### 5. REGULAR BUSINESS: Board Action

A. Marin County Supervisor Moulton-Peters gave a brief presentation regarding Countywide activities.

##### Flood projects:

\*Public Works hiring more staff so they will be able to get out and be a little more aggressive during flood season.



\* On the docket for this year's flood zone 3: Crest Marin pump station condition assessment and upgrade design. Working on Cardinal levee seepage project.

Mitigation project design between Flaming Rd and Good Earth employee parking lot.

She has formed a Tam Junction Advisory Task Force. To help, the county is in the process of bringing on a traffic and parking consultant this fall to look at parking and pedestrian safety issues at Tam Junction.

- B. Camille Esposito gave an update on Creekside Friday and presented revised events schedule for FY 23-24.

The Board discussed and asked questions of staff.

Public comment: A women shared her interest in safety protection for pedestrians on Almonte Blvd.

- C. Discussed / consider adoption of resolution 2023-12 approving the installation of a long-range acoustic device (LRAD siren) in a location in Eastwood Park as requested by Southern Marin Fire Protection District (SMFD).

SMFD Fire Inspector, Marshal Nau, shared SMFD conducted public outreach to the surrounding neighbors of Eastwood Park to solicit feedback on a proposed site. SMFD sent out 300 mailers requesting to meet at the park on May 10<sup>th</sup> to discuss the LRAD project and the three proposed locations of the pole. The community feedback/outcome was site A (located near the Eastwood Park bathroom) would be the most appropriate.

The Board discussed and asked questions of Marshal Nau and staff.

There was no public comment.

**MOTION TO ADOPT RESOLUTION 2023-12 APPROVING INSTALLATION OF A LONG-RANGE ACCOUSTIC DEVICE IN EASTWOOD PARK AND LOCATION SITE A NEAR THE EASTWOOD PARK RESTROOM.**

**M/S: J. JACOBS/S. LEVINE     AYES: 4 (S. BARTSCHAT, J. BROWN, J. JACOBS, S. LEVINE)  
NAYS: 0     ABSENT: 1 (M. McMAHON)**

- D. Discussed /consider adoption of the resolution 2023-10 approving the TCSD operating and capital improvement program budget for Fiscal Year July 1, 2023 through June 30, 2024 and providing for the appropriation of expenditures in said budget.

Discussed the FY23-24 Operating and Capital Improvement Program budget document:

- Budget message which includes an Executive summary for the budget

- Proposed FY23-24 Operating Budget for Wastewater, Solid Waste and Parks and Recreation
- Budget Detail Sheets and Personnel Allocation
- Five-Year Operating Budget Forecast
- Capital Reserves
- Five-Year Capital Improvement Program (CIP) budget
- Measure A Park Funds
- Three Years of Actual Expenditures
- Budget Resolution with Salary Schedule

Discussed updates to FY 23-24 Budget Since May Workshop:

Some minor revisions were made to the Solid Waste and Parks and Recreation budget since the workshop. No changes were made to the proposed Wastewater budget. The overall Solid Waste budget did not change, but the costs for SB1383 compliance and compost pails were moved into the professional service category. The P&R budget was increased by \$10,000 which reflects a more refined budget for events. The budget estimate for each event was also included in the P&R detail sheet. Revenue estimates were also increased, which partially offsets the increase in costs.

The Board discussed and asked questions of staff.

There was no public comment.

**MOTION TO ADOPT THE RESOLUTION 2023-10 APPROVING THE TCSD OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEAR JULY 1, 2023 THROUGH JUNE 30, 2024 AND PROVIDING FOR THE APPROPRIATION OF EXPENDITURES IN SAID BUDGET.**

**M/S: S. LEVINE / J. BROWN    AYES: 4 (S. BARTSCHAT, J. BROWN, J. JACOBS, S. LEVINE)  
 NAYS: 0        ABSENT: 1 (M. McMAHON)**

- E. Discussed/consider adoption of the resolution 2023-11 approving the uniform / shoe allowance policy for eligible employees and amend the TCSD Personnel Policies reflecting the policy.

Staff is proposing to cancel the portion of the contract with Cintas for the provision and maintenance of uniforms and instead give an annual uniform allowance of \$600.00 to eligible employees required to wear a uniform. Staff has determined that employees do not utilize the laundering services from Cintas, despite TCSD paying for the service, which includes the rental of the uniforms. Employees are already cleaning and maintaining their uniforms and by adopting this policy, employees will now be responsible for purchasing their uniforms as well.

Fiscal Impact: An annual uniform allowance of \$600 per eligible employee has a total annual cost of \$4,800. Canceling a portion of the Cintas agreement and purchasing the current uniforms worn by employees has a one-time cost of \$8,456.44. The annual expenditure to Cintas for the uniform related portion of the current agreement is \$9,490. In Year 3 of this approach, TCSD will realize an annual savings of approximately \$4,700 which will continue in subsequent years.

The Board discussed and asked questions of staff.

There was no public comment.

**MOTION TO ADOPT THE RESOLUTION 2023-11 APPROVING THE UNIFORM/SHOE ALLOWANCE POLICY FOR ELIGIBLE EMPLOYEES AND AMEND THE TCSD PERSONNEL POLICIES.**

**M/S: S. LEVINE / J. JACOBS      AYES: 4 (S. BARTSCHAT, J. BROWN, J. JACOBS, S. LEVINE)**

**NAYS: 0      ABSENT: 1 (M. McMAHON)**

- F. Conducted random drawing of names to determine which two Parks & Recreation Commissioners (PARK) will serve an initial two-year term.

Names selected were Valerie Jordan and Erin Rosenblatt to serve an initial two-year term.

