



# TAMALPAIS COMMUNITY SERVICES DISTRICT

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## TCSD BOARD OF DIRECTORS MEETING AGENDA WEDNESDAY, MARCH 9, 2022 REGULAR SESSION 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. In compliance with local and state shelter-in-place orders, and as allowed by AB 361 (October 1, 2021), 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/81823764503?pwd=ZWhzOFpvMkRPOG1DQURyQXZyd2M0QT09>

Or call the following telephone number: (253) 215 8782, and enter the following meeting ID: 818 2376 4503 and passcode 492847

#### 1. CALL TO ORDER

#### 2. ROLL CALL President Steffen Bartschat

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

#### 3. APPROVE AGENDA

#### 4. PUBLIC EXPRESSION

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

#### 5. REGULAR BUSINESS: Board Actions

- A. Discuss and approve adding NRG website link to the TCSD website
- B. Discuss and approve creating a Community Center Repairs Ad Hoc Subcommittee

#### 6. REGULAR BUSINESS: Information Items

- A. General Manager's update
- B. Update to the State Water Board Sanitary Sewer Systems General Order No. 2006-0003
- C. Financial Reports
- D. Discuss the upcoming budget cycle and any modifications to financial reports and due dates

- E. Update on hiring of new general manager
- F. Sewer Treatment plants updates: SASM and SMCSO

**7. CONSENT CALENDAR**

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

- A. Approve Minutes of February 9, 2022 Board Meeting
- B. Approve resolution regarding continued COVID-19 emergency and TCSD continuing public meetings via Zoom pursuant to AB 361

**8. FUTURE AGENDA ITEMS**

- A. Cancellation of March 23, 2022 Work Session
- B. Board input for April 13, 2022 Board Meeting Agenda
  - o Measure A renewal update
  - o Discuss the return of in-person meetings
  - o Recognition for Girl Scout Troop 10938

**9. ADJOURNMENT**

**NEXT TCSD BOARD MEETING  
APRIL 13, 2022 – 7:00 PM  
TAMALPAIS COMMUNITY CENTER, 203 MARIN AVE, MILL VALLEY**



MARCH 9, 2022

ITEM 5A

**DISCUSS AND APPROVE ADDING NRG WEBSITE LINK TO THE TCSD WEBSITE**

**TO: BOARD OF DIRECTORS**  
**FROM: ALAN SHEAR, INTERIM GENERAL MANAGER**  
**SUBJECT: DISCUSS AND APPROVE ADDING NRG WEBSITE LINK TO THE TCSD WEBSITE**

**Recommendation**

Staff recommends that the Board consider the request from Tamalpais Valley NRG to place a link to their organization on the TCSD website.

**Policy Issues**

TCSD provides links on its website to community organizations that convey important and valuable information to Tam Valley residents and businesses. Tam Valley NRG has requested TCSD place a link on its website directing visitors to the NRG website for emergency response information.

**Background**

Neighborhood Response Groups (NRGs) are grassroots-led neighborhoods that prepare as a community for largescale emergencies, such as earthquakes and floods. Each NRG is divided into “clusters” of as few as forty to several hundred households that are further divided into “blocks” of 15-20 homes. Each has two volunteer block captains or coordinators. In an emergency, block captains check on the residents in their block to ensure their neighbors are safe. NRGs can also assist the larger County response effort by sharing local information up the chain of command, notifying public safety officials of the most significant injuries and structural damage.

**Analysis**

NRG coordinates with Community Emergency Response Team (CERT) members to assist with community members after a major disaster. CERT members are volunteers who have taken FEMA-sponsored training in first aid, light search and rescue, disaster psychology and fire suppression. The goal of NRGs is to have one CERT member for every twenty homes. CERT teams work closely with block captains and the NRG command post to provide basic safety resources to assist in the neighborhood until public safety officials can arrive.

By providing the link to the NRG website, Tam Valley residents can become aware of NRG and potentially involved in its efforts. The NRG website also provides links to other emergency related websites such as FireSafe Marin, Ready Marin, Nixle, Alert Marin and CERT. All of those websites provide invaluable information to residents and businesses in the area of emergency preparedness.

**Impact on TCSD Resources**

No additional resources are requested at this time.

