



# TAMALPAIS COMMUNITY SERVICES DISTRICT

305 Bell Lane, Mill Valley, CA 94941 ♦ 415.388.6393 ♦ Fax: 415.388.4168  
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## TCS D BOARD OF DIRECTORS MEETING AGENDA WEDNESDAY, JANUARY 12, 2022 CLOSED SESSION AT 6:45PM, REGULAR MEETING AT 7:00PM

Coronavirus (COVID-19) Advisory Notice: The health and safety of community members, public officials, and employees is a top priority for the Tamalpais Community Services District (TCSD) as we deliver our critical services of solid waste, sewer, and parks and recreation. Pursuant to the Brown Act, as amended by Assembly Bill 361, this meeting will be conducted by teleconference in accordance with Government Code section 54953(e). No physical location will be available for this meeting. The meeting will be streamed live (see below), and members of the public are encouraged to participate remotely from a safe location as described below. Members of the Board of Directors or staff may participate in this meeting electronically or via teleconference.

### HOW TO PARTICIPATE REMOTELY –

Enter the following website address:

<https://us02web.zoom.us/j/84269745174?pwd=ZnhkcG5COU9UV1R5K2d1ZC9uRWVEUT09>

Or call the following telephone number: (253) 215 8782, and enter the following meeting ID: 842 6974 5174 and passcode 169021

#### 1. CALL TO ORDER

#### 2. ROLL CALL President Matt McMahon

Directors: Vice President Jeff Brown, Steffen Bartschat, Jim Jacobs and Steve Levine

#### 3. APPROVE AGENDA

#### 4. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code Section 54956.9(d)(1).)  
Name of Case: Jimmy Greene, et al. vs. Steve Kenyon, et al. (CIV1801100)

#### 5. 2022 OFFICES AND LIAISONS: Board Actions

- A. Board designation of leadership roles and liaisons
- i. President
  - ii. Vice President
  - iii. SASM representative
  - iv. SMCS D liaison
  - v. Personnel and Recruiting Ad Hoc Committee
  - vi. Baywork representative
  - vii. Marin County Special Districts Association representative
  - viii. Marin Zero Waste Local Task Force

#### 6. 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 agendized, 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.*

**7. REGULAR BUSINESS: Information Items**

- A. Board Discussion with Recruiter for New General Manager
- B. Annual State of the District Presentation
- C. Board Discussion regarding Interim General Manager with possible direction to the Personnel and Recruiting Ad Hoc Committee and General Manager
- D. Board input for Board Planning Retreat and confirm date of Planning Retreat
- E. Financial reports
- F. Sewer treatment plants updates: SASM and SMCSO

**8. REGULAR BUSINESS: Board Actions**

- A. Waive the second reading and adopt the SB 1383 Compliant Solid Waste Enforcement Ordinance
- B. Authorize the General Manager to execute and record the Phase A sewer CIP notice of acceptance of completion and pay contract change orders

**9. CONSENT CALENDAR**

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

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

**10. FUTURE AGENDA ITEMS**

- A. Board input for January 26, 2022 Work Session
- B. Board input for February 9, 2022 Board Meeting Agenda

**11. ADJOURNMENT**

**NEXT TCSO BOARD WORK SESSION**  
 January 26, 2022 – 7:00 PM  
**TAMALPAIS COMMUNITY CENTER, 203 MARIN AVE, MILL VALLEY**



JANUARY 12, 2021

ITEM 5A

**BOARD DESIGNATION OF LEADERSHIP ROLES AND LIAISONS**

**TO: BOARD OF DIRECTORS**

**FROM: HEATHER ABRAMS, GENERAL MANAGER**

**SUBJECT: BOARD DESIGNATION OF LEADERSHIP ROLES AND LIAISONS**

**Recommendation**

Staff recommends that the Board vote for liaison, subcommittee, and leadership roles shown below.

**Background**

In December 2021, the Board discussed the following roles. Added to the list from December is the Marin Zero Waste Liaison. Marin County Special Districts Association (MCSDA), Baywork, and Marin Zero Waste have been fulfilled by the General Manager in previous years and staff recommends continuing, though the new General Manager will be selected later in 2022.

- i. President
- ii. Vice President
- iii. SASM Representative and Alternative
- iv. SMCSO Liaison and Alternative
- v. General Manager Recruitment and Personnel Ad Hoc Committee (nominated: Jeff Brown and Steve Levine)
- vi. Baywork representative (recommended: General Manager)
- vii. Marin County Special Districts Association representative (recommended: General Manager)
- viii. Marin Zero Waste Local Task Force (recommended: General Manager)

**Analysis**

Once the TCSD Board votes to elect the Board Leadership Roles listed above, they will begin immediately.

**Impact on TCSD Resources**

This is a Board process item. No additional resources are being requested at this time.

JANUARY 12, 2022

ITEM 7A

## BOARD DISCUSSION WITH RECRUITER FOR NEW GENERAL MANAGER

**TO: BOARD OF DIRECTORS**

**FROM: HEATHER ABRAMS, GENERAL MANAGER**

**SUBJECT: BOARD DISCUSSION WITH RECRUITER FOR NEW GENERAL MANAGER**

### Recommendation

Staff recommends that the Board discuss the kick-off of recruitment for a new General Manager and provide input on the recruitment brochure.

### Policy Issues

TCSD's General Manager reports directly to the five-person elected Board, and the Board has a critical role in the search for a new General Manager.

### Background

On December 15, 2021, the Board met and received notification that the General Manager had accepted another position. The General Manager gathered five proposals from highly qualified recruitment firms that specialize in finding expert candidates for this position. A sub-committee of the Board made up of Vice President Brown and Director Levine reviewed the proposals.

On December 30, 2021, the Board held a Special Meeting and selected the firm Bob Murray & Associates to perform the recruitment and authorize payment for its services. The sub-committee recommended this firm, which conducted the recruitment that yielded the current General Manager, and her subsequent successful five-years of service to TCSD.

The sub-committee has expressed interest in reducing the length of time needed for the recruitment. The current General Manager's last day will be February 16, 2022. Bob Murray & Associates provided a copy of the previous recruitment brochure to the Board Members to facilitate their input for the new brochure. If the brochure is completed today, the Board may be able to shave two weeks off the total 14 week projected process.

### Analysis

Once the brochure is approved, the recruiter can begin advertising, contacting potential candidates, and scheduling closed session interview dates with the Board. General process updates may be provided in open session; any discussion of specific candidates must be conducted in closed session in order to provide candidate privacy essential to keeping TCSD a viable employer.

### Impact on TCSD Resources

No additional resources are requested at this time.



JANUARY 12, 2022

ITEM 7B

## ANNUAL STATE OF THE DISTRICT PRESENTATION

**TO: BOARD OF DIRECTORS**

**FROM: HEATHER ABRAMS, GENERAL MANAGER**

**SUBJECT: ANNUAL STATE OF THE DISTRICT PRESENTATION**

### Recommendation

Review Tamalpais Community Services District (TCSD) state of the District, a follow up to 2021 TCSD goals.

### Policy Issues

Each year the TCSD Board reviews the state of the District and then sets goals for the year.

### Background

At its January 13, 2021 meeting, the General Manager described the state of TCSD in 2020, and on February 10, 2021 the TCSD Board approved goals for the year 2021. The years 2020 and 2021 were characterized by very different operations for TCSD due to the restrictions imposed as a result of the on-going pandemic, COVID-19. Many of TCSD's operations were impacted throughout this two year period, and impacts are expected to continue into 2022. However, TCSD's Board and staff have done a thoughtful and enthusiastic job of accomplishing the goals for the year. Vaccines and boosters have made the outlook much more hopeful, and at this point TCSD's sewer and solid waste enterprises are operating essentially as normal, and some, though certainly not all, of Parks and Receptions activities have been reinstated.

### Analysis

The following goals were set for 2021. The goal status is shown in italics and additional notes are listed in bullet points below the text in italics.

1. In addition to executing our mission on a daily basis...
  - *TCSD is running well*
2. Parks and Recreation
  - a. Complete the five-year financial planning effort
    - *Board received the five-year financial plan and final report from Management Partners in February 2021*
  - b. Clarify priorities/policies for Parks and Recreation
    - *The Board discussed plans over several months despite challenging and changing COVID conditions*
3. Sewer (i.e., Wastewater)
  - a. Complete the next five-year rate setting Prop 218 process by July 2021
    - *Completed May 12, 2021*

- b. Continue to make significant progress to implement the accelerated CIP
  - *Phase A of TCSO Sewer CIP accelerated plan has been completed and Notice of Completion is on today's agenda*
  - *Phase B of TCSO Sewer CIP accelerated plan was completed by October 31, 2021, final invoices have been paid and Notice of Completion has been recorded*
  - *Phase C TCSO Sewer CIP accelerated plan lowest bid was approved by the TCSO Board on November 10, 2021 and work will begin in January 2022*
4. TCSO administration
  - a. Define success/metrics
    - *Financial report formats and schedule reviewed and approved on October 13, 2021*
  - b. Review and update organizational plan
    - *Job descriptions and an updated organizational chart were approved by the Board on October 13, 2021*
  - c. Review staff and Board benefits
    - *A basic Personnel Policy update was approved by the Board on November 11, 2021, additional options may be explored in 2022*
5. Solid Waste
  - a. Prepare for AB 1383 implementation (later-half of 2021, effective 2022)
    - *Ordinance 98 second reading to be completed at this meeting (January 12, 2022)*
  - b. Prepare for the next five-year rate setting process before July 2023
    - *Proposal from R3 Consulting ready and awaiting approval in June 2022 with full budget*

In addition to the above anticipated goals the following significant projects were accomplished:

- Resolved property line issues in the Hawk Hill area that returned over 10,000 sq ft of usable land to public enjoyment
- Won over \$166,000 in Prop 68 grant funding for Parks and Recreation
- Secured an additional \$189,000 in Federal COVID relief for Parks and Recreation
- Adopted an MOU with Marin Sheriff for a successful parking enforcement program

#### **Impact on TCSO Resources**

The next step is for the TCSO Board to set 2022 goals, which will be reflected in a draft budget to be presented to the Board in May, with budget adoption scheduled for June. No additional resources are requested at this time.



JANUARY 12, 2022

ITEM 7C

**BOARD DISCUSSION REGARDING INTERIM GENERAL MANAGER WITH POSSIBLE DIRECTION TO THE PERSONNEL AND RECRUITING AD HOC COMMITTEE AND GENERAL MANAGER**

**TO: BOARD OF DIRECTORS**

**FROM: HEATHER ABRAMS, GENERAL MANAGER**

**SUBJECT: BOARD DISCUSSION REGARDING INTERIM GENERAL MANAGER WITH POSSIBLE DIRECTION TO THE PERSONNEL AND RECRUITING AD HOC COMMITTEE AND GENERAL MANAGER**

**Recommendation**

Staff recommends that the Board discuss whether to direct the Personnel and Recruiting Ad Hoc Committee and General Manager to hire an interim General Manager.

**Policy Issues**

An Interim General Manager would report directly to TCSD's five-person elected Board until the search for a new General Manager is complete. General discussion may be conducted in open session, while discussion of specific candidates is reserved for closed session to preserve candidate privacy and thus preserve TCSD's viability as an employer.

**Background**

On December 15, 2021, the Board received notification that the General Manager had accepted another position. A Personnel and Recruiting Ad Hoc Committee of the Board made up of Vice President Brown and Director Levine was proposed. On December 30, 2021, the Board held a Special Meeting and selected Bob Murray & Associates to recruit for the new General Manager. On January 10, 2022, an Assistant General Manager is scheduled to begin work with TCSD.

The current General Manager's last day will be February 16, 2022. If the Board wishes to have an Interim General Manager in place before mid-February, the Board can direct the Ad Hoc Committee to help select an Interim, and the current General Manager to hire this temporary employee, or appoint a current employee as interim, or a special Board meeting may be required.

**Analysis**

In this agenda item, the Board can direct the Personnel and Recruiting Ad Hoc Committee and General Manager to hire an interim General Manager.

**Impact on TCSD Resources**

Salary or temporary step-up pay may be required for the Interim General Manager. The costs of this, while necessary, are not known at this time, and will be dependent in part on duration of the interim position and qualifications of the candidate. No additional resources are requested at this time.

JANUARY 12, 2022

ITEM 7D

**BOARD INPUT FOR BOARD PLANNING RETREAT AND CONFIRM DATE OF  
PLANNING RETREAT**

**TO: BOARD OF DIRECTORS**

**FROM: HEATHER ABRAMS, GENERAL MANAGER**

**SUBJECT: BOARD INPUT FOR BOARD PLANNING RETREAT AND CONFIRM DATE OF PLANNING  
RETREAT**

**Recommendation**

Staff recommends that the Board determine the date for the 2022 Planning Retreat, review the materials from the last retreat in 2019, and provide input on the format and agenda for the 2022 Planning Retreat.

**Policy Issues**

Each year the TCSD Board reviews the state of the District, participates in a Planning Retreat, and sets goals for the year.

**Background**

Usually, the Board meets over a half- or full-day, off-site, for a planning retreat near the beginning of each calendar year. The meeting is open to the public and provides a different format in which Board Members can exchange thoughts about agency priorities for the upcoming year. Due to COVID-19, the last TCSD Board Planning Retreat occurred in 2019. Typically, they are held in person, in a large room graciously donated for the day by Fernwood Cemetery. Attached are the agenda and blank worksheet prepared for the last Planning Retreat in 2019.

Due to COVID-19 the Board has been meeting only via Zoom. At its January 13, 2021 meeting, the General Manager described the state of TCSD in 2020, and on February 10, 2021 the TCSD Board approved goals for the year 2021.

**Analysis**

This is an opportunity to determine the date for the 2022 Planning Retreat and establish the format and agenda for the 2022 Planning Retreat.

**Impact on TCSD Resources**

No additional resources are requested at this time.

**Attachments**

- A. Agenda for 2019 Planning Retreat
- B. Worksheet for 2019 Planning Retreat





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## SPECIAL BOARD MEETING AGENDA

SATURDAY – MARCH 30, 2019

9:30AM – 3:00 PM

FERNWOOD CEMETERY - 301 TENNESSEE VALLEY ROAD, MILL VALLEY

### I. CALL TO ORDER

2. ROLL CALL      President Steffen Bartschat  
                          Vice President Matt McMahon, Directors: Steve Levine, Jim Jacobs, Jeff Brown

### 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. WORK PLAN STRATEGY/PLANNING

- A. Level Setting (20 mins)
1. Heather Abrams: Review of 2018 goals and challenges going forward (15 mins)
  2. Board member reactions (5 mins each)
- B. BREAK (15 mins)
- C. Information Generation (2 hours)
1. Happy (30 mins)
  2. Frustrated (30 mins)
  3. Worried (30 mins)
  4. Opportunity (30 mins)
- E. LUNCH BREAK (30 mins)
- F. Public Expression on Goals

Special Needs: In compliance with the Americans with Disabilities Act (28 C.F.R. 35.102-35.104, ADA Title II) if you need special assistance to participate in this meeting, please contact the TCSD at (415)-388-6393, x10. Notification 48 hours prior to meeting enables TCSD to make reasonable arrangements to ensure accessibility. In compliance with Senate Bill 343 the law requires writings subject to the Public Records Act to be available for public inspection at the time the writing is distributed to the member of the legislative body

In compliance with Senate Bill 343 materials or writings subject to the Public Records Act is available for public inspection at 305 Bell Lane, Mill Valley, California between the hours of 8:00 a.m. through 4:30 p.m. Monday through Friday.

- G. Refinement (1 hour)
  - 1. Identify Key Themes (30 mins)
  - 2. Identify Goals (30 mins)

H. Meeting Review (30 mins)

**7. ADJOURNMENT**

**NEXT TCSD REGULAR BOARD MEETING**  
WEDNESDAY – April 10, 2019, 7:00PM  
TAM VALLEY COMMUNITY CENTER - 203 MARIN DRIVE, MILL VALLEY



PLEASE COMPLETE AND RETURN TO DISTRICT CLERK BY WEDNESDAY, MARCH 27, 2019

5. WORK PLAN STRATEGY WORKSHEET

C. Information Generation

1. Happy

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2. Frustrated

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3. Worried

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4. Opportunity

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### TCSD Capital Improvement Program (CIP) Summary

#### Certificates Of Participation (COP) Funded Capital Projects

TCSD Accelerated CIP Compare Plan to FY Spend	Budgeted	FY 20/21 Actual Spend	FY 21/22 Actual Spend (Jul-Dec)	FY 21/22 Forecast Additional Spend	FY 22/23 Forecast Spend	Forecast Total	% Complete Today	\$ Delta Budget vs. Forecast Total	% Delta
Phase A	\$ 375,000	\$ 57,330	\$ 284,024	\$ 42,956	\$ -	\$ 384,310	89%	\$ (9,310)	0%
Phase B	\$ 1,300,000	\$ 491,590	\$ 978,553	\$ -	\$ -	\$ 1,470,143	100%	\$ (170,143)	-13%
Phase C	\$ 2,900,000		\$ 54,082	\$ 2,823,918	\$ -	\$ 2,878,000	0%	\$ 22,000	-19%
Phase D	\$ 1,523,860				\$ 1,500,000	\$ 1,500,000	0%	\$ 23,860	32%
Bell Ln PS	\$ 3,865,000		\$ 37,319	\$ 2,436,652	\$ 1,500,000	\$ 3,973,970	1%	\$ (108,970)	5%
Force Main	\$ 2,336,140		\$ 1,862	\$ 373,139	\$ 1,760,000	\$ 2,135,000	0%	\$ 201,140	-9%
<i>FY Total Spent</i>		\$ 548,920	\$ 1,355,839						
<i>Total Spent+Forecast</i>		\$ 548,920		\$ 7,032,503	\$ 4,760,000	\$ 12,341,423	15%	\$ (41,423)	0%
<b>CIP Plan</b>	<b>\$ 12,300,000</b>	<b>\$ 3,019,000</b>		<b>\$ 4,623,300</b>	<b>\$ 4,516,710</b>				

\* Engineers estimates and total budget have small differences, that will be resolved as project details are fleshed out.