There was no public comment.

**MOTION TO ACCEPT THE RANDOM DRAWING OF NAMES TO DETERMINE WHICH TWO PARKS & RECREATION COMMISSIONERS (PARK) WILL SERVE AN INITIAL TWO-YEAR TERM. NAMES DRAWN WERE VALERIE JORDAN AND ERIN ROSENBLAT.**

**M/S: J. JACOBS/S. LEVINE      AYES: 4 (S. BARTSCHAT, J. BROWN, J. JACOBS, S. LEVINE)**

**NAYS: 0      ABSENT: 1 (M. McMAHON)**

- G. Discussed/consider approval for revised Option A for remodeling the restrooms in the Tam Valley Community Center.

Discussed the design changes to the entry door which has been moved towards the middle of the wall and the smallest toilet compartment to remain a toilet, not a urinal, and enlarged beyond the 30" in the original design.

Board discussed the changes and asked questions of staff.

There was no public comment.

**MOTION TO APPROVE REVISED GENDER-NEUTRAL OPTION A FOR REMODELING THE RESTROOMS IN THE TAM VALLEY COMMUNITY CENTER AND WITH DIRECTION GIVEN TO STAFF AS APPROPRIATE.**

**M/S: J. BROWN / J. JACOBS      AYES: 4 (S. BARTSCHAT, J. BROWN, J. JACOBS, S. LEVINE)**

**NAYS: 0      ABSENT: 1 (M. McMAHON)**

**6. REGULAR BUSINESS: Information Items**

- A. General Manager's report:

- At Eastwood Park we are replacing the bathroom door with a fiberglass door and added a programable lock. This will solve problems with people having trouble getting out of the bathroom. Cost for the door and lock is approximately \$2K.
- The security system for the Community Center, Corporate Yard, T.V.I.C. building, and main office has been installed.



B. Received Monthly Financial Reports.

There was no public comment.

C. Received Quarterly Treasurer's Report

There was no public comment.

D. Received Sewer treatment plant update reports: SASM and SMCSD

SASM: Dir Jacobs reported on the May 18, 2023 meeting.

Dir Jacobs shared with the Board and staff the following:

A variety of large capital improvement projects are planned for 2023-2024, including laterals (\$50,000), collection system manhole rehabilitation (\$20,000), primary clarifiers odor control Improvements (the largest of the projects at \$525,000), WWTP auxiliary building maintenance (\$95,000), Miller-Sycamore sewer line rehabilitation (\$475,000), WWTP north perimeter flood Protection wall design (\$35,000), and the evaluation of long-term biosolids disposal solutions (\$80,000). The total is \$1,280,000 and it is planned to be revenue funded.

Future meetings will be live at the SASM Conference room at the SASM plant at 6 pm. The next SASM meeting is June 15, 2023 at 5:30 pm.

SASM President Lew Kious asked Dir Jacobs that TCSD provide a memo describing why the TCSD EDUs changed from Nonresidential (2022) at 162.1 to (2023) at 120.4 EDUs. That is a reduction of 41.7 EDUs, which is 16.99% of our total SASM flow;  $41.7 (125.0 + 120.4) = 16.99\%$ . Dir Jacobs asked staff to prepare a TCSD memo for SASM.

SMCSD: GM Toy attended the June 6 meeting for Dir Levine.

GM Toy shared with the Board and staff the following:

At meeting the Board took the following actions:

- Adopted Resolution No. 1089 Approving the Base Salary Schedule effective July 1, 2023. Their "COLA" was 7.3% per the employees' MOU.
- Adopted Resolution No. 1090 Establishing the District's General Tax Appropriations Limit for Fiscal Year 2023/2024 (GANN requirement)
- Affirm the Scheduled Increase in Sewer Service Charges for Fiscal Year 2023/2024 (3% increase; in FY23-24 SMCSD will conduct a Prop 218 fee study)
- Adopted Resolution No. 1091 Approving the Fiscal Year 2023/2024 Budget
- Authorized the General Manager to Award and Execute a Contract with DTN Engineers for design and bid services for plant electrical upgrades for a Cost Not to Exceed \$115,190.
- Received the General Manager's Report; one item of note is that that TCSD Flow meter project is now scheduled for September, subject to SMCSD working out where the power is coming from.

The next regular meeting is canceled due to the July 4<sup>th</sup> holiday. A Special Meeting is scheduled for

Tuesday, July 11, 2023.

**7. CONSENT CALENDAR**

- A. Approve minutes of May 19, 2023, meeting
- B. Approve minutes of May 24, 2023, special meeting
- C. Approve minutes of May 24, 2023, work session

**MOTION TO APPROVE THE CONSENT CALENDAR**

**M/S: J. BROWN / S. LEVINE    AYES: 4 (S. BARTSCHAT, J. BROWN, J. JACOBS, S. LEVINE)**

**NAYS: 0        ABSENT: 1 (M. McMAHON)**

**8. FUTURE AGENDA ITEMS**

- A. Review of meeting
  - The board agreed the meeting went well.
- B. Board input for future Board Meeting Agndas
  - 1. Cancel June 28 work session meeting
  - 2. Cancel September 27 work session meeting
  - 3. Discuss field trips next meeting

**9. ADJOURNMENT**

**MOTION TO ADJOURN**

**M/S: S. LEVINE / J. JACOBS    AYES: 4 (S. BARTSCHAT, J. BROWN, J. JACOBS, S. LEVINE)**

**NAYS: 0        ABSENT: 1 (M. McMAHON)**

**THE MEETING WAS ADJOURNED AT 8:12 PM**