**Attachments**

None

MARCH 9, 2022

ITEM 5B

**DISCUSS AND APPROVE CREATING A COMMUNITY CENTER  
REPAIRS AD HOC SUBCOMMITTEE**

**TO: BOARD OF DIRECTORS**

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

**SUBJECT: DISCUSS AND APPROVE CREATING A COMMUNITY CENTER REPAIRS AD HOC  
SUBCOMMITTEE**

**Recommendation**

Staff recommends that the Board discuss the appointment of a Community Center Repairs Ad Hoc Subcommittee.

**Policy Issues**

TCSD owns and maintains the Tam Valley Community Center.

**Background**

On October 13, 2021, the TCSD Board discussed possible uses of Measure A funds for Community Center repairs and/or upgrades. On February 9, 2022, the Board conducted a more thorough discussion to include other sources of funding, and to brainstorm repairs and upgrades needed at the Community Center.

**List of Potential Community Center Upgrades/Repairs:**

- a) Replace failing kitchen cabinets
- b) Add ramp or lift to the stage
- c) Replace aged alarm system
- d) Repair/replace front and side doors for better function
- e) Replace lighting for enhanced function
- f) Install fire sprinklers, inspect and harden for fire risk
- g) Inspect and upgrade for seismic risk
- h) Roof and gutter inspection and possible repair
- i) Consider solar power on this roof
- j) Consider full HVAC system to provide function as possible warming or cooling center for residents
- k) Enhance WiFi and electrical capabilities in the building
- l) Repaint interior and/or exterior
- m) Refinish wood floors and replace off-stage carpets
- n) Reconfigure bathrooms
- o) Clean or replace chairs and tables
- p) Maintain or replace stage curtains
- q) Make mezzanine accessible without need to climb pull-down ladder in lobby

**Analysis**

During the February 9, 2022, meeting, staff received direction from the Board on the projects needed at the Community Center and the priority of these projects relative to other Parks and Recreation needs. This information will help shape the Parks and Recreation and Measure A budget scheduled for adoption in June and will be an important part of the capital improvement program for Parks and Recreation. During the meeting, the Board directed staff to focus on the following projects:

- Bathrooms – convert to unisex
- Stage – lift for ADA requirements
- Security/Fire – replace aging fire and security system
- Kitchen – replace cabinets and install commercial dishwasher

The purpose of this Ad Hoc Subcommittee is to provide guidance and prioritize repair projects. In addition, the Subcommittee may serve as a liaison to the full Board to provide periodic updates on the projects.

**Impact on TCSO Resources**

No additional resources are requested at this time. If created, the Ad Hoc Subcommittee will make recommendations to prioritize repair projects at the Community Center, so that this information can flow into the budget process.

**Attachments**

None



MARCH 9, 2022

ITEM 6A

**GENERAL MANAGER'S UPDATE**

**TO: BOARD OF DIRECTORS**  
**FROM: ALAN SHEAR, INTERIM GENERAL MANAGER**  
**SUBJECT: GENERAL MANAGER'S UPDATE**

**Recommendation**

Staff recommends that the Tamalpais Community Services District (TCSD) Board accept the following informational report.

**Policy Issues**

This informational report is provided for the Board and the TCSD community, no action is required.

**Background**

*Sewer Statistics and Work for February 2022*

- Flow through Bell Lane Pump Station: 7,406,800 gallons
- Flow through Bob Bunce Pump Station: 104,033.6 gallons
- Rain: approximately 0.04 inches in one recordable event
- Sewer System Overflows: 1, gallons: 39 - None of the liquid got to a storm drain (waters of the US) or in the soil. Unfortunately, this small spill breaks a great 5-month streak of zero SSOs for TCSD. The cause was roots from a row of Oleanders nearby that sought moisture in the sewer due to draught conditions.
- Phase C CIP project work continues with an Encroachment Permit recently issued from the County allowing work to commence.