#### Project Scopes

Phase A	Sewer main lining and rehabilitation in steep and heavily wooded areas near Erica Road and Melaleuca Lane, and an area that requires frequent cleaning near a creek in the area of Ash, Spruce, and Pine Streets. An additive alternative includes similarly challenging terrain near Midvale Way and Brookline Ave.
Phase B	Sewer main lining and rehabilitation in steep and heavily wooded areas near Erica Lane, Trillium Lane and Midvale Way, and an area that requires frequent cleaning near a creek in the area of Ash, Spruce, and Pine Streets totaling about 4500 linear feet. An additive alternative includes similarly challenging terrain near Brookline, Northern Ave, Dolan and Lowell of
Phase C	Sewer main lining and rehabilitation of estimated 12,000 linear feet in steep and heavily wooded areas near Dolan, Sheffield, Lowell, Peralta, Fern and areas that require frequent cleaning with hand equipment. An additive alternative includes the sewer main on Morning Sun.
Phase D	Sewer main lining and rehabilitation on Poplar, Pine, Marin, Spruce, Ash, in alignment with August 2020 adopted CIP.
Bell Ln PS	Major rehablitation of TCSD's main pump station for safety, reliability, modernization of controls and reporting.
Force Main	Repair/replacement of 9 Caltrans punctured segments and realignment to critical forcemain from puncture zone.



**Tamalpais Community Services District**  
**MEASURE A FUNDS**

	<b>December 2021</b> <b>(50% of FY)</b>	<b>Budget</b> <b>FY 21/22</b>
<b>Sources of Funds</b>		
Estimated Balance from Prior Years	\$ 157,861.08	\$ 213,054.51
FY21/22 Disbursements	\$ 58,876.37	\$ 112,182.43
<b>Total Funds</b>	<b>\$ 216,737.45</b>	<b>\$ 325,236.94</b>
<b>Planned Work</b>		
Community Center Stage Accessibility Improvements**	\$ -	\$ 65,000.00
Parks Department Vehicle	\$ -	\$ 55,000.00
Replace Community Center Kitchen Cabinets**	\$ -	\$ 40,000.00
Tree & Landscaping Services	\$ 12,550.00	\$ 34,000.00
Cabin & Community Center Maintenance	\$ 706.25	\$ 25,000.00
Park Equipment, Irrigation & Fiber	\$ 8,688.00	\$ 25,000.00
Boardwalk & Bridges Maintenance	\$ -	\$ 15,000.00
Events Stage **	\$ -	\$ 10,000.00
T.V.I.C Historical Archive Bldg. - Landscaping	\$ -	\$ 10,000.00
<b>Total Expenses</b>	<b>\$ 21,944.25</b>	<b>\$ 279,000.00</b>
<b>Measure A Balance Estimates</b>	<b>\$ 194,793.20</b>	<b>\$ 46,236.94</b>

\*\*Projects carried over from previous year



TAMALPAIS COMMUNITY SERVICES DISTRICT  
Budget Year-to-Date Report  
FY 2021- 2022

<b>SANITATION DEPT.</b>				
	Dec '21 (50% of FY)	Budget 2021-22	% of Budget Spent	Comments
<b>Ordinary Revenue/Expense</b>				
<b>Revenue</b>				
4101 · Sanitation Service Charges	3,167,587	\$ 5,618,000.00	56%	
4103 · Permits/Lateral Connection Fees	21,381	\$ 32,700.00	65%	
4104 · Muir Woods Sanitaion Svc. Chrg.	33,657	\$ 39,700.00	85%	Lower flows due to COVID-19
4420 · Interest Revenue	2,420	\$ 17,800.00	14%	
<b>Total Revenue</b>	<b>3,225,045</b>	<b>\$ 5,708,200.00</b>	<b>56%</b>	
<b>Expense</b>				
<b>5010 · Salaries</b>				
5011 · Wages and P.T.O	167,595	\$ 364,048.69	46%	
5012 · Overtime Pay	3,539	\$ 3,255.00	109%	
5013 · Performance Recognition	4,529	\$ 4,368.58	104%	
5014 · Temporary Help	247	\$ 7,665.00	3%	
<b>Total 5010 · Salaries</b>	<b>175,911</b>	<b>\$ 379,337.27</b>	<b>46%</b>	
<b>5020 · Employee Benefits</b>				
5021 · Medical and Dental Insurance	27,613	\$ 92,610.00	30%	
5022 · Retirement Contributions	48,564	\$ 116,550.00	42%	
5023 · Social Security and Medicare	11,727	\$ 28,822.24	41%	
5024 · Other Employee Benefits	0	\$ 515.84	0%	
5025 · Retiree Medical Insurance	7,323	\$ 30,450.00	24%	
5026 · Reserve-Retiree Medical Insu.	0	\$ 25,200.00	0%	
<b>Total 5020 · Employee Benefits</b>	<b>95,227</b>	<b>\$ 294,148.08</b>	<b>32%</b>	
<b>5110 · Wastewater Treatment Expense</b>				
5111 · SMCSO Sewage Treatment O&M	1,254,057	\$ 2,536,600.00	49%	First scheduled pmt. made
5121 · SASM Sewage Treatment & Capital	67,255	\$ 159,500.00	42%	First scheduled pmt. made
5131 · Almonte and Homestead Svc Fees	0	\$ 9,000.00	0%	
<b>Total 5110 · Wastewater Treatment Expense</b>	<b>1,321,311</b>	<b>\$ 2,705,100.00</b>	<b>49%</b>	
5140 · Sewer System Maint. & Repair	145,697	\$ 220,000.00	66%	CIP work reported separately
5400 · TCSD Board Fees	2,393	\$ 7,000.00	34%	
5401 · Professional Services	28,379	\$ 103,000.00	28%	
5420 · Staff Training & Travel Expense	1,285	\$ 6,300.00	20%	
5425 · Office and Technology	9,455	\$ 14,310.60	66%	New Devices & Software Subscription
5430 · Telephone and Alarms	6,151	\$ 10,914.00	56%	
5431 · Public Communications	1,189	\$ 5,100.00	23%	
5432 · Insurance	42,368	\$ 47,620.65	89%	Payments made at start of FY
5437 · Miscellaneous	0	\$ 1,000.00	0%	
5438 · Fees and Permits	17,656	\$ 27,810.00	63%	
5439 · Utilities	4,139	\$ 7,313.00	57%	
5440 · Fuel Expense	8,102	\$ 7,978.06	102%	
5450 · Maintenance and Supply	20,225	\$ 78,764.40	26%	
5483 · Debt Issuance Costs	0	\$ 1,086,400.00	0%	
<b>Total Expense</b>	<b>1,879,488</b>	<b>\$ 5,002,096.06</b>	<b>38%</b>	
Contribution to Capital Reserve	0	\$ 700,000.00	0%	Occurs at FYE
Available for Operating Reserves	0	\$ 6,103.94	0%	Occurs at FYE





TAMALPAIS COMMUNITY SERVICES DISTRICT  
Budget Year-to-Date Report  
FY 2021-2022

**SOLID WASTE DEPT.**

	Dec '21 (50% of FY)	Budget 2021-22	% of Budget Spent	Comments
Ordinary Revenue/Expense				
Revenue				
4201 · Solid Waste Service Charges	\$ 1,413,248	\$ 2,442,000	58%	
4202 · Other Solid Waste Services	\$ 4,545	\$ 15,000	30%	
4410 · Donations/Fundraising/Grants	\$ 6,066	\$ 5,000	121%	
4420 · Interest Revenue	\$ 1,210	\$ 10,000	12%	
Total Revenue	<u>\$ 1,425,069</u>	<u>\$ 2,472,000</u>	<u>58%</u>	
Expense				
5010 · Salaries				
5011 · Wages and P.T.O	\$ 287,839	\$ 600,075	48%	
5012 · Overtime Pay	\$ 25,122	\$ 57,259	44%	
5013 · Performance Recognition	\$ 8,925	\$ 7,024	127%	
5014 · Temporary Help	\$ 14,709	\$ 25,426	58%	Fill in for driver absence
Total 5010 · Salaries	<u>\$ 336,594</u>	<u>\$ 689,784</u>	<u>49%</u>	
5020 · Employee Benefits				
5021 · Medical and Dental Insurance	\$ 62,010	\$ 149,536	41%	
5022 · Retirement Contributions	\$ 104,605	\$ 220,420	47%	
5023 · Social Security and Medicare	\$ 23,928	\$ 49,131	49%	
5024 · Other Employee Benefits	\$ (161)	\$ 2,054	-8%	
5025 · Retiree Medical Insurance	\$ 13,960	\$ 62,727	22%	
5026 · Reserve-Retiree Medical Insu.	\$ -	\$ 24,588	0%	
Total 5020 · Employee Benefits	<u>\$ 204,341</u>	<u>\$ 508,455</u>	<u>40%</u>	
5210 · Solid Waste Disposal Expense				
5211 · Waste Disposal Fees	\$ 76,978	\$ 209,878	37%	
5212 · Recycling Fees	\$ 922	\$ 35,000	3%	
5213 · Green Waste Disposal Fees	\$ 52,978	\$ 124,028	43%	
5214 · Debris Day Expenses	\$ -	\$ 3,000	0%	
Total 5210 · Solid Waste Disposal Expense	<u>\$ 130,878</u>	<u>\$ 371,906</u>	<u>35%</u>	
5400 · TCSD Board Fees	\$ 1,189	\$ 3,200	37%	
5401 · Professional Services	\$ 11,754	\$ 50,000	24%	
5420 · Staff Training & Travel Expense	\$ 1,015	\$ 3,200	32%	
5425 · Office and Technology	\$ 9,034	\$ 18,400	49%	
5430 · Telephone and Alarms	\$ 3,834	\$ 5,800	66%	
5431 · Public Communications	\$ 1,342	\$ 9,000	15%	
5432 · Insurance	\$ 56,312	\$ 73,645	76%	Annual payment made
5437 · Miscellaneous	\$ -	\$ 1,000	0%	
5438 · Fees and Permits	\$ 27,911	\$ 40,400	69%	
5439 · Utilities	\$ 1,252	\$ 3,400	37%	
5440 · Fuel Expense	\$ 1,252	\$ 57,000	2%	
5450 · Maintenance and Supply				
5451 · General Supplies	\$ 1,739	\$ 3,914	44%	
5452 · Maint. & Supply Contract Svc	\$ 5,995	\$ 9,991	60%	
5454 · Vehicle Repair & Maint.	\$ 33,652	\$ 115,000	29%	
5455 · Vehicle Parts	\$ 4,705	\$ 25,330	19%	
5456 · Bridge Tolls	\$ 1,530	\$ 5,000	31%	
5457 · Solid Waste Carts & Bins	\$ 10,881	\$ 36,800	30%	
5461 · Meeting Supplies	\$ 142	\$ 400	36%	
Total 5450 · Maintenance and Supply	<u>\$ 58,644</u>	<u>\$ 196,435</u>	<u>30%</u>	
5470 · Yard & Bldg. Improvements	\$ -	\$ 8,240	0%	
5471 · Minor Equipment	\$ -	\$ 4,300	0%	
5472 · Donations/Grants Paid Expenses	\$ -	\$ 5,000	0%	
Vehicle Lease	\$ 44,804	\$ 44,805	100%	
Total Expense	<u>\$ 890,157</u>	<u>\$ 2,093,970</u>	<u>43%</u>	
Contribution to Capital Reserve	\$ -	\$ 168,700	0%	Occurs at FYE
Available for Operating Reserves	\$ -	\$ 209,330	0%	Occurs at FYE



TAMALPAIS COMMUNITY SERVICES DISTRICT  
 Budget Year-to-Date Report  
 FY 2021- 2022

PARKS AND RECREATION DEPT.

	Dec '21 (50% of FY)	Budget 2021-22	% of Budget Spent	Comments
Ordinary Revenue/Expense				
Revenue				
4301 · Taxes	\$ 527,334	\$ 946,085	56%	
4303 · Tia's After School Program Rev	\$ 1,261	\$ -	100%	Not budgeted for due to COVID-19 uncertainty
4310 · Facilities Rental & Fees	\$ 12,119	\$ 10,000	121%	
4320 · Park Rentals	\$ 1,866	\$ 1,500	124%	
4330 · Class Fees	\$ 7,825	\$ 4,000	196%	Pickle Ball and Tai Chi Classes
4350 · TCSD Event Revenue	\$ 33,542	\$ 41,500	81%	Block Party and Oktoberfest
4410 · Donations/Fundraising/Grants	\$ 16,953	\$ 4,000	424%	Higher than expected donations - Block Party
4420 · Interest Revenue	\$ 403	\$ 10,000	4%	
4430 · Miscellaneous Revenue	\$ 1,304	\$ 3,000	43%	
<b>Total Revenue</b>	<b>\$ 602,606</b>	<b>\$ 1,020,085</b>	<b>59%</b>	
Expense				
5011 · Wages and P.T.O	\$ 137,511	\$ 387,240	36%	
5012 · Overtime Pay	\$ 5,539	\$ 9,660	57%	
5013 · Performance Recognition	\$ 5,098	\$ 4,321	118%	
5014 · Temporary Help	\$ 35,671	\$ 30,464	117%	
<b>Total 5010 · Salaries</b>	<b>\$ 183,819</b>	<b>\$ 431,685</b>	<b>43%</b>	
5020 · Employee Benefits				
5021 · Medical and Dental Insurance	\$ 15,037	\$ 57,999	26%	
5022 · Retirement Contributions	\$ 36,640	\$ 155,111	24%	
5023 · Social Security and Medicare	\$ 14,029	\$ 30,870	45%	
5024 · Other Employee Benefits	\$ 18	\$ 1,944	1%	
5025 · Retiree Medical Insurance	\$ 1,391	\$ 5,400	26%	
5026 · Reserve-Retiree Medical Insu.	\$ -	\$ 16,938	0%	
<b>Total 5020 · Employee Benefits</b>	<b>\$ 67,115</b>	<b>\$ 268,263</b>	<b>25%</b>	
5300 · Events Expense	\$ 37,695	\$ 37,350	101%	Block Party, Oktoberfest and Other Events/Activities
5330 · Tree & Landscaping Services	\$ 7,911	\$ 17,510	45%	
5331 · Landscaping Contract Svc	\$ -	\$ 17,000	0%	
5332 · McGlashan Trail Maintenance	\$ 1,750	\$ 5,150	34%	Reimbursed by County at FYE
5340 · Instructor Fees	\$ 4,560	\$ 2,000	228%	Pickle ball instructor share
5341 · Tia's Afterschool Program Exp	\$ 5,801	\$ -	100%	Not budgeted for due to COVID-19 uncertainty
5400 · TCSD Board Fees	\$ 1,718	\$ 4,000	43%	
5401 · Professional Services	\$ 19,918	\$ 19,261	103%	Greene Vs. Kenyon
5420 · Staff Training & Travel Expense	\$ 705	\$ 5,459	13%	
5425 · Office and Technology	\$ 11,035	\$ 24,308	45%	
5430 · Telephone and Alarms	\$ 5,530	\$ 11,330	49%	
5431 · Public Communications	\$ 2,961	\$ 3,000	99%	Postcards Printing & Mailing; Event Advertising
5432 · Insurance	\$ 27,355	\$ 31,827	86%	
5437 · Miscellaneous	\$ -	\$ 1,030	0%	
5438 · Fees and Permits	\$ 5,823	\$ 13,493	43%	
5439 · Utilities	\$ 6,908	\$ 21,321	32%	
5440 · Fuel Expense	\$ 358	\$ 4,326	8%	
5450 · Maintenance and Supply				
5451 · General Supplies	\$ 3,432	\$ 14,832	23%	
5452 · Maint. & Supply Contract Svc	\$ 7,463	\$ 7,828	95%	Cintas, Drinking Water and Pest Control Services
5454 · Vehicle Repair & Maint.	\$ 2,663	\$ 2,060	129%	Parks Truck Maintenance
5455 · Vehicle Parts	\$ 273	\$ 721	38%	
5458 · Cabin/Comm.Ctr. Maint & Supply	\$ 608	\$ 2,060	30%	
5459 · Park Equip, Irrigation, Fiber	\$ 2,246	\$ 7,004	32%	
5461 · Meeting Supplies	\$ 126	\$ 309	41%	
<b>Total 5450 · Maintenance and Supply</b>	<b>\$ 16,812</b>	<b>\$ 34,814</b>	<b>48%</b>	
5470 · Yard & Bldg. Improvements	\$ -	\$ 8,240	0%	
5471 · Minor Equipment	\$ -	\$ 3,193	0%	
5472 · Donations/Grants Paid Expenses	\$ 67,324	\$ 7,443	905%	Prop 68 Per Capita Grant - Community Center Parking Lot
<b>Total Expense</b>	<b>\$ 475,095</b>	<b>\$ 972,002</b>	<b>49%</b>	
Contribution to Capital Reserve	\$ -	\$ 26,500	0%	Occurs at FYE
Available for Operating Reserves	\$ -	\$ 21,583	0%	Occurs at FYE