*Solid Waste Statistics and Work for February 2022*

- Regular "curbside" collections occurred as planned
- E-waste pick up took place recently

*Parks and Recreation Work for February 2022*

- Parks and Recreation staff have begun planning and organizing the following events:
  - o Murder Mystery Dinner scheduled for May 6, 7, 13 & 14
  - o Creekside Fridays scheduled for June 24, July 8, 24 and August 5
  - o Oktoberfest scheduled for September 24
- Clean up of playgrounds, tennis courts, restrooms, empty trash at parks
- Staff continues to work with the Fire District on tree matters and vegetation.
- Regular required inspections and maintenance completed in Kay and Eastwood parks, including the removal of the tire swing at Eastwood due to a safety concern with the chain (see photos below). A replacement tire swing is due for installation soon.

Chain on tire swing had become a safety hazard.



*Administration Work for February 2022*

- Board Meeting preparation
- Public communications
- Staff communication

**Analysis**

TCSD operations continue to run smoothly.

**Impact on TCSD Resources**

No additional resources are requested at this time.

**Attachments**

None



MARCH 9, 2022

ITEM 6B

**UPDATE TO THE STATE WATER BOARD SANITARY SYSTEMS  
GENERAL ORDER NO. 2006-003**

**TO: BOARD OF DIRECTORS**

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

**SUBJECT: UPDATE TO THE STATE WATER BOARD SANITARY SEWER SYSTEMS GENERAL ORDER  
NO. 2006-0003**

**Recommendation**

Staff recommends that the Board discuss the draft update to the State Water Board Sanitary Sewer Systems General Order No. 2006-0003 and the potential impacts to TCSD.

**Policy Issues**

TCSD operates a sanitary sewer system that is comprised of more than one mile of pipes or sewer lines which conveys wastewater to a publicly owned treatment facility, and therefore falls under the requirements of the Sanitary Sewer Systems General Order issued by the State Water Board.

**Background**

To provide a consistent, statewide regulatory approach to address sanitary sewer overflows, the State Water Board adopted Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order No. 2006-0003 (Sanitary Sewer Systems General Order) on May 2, 2006. The Sanitary Sewer Systems General Order requires public agencies that own or operate sanitary sewer systems to develop and implement sewer system management plans and report all sanitary sewer overflows to the State Water Board's online sanitary sewer overflow database.

All public agencies that own or operate a sanitary sewer system that is comprised of more than one mile of pipes or sewer lines which conveys wastewater to a publicly owned treatment facility must apply for coverage under the Sanitary Sewer Systems General Order.

In 2006, the State Water Board adopted the existing statewide General Waste Discharge Requirements for consistent statewide regulation of publicly owned sewer systems. Through the existing General Order, the State Water Board regulates sewage spills and local system management of approximately 1100 publicly owned sewer systems, totaling greater than 100,000 miles of pipelines. The General Order requires public agencies to report sewer spills, develop a Sewer System Management Plan, and conduct internal sewer program audits. The Regional Water Quality Control Boards (Regional Water Boards) enforce the General Order with the assistance from the State Water Board, Office of Enforcement.

**Analysis**

The State Water Board is currently in the process of updating the General Order on sanitary sewer systems. The draft changes to the General Order can be found here [Informal Staff Draft Statewide Sanitary Sewer System General Order \(ca.gov\)](#)



The proposed changes to the General Order include:

- Updates State Water Board findings per regulatory priorities established through regulations and resolutions adopted since the 2006 adoption of the existing Order;
- Expands the scope of General Order coverage to allow discretionary regulation of privately-owned sewer systems if required by a Regional Water Board;
- Clarifies that the sewage spill prohibitions include sewage spills to waters of the State (surface waters and groundwater);
- Addresses cost of compliance by reducing frequency of Sewer System Management Plan updates and internal audits, and by consolidating reporting of spills to waters that are not waters of the U.S.;
- Clarifies existing federal and state regulations to enhance enforceability of General Order requirements;
- Enhances existing requirement for Enrollees to conduct system condition assessments, with additional requirements to report exfiltration and prioritize remediation;
- Emphasizes the need for “sewer system resilience” by requiring the Enrollee to prioritize rehabilitation and repair of system-specific high-risk system areas;
- Maximizes electronic reporting for increased transparency and efficient use of Water Board staff resources;
- Requires Enrollee submittal of electronic sewer system service area boundary map to facilitate future decision making on sewer system-related regulations and projects.

The period to submit comments to the State Water Board is currently open through noon on April 8. The State Water Board is holding a meeting on March 15 to receive public comment on the proposed changes. The Sewerage Agency of Southern Marin (SASM), of which TCSB is a member, has submitted comments to the Water Board, through the Bay Area Clean Water Agencies (BACWA).

The Board may decide to direct staff to send a letter commenting on the proposed changes and the impacts on TCSB resources. BACWA has stated they are preparing a template letter to allow agencies to submit a comment letter to the State Water Board and customize their specific concerns.

The proposed changes to the General Order that have most significant impacts to TCSB resources are the following:

1. Currently, a category 4 spill (a spill of less than 50 gallons) from or caused by a sanitary system regulated under this General Order, is required to go in the annual report to the State submitted by the agency. The proposed change would require a category 4 spill to be entered in the California Integrated Water Quality System (CIWQS). CIWQS is the statewide database that provides for mandatory electronic reporting as required in State and Regional Water Board-issued waste discharge requirements. This is burdensome for a small agency such as TCSB because with limited staffing, there are very few employees who have the skill and expertise to properly manage a spill and enter the proper data.
2. A Sanitary Sewer Management Plan (SSMP) is currently certified by an agency’s Legally Responsible Official (LRO). An LRO is an official representative, designated by the agency, with authority to sign and certify submitted information and documents required by the General Order. The proposed changes

would require the SSMP certification by a Certified Grade II Collection System Maintenance operator issued by the California Water Environment Association or a Professional Engineer (P.E.) that is in accordance with the California Business and Professions Code. Due to its size and limited resources, it is fiscally challenging for TCSO to employ a Grade II Operator or a P.E. If a current TCSO staff member decided to obtain the professional education license levels required, it would severely impact staff availability. Another option is to contract with an individual to certify the SSMP. However, it is an unnecessary cost and burden to an agency the size of TCSO.

3. The State is proposing that agencies receive water monitoring sampling information of ammonia and bacteria for all spills to surface water. The water quality analyses for ammonia and bacterial indicators must be performed by an accredited or certified laboratory. Currently, TCSO conducts sampling for spills that exceed 1,000 gallons that reach surface water. Requiring water monitor sampling for all spills that reach surface water is an added burden and expense to small agencies such as TCSO.

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

No additional resources are requested at this time.

#### **Attachments**

None



**MARCH 9, 2022**

**ITEM 6C**

**FINANCIAL REPORTS**

**TO: BOARD OF DIRECTORS**  
**FROM: ALAN SHEAR, INTERIM GENERAL MANAGER**  
**SUBJECT: FINANCIAL REPORTS**

**DUE TO EXTENUATING CIRCUMSTANCES, THE FINANCIAL REPORTS WILL BE UPDATED AT THE APRIL 13, 2022 BOARD OF DIRECTORS MEETING.**

MARCH 9, 2022

ITEM 6D

**DISCUSS THE UPCOMING BUDGET CYCLE AND ANY MODIFICATIONS TO  
FINANCIAL REPORTS AND DUE DATES**

**TO: BOARD OF DIRECTORS**

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

**SUBJECT: DISCUSS THE UPCOMING BUDGET CYCLE AND ANY MODIFICATIONS TO FINANCIAL REPORTS AND DUE DATES**

**Recommendation**

Staff recommends that the Board receive and discuss the calendar for the upcoming FY23 budget cycle and review and discuss the monthly financial reporting schedule.

**Policy Issues**

TCSD provides all required financial reporting. The Financial Reporting Ad Hoc Committee was formed to review, evaluate, and recommend TCSD's financial reporting for enhanced transparency and understanding.

**Background**

TCSD has been providing regular financial updates for many years. TCSD prides itself on sound and transparent financial management and had added several reports. On August 11, 2021, the TCSD Board created the Financial Reporting Ad Hoc Committee to review TCSD's financial reporting. The Board appointed two TCSD Board Members to the Financial Reporting Ad Hoc Committee, then President Matt McMahon and Director Steffen Bartschat.

At the October 13, 2021, Board meeting, the Board received a report and recommendations (attachment A to this report) from the Ad Hoc Committee on the proposed financial reports to the Board and proposed financial reporting calendar. The recommendations were approved.