Tamalpais Community Services District  
Disbursements from Wells Fargo Transaction Account

Type	Date	Num	Name	Memo	Amount
Check	12/22/2021	43488	Sausalito-Marín City SD	2021-22 Wastewater Treatment Pmt 1 of 2	\$ 1,254,056.72
Check	12/22/2021	43509	U.S. Bank Trust National Assoc. - C.O.P	COP- Wastewater Debt Service Payment 3	\$ 765,698.68
Check	12/20/2021	39063	Sewerage Agency of So. Marin	2021/22 Wastewater Treatment Charge 50%	\$ 67,254.50
Liability Check	12/17/2021		QuickBooks Payroll Service	Payroll on 12/17/2021	\$ 61,332.15
Liability Check	12/31/2021		QuickBooks Payroll Service	Payroll on 12/31/2021	\$ 54,609.59
Liability Check	12/03/2021		QuickBooks Payroll Service	Payroll on 12/03/2021	\$ 51,781.17
Bill Pmt - Check	12/28/2021	39081	Redwood Engineering	Paver Project Between Erica to Midvale	\$ 28,937.52
Check	12/01/2021	39029	Kaiser Foundation Health Pln	Dec 2021 Medical	\$ 19,721.20
Check	12/17/2021	39067	Marin County Employees Retirement Sys.	PP 26 2021 Dec 4 - Dec 17, 2021	\$ 15,407.11
Check	12/31/2021	39090	Marin County Employees Retirement Sys.	PP 27 2021 Dec 18 - Dec 31, 2021	\$ 13,558.24
Check	12/03/2021	39035	Marin County Employees Retirement Sys.	PP 25 2021 Nov 20 - Dec 03, 2021	\$ 13,274.65
Bill Pmt - Check	12/03/2021	39036	Marin Sanitary Service	Nov 2021 Solid Waste 124.25 tons @\$101.45/T	\$ 12,605.19
Bill Pmt - Check	12/17/2021	39057	Marin Resource Recovery Center	Green Waste ---128.60 Tons @ \$88.20/T Nov 2021	\$ 11,342.73
Bill Pmt - Check	12/28/2021	39084	J W Mobile	6, 12 & 15: P/M Service; 7: Re-align Fuel Tank, Repair Breaks & Signals; 93, 94 & 95: BIT Inspection	\$ 10,401.93
Bill Pmt - Check	12/20/2021	39072	Miller Starr Regalia	Greene Vs. Kenyon Litigation	\$ 6,220.00
Bill Pmt - Check	12/28/2021	39082	Roy's Sewer Service, Inc.	Maint. Cleaning Near Easements	\$ 5,360.00
Liability Check	12/17/2021		QuickBooks Payroll Service	Payroll on 12/17/2021	\$ 4,862.02
Check	12/01/2021	39045	U. S. Bank Corporate Payment System	Credit Card Purchases - Statement November 22, 2021	\$ 4,028.14



Tamalpais Community Services District  
Disbursements from Wells Fargo Transaction Account

Type	Date	Num	Name	Memo	Amount
Bill Pmt - Check	12/04/2021	39041	J W Mobile	12: Hopper Light, Leak at PTO & Other Fixes; Diesel Fuel Treatment for ABT & Side Loader Trucks; 20 & 21: P/M Service	\$ 3,725.37
Bill Pmt - Check	12/30/2021	39103	Jorges Tree Services	Regular Park Maint.	\$ 3,600.00
Bill Pmt - Check	12/30/2021	39097	Calcon Systems, Inc.	Bell Lane Pump Stn VFD Cabinet Fans	\$ 3,500.00
Bill Pmt - Check	12/04/2021	39038	Calcon Systems, Inc.	Annual Service Maint. of Pump Stations and Service Call for Tech Support	\$ 3,464.99
Check	12/17/2021	39058	State Water Resources Control Board	Jul 21- Jun 22 Operating Permit for Sanitation	\$ 3,326.00
Bill Pmt - Check	12/28/2021	39079	Diesel Direct	701.2 gal Diesel Above Ground Tank	\$ 3,149.30
Bill Pmt - Check	12/17/2021	39059	Diesel Direct	700.1 gal Diesel Above Ground Tank	\$ 3,101.96
Bill Pmt - Check	12/08/2021	39049	Nute Engineering	Engineering Services October & November - 8988 GIS and Mapping Services	\$ 2,732.50
Liability Check	12/03/2021	39034	Marin County Employees Retirement Sys.	PEPRA W/H PP 25 2021 Nov 20 -Dec 03, 2021	\$ 2,573.45
Liability Check	12/17/2021	39054	Employees Retirement Sys.	PEPRA W/H PP 26 2021 Dec 04 - Dec 17, 2021	\$ 2,573.45
Bill Pmt - Check	12/15/2021	39051	Bay Cities Refuse Service, Inc.	Good Earth, Dumping Trash Compactor November 2021, 9 Trips, 11.39 tons	\$ 2,515.78
Liability Check	12/31/2021	39089	Marin County Employees Retirement Sys.	PEPRA W/H PP 27 2021 Dec 17 - Dec 31, 2021	\$ 2,392.77
Bill Pmt - Check	12/30/2021	39098	AT&T	Office & Comm.Center Data Lines, Wireless Services	\$ 2,350.06
Check	12/30/2021	39104	Mowry, Robert	Pickleball Instructor- 65% Share of \$3,200 Fees Rcvd & Deposited in Dec 2021	\$ 2,080.00
Liability Check	12/03/2021	39033	Employee Personal W/H	Employee Personal W/H	\$ 2,000.00
Liability Check	12/17/2021	39053	Employee Personal W/H	Employee Personal W/H	\$ 2,000.00





Tamalpais Community Services District  
Disbursements from Wells Fargo Transaction Account

Type	Date	Num	Name	Memo	Amount
Check	12/21/2021	39076	G. Moran Construction, Inc.	Repairs Marin Ave. Boardwalk due to Fallen Tree	\$ 2,000.00
Bill Pmt - Check	12/20/2021	39070	Meyers Nave	Nov 2021 Legal Svc	\$ 1,917.86
Bill Pmt - Check	12/04/2021	39044	R3 Consulting Group	Solid Waste Consulting - SB1383 Ordinance & On-Call	\$ 1,867.50
Check	12/13/2021	39050	Spec.Dist.Risk Mgmt. Auth.	Automobile Liability Deductible	\$ 1,664.54
Bill Pmt - Check	12/30/2021	39100	Pacific Gas & Electric	December - Office, Shop, Cabin and CC Gas & Electricity and Kay Park Electricity	\$ 1,661.36
Bill Pmt - Check	12/04/2021	39043	Pacific Gas & Electric	Novmeber - Office, Shop, Cabin and CC Gas & Electricity and Kay Park Electricity	\$ 1,540.14
Paycheck	12/31/2021	39102	TCSD Employee	Paycheck	\$ 1,456.33
Bill Pmt - Check	12/20/2021	39068	U.S. Bank Trust National Assoc. - C.O.P	Administration & Transaction Fees For C.O.P. Funds	\$ 1,345.00
Bill Pmt - Check	12/17/2021	39055	Cintas	Uniforms. Carpets. Towels & Misc.	\$ 1,119.20
Check	12/06/2021	39048	City of Foster City	CALOPPS Job Postings for Cross-Trainee and P&R Coordinator	\$ 1,040.00
Bill Pmt - Check	12/17/2021	39061	Flyers Energy	Oil for Refuse Trucks	\$ 944.38
Bill Pmt - Check	12/04/2021	39046	Napa Auto Parts- DNG Enterprises	Misc. Vehicle Parts, Prime Guard DEF for Satellite Trucks; Floor Dry; #1: Parts for Repair	\$ 834.66
Bill Pmt - Check	12/04/2021	39042	Matrix Computer Solutions	Network/VPN Reconfiguration; Maint. for Staff Laptop; December Monthly Proactive Server Maintenance	\$ 740.00
Bill Pmt - Check	12/01/2021	39031	Grainger	Bathroom Fan at Community Center; Graffiti Remover; Gasoline Hose Assembly for ABT; PPE Disposable Gloves & Masks	\$ 728.64
Bill Pmt - Check	12/28/2021	39080	e-Recycling of California	Misc e-waste picked up 12/1/21	\$ 596.22
Bill Pmt - Check	12/17/2021	39060	Wells Fargo Fin. Lse. - RMC	Copier Lease 11/20/21 - 12/19/21	\$ 557.41
Bill Pmt - Check	12/28/2021	39078	Clements Tree Service	Tree Cutting by Carrera Dr	\$ 500.00



Tamalpais Community Services District  
Disbursements from Wells Fargo Transaction Account

Type	Date	Num	Name	Memo	Amount
Check	12/01/2021	39030	Thorman, Chris	Refund for Advance Pay of Unused Cabin Rental Time	\$ 390.00
Bill Pmt - Check	12/04/2021	39039	Forster & Kroeger Landscape Maintenance	McGlashan Trail Weekly November 2021	\$ 350.00
Check	12/27/2021	43510	California Dep of Tax and Fee Admin	2021 Q3 Sales Tax on Event Sales	\$ 328.56
Check	12/15/2021	39074	Johnson Controls Security Solutions	Jan-Mar 22 Monitoring Alarm - 203 Marin	\$ 321.28
Check	12/15/2021	39075	Johnson Controls Security Solutions	Jan-Mar 22 Monitoring Alarm - 305 Bell	\$ 283.89
Bill Pmt - Check	12/28/2021	39087	XIO, Inc.	Flow Meter Monitoring at Bob Bunce Pump Station, Jan-Mar '22	\$ 282.00
Liability Check	12/03/2021	39032	Employee Personal W/H	Employee Personal W/H	\$ 278.76
Liability Check	12/17/2021	39052	Employee Personal W/H	Employee Personal W/H	\$ 278.76
Bill Pmt - Check	12/17/2021	39096	Pitney Bowes	Postage Meter Rental	\$ 229.99
Bill Pmt - Check	12/28/2021	39086	Terminix	Pest Control Service	\$ 186.00
Check	12/01/2021	39028	Stericycle, Inc.	December 2021 Hazardous Disposal Services	\$ 168.40
Paycheck	12/17/2021	39066	Gonzalez, Colleen M	TCSD Event Staff	\$ 163.23
Bill Pmt - Check	12/20/2021	39069	Old Station	Monthly UG Tank Inspection	\$ 150.00
Bill Pmt - Check	12/28/2021	39095	AT&T (Internet)	Internet service Bob Bunce Pump Station	\$ 128.40
Bill Pmt - Check	12/28/2021	39083	AT&T	Dec 11 - Jan 10 2021 Bunce Pump Stn	\$ 109.74
Check	12/13/2021	39071	HUB International of CA Insurance Svc	Community Ctr Insurance November 2021	\$ 109.50
Check	44553	39077	Mehtar, Sarah (v)	Reimbursement for Staff Farewell Meal	\$ 92.04
Paycheck	44547	39065	Brown, Kevin R	TCSD Event Staff	\$ 90.04
Paycheck	44547	39064	Brawley, Thomas	TCSD Event Staff	\$ 84.04
Bill Pmt - Check	44534	39040	Goodman Building Supply Co.	Permanent Black Top Patch	\$ 80.59
Bill Pmt - Check	44547	39062	NorthBay Bottling	Drinking Water Nov 2021	\$ 78.75
Bill Pmt - Check	44560	39101	Napa Auto Parts- DNG Enterprises	Misc. Tool Parts	\$ 69.75



Tamalpais Community Services District  
Disbursements from Wells Fargo Transaction Account

Type	Date	Num	Name	Memo	Amount
Bill Pmt - Check	44547	39056	Martin Bros. Supply	Two Trenching Shovels	\$ 55.21
Bill Pmt - Check	44550	39073	Chevron	Reactivation Fees	\$ 50.00
Bill Pmt - Check	44558	39088	Goodman Building Supply Co.	C.C. Rear Door Repair Materials	\$ 35.14
Check	44534	39037	Orleans, Arianna	Reimburse - Flagging Tape for Labrynyth during Light Fight ( Amazon)	\$ 25.97
Bill Pmt - Check	44558	39085	Jackson's Hardware	C.C. Rear Door Repair Materials	\$ 22.89
Check	44551	43487	Optum Financial (COBRA)	December - COBRA Administration for TCSD Staff	\$ 4.07





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

Date	Name	Memo	Amount
12/03/2021	Marin Municipal Water Dist. - MMWD	3" Meter for Hydroflush Truck 8/27/21 - 10/26/21	513.15
12/01/2021	Streamline, Inc.	Streamline member fee- December 2021	300.00
12/21/2021	Amazon.com	Lighting to Work on Vehicles	279.24
12/14/2021	BWS Distributors, Inc.	Confined Space Calibration Gas	248.01
12/01/2021	Log Me In	Office Voice & Data Lines and Wireless Services	229.75
12/06/2021	Verizon Wireless	Data Plan for P&R Staff (x2), GM, Superintendent & Cross-Trainee	225.15
12/03/2021	Comcast	Internet Nov 18 - Dec 17 @ 305 Bell Ln.	213.57
12/05/2021	Amazon.com	Gifts for Santa Walk	210.94
12/01/2021	California Water Environment Association	CWEA Association Membership Renewal, Cross-trainee	192.00
12/08/2021	QuickBooks Time, Inc.	Online Time Card Service-November 2021	148.00
12/10/2021	Verizon Wireless	Data Plan for Refuse Driver's iPads	120.48
12/20/2021	Amazon.com	1: Cables for Battery	118.92
12/20/2021	CSU Sacramento	Training Manual	108.53
12/06/2021	Amazon.com	1: Center Control Panel	93.08
12/09/2021	Costco	Santa Walk Food & Supplies	90.68
12/08/2021	Amazon.com	Training Materials (Books)	86.00
12/03/2021	Comcast	Internet Nov 13 - Dec 12 @ 203 Marin Ave.	84.92
12/06/2021	Access Answering Service	Answering Service	80.00
12/10/2021	Safeway	Tia's Cookie Decorating at Santa Walk	59.92
12/09/2021	Smart & Final	Santa Walk Supplies	55.25
12/16/2021	Amazon.com	Charging Station for Refuse Driver's iPads	52.06
12/12/2021	Amazon.com	Sheet Metal Rivets for Refuse Trucks	45.45
12/04/2021	Target	Spray Chalk for Winter Events	43.28
12/08/2021	Amazon.com	Training Materials (Books)	38.75
12/08/2021	Amazon.com	Training Materials (Books)	37.47
12/19/2021	Amazon.com	Kitchen Trash Bags	29.20
12/09/2021	Smart & Final	Santa Walk Food	24.51
12/13/2021	Adobe Systems, Inc	Illustrator Subscription	20.99
12/18/2021	Adobe	Acrobat Pro DC Monthly Subscription	14.99
12/18/2021	Postal Annex	Stamps for Letters to Santa	14.00
12/21/2021	Clearing House F.M.C.S.A	Registering Employees (Drivers) for Drug & Alcohol Clearing House	12.50
12/13/2021	Home Depot	Tools for Labrynth/Light Fest	5.44

Date: December 16, 2021

To: Heather Abrams, Jim Jacobs and Matt McMahon

cc: Sarah Mehtar

Re: SASM Board of Commission Meeting, December 16, 2021

I attended the virtual SASM Board Meeting in Jim Jacobs absence this evening via Zoom. The meeting was called to order at 5:03pm

ATTENDANCE: Five of the SASM Commissioners were present: Lew Kious, President (Almonte), Jeff Slavits (RBSD), Todd Gates (Alto), Al Leibof (homestead) and Jeff Brown (TCSD). SASM Staff: Mark Grushayev, Wastewater Plant Director, and Alan Piombo, Mill Valley City Manager. Also present were Peter McIntosh (RBSD), Bill Hansell (Alto) and a member of the public identified as vtyler.

As part of the Consent Calendar, Teleconferencing Meeting Resolution to comply with AB 361 for the next meeting was passed, the minutes of the November 18, 2021 meeting was accepted, and the Monthly Report of the Plant Director was accepted.

The Election of Officers for 2022 was conducted. Lew Kious was re-elected as President, Al Leibof was elected and Vice-President, and Todd Gates was elected as Secretary. Lew Kious was elected unanimously, Al and Todd recused themselves from their own election and were elected with four votes each.

Mark Grushayev presented a request to adjust the FY 2021-22 budget for an additional \$68,141 in salaries based on recent compensation and classification analysis and recommendation from Bryce Consulting, as presented during a City Council closed session on September 1, 2021. For the FY 2021-22, this equates to a 2.50% COLA salary increase, plus internal salary adjustments equating to an additional 1.43% to specified classifications. The adjustment was approved by all five Commissioners present.

The meeting was adjourned at 5:17pm

Respectfully Submitted,

Jeff Brown

TCSD Alternative Representative

**Cyndie Martel**

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**From:** Steve Levine <stevenmlevine@comcast.net>  
**Sent:** Tuesday, January 4, 2022 12:57 PM  
**To:** Heather Abrams; Steffen Bartschat  
**Cc:** stevenmlevine@comcast.net; Cyndie Martel  
**Subject:** SMCSD Board of Directors Meeting Jan.4, 2022

I attended the SMCSD Board of Directors meeting on Jan. 4, 2022 at noon.