**Analysis**

The Ad Hoc Committee met with staff and consultants to discuss the current and proposed financial reports and to review the data contained in the reports. The sample reports and recommended reporting schedule reflect industry standards and provide improved transparency into TCSDs finances. Particular attention has been paid to reserve balances and the accelerated Sewer Capital Improvement Program (CIP), both of which are now possible due to TCSDs stabilizing financial condition.

Staff has already begun the preparation and planning for the FY23 budget cycle. The following is a timeline for the budget preparation concluding with budget adoption and the beginning of the new fiscal year:

Mid-March to early April – Staff to meet to review and provide input on budget  
May 11 – Draft budget to the Board, first opportunity for public review and comment  
June 8 – Proposed Final Budget to the Board for Adoption  
July 1 – First day of fiscal year 2023, budget becomes effective



**Impact on TCSD Resources**

No additional resources are requested at this time.

**Attachment**

A. PowerPoint Presentation from October 13, 2021

The background of the slide is a blurred image of a financial market data screen. It features various stock indices and their values, such as 'OMX18' (OMX ICELAND 8) at 28289.06, 'OMX18' (OMX ICELAND 8) at 27956.04, and 'OMX18' (OMX ICELAND 8) at 6230.9. There are also indicators for 'Buy' and 'Sell' orders. A white line chart is overlaid on the data, showing a fluctuating trend. The overall color scheme is dark with blue and red highlights.

# TCSD Financial Reporting Discussion

October 13, 2021



# Proposed Financial Reports to the Board

Proposed and adopted budgets

Disbursements (check and credit card register)

Budget year-to-date report

CIP project expenditures report

Financial reserves report

Treasurer's report of bank balances

Audited financial statements

Multi-year financial plans

# Proposed Financial Reporting Calendar

Proposed and adopted budgets (includes Measure A)	- May and June
Disbursements (check & credit card register)	- Monthly
Budget year-to-date report	- Monthly
CIP project expenditures report	- January, May, August
Measure A expenditure report	- January, May, August
Financial reserves report	- January, May, August
Treasurer's report of bank balances	- August
Audited financial statements	- January
Multi-year financial plans	- As needed



A magnifying glass is positioned over a bar chart. The chart has four groups of bars labeled Q1, Q2, Q3, and Q4. Each group contains two bars, one blue and one green. The magnifying glass is centered over the Q2 and Q3 groups. The background is a light blue gradient.

## Financial Reporting Recommendations

- Reports should be as simple as possible while providing sufficient information for decision-making and transparency
- With exception of audited financial statements, financial reports should be presented on a cash basis
- Actual and projected reserve balances should be presented for year-end only
- TCSD should maintain a focus on multi-year financial needs, with particular focus on building financial capacity for capital needs
- Financial reserve policies should be revised to reflect goals for capital investment needs for refuse and P&R

# Expected Outcomes



APPROVAL OF SCHEDULE OF  
REPORTS



AGREEMENT TO FORM AND  
GENERAL CONTENT OF REPORTS

**MARCH 9, 2022**

**ITEM 6E**

**UPDATE ON HIRING OF NEW GENERAL MANAGER**

**TO: BOARD OF DIRECTORS**  
**FROM: ALAN SHEAR, INTERIM GENERAL MANAGER**  
**SUBJECT: UPDATE ON HIRING OF NEW GENERAL MANAGER**

Update provided by Gary Phillips of Bob Murray and Associates.



**MARCH 9, 2022**

**ITEM 6F**

**SEWER TREATMENT PLANTS UPDATES: SASM AND SMCS D**

**TO: BOARD OF DIRECTORS**

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

**SUBJECT: SEWER TREATMENT PLANTS UPDATES: SASM AND SMCS D**

**SASM: The SASM February Board meeting was cancelled.**

**SMCS D: The minutes for the February 1, 2022 meeting are attached as well as the agenda for the March 1, 2022 meeting.**

**Minutes**  
**Regular Board Meeting**  
**Sausalito-Marín City Sanitary District**

**Tuesday, February 1, 2022**  
**12:00 p.m.**

In accordance with Assembly Bill 361 and Government Code Section 54953 this meeting of the Sausalito-Marín City Sanitary District was conducted remotely and no physical location was open to the public. To ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the public participated via online video and/or phone. President Rheiner called the meeting to order at 12:00 p.m.