1. Heather Abrams Transition: I discussed Heathers departure from TCSD and her new role for the Town of Fairfax.

2. Selection of Board Officers for 2022:

Same as 2021 assignments:

- a. President: Rheiner
- b. Vice President: Ring
- c. Directors: Arnott, Beers, DeLano
- d. Rep to TCSD: Ring

Note that the elected terms of Rheiner, Arnott and DeLano expire in 2022.

3. State Water Resource Board recognizes SMCSD for its contribution to monitoring COVID 19 in wastewater.

4. Plant and Collection System Performance: Despite heavy December rains, all flows handled with no issues. TCSD represented 1/3 of flows, higher than normal. 40th month in a row with no permit violations.

5. Operations and Maintenance: No issues to report.

6. Capital Projects: All on schedule and budget. Includes Coloma Pump Station, Generator Reliability project, Clarifier Rehab, Beach Force Main.

7. Closed Sessions: The Board voted to move future Closed Sessions to a time prior to the regular scheduled Board meeting as TCSD currently does. Good news for me.

Steve Levine  
1/4/22



JANUARY 12, 2022

ITEM 8A

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

**TO: BOARD OF DIRECTORS**

**FROM: HEATHER ABRAMS, GENERAL MANAGER**

**SUBJECT: WAIVE THE SECOND READING AND ADOPT THE SB 1383 COMPLIANT SOLID WASTE ENFORCEMENT ORDINANCE**

**Recommendation**

Staff recommends that the Board waive the second reading of Ordinance 98 Establishing Regulations for Garbage, Organics and Recyclable Material Separation and Storage, as required by SB 1383 and CalRecycle.

**Policy Issues**

TCSD is required under SB 1383 to adopt this ordinance by January 1, 2022 and CalRecycle plans to follow up with jurisdictions in April 2022 to ensure that required ordinances have been passed. In addition, CalRecycle requires a resolution of the governing Board for payments or grants it plans to offer to jurisdictions like TCSD in support of SB 1383 implementation.

**Background**

In 2016, SB 1383 California's Short-Lived Climate Pollutant Reduction Strategy was passed. Because of its sweeping nature and far-reaching impacts, SB 1383 has spent an extensive amount of time in rule making, and some details are still being worked out at the State level. During TCSD's 2018 solid waste rate process, staff and consultants discussed increasing compliance measures required by the State of California and planned funding for the upcoming requirements. In May 2019, TCSD staff updated the Board on SB 1383 rule making by CalRecycle. In May 2021, the TCSD Board received a presentation from R3 Consulting on solid waste compliance and Zero Waste Marin long-term plans.

Generally, among the highlights of the SB 1383 regulation, it mandates that:

- By 2022 local jurisdictions must pass an enforcement ordinance, conduct on-going direct outreach, and by 2024, take enforcement action against residents or businesses that do not comply with SB 1383;
- Jurisdictions must audit/enforce AB 1826 Mandatory Commercial Recycling;
- Single family homes and multi-family complexes subscribe to organics and recycling collection;
- All jurisdictions provide edible food recovery programs;
- All collection carts are labeled and follow a prescribed color code: blue for recycling, black or grey for garbage, and green for organics;
- All local jurisdictions purchase recycled and recyclable paper, recycled compost, and fuels made from recovered biofuels;
- Construction and demolition wastes are further regulated;

- Records of all of the above must be accessible to State staff within one day and retained for five years;
- Violations may be issued to local jurisdictions by State agencies i.e., CalRecycle.

TCSO has worked to proactively comply with the environmental program requirements of SB 1383, however, the reporting requirements may prove expensive for such as small jurisdiction. Because of its low population, TCSO applied in October for waivers to certain provisions of SB 1383 and introduced an ordinance assuming the waivers would be granted, however, CalRecycle senior staff have indicated that the waivers will not be granted because TCSO's tonnage data was conglomerated with other Marin County data (conglomerating data was the appropriate protocol for Marin at the time).

On December 15, 2021 the TCSO Board introduced and waived the first reading of the attached ordinance.

#### **Analysis**

The attached ordinance is the full required ordinance and does not rely on CalRecycle waivers. It has been drafted by TCSO's trusted solid waste consultants R3 Consulting and it has been reviewed by TCSO's attorneys Meyers Nave. TCSO's service area is mostly residential with approximately 30 businesses, many of which are very small.

Because TCSO has a very limited commercial base, this ordinance is expected to apply to residents and to only one waste generator in TCSO's jurisdiction: Good Earth Grocery. TCSO staff has discussed this with Good Earth Grocery and because Good Earth Grocery is founded on environmental principals, and because it actively prevents food waste now, TCSO staff does not expect commercial compliance issues. TCSO should move quickly to access any reasonable funds available for SB 1383 implementation.

#### **Impact on TCSO Resources**

No additional resources are requested at this time.

#### **Attachment**

- A. Ordinance 98
- B. Slide deck presented at first reading on December 15, 2021 TCSO Board Meeting





# TAMALPAIS COMMUNITY SERVICES DISTRICT

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## ORDINANCE NO. 98

### ORDINANCE OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS ESTABLISHING REGULATIONS FOR GARBAGE, ORGANICS AND RECYCLABLE MATERIAL SEPARATION AND STORAGE

#### Section 1. Purpose.

The reduction of solid waste landfilling, through waste prevention, reuse, recycling, and composting is a statewide mandate (California Integrated Waste Management Act of 1989). In addition, reduction of solid waste is a key component of meeting the statewide climate protection mandate (California Global Warming Solutions Act of 2006). Furthermore, AB 341, the Jobs and Recycling Act of 2011, and AB 1826, the Mandatory Commercial Organics Recycling Act of 2014, require businesses and Multi-Family property owners to arrange for recycling and organics services. Additionally, SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, seeks to reduce organics in landfills, as a means to reduce methane emissions and to increase edible food recovery to reduce human food insecurity. To that end, the State of California's Department of Resources Recycling and Recovery (CalRecycle) developed regulations that place requirements on multiple entities, many of which are contained herein. Therefore, in order to protect the public peace, health, safety, and general welfare, to reduce the solid waste stream, to reduce methane emissions from landfills, and to comply with state regulations, the District deems it necessary to regulate the separation, collection, disposal and recovery of recyclable materials, organic waste, and other solid waste as set forth in this Ordinance.

#### Section 2. Definitions.

For purposes of this section, the following words, phrases and terms shall have the meanings set forth by this section unless a different meaning is clearly intended by the use or context of the word, phrase or term:

"Act" means the California Integrated Waste Management Act of 1989 (commencing with Section 40000 of the Public Resources Code), as amended, including but not limited to, the Jobs and Recycling Act of 2011 (AB 341), SB 1016 (Chapter 343, Statutes of 2008 [Wiggins, SB 1016]), the Mandatory Commercial Organics Recycling Act of 2014 (AB 1826), and the Short-Lived Climate Pollutants Bill of 2016 (SB 1383) and as implemented by the regulations of CalRecycle.

"Board" is the Board of Directors of the Tamalpais Community Services District.

"CCR" means the California Code of Regulations. CCR references in this Chapter are preceded with a number that refers to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR).

"Collection" means to take physical possession of solid waste at, and remove from, the place of generation for transport to a solid waste facility or other recovery activity.

"Commercial business" or "Commercial" means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multi-family dwelling, or as otherwise defined in 14 (CCR) Section 18982(a)(6). A multi-family dwelling that consists of fewer than (5) or more dwelling units is not "Commercial", for the purposes of this Ordinance.



"Commercial edible food generator" means a tier one or a tier two commercial edible food generator as defined in 14 CCR Section 18982(a)(73) and (a)(74). Food recovery organizations and food recovery services are not commercial edible food generators.

"Community composting" means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).

"Construction and demolition debris" or "C&D" means used or discarded materials resulting from construction, renovation, remodeling, repair, demolition, excavation or construction clean-up operations on any pavement or structure.

"Container" or "collection container" means, for the purpose of this Ordinance, any bin, box or cart used for the purpose of holding solid waste for collection.

"Designee" means a person or entity that the General Manager designates, contracts with, or otherwise arranges to carry out any of the District's responsibilities of this Ordinance authorized in 14 CCR Section 18981.2. A Designee may be a government employee or entity, a private entity, or a combination of those entities.

"Dispose" or "dispose of" means the final disposition of solid waste at solid waste facility permitted for disposal.

"District" is Tamalpais Community Services District of Marin County, California.

"Diversion" means activities reducing or eliminating the amount of solid waste from solid waste disposal, and which return these materials to use in the form of raw materials for new, reused, or reconstituted products, which meet the quality standards necessary for commercial use, or for other purposes of reuse.

"Dwelling unit" means one (1) or more rooms with internal access between all rooms, which provide complete independent living facilities for at least one (1) family, including provisions for living, sleeping, eating, cooking, bathing, and sanitary facilities. Cooking facilities for purposes of this Ordinance shall be defined as any combination of the following: sink, refrigerator, cupboard and/or storage, stove, oven (including microwave and convection).

"Edible food" means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), "edible food" is not solid waste if it is recovered and not discarded. Nothing in this Ordinance or in 14 CCR, Division 7, Chapter 12 requires or authorizes the recovery of edible food that does not meet the food safety requirements of the California Retail Food Code.

"Enforcement action" means an action of the District to address non-compliance with this ordinance including, but not limited to, issuing administrative notices, citations, fines, penalties, or using other remedies.

"Enforcement agency" means an entity with the authority to enforce part or all of this Ordinance as specified herein. Employees and agents of an enforcement agency may carry out inspections and enforcement activities pursuant to this Ordinance. Nothing in this Ordinance authorizing an entity to enforce its terms shall require that entity to undertake such enforcement except as agreed to by that entity and the District. The District is an enforcement agency for all Sections of this Ordinance. The District may choose to additionally delegate enforcement responsibility for certain sections, to other public entities, including the Marin Hazardous and Solid Waste Joint Powers Authority (Zero Waste Marin) and the County of Marin (County).

"Exempt waste" means biohazardous or biomedical waste, hazardous waste, medical waste, regulated radioactive waste, waste that is volatile, corrosive, or infectious, waste treatment or processing sludge, contaminated soil and dirt, contaminated concrete, contaminated asphalt, automobiles, automobile parts, boats, boat parts, boat trailers, internal combustion engines, lead-acid batteries, any matter or materials which are not acceptable for disposal at a solid waste landfill as defined in AB 939 and subsequent legislation, and those wastes under the control of the Nuclear Regulatory Commission.

"Food recovery organization" means an entity that engages in the collection or receipt of edible food from commercial edible food generators and distributes that edible food to the public for food recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to: A food bank as defined in Section 113783 of the Health and Safety Code; A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and, A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

"Food recovery service" means a person or entity that collects and transports edible food from a commercial edible food generator to a food recovery organization or other entities for food recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A food recovery service is not a commercial edible food generator for the purposes of this Ordinance and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

"Food waste" means food scraps and trimmings and other putrescible waste that result from food production, preparation, cooking, storage, consumption or handling. Food waste includes but is not limited to meat, fish and dairy waste, fruit and vegetable waste and grain waste. Food waste does not include exempt waste.

"Garbage" means all non-recyclable packaging and other waste attributed to normal activities of a service unit. Garbage must be generated by and at the service unit wherein the garbage is collected. Garbage does not include recyclable materials, organic waste, debris from construction and demolition, large items, e-waste, universal waste, hazardous waste, household hazardous waste or exempt waste.

"Generators" for the purpose of this Ordinance, means a person or entity, including Commercial generators and Single Family generators, that is responsible for the initial creation of organic waste, or as otherwise defined as "organic waste generator" in 14 CCR Section 18982(a)(48).

"Garbage Container" has the same meaning as "Gray or Black Container" in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Garbage.

"General Manager" means the General Manager of the Tamalpais Community Services District.

"Hazardous waste" or "hazardous materials" means any waste materials or mixture of wastes defined as such pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901 et seq., the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. sections 9601 et seq., and the California Health and Safety Code sections 25110.02, 25115 or 25117, and all future amendments to any of the same or regulations promulgated under any of the same, or as defined by the Environmental Protection Agency, the California Environmental Protection Agency, and the California Integrated Waste Management Board, or any of them. Where there is a conflict in the definitions employed by two or more agencies having jurisdiction over hazardous waste or solid waste, the term "hazardous waste or materials" shall be construed to have the broader, more encompassing definition. "Hazardous waste" or "hazardous materials" does not mean or include household hazardous waste.

"High Diversion Organic Waste Processing Facility" means a facility that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average mixed waste organic content recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for Organic Waste received from the "Mixed Waste Organic Collection Stream" as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).

"Household hazardous waste" means materials that the District may designate from time to time as eligible for curbside pick-up but inappropriate for collection with regular pick-up and that are commonly generated by residential customers. Examples include, without limitation, consumer electronic waste, including computers, monitors, printers and cell phones, latex paint, used motor oil, oil filters, common household batteries (but not car batteries), fluorescent light bulbs under four feet in length, and nonempty aerosol cans.

"Inspection" means a site visit where the District or its designee or designated entity, reviews records, containers, and an entity's collection, handling, recycling, or disposal of solid waste or edible

food handling to determine if the entity is complying with requirements set forth in this ordinance, or as otherwise defined in 14 CCR Section 18982(a)(35).

"Multi-Family residential dwelling" or "Multi-Family" means for the purpose of implementing this Ordinance, of, from, or pertaining to residential premises with five (5) or more dwelling units. Multi-Family premises are considered a distinct type of Commercial business for the purposes of implementing SB 1383 requirements. Consistent with SB 1383 Regulations, residential premises that consist of fewer than five units are not "Multi-Family" and instead are "Single-Family" for the purposes of implementing this Ordinance. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial Businesses that are not Multi-Family Residential Dwellings.

"Organics Container" has the same meaning as "Green Container" in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Organic Waste designated for Compost processing, including Food Waste and landscape and pruning waste accepted in the District's Organic Waste Collection program, and other organic waste as determined by the District as acceptable for the Organics Container.

"Organic material" or "organic waste" means solid wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food waste, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, food soiled paper products, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46).

"Person" means any person or persons, firm, association, corporation, or other entity acting as principal, agent or officer, servant or employee, for themselves or for any other person, firm, or corporation.

"Premises" includes a tract or parcel of land with or without habitable buildings or appurtenant structures. (CCR, Section 17225.50) For purposes of this Ordinance, the word premises includes residential and commercial uses of the land, unless otherwise specified, whether owned, leased, rented or subrented, including every dwelling house, dwelling unit, apartment house or multiple-dwelling building, trailer or mobile home park, store, restaurant, rooming house, hotel, motel, office building, department store, manufacturing, processing or assembling shop or plant, warehouse and every other place or premises where any person resides, or any business is carried on or conducted within the District.

"Prohibited container contaminants" means (1) discarded materials placed in the designated recyclables container that are not identified as acceptable source separated recyclables for the District's designated recyclables collection container; (2) discarded materials placed in the designated organic waste collection container that are not identified as acceptable source separated organic waste for the District's designated organic waste collection container; and (3) discarded materials placed in the garbage container that are acceptable source separated recyclables and/or source separated organic waste to be placed in District's designated organic waste collection container and/or designated recyclables collection container and, and (4) exempt waste placed in any container.

"Recyclable (source separated) materials" means any material designated to be separated from the waste stream for purposes of recycling (adapted from PRC, Section 41951). Recyclable materials are currently limited to paper, glass, cardboard, plastics, ferrous metal, and aluminum, and any other materials determined by the District to be recyclable.

"Recycling Container" has the same meaning as "Blue Container" in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of Source Separated Recyclable Materials.

"Self-haul" means a person who hauls solid waste, organic waste or recovered material they have generated to another person. Self-hauler also includes a person who back-hauls waste, or as otherwise defined in 14 CCR Section 18982(a)(66). "Back-haul" means generating and transporting organic waste to a destination owned and operated by the generator using the generator's own employees and equipment, or as otherwise defined in 14 CCR Section 189881(a)(66)(A).

"Single-Family" means from, or pertaining to, any residential premises consisting of between one and four dwelling units, for the purposes of implementing this Ordinance.



"Solid waste" has the same meaning as defined in Public Resources Code Section 40191, which defines solid waste as all putrescible and nonputrescible solid and semisolid wastes, including garbage, recyclable materials, organic waste, demolition and construction wastes, bulky waste, discarded home and industrial appliances, manure, vegetable or animal solid or semisolid wastes, and other discarded solid and semisolid wastes with the exception that Solid Waste does not include any of the following wastes: (1) Hazardous waste, as defined in the Public Resources Code Section 40141, (2) Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code) and (3) Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in Public Resources Code Section 40195.1. Medical waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to Division 30 of the Public Resources Code. Recyclable materials and organic waste are a part of solid waste. "Solid waste collection service" means collection of solid waste originating in the District, by a persons, firms or corporations, and doing so under a contract or franchise agreement with the District.

"Solid waste facility" means a solid waste transfer or processing station including Material Recovery Facilities, a composting facility, a gasification facility, a transformation facility, an Engineered Municipal Solid Waste conversion facility, and a disposal facility. Solid waste facility additionally includes a solid waste operation that may be carried out pursuant to an enforcement agency notification, as provided in regulations adopted by CalRecycle, or otherwise set forth in the Act.

"Source separate" means the process of removing recyclable materials and organic waste from solid waste at the place of generation, prior to collection, and placing such materials into separate containers designated for recyclable materials and organic waste, or as otherwise defined in 14 CCR Section 17402.5(b)(4).

"Tier one commercial edible food generator" means a commercial edible food generator that is one of the following as defined in 14 CCR Section 18982(a):

- (a) Supermarkets with gross annual sales of \$2,000,000 or more
- (b) Grocery store with a total facility size equal to or greater than 10,000 square feet.
- (c) Food service provider, which means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.
- (d) Wholesale food vendor, which means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.
- (e) Food distributor, which means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.

"Tier two commercial edible food generator" means a commercial edible food generator that is one of the following:

- (a) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
- (b) Hotel with an on-site food facility and 200 or more rooms.
- (c) Health facility with an on-site food facility and 100 or more beds.
- (d) Large venue, which means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground,

museum, theater, or other public attraction facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.

- (e) Large event, which means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event..
- (f) A state agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.
- (g) A local education agency facility with an on-site food facility. Local education agency means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to Solid Waste, or as otherwise defined in 14 CCR Section 18982(a)(40).

### **Section 3. Disposal of solid waste generally.**

It is unlawful for any person to keep, deposit, bury or dispose of any solid waste in or upon any private property, public street, alley, sidewalk, gutter, park, upon the banks of any stream or creek in the District, or in or upon any of the waters thereof except as provided in this Ordinance. Every person having the obligation of the disposal of garbage, recyclable materials and organic waste as provided in this Ordinance shall dispose of the same only through the District or as may be expressly permitted by this Ordinance.

### **Section 4. Duty to subscribe to solid waste collection service.**

- A. Except generators that meet self-hauler requirements, and/or generators that have obtained a waiver, as set forth in this Ordinance, every generator shall:
  - (a) Subscribe with the District for Garbage Container, Recycling Container and Organics Container collection services; and to pay for the collection and disposal of such containers.
  - (b) Separate all recyclable material and organic waste from the garbage generated on the premise. Generators shall place source separated organic waste, including food waste, in the Organics Container; place source separated recyclable materials in the Recycling Container; and place garbage in the approved Garbage Container. Generators shall not place prohibited container contaminants into the Garbage Container, Organics Container or Recycling Container.
- B. Generators shall provide or arrange for access during all inspections and investigations (with the exception of a private residential dwelling unit) and cooperate with the General Manager or designee during such inspections and investigations.
- C. All generators subject to the requirements of the Act shall fully comply with all applicable requirements of the Act, and all generators shall comply with relevant sections of this Ordinance, state law, and local ordinances.
- D. Nothing in this Ordinance limits the right of any person to donate, sell, or otherwise remove their recyclable materials so long as the removal otherwise complies with this Ordinance.
- E. Organic waste may be fed to animals on the premises where such organic waste is produced, provided that the premises are always kept in a sanitary condition to the satisfaction of the General Manager; and provided further that the keeping and feeding of such animals shall at all times conform to the applicable regulations of those entities governing the same now in force or which thereafter may be enacted or promulgated.
- F. Organic waste may be used in on-site composting or community composting, pursuant to 14 CCR Section 18984.9(c), provided that such operation conforms to the applicable regulations of those entities governing the same now in force or which thereafter may be enacted or promulgated.

G. The District shall Transport Source Separated Recyclable Materials to a facility that recycles those materials and transport Source Separated Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.

## **Section 5. Single-Family Generator Requirements.**

A. Except Single-Family generators that meet self-hauler requirements set forth in this Ordinance, and/or that are located in a census tract for which CalRecycle has issued a low population waiver, Single-Family generators shall:

- (a) Maintain for such residence or business, separate Garbage, Organics and Recycling Containers, supplied by the District. Generators shall arrange for a sufficient number of such containers to adequately store all garbage, recyclable materials and organic waste generated in connection with the residence or business between the times designated for collection. The District shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the District in order to meet the standards set forth in this Ordinance. Generators may manage their organic waste by preventing or reducing their organic waste, managing organic waste on site, and/or using a community composting site pursuant to 14 CCR Section 18984.9(c) to the extent permitted by other applicable laws.
- (b) Participate in the collection services provided by the District, by placing designated materials in designated containers as described below, and not placing prohibited container contaminants in collection containers. Generators shall place source separated organic waste, including food waste, in the Organics Container; source separated recyclable materials in the Recycling Container; and garbage in the Garbage Container. Generators shall not place materials designated for the Garbage Container in the Organics Container or the Recycling Container.
- (c) All waste shall be placed in District-provided collection containers that are watertight, nonabsorbent, animal resistant, durable, easily cleanable, with covers such that the collection containers hold the solid waste without spillage and leakage, escape of odors or access of flies to the contents thereof.
- (d) No person owning or occupying any building, lot or premises shall allow any solid waste to accumulate or remain in or upon the building, lot or premises in a manner in violation of this Ordinance or that otherwise creates a public nuisance.

## **Section 6. Commercial generator requirements.**

A. Except Commercial businesses that meet the Self-hauler requirements in this Ordinance, or that meet waiver requirements in this Ordinance, or that are located in a census tract for which CalRecycle has issued a low population waiver (as described in 14 CCR Section 18984.12), Commercial generators shall comply with the following requirements.

- (a) Be subscribed to collection service(s) provided by the District for Organics Containers, Recycling Containers, and Garbage Containers and comply with requirements of those services as described below. The District shall have the right to review the number and size of a business' containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, Commercial businesses shall adjust their service level for their collection services as requested by the District.
- (b) Participate in collection services approved by the District for Organic Waste Collection Service(s) by placing designated materials in designated containers as described below. Generator shall place



source separated organic waste, including food waste, in the Organics Container; source separated recyclable materials in the Recycling Container; and garbage in the Garbage Container. Generator shall not place materials designated for the Garbage Container into the Organics Container or Recycling Container.

- (c) Commercial business owners including Multi-Family, shall provide or arrange for Garbage Container, Organics Container and Recycling Container collection service for employees, contractors, tenants and customers, and supply and allow access to adequate number, size and location of collection containers with sufficient labels or colors as noted in below or, if self-hauling, in compliance with self-hauling requirements set forth in this chapter.
- (d) Commercial business that are not Multi-Family residential dwellings shall provide containers for the collection of source separated organic waste and source separated recyclable materials in all areas where the Commercial business provides disposal containers for employees, contractors, tenants, customers and other users of the Premises ("User Disposal Containers"). Such User Disposal Containers do not need to be provided in restrooms. If a Commercial Business does not generate, or has a waiver pertaining to, any of the materials that would be collected in one type of User Disposal Container, then the business does not have to provide that particular type of container in all areas where User Disposal Containers are provided. Pursuant to 14 CCR Section 18984.9(b), the User Disposal Containers provided by the business shall have either:
  - i. A body or lid that conforms with the following container colors, with either lids conforming to these color requirements or bodies conforming to these color requirements, or both lids and bodies conforming to these color requirements: gray or black containers for garbage, blue containers for source separated recyclable materials, and green containers for organics waste. Notwithstanding the foregoing, a Commercial business is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the color requirements of this Section prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first; **or**
  - ii. Container labels that include language or graphic images, or both, indicating the primary materials accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. The container labeling requirements are required on new containers commencing January 1, 2022.
- (e) Commercial business that are not Multi-Family residential dwellings, shall to the extent practical through education, training, inspection, and/or other measures, prohibit employees from placing materials in a container not designated for those materials per the Recycling Container, Organics Container, and Garbage Container collection service or, if self-hauling, per the Commercial businesses' instructions to support its compliance with its self-haul program, in accordance with this Ordinance.
- (f) Commercial businesses that are not Multi-Family residential dwellings, shall periodically inspect Recycling Containers, Organics Containers, and Garbage Containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to 14 CCR Section 18984.9(b)(3).
- (g) Commercial businesses, including Multi-Family residential dwellings, shall annually provide information to employees, contractors, tenants, building residents, and customers about Organic Waste Recovery requirements and about proper sorting of source separated organic waste and source separated recyclable materials.

- (h) Commercial businesses including Multi-Family residential dwellings, shall provide information before or within fourteen days of new occupation of the premises to new tenants and no less than fourteen days before tenants move out of the premises, unless a tenant does not provide fourteen or more days' notice to before moving out, that describes requirements to keep Source Separated Organic Waste and Source Separated Recyclable Materials separate from each other and from Garbage Container Waste and the location of containers and the rules governing their use at the property.
- (i) Commercial businesses, including Multi-Family residential dwellings, shall provide or arrange access for the enforcement agency to their properties during all inspections (with the exception of the interior of a private residential dwelling unit) conducted in connection with this Ordinance and timely provide documents requested by the enforcement agency to confirm compliance with the requirements of this Ordinance.

## **Section 7 - Storage receptacles**

- (a) It is unlawful to place or permit to remain any solid waste except in a suitable covered container supplied by the District as set forth in this Ordinance.
- (b) No person owning or occupying any building, lot or premises shall allow any solid waste to accumulate or remain in or upon the building, lot or premises in a manner in violation of this Ordinance or that otherwise creates a public nuisance.
- (c) Except as expressly provided by this section, no solid waste collection containers other than those owned or rented by the District shall be placed or kept in or on any public street, sidewalk, footpath, or any public place whatsoever, but shall be maintained on the premises in a location and manner so as not to be visible from the public street. Notwithstanding the foregoing, solid waste collection containers may be placed on the day(s) and in the designated collection locations for removal and emptying of said collection containers, but shall be removed within twenty-four hours of the day of collection.
- (d) It is unlawful for any person to place or cause to be placed in any public receptacle owned by the District and located upon public streets or in public places any solid waste originating within or upon any private property.

## **Section 8 - Commercial and Property Owner Waivers.**

- (a) Pursuant to 14 CCR Section 18984.11, the District or Designee may grant waivers to commercial businesses for physical space limitations and/or de minimis volumes. Commercial businesses seeking a waiver shall submit their request in a form specified by the General Manager. After reviewing the waiver request, and after an on-site review, if applicable, the General Manager may either approve or deny the following waiver requests.
  - (1) De Minimis Waivers: The District or Designee may waive a Commercial business' obligation to comply with some or all the requirements of Section 4.2 if the Commercial business meets the following requirements:
    - (i) Submit an application specifying the type of waiver requested and provide documentation as described below.
    - (ii) Provide documentation that either:
      - a) The Commercial business receives two or more cubic yards of weekly solid waste collection service (including garbage, recyclable material and organic waste) and disposed organic waste comprises less than 20 gallons per week of the business' total weekly solid waste volume; or

- b) The Commercial business receives less than two cubic yards of weekly solid waste collection service (including garbage, recyclable material and organic waste) and disposed organic waste comprises less than 10 gallons per week of the business' total weekly solid waste volume.
  - c) For the purposes of subsections a) and b) above, weekly solid waste collection shall be the sum of weekly Garbage Container volume, Recycling Container volume and Organics Container volume, measured in cubic yards.
- (iii) Notify the District or Designee if circumstances change such that volume of Commercial business' disposed organic waste placed in collection containers exceeds threshold required for waiver, in which case waiver will be rescinded.
  - (iv) Provide written verification of eligibility for de minimis waiver every five years if the District has approved de minimis waiver.
- (2) Physical Space Waivers: The District or Designee may waive a Commercial business' or Property owners' obligations (including Multi-Family dwellings) to comply with some or all of the recyclable materials and/or Organic Waste Collection Service requirements if the District has evidence from its own staff, a licensed architect, or licensed engineer demonstrating that the premises lacks adequate space for the collection containers required for compliance with the collection service requirements. A commercial business or property owner may request a physical space waiver through the following process:
- (i) Submit an application form specifying the type(s) of collection services for which they are requesting a waiver from mandatory collection service.
  - (ii) Provide documentation that the premises lacks adequate space for the approved Recycling Containers and approved Organics Containers including documentation from the District, licensed architect, or licensed engineer.
  - (iii) Provide written verification to the District or Designee that it is still eligible for physical space waiver every five years if the District has approved application for a physical space waiver.

## **Section 9 - Self-haul.**

- (a) Self-haulers shall source separate all recyclable materials and organic waste (materials that the District otherwise requires generators to separate for collection in the District's Organic Waste and Recycling Collection Service) generated or handled on-site from solid waste in a manner consistent with 14 CCR Sections 18984.1 and 18984.2, or shall haul Organic Waste to a High Diversion Organic Waste Processing Facility as specified in 14 CCR Section 18984.3.
- (b) Self-haulers shall haul their source separated recyclable materials to a facility that recovers those materials; haul their source separated organic waste to a solid waste facility, operation, activity, or property that processes or recovers source separated organic waste; and haul their Garbage to a facility that is permitted to accept Garbage. Alternatively, Self-haulers may haul organic waste to a High Diversion Organic Waste Processing Facility. Self-haulers may Back-haul to a destination owned and operated by the generator using the generator's own employees and equipment and then haul those consolidated materials to facilities meeting the requirements of this subsection.



- (c) Self-haulers that are Commercial businesses (including Multi-Family residential dwellings) shall keep a record of the amount of organic waste delivered to each solid waste facility, operation, activity, or property that processes or recovers organic waste; this record shall be subject to inspection by the enforcement agency. The records shall include the following information:
  - (1) Delivery receipts and weight tickets from the entity accepting the material.
  - (2) The amount of material in cubic yards or tons transported by the generator to each entity.
  - (3) If the material is transported to an entity that does not have scales on-site, or employs scales incapable of weighing the Self-hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-hauler is not required to record the weight of material but shall keep a record of the entities that received the organic waste.

## **Section 10 - Commercial edible food generator requirements.**

- (a) Tier one commercial edible food generators must comply with the requirements of this section January 1, 2022, and Tier two commercial edible food generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.
- (b) Large venue or large event operators not providing food services, but allowing for food to be provided by others, shall require food facilities operating at the large venue or large event to comply with the requirements of this section, commencing January 1, 2024.
- (c) Commercial edible food generators shall comply with the following requirements:
  - (1) Arrange to recover the maximum amount of edible food that would otherwise be disposed.
  - (2) Contract with or enter into a written agreement with food recovery organizations or food recovery services for: (a) the collection of edible food for food recovery; or (b) acceptance of the edible food that the commercial edible food generator self-hauls to the food recovery organization for food recovery.
  - (3) Shall not intentionally spoil edible food that is capable of being recovered by a food recovery organization or a food recovery service.
  - (4) Allow the District's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.
  - (5) Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:
    - (i) A list of each food recovery service or organization that collects or receives its edible food pursuant to a contract or written agreement established under 14 CCR section 18991.3(b).
    - (ii) A copy of all contracts or written agreements established under 14 CCR section 18991.3(b).
    - (iii) A record of the following information for each of those food recovery services or food recovery organizations:

- a) The name, address and contact information of the food recovery service or food recovery organization.
  - b) The types of food that will be collected by or self-hauled to the food recovery service or food recovery organization.
  - c) The established frequency that food will be collected or self-hauled.
  - d) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a food recovery service or food recovery organization for food recovery.
- (d) Nothing in this Ordinance shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017, as amended, from time to time.

## **Section 11 - Food recovery organization and food recovery services requirements.**

- (a) Food recovery services collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1):
  - (1) The name, address, and contact information for each commercial edible food generator from which the service collects edible food.
  - (2) The quantity in pounds of edible food collected from each commercial edible food generator per month.
  - (3) The quantity in pounds of edible food transported to each food recovery organization per month.
  - (4) The name, address, and contact information for each food recovery organization that the food recovery service transports edible food to for food recovery.
- (b) Food recovery organizations collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):
  - (1) The name, address, and contact information for each commercial edible food generators from which the organization receives edible food.
  - (2) The quantity in pounds of edible food received from each commercial edible food generator per month.
  - (3) The name, address, and contact information for each food recovery service that the organization receives edible food from for food recovery.
- (c) Food recovery organizations and food recovery services that have their primary address physically located in the District and contract with or have written agreements with one or more

commercial edible food generators pursuant to 14 CCR Section 18991.3(b) shall annually report to the District it is located in the total pounds of edible food recovered in the previous calendar year from the tier one and tier two commercial edible food generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b) no later than April 1<sup>st</sup>.

- (d) In order to support edible food recovery capacity planning assessments or other studies conducted by the county or District, or its Designee, food recovery services and food recovery organizations operating in the District shall provide information and consultation to the District, or Designee, upon request, regarding existing, or proposed new or expanded, food recovery capacity that could be accessed by the District and commercial edible food generators. A food recovery service or food recovery organization contacted by the District or Designee shall respond to such request for information within 60 days unless a shorter timeframe is otherwise specified by the District or Designee.