**I. MEETING ROLL CALL**

Directors: Dan Rheiner, President  
William Ring, Vice President  
Ann Arnott, Director  
Don Beers, Director  
Jim DeLano, Director

Staff: Jeffrey Kingston, General Manager  
Catherine Bondanza, Board Secretary/Office Manager  
Omar Arias-Montez, Operations Superintendent  
Kevin Rahman, District Engineer

Counsel: None

Public: None

**II. GENERAL PUBLIC COMMENT**

None

**III. CONSENT CALENDAR**

- A. Minutes of the Regular Board Meeting  
January 4, 2022
- B. Minutes of the Finance, Insurance & Budget Committee Meeting  
January 25, 2022
- C. Monthly Expenditures  
December 28, 2021 to January 24, 2022

Director DeLano inquired about the payments to Pacific Infrastructure and State of California  
Controllers Office. General Manager Kingston stated Pacific Infrastructure is the contractor for

the Generator Replacement Project and the \$687,889 to the State Controller was the refund for the COVID-19 funds.

There were no further comments or discussion.

MOTION: DIRECTOR BEERS MOVED TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR; SECOND, DIRECTOR DELANO.

BOARD SECRETARY BONDANZA POLLED EACH BOARD MEMBER INDIVIDUALLY PER TELECONFERENCING RULES.

Ayes: Arnott, Beers, DeLano, Rheiner and Ring  
Nays: None  
Abstention: None  
Absent: None

#### IV. NEW BUSINESS

##### A. Selection of the Board Committees and Appointments for 2022

President Rheiner introduced the item and asked the Directors if they would like to make any changes to the committee assignments and add any new committees. All stated no and he then entertained a motion.

There were no further comments or discussion.

MOTION: DIRECTOR BEERS MOVED TO APPROVE THE BOARD COMMITTEES AND ASSIGNMENTS FOR 2022 AS ATTACHED TO THESE MINUTES AND NO CHANGES FROM 2021; SECOND, DIRECTOR DELANO.

BOARD SECRETARY BONDANZA POLLED EACH BOARD MEMBER INDIVIDUALLY PER TELECONFERENCING RULES.

Ayes: Arnott, Beers, DeLano, Rheiner and Ring  
Nays: None  
Abstention: None  
Absent: None

##### B. Resolution No. 1068 Proclaiming the Continuing Need to Meet by Teleconference in Accordance with Government Code Section 54953

President Rheiner stated the Board must reconsider this need every month and adopt a new resolution for teleconferencing to continue. Resolution No. 1068 will replace Resolution No. 1067 which was adopted on January 4, 2022.

There were no further comments or discussion.



MOTION: DIRECTOR ARNOTT MOVED TO ADOPT RESOLUTION NO. 1068 PROCLAIMING THE CONTINUING NEED TO MEET BY TELECONFERENCE IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953; SECOND, DIRECTOR DELANO.

BOARD SECRETARY BONDANZA POLLED EACH BOARD MEMBER INDIVIDUALLY PER TELECONFERENCING RULES.

Ayes: Arnott, Beers, DeLano, Rheiner and Ring  
Nays: None  
Abstention: None  
Absent: None

## V. GENERAL MANAGER'S REPORT

### A. Operations

General Manager Kingston reviewed the Operations Report with the Board. Kingston and Operations Superintendent Omar Arias-Montez both commented on the benefits of the OPS staff visiting the Coloma Pump Station Project construction site to review the newly installed underground utilities.

There were no further comments or discussion.

### B. Engineering

General Manager Kingston reviewed the Engineering Report with the Board which included updates on each capital project. President Rheiner inquired about a ribbon cutting ceremony and plaque dedication for the Coloma Pump Station Project when it is complete. District Engineer Rahman stated construction would be completed in June, but the landscaping needs to be planted which will be completed by September. He suggested the ceremony be planned for September or October 2022.

There were no further comments or discussion.

### C. Finance

General Manager Kingston reviewed the Finance Report with the Board. Both Rheiner and Ring inquired about scheduling follow up Finance Committee meetings to review the funding of the pension unfunded liability and investment options for the District. Kingston stated staff is still researching and a meeting will be scheduled in March or April.

There were no further comments or discussion.

D. Board Calendar

Board Secretary Bondanza reviewed the calendar with the Board.