## **Section 12 – Inspections and Enforcement.**

- (a) The District or Designee is authorized to conduct any inspections, remote monitoring, or other investigations as reasonably necessary to further the goals of this Ordinance, subject to applicable laws. This may include inspections and investigations, at random or otherwise, of any collection container, collection vehicle load, or transfer, processing, or disposal facility to confirm compliance with this Ordinance, subject to applicable laws. This section does not allow entry in a private residential dwelling unit for inspection. For the purposes of inspecting collection containers for compliance, the District or Designee may conduct container inspections for prohibited container contaminants using remote monitoring, and generators shall accommodate and cooperate with the remote monitoring.
- (b) Any section of this chapter may be enforced by the District, or, if agreed to, by another Enforcement Officer designated by the General Manager.
- (c) A person subject to the requirements of this Ordinance shall provide or arrange for access during all inspections (with the exception of the interior of a private residential dwelling unit) and shall cooperate with the District or Designee during such inspections and investigations. Such inspections and investigations may include confirmation of proper placement of materials in containers, inspection of edible food recovery activities, review of required records, or other verification or inspection to confirm compliance with any other requirement of this Ordinance. Failure to provide or arrange for: (i) access to the premises; (ii) installation and operation of remote monitoring equipment, if a remote monitoring program is adopted; or (iii) access to records for any inspection or investigation is a violation of this Ordinance and may result in penalties.
- (d) Any records obtained by the District, or Designee, during inspections, investigations, remote monitoring and other reviews shall be subject to the requirements and applicable disclosure exemptions of the California Public Records Act as set forth in Government Code Section 6250 et seq.
- (e) The District or Designee shall accept written complaints from persons regarding an entity that may be potentially non-compliant with this Ordinance.
- (f) A violation of any provision of this Ordinance shall constitute an infraction and will be grounds for issuance of a notice of violation and assessment of an administrative citation and penalty by the District's Enforcement Officer or its designated enforcement agency.
- (g) A violation may be punishable by:
  - a. A fine of one hundred dollars for a first violation;



- b. A fine of two hundred dollars for a second violation of the same provision of this Ordinance within any twelve consecutive month period;
- c. A fine of five hundred dollars for each additional violation of the same provision of this Ordinance within any twelve consecutive-month period. Any citation issued after the issuance of a third citation or violation of the same provision of this Ordinance within any twelve consecutive-month period may be charged as a misdemeanor.
- (h) The District or designated enforcement agency may issue a notice of violation requiring compliance within 60 days or sooner of issuance of the notice.
- (i) Other remedies allowed by law may be used, including civil action or prosecution as a misdemeanor in the sole discretion of the district attorney. The District may pursue civil actions in the California courts to seek recovery of unpaid administrative citations, and fines. The District may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of District staff and resources.
- (j) Each separate day or any portion thereof on which a violation occurs or is committed, continued or permitted shall be deemed to constitute a separate offense punishable as herein provided.

**Section 13. Severability.**

If any provision of this Ordinance or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such invalidity shall not affect the remaining provisions or application of the remaining provisions of this Ordinance, which can be given effect without the invalid provisions or application

All ordinances, resolutions, or administrative actions by the Board, or parts thereof that are inconsistent with any provision of this Ordinance are hereby superseded only to the extent of such inconsistency

**Section 14. Effective Date.**

The President of the Board shall sign this Ordinance and the Secretary of the Board shall attest thereto,

This Ordinance shall take effect and be enforced thirty (30) days after the date of its adoption. Prior to the expiration of fifteen days from the passage thereof, the ordinance or a summary thereof shall be posted or published as may be required by law, and thereafter the same shall be in full force and effect.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Tamalpais Community Services District held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022 by the following vote:

AYES \_\_\_\_\_

NOES \_\_\_\_\_

ABSENT:

\_\_\_\_\_ President, Board of Directors

ATTEST:

\_\_\_\_\_ Secretary

Tamalpais Community Services District

**MANDATORY ORGANICS**

**RECYCLING & COMPOSTING**

**Senate Bill 1383**

December 2021



# MEETING AGENDA

**Senate Bill 1383**



**District Ordinance Update**



**District Responsibilities**



**Timeline/Schedule**





## BACKGROUND

### *What Are Organics?*

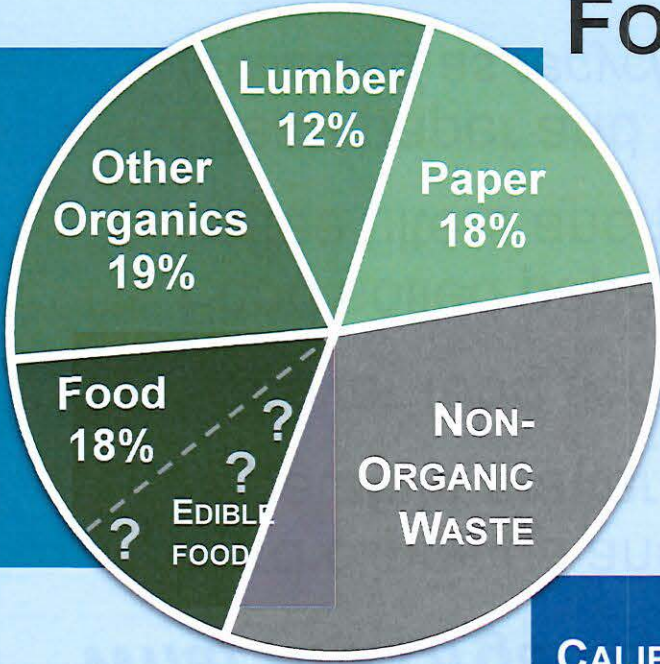
- Yard clippings and vegetative matter
- Leftover food scraps
- Food soiled paper, such as coffee filters and pizza boxes
- Clean paper and cardboard  
*(collected as recyclables)*





# Organic Waste Is the Largest Waste Stream in CA

CALIFORNIA GENERATES  
**APPROXIMATELY  
20-23 MILLION TONS**  
OF ORGANIC WASTE  
EVERY YEAR



IN CALIFORNIA, MILLIONS ARE  
**FOOD INSECURE**



**1 IN 8 CALIFORNIANS  
1 IN 5 CHILDREN**

*THAT'S TWO-THIRDS  
OF OUR WASTE  
STREAM!*

CALIFORNIA THROWS AWAY  
**5.6 MILLION TONS**  
OF FOOD WASTE EVERY  
YEAR!



## Senate Bill 1383: Short Lived Climate Pollutants Act

- Unfunded State Mandate
- Extensive local government requirements & requirements on businesses
- Sets Statewide targets for organics recovery efforts
- Builds on AB 1826 to incrementally reduce disposal of organic waste
- Requires ALL generators to be provided organic waste recycling services
- Edible food recovery & procurement
- CALGreen & MWELO





# Local Agency Responsibilities



*Most requirements match and expand upon AB 1826*





## Edible Food Recovery

- **Qualifying businesses**
  - Recover maximum amount of edible food
  - Need a contract/written agreement with a food recovery organization
  - Maintain records
  
- **Tier 1– 1/1/2022**
  - Supermarkets, grocery stores, food distributors
  
- **Tier 2 – 1/1/2024**
  - Restaurants, hotels, health facilities

## Inspections and Enforcement

- **Compliance Monitoring**
  - Businesses and Multi-Family
  - Tier 1 and Tier 2 classifications
- **Route Reviews**
  - Lid flips, waste evaluations
- **Violations**
  - Beginning in 2024, violations may result in notice and potentially issuance of fines

# DISTRICT ORDINANCE UPDATE

## ➤ **Why update?**

- SB 1383 requires jurisdictions to have an enforceable mechanism

## ➤ **Changes to Municipal Code include *Garbage, Recyclable Materials, and Organic Waste*:**

- Mandatory recycling and organics service
  - Waivers for lack of space, no organics
  - Self haul regulation
- Education and outreach
- Edible food recovery requirements
- Inspection and enforcement



# DISTRICT RESPONSIBILITIES

## EDUCATION

- January 2022 – December 2023
- Provide outreach and education in response to violations

## NOTICE

- Beginning January 2024
- Provide Notices of Violation
- If no response in 60 days, escalate to penalty

## PENALTY

- 1<sup>st</sup> Violation = \$100  
*per violation*
- 2<sup>nd</sup> Violation = \$200  
*per violation*
- 3<sup>rd</sup> Violation = \$500  
*per violation*
- Jurisdictions are not required to issue penalties for container contamination



- **The District must perform inspections and enforcement and maintain records related to:**
  - Education and Outreach
  - Penalties and Violations
  - Regulated entities for not source-separating, subscribing to sufficient service, providing educational material to tenants, donating edible food
  - Procurement
  - Investigation of complaints of non-compliance by members of the public or other entities

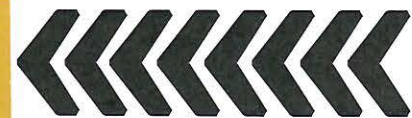
## State Enforcement



### Expectations

- Regulations are written to meet the statewide targets, regardless of local cost
- Requirements are extensive and penalties for non-compliance are high (for generators & jurisdictions)
- “Good Faith Effort” not allowed
- Diversion programs are mandatory

*CalRecycle has the discretionary authority to assess penalties up to \$10k per day on jurisdictions for non-compliance.*

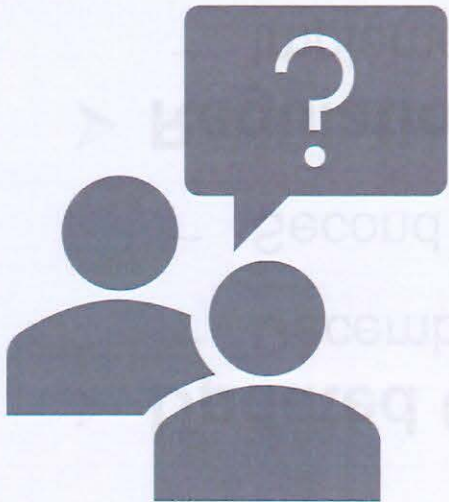


# TIMELINE / SCHEDULE

- **Updated Ordinance:**
  - December 15<sup>th</sup>: First reading
  - Second reading and adoption prior to April 1, 2022
- **Regulations Take Effect January 1, 2022**
  - Implementation report to State on April 1, 2022
  - First annual report October 1, 2022
  - Annual reports each August 1<sup>st</sup>
- **Enforcement To Begin January 1, 2024**



# Questions, Feedback, Comments!





JANUARY 12, 2022

ITEM 8B

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

**TO: BOARD OF DIRECTORS**

**FROM: HEATHER ABRAMS, GENERAL MANAGER**

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

**Recommendation**

Staff recommends that the Board: 1) authorize the General Manager to execute and record the attached Notice of Completion, 2) authorize final progress payment and the release of retention 35 days after filing the notice of completion, and 3) following action by the TCSD Board, pay to APB Engineering, Inc., in the amount of \$16,702.90 (immediately) for the progress payment and \$15,631.80 for the retention (after 35 days).

**Policy Issues**

In September 2020, the TCSD Board approved Nute Engineering to manage the CIP design, bid and construction process for the Phase A Sewer Capital Improvement Project (CIP). The Board authorized selection of the lowest bidder on October 14, 2020, APB Engineering, Inc. Two change orders were required; one for a removal and disposal of ACP and installation of PVC pipe and one to replace lateral and cleanout/cleanout box by pipeburst.

**Background**

Nute Engineering and APB Engineering, Inc. worked successfully with TCSD staff on the implementation of Phase A sewer CIP. During the project, TCSD was able to complete approximately 2,232 linear feet of sewer main repairs and facilitate several lateral repairs.

On October 15, 2020, the General Manager awarded the Contract for the Phase A Sewer Improvement Project, to the lowest responsible bidder, APB Engineering, Inc. for the Base Bid and Alternate Bid Amounts for a total of \$318,057. Completed total work was \$312,636.90. The physical work has been completed as of November 30, 2021, in accordance with the plans and specifications.

The work of the sewer rehabilitation project included internal pre- and post-televising of sewer mains, rehabilitating gravity sewers, connecting sewers to existing manholes and new rod holes, plug holes and seal all leaks in all manhole joints, reconnecting lower laterals, spot repairs, replacing pavement and improvements, replacing and raising manhole castings, disposal of asbestos cement pipe, backfill, connections and testing, repaving roads per County of Marin specifications for the completed and operational Sewer Improvement Project Phase A.

In accordance with Public Contract Code the Notice of Completion signifies agency acceptance of the project and triggers the minimum 35-day continuous holding period before retention is released. Staff has reviewed the project and believes the contractor has completed the work in accordance with the project plans and specifications.

The Statement of Completion by the design engineer, Nute Engineering, is attached.

**Analysis**

All work for the Phase A CIP has been completed by APB Construction. If the Board approves the attached notice, staff will pay the remaining amounts and provide the notice to the contractor to allow them to complete their bond process.

**Impact on TCSD Resources**

No additional resources are requested at this time.

**Attachments**

- A. Notice of Completion CIP
- B. Statement of Completion

Record Without Fee per G.C. 27383

Recorded at the Request of:  
**Tamalpais Community Services District**  
305 Bell Lane  
Mill Valley, CA 94941

When Recorded Mail to:  
**Tamalpais Community Services District**  
305 Bell Lane  
Mill Valley, CA 94941

Space above this Line for Recorder's Use

**NOTICE OF ACCEPTANCE OF COMPLETION**

***TAMALPAIS COMMUNITY SERVICES DISTRICT***

***SEWER IMPROVEMENT PROJECT – PHASE A***

NOTICE IS HEREBY GIVEN, Pursuant to Section 3093 of the Civil Code of the State of California, that Heather Abrams, General Manager for and on behalf of Tamalpais Community Services District, Marin County, California, on the \_\_\_th day of \_\_\_\_\_, 2022, did file with the Secretary of said District a Statement of Completion of the following described work, the Sewer Improvement Project Phase A, the contract for doing which was awarded to APB General Engineering and entered into on October 14, 2021.

That said work and improvements are public improvements owned and held by said District for the benefit of the public, and were actually completed on November 30, 2021. Acceptance of completion of said work was ordered by the District Board of the Tamalpais Community Services District on the \_\_\_\_\_ day of \_\_\_\_\_, 2022 and the name of the surety on the contractor's faithful performance bond for said project is Old Republic Surety Company.

That said work and improvements consisted of the performing of all work and furnishing of all labor, materials, equipment and all utility and transportation services required for the installation of the Sewer Improvement Project Phase A, all as more particularly described in the plans and specifications approved by the Board of Directors of said District.

The site of the construction and improvements was in and around Erica Road, Ash Street, Midvale Way and Shoreline Highway.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

OWNER: Tamalpais Community Services District  
305 Bell Lane  
Mill Valley, CA 94941

Dated: \_\_\_\_\_, 2022

By: \_\_\_\_\_  
*Heather Abrams*  
General Manager  
Tamalpais Community Services District



January 6, 2022

Ms. Heather Abrams  
Tamalpais Community Services District  
305 Bell Lane  
Mill Valley, CA 94941

Re: Sewer Improvement Project – Phase A  
Statement of Completion

Dear Heather:

APB General Engineering has completed their work on the above referenced project and we recommend that the project be accepted. We recommend that the attached Notice of Acceptance of Completion be filed and recorded with the Marin County Recorder, and the retention release payment be made to the Contractor after the 35 day lien period from the recording date.

Very truly yours,

NUTE ENGINEERING

By:

Pippin Cavagnaro, PE





Civil & Sanitary Consultants

January 6, 2022

Ms. Heather Abrams  
 Tamalpais Community Services District  
 305 Bell Lane  
 Mill Valley, CA 94941

Re: Sewer Improvement Project - Phase A  
 Progress Billing No. 02

Dear Heather:

APB General Engineering has requested Progress Billing No.02 for the above referenced project for work through October 26, 2021.

BASE BID							
No.	Bid Item Description	Quantity		Unit Price	Total	Complete	Amount
1.	Mobilization, Demobilization & SWPPP	1	LS	\$9,500.00	\$9,500.00	1	\$9,500.00
2.	Slipline 6" ACP With 5.563" OD DR21 Sewer Main	1,895	LF	\$90.00	\$170,550.00	1869	\$168,210.00
3.	Connect to Existing Manholes	18	EA	\$700.00	\$12,600.00	18	\$12,600.00
4.	Remove and Replace Manhole Lid and Casting, Raise to Grade	9	EA	\$1,200.00	\$10,800.00	9	\$10,800.00
5.	Raise Existing Manhole Lid and Casting Minimum 12" Above Grade	1	EA	\$1,500.00	\$1,500.00	1	\$1,500.00
6.	Remove Rodhole	1	EA	500	\$500.00	1	\$500.00
7.	--	--	--	--	--	--	--
8.	Locate & Pothole Existing Laterals and Provide Quote to Rehabilitate Lateral	40	EA	\$455.00	\$18,200.00	30	\$13,650.00
9.	Reconnect Existing Lateral, Dispose of ACP Pipe	40	EA	\$250.00	\$10,000.00	30	\$7,500.00
10.	Shoring for All Excavations	1	LS	\$1,200.00	\$1,200.00	1	\$1,200.00
11.	Traffic Control and Notifications	1	LS	\$2,000.00	\$2,000.00	1	\$2,000.00
12.	Permits and Licenses	1	LS	\$2,000.00	\$2,000.00	1	\$2,000.00
13.	Pothole Utility Mains	12	EA	450	\$5,400.00	9	\$4,050.00
14.	Asphalt Concrete Trench Repair	20	TONS	350	\$7,000.00	18	\$6,300.00
15.	Cleaning and Televising of Sewer Mains and Laterals Pre & Post Construction	2,507	LF	\$1.00	\$2,507.00	1869	\$1,869.00
16.	Cleaning and CCTV of Various 6", 8" or 10" Sewer Mains as Directed by District, Including City Street Traffic Control, or Push Camera for Easement Pipes	1,000	LF	\$1.00	\$1,000.00	0	\$0.00
<b>BASE BID SUBTOTAL</b>							<b>\$241,679.00</b>

ADDITIVE ALTERNATE BID A							
No.	Bid Item Description	Quantity		Unit Price	Total	Complete	Amount
1.	Mobilization, Demobilization & SWPPP	1	LS	\$2,000.00	\$2,000.00	1	\$2,000.00
2.	Slipline 6" ACP With 5.563" OD DR21 Sewer Main	355	LF	\$90.00	\$31,950.00	363	\$32,670.00
3.	Connect to Existing Manholes	4	EA	\$700.00	\$2,800.00	4	\$2,800.00
4.	Remove and Replace Manhole Lid and Casting, Raise to Grade	3	EA	\$1,200.00	\$3,600.00	3	\$3,600.00
5.	--	--	--	--	--	--	--
6.	--	--	--	--	--	--	--
7.	Remove and Replace Manhole Lid and Casting, Raise to Grade	1	EA	\$10,000.00	\$10,000.00	1	\$10,000.00
8.	Locate & Pothole Existing Laterals and Provide Quote to Rehabilitate Lateral	6	EA	\$450.00	\$2,700.00	4	\$1,800.00
9.	Reconnect Existing Lateral, Dispose of ACP Pipe	6	EA	\$250.00	\$1,500.00	4	\$1,000.00
10.	Shoring for All Excavations	1	LS	\$300.00	\$300.00	1	\$300.00
11.	Traffic Control and Notifications	1	LS	\$500.00	\$500.00	1	\$500.00
12.	Permits and Licenses	1	LS	\$500.00	\$500.00	1	\$500.00
13.	Pothole Utility Mains	4	EA	450	\$1,800.00	2	\$900.00
14.	Asphalt Concrete Trench Repair	5	TONS	350	\$1,750.00	5	\$1,750.00
15.	Cleaning and Televising of Sewer Mains and Laterals Pre & Post Construction	1,400	LF	\$1.00	\$1,400.00	437	\$437.00
16.	Cleaning and CCTV of Various 6", 8" or 10" Sewer Mains as Directed by District, Including City Street Traffic Control, or Push Camera for Easement Pipes	2,500	LF	\$1.00	\$2,500.00	0	\$0.00
<i>ADDITIVE ALTERNATE A SUBTOTAL</i>							<i>\$58,257.00</i>
CO#1	Pipeburst 80' of 8" AC Pipe on Brookline	1	LS				\$5,200.00
CO#2	Chipping o\Out MH1.004 to Receive SIPP Lining Equipment	1	LS				\$7,500.00
<i>CHANGE ORDER SUBTOTAL</i>							<i>\$12,700.00</i>
BASE BID, ADDITIVE ALTERNATE A AND CHANGE ORDER SUBTOTAL							\$312,636.00
Less 5% retention							(\$15,631.80)
Less Previous Payments							(\$280,301.30)
<b>TOTAL AMOUNT DUE</b>							<b>\$16,702.90</b>

ADDITIVE ALTERNATE BID B		
B-1	Change Pipe Rehab Method From Slipline to Open Cut, Remove and Dispose of ACP and Install of 6" PVC C-900 (Unit Price \$/Ft will replace Bid Items 2 and A-2)	\$425.00/FT
B-2	Replace 4" Lateral and Cleanout and Cleanout Box by Pipeburst with HDPE 4.5" OD Pipe	\$200.00/FT

We have reviewed the above payment request and recommend payment.

Very truly yours,

NUTE ENGINEERING

By  Pippin Cavagnaro, PE

cc: Alfred Lee, APB General Engineering



JANUARY 12, 2022

ITEM 9A

**APPROVE RESOLUTION REGARDING CONTINUED COVID-19 EMERGENCY AND  
TCSD CONTINUING PUBLIC MEETINGS VIA ZOOM PURSUANT TO AB 361**

**TO: BOARD OF DIRECTORS**

**FROM: HEATHER ABRAMS, GENERAL MANAGER**

**SUBJECT: APPROVE RESOLUTION REGARDING CONTINUED COVID-19 EMERGENCY AND TCSD  
CONTINUING PUBLIC MEETINGS VIA ZOOM PURSUANT TO AB 361**

**Recommendation**

Staff recommends that the Board adopt a resolution pursuant to the authority set forth in AB 361, making required findings and authorizing the District's legislative bodies to continue meeting by teleconference pursuant to the Brown Act, as amended.

**Policy Issues**

The TCSD Board conducts its meetings in accordance with the Brown Act, and AB 361 allows the Board to continue using Zoom to conduct open public meetings during COVID-19 and other covered emergencies.

**Background**

On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means in order to slow the spread of COVID-19. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, ended the provisions of Executive Order N-29-20 that allowed local legislative bodies to conduct meetings telephonically or by other means.

On September 16, 2021, Governor Newsom signed Assembly Bill 361 ("AB 361"), which allows for local legislative bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the City Council make specified findings. AB 361 took effect upon the expiration of Executive Order N-29-20 on October 1, 2021. AB 361 allows a local agency legislative body to hold a meeting utilizing teleconferencing, without complying with the standard teleconferencing requirements, if the Governor has proclaimed a State of Emergency and if state or local officials have imposed or recommended measures to promote social distancing. On October 13, 2021 TCSD adopted Resolution 2021-04, which allowed the November 2021 Board meeting to be held via Zoom and on November 10, 2021 TCSD adopted Resolution 2021-05, which allowed the December 2021 Board meeting to be held via Zoom and on December 15, 2021 TCSD adopted Resolution 2021-07, which allowed the January 2022 meeting to be held via Zoom. These conditions continue to exist.

Governor Newsom's March 4, 2020 Proclamation of Emergency related to the COVID-19 pandemic is still in effect. In addition, the Marin County Public Health Officer continues to recommend CDC guidelines on social distancing to protect the public's health and safety.



### **Analysis**

The attached Resolution makes the findings to confirm the current conditions to allow teleconference meetings pursuant to AB 361 for the Board of Directors. The attached Resolution anticipates and authorizes teleconference meetings including hybrid meetings held both via teleconference and in-person. This Resolution will allow members of the public to safely observe and participate in local government teleconference meetings during the continued pandemic.

If a meeting is held via teleconference, including a hybrid meeting, the following requirements apply under AB 361:

1. Notices and agenda requirements remain the same under the Brown Act;
2. No physical location is required for public attendance or public comment. However, the public must be able to access and participate in the meeting through a call-in or an internet-based service, and instructions for how to participate must appear in the posted notices or agenda;
3. Teleconference meetings must protect the statutory and constitutional rights of the parties and the public;
4. If there is any disruption of the call-in or internet-based service, the agency must suspend the meeting until the problem is fixed;
5. Legislative bodies may allow public comments to be submitted prior to a meeting but must also allow the public to participate in real time through call-in or internet-based service;
6. If an internet-based service requires registration through a third-party, individuals can be required to register with the third-party to participate in the meeting; and
7. When providing a public comment period, whether after each item or during a general comment period, a legislative body must allow reasonable time for members of the public to comment and must also include reasonable time for members to register with a third-party host if applicable.

In order to continue to hold remote or hybrid meetings, the Board of Directors must continue to declare every 30 days that either (i) the state of emergency continues to directly impact the ability of the members to meet safely in person, or (ii) State or local officials continue to impose or recommend measures to promote social distancing.

### **Impact on TCSB Resources**

No additional resources are requested at this time.

### **Attachment**

- A. Resolution 2022-01



## TAMALPAIS COMMUNITY SERVICES DISTRICT

305 Bell Lane, Mill Valley, CA 94941 ♦ 415.388.6393 ♦ Fax: 415.388.4168

### RESOLUTION NO. 2022-0\_

#### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT AUTHORIZING LEGISLATIVE BODY MEETINGS TO BE HELD VIA TELECONFERENCE FOR THE 30-DAY PERIOD BEGINNING JANUARY 12, 2022 AND MAKING RELATED FINDINGS PURSUANT TO AB 361

**WHEREAS**, the Tamalpais Community Services District (“District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

**WHEREAS**, all meetings of District’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

**WHEREAS**, on March 4, 2020, Governor Newsom declared a State of Emergency as a result of the rapid spread of the novel coronavirus disease 2019 (“COVID-19”); and

**WHEREAS**, on March 10, 2020, the Board of Supervisors of the County of Marin ratified proclamations of health and local emergency due to COVID-19; and

**WHEREAS**, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which terminated the provisions of Executive Order N-29-20 that allows local legislative bodies to conduct meetings telephonically or by other means effective September 30, 2021; and

**WHEREAS**, on September 16, 2021, Governor Newsom signed Assembly Bill 361 (2021) (“AB 361”), which amended the Brown Act to allow local legislative bodies to continue to conduct meetings by teleconference under specified conditions; and

**WHEREAS**, AB 361, pursuant to Executive Order N-15-21, took full effect on October 1, 2021 and requires the Board of Directors to make specific findings to continue meeting under special teleconference rules; and

**WHEREAS**, in addition to finding the Governor has declared a State of Emergency pursuant to Government Code section 8625, such findings include that state or local officials have imposed or recommended measures to promote physical distancing, or, in the alternative, that the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

**WHEREAS**, Governor Newsom has declared a State of Emergency due to COVID-19, state and local officials have imposed or recommended measures to promote physical distancing, and the Board of Directors have determined meeting in person would present imminent risks to the health and safety of attendees, including members of the public and District employees; and

**WHEREAS**, on August 3, 2021, in response to the emergence of the highly contagious Delta variant of COVID-19, which caused an increase in COVID-19 cases throughout the United States, State, and Marin County, the Marin County Health Officer issued an order for nearly all individuals to wear masks when inside public spaces; and

**WHEREAS**, the Centers for Disease Control and Prevention (“CDC”) and Marin County continue to recommend physical distancing of at least six feet from others outside of the household; and

**WHEREAS**, since issuance of Executive Order N-08-21, the highly contagious Delta variant of COVID-19 has emerged, causing an increase in COVID-19 cases throughout the State; and

**WHEREAS**, the Board of Directors does hereby find that the presence of COVID-19 and the increase of cases due to the Delta variant would present imminent risks to the health and safety of residents, staff, and Board Members should legislative body meetings be held entirely in person; and

**WHEREAS**, teleconference meetings may include hybrid meetings, in which all or some members of the Board of Directors meet in person while others attend by teleconference, and members of the public are either allowed to participate only by teleconference or both in person and by teleconference (“hybrid meetings”). The purpose of hybrid meetings is to allow for multiple modes of attending meetings while reducing the risks of COVID-19, including the Delta variant; and

**WHEREAS**, the District will ensure that all legislative body meetings subject to AB 361 (2021), including hybrid meetings, comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings.

**NOW, THEREFORE**, THE BOARD OF DIRECTORS OF TAMALPAIS COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. The above recitals are true and correct and hereby incorporated into this Resolution.
2. In compliance with the special teleconference rules of Section 54953 of the Government Code, as established by Assembly Bill 361 (2021), the Board of Directors hereby makes the following findings:
  - a. The Board of Directors has considered the circumstances of the state of emergency; and



- b. The states of emergency, as declared by the Governor and County of Marin, continue to impact directly the ability of the District's legislative bodies, as well as staff and members of the public, to safely meet in person;
  - c. The County, CDC, Cal/OHSA, and OHSA continue to recommend physical distancing of at least six feet to protect against transmission of COVID-19; and
  - d. Meeting entirely in person would present imminent risks to the health and safety of members of the public, members of the District's legislative bodies, and District employees due to the continued presence and threat of COVID-19, including the Delta variant.
3. The District's legislative bodies may continue to meet remotely or hybrid in compliance with the special teleconference rules of Section 54953 of the Government Code, as amended by Assembly Bill 361 (2021), in order to protect the health and safety of the public.
4. The Board of Directors will review these findings and may reconsider the need to conduct meetings by teleconference or hybrid within thirty (30) days of adoption of this resolution.

**PASSED AND ADOPTED** by the Board of Directors of Tamalpais Community Services District this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT: None

ABSTAIN: None

\_\_\_\_\_  
\_\_\_\_\_, President

ATTEST:

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



# TAMALPAIS COMMUNITY SERVICES DISTRICT

305 Bell Lane, Mill Valley, CA 94941 ♦ 415.388.6393 ♦ Fax: 415.388.4168  
info@tamcsd.org ♦ www.tamcsd.org

## TCS D BOARD OF DIRECTORS MEETING

### MINUTES

WEDNESDAY, DECEMBER 15, 2021

CLOSED SESSION 6:15 PM, REGULAR SESSION AT 7:00 PM

#### 1. CALL TO ORDER

The Tamalpais Community Services District Board of Directors Meeting was called to order by President McMahon at 6:26 pm on Wednesday, December 15, 2021.

#### 2. ROLL CALL

President Matt McMahon

Vice President Jeff Brown, Directors Steffen Bartschat, Jim Jacobs (via phone), Steve Levine

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

Others Present: Gale Connor, Miller Star Regalia

#### 3. APPROVE AGENDA

##### MOTION TO APPROVE THE AGENDA

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

##### MOTION TO CONVENE TO CLOSED SESSION

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

#### 4. CLOSED SESSION

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

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

##### ADJOURN TO OPEN SESSION

##### MOTION TO ADJOURN TO OPEN SESSION – PRESENT ANY REPORTABLE ACTIONS

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

The Board called a recess.

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

Staff Present: Sarah Mehtar, Finance and Programs Manager

Others Present: Sarah Moulton-Peters, Superintendent, District 3, County of Marin; Sarah Dobrovolny and Doreen Gounard, Aides to Sarah Moulton-Peters; Liz Lewis Director Marin County Department of

Water Resources and Berenice Davidson, Assistant Director Marin County Engineering; Debra

Kaufman, R3 Consulting Group; Bill Ring, Board Director, SMCS D; Lara Zegart, Interim Park and

Recreation Coordinator; Residents: Jim Kasper, Elizabeth McKee, Eric Montizambert, Geraldina



Grunbaum, Glen Edwinston, Kathy King, Lyman Howard, Pam Keon, Terrie Green, Jimmy Greene, Emilia Gabriele, Laptop (no name attached), Lisa Whitmore, Katie Howser, April Post, Phone Number 415.377.0576, Joe Martini, Norman Shore, Laura (no last name available)

#### **REPORTABLE ACTIONS FROM CLOSED SESSION REPORTED BY THE PRESIDENT**

There were no reportable actions.

#### **5. PUBLIC EXPRESSION**

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

- Bill Ring commented on SMCSO projects.
- Pam Keon commented on the NRG (Neighborhood Response Group) network and its projects. Block captains were needed in the Kay Park area.

#### **6. UPDATE WITH MARIN COUNTY SUPERVISOR STEPHANIE MOULTON PETERS ON TAM VALLEY ISSUES INCLUDING FLOOD CONTROL**

Pres McMahon introduced Supervisor Moulton-Peters who in turn introduced Liz Lewis from water resources, Berenice Davidson from engineering, and Sarah Dobrovlny and Doreen Gounard from her office. She provided the Board and residents with updates from the recent Board of Supervisors meeting. Her updates included:

- Approval of \$4 Million of county ARPA funds for climate mitigation and sea level rise planning projects including the expansion of EV charging stations and EV outreach to residents.
- Bothin Marsh project received \$200,000 in design funding to get to the next step in development of that project for sea level rise purposes including the potential bike path realignment.
- Gave direction to county parks and open space staff for renewal of Measure A in June 2023.
- Although there was a fair amount of support to include Homestead Valley in District 3. Due to parity, that was not approved. The Canal area was redrawn to create a more contiguous Latinx voting district.
- Approval of \$500,000 matching grant funds to contribute financial support towards management of the Sausalito, San Rafael, and Novato homeless encampments.
- With regard to Tam Junction flooding, CalTrans created a preliminary project to address flooding in these areas and future sea level rise planning.

Liz Lewis provided the Board and residents with a presentation (attached) on Flood Zone 3 which was one of 8 flood zones managed by the county. She explained how the flood district worked jointly with building, roads, and flood maintenance with regard to vegetation management and creek, storm drain and pump station maintenance. She offered residents information on short and long term flood planning preparation around their homes and gave residents the following information:

- Public Works/Flood District Front Desk: 415.473.6530 (8am-5pm) or [publicworks.marincounty.org](http://publicworks.marincounty.org)
- Email: [floodinquiry@marincounty.org](mailto:floodinquiry@marincounty.org)
- Clogged storm drains, downed trees in roadway, debris in roadway: 415.473.7388
- [Marinwatersheds.org](http://Marinwatersheds.org): flood preparation information
- Flood Zone 3 Advisory Board meets as needed, next meeting March 2022



## Public comment:

- Norman Shore commented regarding water pooling on the street before the storm event and the creek behind Robin Road flowing.
- Liz Lewis commented that crews replaced tide gates before the storm and asked Mr. Shore to contact her with his observations of the pooling water.
- Jimmy Greene (shown on screen as Emilia Gabriele) commented on two storm drains near Trillium clogging with debris causing water to overflow embankments and being diverted down the street.
- Eric Montizambert commented on a letter sent to flood control and asked if public works had a real time notification alert when the trash racks in the pumps were clogged with debris to prevent flooding. He also commented on the status of dredging Coyote Creek.
- Liz Lewis commented the system did not currently have a real time alarm system and the county was reviewing staffing levels to ensure they had the support they needed to keep trash racks clear. The concrete channel of Coyote Creek was dredged in 2018. The capacity of Coyote Creek was routinely monitored and compared to current models.
- April Post commented on the length of time since dredging of Crest Marin Creek, the possible failure of pumps which brought debris into the creek and further into the trash racks forming a dam. Neighbors needed to work on clearing their own property. Suggested starting maintenance of pumps in the early summer.
- Liz Lewis commented on the capacity of the diesel pumps and would look at adding dredging Crest Marin Creek to the upcoming schedule.
- Katie Howser commented that her home on Ross Drive almost flooded on October 24. They had sandbags which were insufficient due to drive through traffic and asked for access to flood signage. She left 9 messages with Flood Control and no one had contacted her.
- Supervisor Moulton-Peters commented if there was anything else other than flood signage from the county, that TCSB could deploy, that was needed.
- Katie Howser commented that the flood signage would be very helpful as would having county staff out cleaning debris more frequently and ensuring the pumps worked.
- Berenice Davidson commented it was troubling to hear that 9 phone calls were not returned. They work with Land Development to send letters out to encourage those in flood areas to clear debris. Unfortunately, a high percentage of people do nothing.
- Glen Edwinston commented on a drainage ditch that runs the length behind his home on Cardinal Road. The gate valve was replaced with a smaller model and felt a pump station should be added.
- Liz Lewis commented on looking at that situation to see what can be done in the short term and then what needs to happen long term.
- Kathy King commented 2 storm drains in front of 311 Starling stopped working when the power went out eventually causing waves of water to come near homes. Suggested flood signage was needed, or traffic needed to be stopped from going down flooded roads. She also commented how would the county be alerted when a backup pump was needed in the future.
- Liz Lewis commented that protocols were reviewed, and updates were made to the call center list.
- Superintendent Moulton-Peters commented they would look at staffing and resources for closing roads during significant storms.
- Joe Martini commented on the pump station near Cardinal Road.
- Liz Lewis commented they were not aware of issues at that pump station and would look into it.

- April Post commented on coordinating neighbors to mitigate debris on an ongoing basis and how to organize that.
- Emilia Gabriele commented on thanking everyone for participating in session and it was great to know the supervisor and staff were hearing their concerns.
- Jim Kasper commented, for future consideration, coordinating with CalTrans to flush out pipes along Shoreline to ensure drain inlet and pipes were clear, and to lessen the regulations to allow residents to clear stream beds to avoid clogging.

Final Board Comments:

- Dir Levine commented the county had limited resources, money and manpower. Neighbors needed to be observant and help each other stay safe and clean debris as part of homeownership.
- Dir Bartschat commented a road closed sign might be better than a flood sign. In these situations, TCSO staff had a ton of work keeping sewer flows going, but perhaps TCSO had a role to play in prep work.
- Pres McMahon thanked the supervisor and her staff for listening and this should be the start of the conversation, not the end.
- Dir Jacobs thanked the supervisor and staff for information and residents for making needs known.
- Supervisor Moulton-Peters thanked the Board and public for their invaluable information. She was looking forward to working together to make visible improvements while stretching current resources.

Pres McMahon called recess until 8:50pm.

**7. REGULAR BUSINESS: Information Items**

- A. Discuss Board leadership and liaison roles in preparation for January Board Meeting  
GM Abrams stated each year in January the Board elected a new President, Vice President and liaison roles. This was the Board's opportunity to discuss the topic before the January meeting.

Pres McMahon stated it was important for executive roles to turn over to allow for different perspectives. The Board had a lively discussion on upcoming Board roles.

There was no public comment.

- B. General Manager's update

GM Abrams provided the Board with an update regarding sewer, solid waste, park and recreation, and administration. Of notable mention was that recruiting for the assistant general manager, the parks and rec coordinator and the sanitation and maintenance worker were going well.

The Board requested the remainder of the pine tree at Eastwood Park be removed. Pres McMahon stated an update on NextDoor might be helpful. The Board discussed how to show appreciation to staff for the work in the past year during a pandemic.

Public comment:

- Jim Kasper commented on the PG&E website it stated wood under 4 inches in diameter would be removed by them. Anything larger was the property owners' responsibility.

C. Financial updates

Ms. Mehtar provided the Board with financial highlights and answered questions. Dir Levine commented on providing funds to replenish gravel at Eastwood Park.

There was no public comment.

D. Sewer treatment plants updates: SASM and SMCSB

SASM: Dir Jacobs reported during the atmospheric river on October 24, 2021 the system received heavy flows. There were no spills during the storm.

SMCSB: Dir Levine reported that the GM's retirement contribution paid by SMCSB was increased to 4.5%, the auditor's 2020/2021 report was accepted, no SSOs were reported by SMCSB for the 39<sup>th</sup> consecutive month and all projects were on time and on budget.

There as no public comment.

**8. REGULAR BUSINESS: Requested for Board Action**

- A. Introduce and waive first reading of Ordinance 98 Establishing Regulations for Garbage, Organics and Recyclable Material Separation and Storage, as required by SB 1383 and CalRecycle, and adopt Resolution 2021-06 allowing TCSB to seek payments or grants from CalRecycle for SB 1383 programs.

GM Abrams reminded the Board that TCSB's request for waivers from certain provisions of SB 1383 were denied, therefore the District needed to pass the updated Ordinance 98 which was the full required ordinance and did not rely on CalRecycle waivers. The District would apply for CalRecycle grants to assist with the reporting requirements and needed the Board to approve the resolution requesting such grant funds.

Ms. Kaufman provided the Board with a presentation of the requirements of SB 1383 and answered questions. She stated at this time, the Board needed to pass an enforceable Ordinance.

The District would not need to enforce penalties until 2024, however CalRecycle would assess penalties for failure to:

1. adopt an enforceable Ordinance
2. maintain an implementation record
3. develop an edible food recovery program.

The District would also be responsible for keeping records of:

1. education and outreach
2. penalties and violations issued
3. procurement of organic material
4. recycled paper content purchases



5. any investigations and enforcement actions

Public Comment:

- Jimmy Greene commented on how to ensure random lid flipping was indeed random and not racially motivated.
- Ms. Kaufman stated there were systems available that would ensure nondiscriminatory random samples.
- Pres McMahon commented he would not vote for this Ordinance as he felt state government had not inquired how SB 1383 would affect this District.
- Dir Levine commented this was another unfunded mandated government program that put undue pressure on small District resources without providing any options.
- Ms. Mehtar commented that Zero Waste Marin was implementing Recyclist to assist in tracking the program.
- Ms. Kaufman commented there would be some grant funding available once Ordinances were passed and the District was already in good shape having the 3 bin collection system in place.
- Emilia Gabriele commented the District should look at Prop 30 and residents should be included in the workshop.

**MOTION TO INTRODUCE AND WAIVE FIRST READING OF ORDINANCE 98 ESTABLISHING REGULATIONS FOR GARBAGE, ORGANICS AND RECYCLABLE MATERIALS SEPARATION AND STORAGE, AS REQUIRED BY SB 1383 AND CALRECYCLE, AND ADOPT RESOLUTION 2021-06 ALLOWING TCSO TO SEEK PAYMENTS OR GRANTS FROM CALRECYCLE FOR SB 1383 PROGRAMS**  
**M/S/C: J. JACOBS/S. BARTSCHAT AYES: 3 NAYS: 1 (MCMAHON) ABSENT: 0 ABSTAIN: 1 (LEVINE)**

**9. CONSENT CALENDAR**

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

- A. Approve Resolution regarding continued COVID-19 emergency and TCSO continuing public meetings via Zoom pursuant to AB 361
- B. Approve Minutes of November 10, 2021 Board Meeting

**MOTION TO APPROVE THE CONSENT CALENDAR**

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

**10. FUTURE AGENDA ITEMS**

- A. Board input for January 12, 2022 Board Meeting Agenda
  - Approve Board and liaison roles
  - Discuss format of planning session for Jan 22

**MOTION TO CONVENE TO CLOSED SESSION**

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

**11. CLOSED SESSION**

- A. PUBLIC EMPLOYEE APPOINTMENT (Gov. Code section 54957(b)(1).)  
Title: General Manager

Dir Jacobs left the meeting at 10:59pm

**ADJOURN TO OPEN SESSION**

**MOTION TO ADJOURN TO OPEN SESSION – PRESENT ANY REPORTABLE ACTIONS**

**M/S/C: M. MCMAHON/J. BROWN                      AYES: 4                      NAYS: 0                      ABSENT: 1 (JACOBS)**

**REPORTABLE ACTIONS FROM CLOSED SESSION REPORTED BY THE PRESIDENT**

There were no reportable actions.

**12. ADJOURNMENT**

**MOTION TO ADJOURN THE MEETING**

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

**MEETING ADJOURNED AT 11:13 P.M.**

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**NEXT TCSB BOARD MEETING  
JANUARY 12, 2022 – 7:00 PM  
Tamalpais Valley Community Center, 203 Marin Ave**

Tamalpais Community Services District

**MANDATORY ORGANICS**

**RECYCLING & COMPOSTING**

**Senate Bill 1383**

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December 2021



**R3** CONSULTING GROUP, INC.  
RESOURCES • RESPECT • RESPONSIBILITY





# MEETING AGENDA

**Senate Bill 1383**



**District Ordinance Update**



**District Responsibilities**



**Timeline/Schedule**



## BACKGROUND

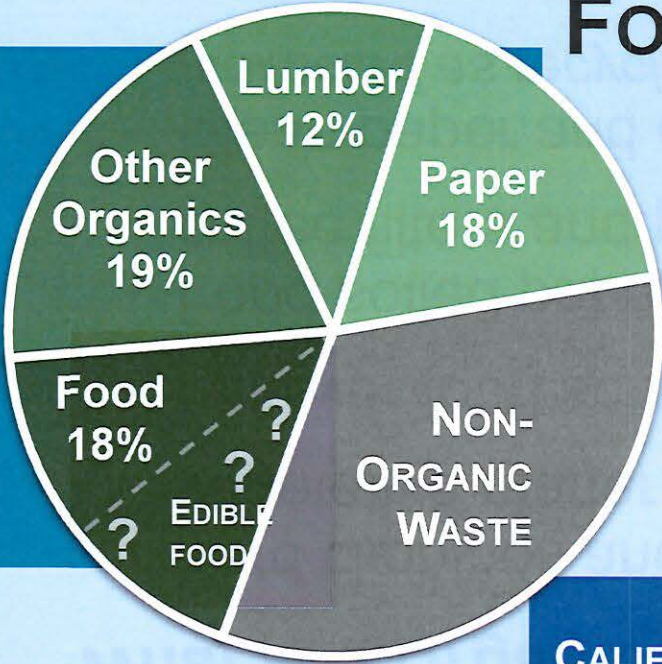
### *What Are Organics?*

- Yard clippings and vegetative matter
- Leftover food scraps
- Food soiled paper, such as coffee filters and pizza boxes
- Clean paper and cardboard  
*(collected as recyclables)*



# Organic Waste Is the Largest Waste Stream in CA

CALIFORNIA GENERATES  
**APPROXIMATELY  
20-23 MILLION TONS**  
OF ORGANIC WASTE  
EVERY YEAR



IN CALIFORNIA, MILLIONS ARE  
**FOOD INSECURE**



**1 IN 8 CALIFORNIANS  
1 IN 5 CHILDREN**

*THAT'S TWO-THIRDS  
OF OUR WASTE  
STREAM!*

CALIFORNIA THROWS AWAY  
**5.6 MILLION TONS**  
OF FOOD WASTE EVERY  
YEAR!



## Senate Bill 1383: Short Lived Climate Pollutants Act

- Unfunded State Mandate
- Extensive local government requirements & requirements on businesses
- Sets Statewide targets for organics recovery efforts
- Builds on AB 1826 to incrementally reduce disposal of organic waste
- Requires ALL generators to be provided organic waste recycling services
- Edible food recovery & procurement
- CALGreen & MWELO

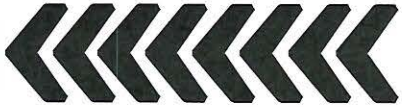




# Local Agency Responsibilities



*Most requirements match and expand upon AB 1826*



## Edible Food Recovery

- **Qualifying businesses**
  - Recover maximum amount of edible food
  - Need a contract/written agreement with a food recovery organization
  - Maintain records
  
- **Tier 1– 1/1/2022**
  - Supermarkets, grocery stores, food distributors
  
- **Tier 2 – 1/1/2024**
  - Restaurants, hotels, health facilities



## Inspections and Enforcement

- **Compliance Monitoring**
  - Businesses and Multi-Family
  - Tier 1 and Tier 2 classifications
- **Route Reviews**
  - Lid flips, waste evaluations
- **Violations**
  - Beginning in 2024, violations may result in notice and potentially issuance of fines

# DISTRICT ORDINANCE UPDATE

- **Why update?**
  - SB 1383 requires jurisdictions to have an enforceable mechanism
  
- **Changes to Municipal Code include *Garbage, Recyclable Materials, and Organic Waste*:**
  - Mandatory recycling and organics service
    - Waivers for lack of space, no organics
    - Self haul regulation
  - Education and outreach
  - Edible food recovery requirements
  - Inspection and enforcement

# DISTRICT RESPONSIBILITIES

## EDUCATION

- January 2022 – December 2023
- Provide outreach and education in response to violations

## NOTICE

- Beginning January 2024
- Provide Notices of Violation
- If no response in 60 days, escalate to penalty

## PENALTY

- 1<sup>st</sup> Violation = \$100  
*per violation*
- 2<sup>nd</sup> Violation = \$200  
*per violation*
- 3<sup>rd</sup> Violation = \$500  
*per violation*
- Jurisdictions are not required to issue penalties for container contamination



- **The District must perform inspections and enforcement and maintain records related to:**
  - Education and Outreach
  - Penalties and Violations
  - Regulated entities for not source-separating, subscribing to sufficient service, providing educational material to tenants, donating edible food
  - Procurement
  - Investigation of complaints of non-compliance by members of the public or other entities

## State Enforcement



### Expectations

- Regulations are written to meet the statewide targets, regardless of local cost
- Requirements are extensive and penalties for non-compliance are high (for generators & jurisdictions)
- “Good Faith Effort” not allowed
- Diversion programs are mandatory

*CalRecycle has the discretionary authority to assess penalties up to \$10k per day on jurisdictions for non-compliance.*

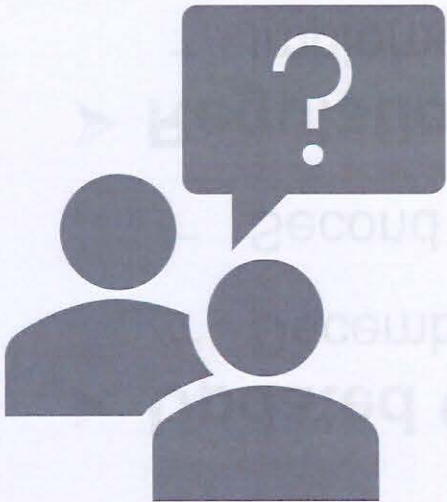


# TIMELINE / SCHEDULE

- **Updated Ordinance:**
  - December 15<sup>th</sup>: First reading
  - Second reading and adoption prior to April 1, 2022
- **Regulations Take Effect January 1, 2022**
  - Implementation report to State on April 1, 2022
  - First annual report October 1, 2022
  - Annual reports each August 1<sup>st</sup>
- **Enforcement To Begin January 1, 2024**



# Questions, Feedback, Comments!





# TAMALPAIS COMMUNITY SERVICES DISTRICT

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## TCSD BOARD OF DIRECTORS SPECIAL MEETING

### AGENDA

THURSDAY, DECEMBER 30, 2021 at 11:00 AM

Coronavirus (COVID-19) Advisory Notice: The health and safety of community members, public officials, and employees is a top priority for the Tamalpais Community Services District (TCSD) as we deliver our critical services of solid waste, sewer, and parks and recreation. In compliance with local and state shelter-in-place orders, and as allowed by Executive Order N-29-20 (March 17, 2020), TCSD will no longer offer an in-person meeting location for the public to attend this meeting. The meeting will be streamed live (see below), and members of the public are encouraged to participate remotely from a safe location as described below. Members of the Board of Directors or staff may participate in this meeting electronically or via teleconference.

#### HOW TO PARTICIPATE REMOTELY –

Enter the following website address:

<https://us02web.zoom.us/j/82703971275?pwd=RnFEeVZLZHBoTWxZNVh2ZWY6MmMwZz09>

Or call the following telephone number: (346) 248-7799, and enter the following meeting ID: 827 0397 1275 and password 735425

1. **CALL TO ORDER** 11:05 AM

2. **ROLL CALL**

Directors Present: Vice President Jeff Brown, Steffen Bartschat, Jim Jacobs, and Steven Levine

Absent: President Matt McMahon

Staff Present: General Manager Heather Abrams

Others Present: John Collins, Alan Shear

3. **APPROVE AGENDA**

**MOTION TO APPROVE THE AGENDA**

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

**AYES: 4**

**NAYS: 0**

**ABSENT: 1 MCMAHON**

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. **BOARD ACTION**

A. Discuss recruitment of new General Manager, approve recruiting agreement and authorize General Manager to pay up to \$26,000 accordingly

MOTION TO APPROVE THE RECRUITING AGREEMENT WITH BOB MURRAY & ASSOCIATES AND  
AUTHORIZE THE GENERAL MANAGER TO PAY UP TO \$26,000 ACCORDINGLY

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

6. ADJOURNMENT

MOTION TO ADJOURN THE MEETING

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

MEETING ADJOURNED AT 11:18 A.M.

\_\_\_\_\_  
Vice President

\_\_\_\_\_  
Secretary

**NEXT TCSD REGULAR BOARD MEETING**  
January 12, 2022 – 7:00 PM  
**TAMALPAIS COMMUNITY CENTER, 203 MARIN AVE, MILL VALLEY**