There were no further comments or discussion.

**VI. BOARD OF DIRECTORS**

A. Director's Round Table

Director Beers congratulated the staff for 41 consecutive months without a NPDES violation.

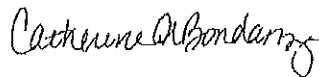
On behalf of the Board, President Rheiner extended birthday wishes to General Manager Kingston.

- B. Next Regular Board Meeting  
Tuesday, March 1, 2022 at 12 p.m.  
Remote/Teleconference

**VII. ADJOURNMENT**

President Rheiner adjourned the meeting at 12:25 p.m.

Respectfully submitted,



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Catherine A. Bondanza, Board Secretary

## Agenda

### Regular Board Meeting Sausalito-Marín City Sanitary District County of Marin, State of California

Tuesday, March 1, 2022  
12 p.m.

#### Remote/Teleconference

##### Click Link

<https://us02web.zoom.us/j/81205348025?pwd=b2pVVkF6SXFYbXJhOTZ5bk9CODArZz09>

##### Call

1 669 900 6833

**Meeting ID: 812 0534 8025**

**Passcode: 076233**

In accordance with Assembly Bill 361 and Government Code Section 54953 meetings for the Sausalito-Marín City Sanitary District will be conducted remotely and a physical location will not be open to the public. To ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the public is requested to participate via online video and/or phone.

If you would like to attend the meeting online, you can access it remotely:

1. Please use the link listed above
2. Enter Meeting ID and Passcode listed above

If you are unable to join online, you can call:

1. Phone Number listed above
2. Enter Meeting ID and Passcode listed above

If you want to comment during the public comment portion of the Agenda, you can use the “**Raise Hand**” function in Zoom or you can **Press \*9** if you are calling in. The Board Secretary will select you from the meeting cue. Please be patient while waiting in the cue.

If you do not want to speak during the public comment portion of the Agenda, you are also encouraged to submit email correspondence. Email comments will be accepted up until 9:00 A.M. the day of the meeting and forwarded to the Board of Directors, read aloud by the Board Secretary at the meeting and placed in the District’s permanent records. Emails should be sent to [cathy@smcsd.net](mailto:cathy@smcsd.net). If you choose to submit an email, please note the agenda item on the subject line.

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in a District meeting or need a copy of the agenda or packet in an appropriate alternative format, please contact the Board Secretary at (415) 332-0244. Notification of at least 48 hours prior to the meeting when services are needed will assist the District staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting and service.

In conformance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and its distribution less than 72 hours prior to a regular meeting will be made available for public inspection at the District Office or website. If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting or website, as listed on this agenda.



*To download the full Board Meeting Packet, please visit: [www.smcsd.net](http://www.smcsd.net)  
At its discretion the Board of Directors may consider agenda items out of the order in which they appear.*

**I. Meeting Roll Call: Arnott, Beers, DeLano, Rheiner, Ring**

**II. General Public Comment**

(Members of the public are invited to address the Board concerning topics which are not listed on the agenda. [If an item is on the agenda, 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 acting 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 placed on the 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.)

**III. Consent Calendar**

MOTION: A. Minutes of the Regular Board Meeting February 1, 2022  
(The Board is requested to approve minutes of the meeting)

MOTION: B. Monthly Expenditures  
January 25, 2022 to February 22, 2022  
(The Board is requested to ratify the monthly expenditures)

**IV. New Business**

MOTION: A. California Special Districts Association (CSDA) Board of Directors Call for Nominations for Seat B – Bay Area Network  
(The Board is requested to nominate or not nominate a candidate)

MOTION: B. Authorize the General Manager to Award a Professional Services Agreement to EOA, Inc. for Professional Services to Renew the District's NPDES Permit in the Amount Not to Exceed \$50,000  
(The Board is requested to authorize the General Manager to execute the agreement)

MOTION: C. Authorize the General Manager to Execute Amendment I for the Professional Services Agreement with Woodard & Curran for the Clarifier Rehabilitation Project for a cost not to exceed \$139,682  
(The Board is requested to authorize the General Manager to execute the agreement)

MOTION: D. Resolution 1069 Proclaiming the Continuing Need to Meet by Teleconference According to Government Code Section 54953  
(The Board is requested to adopt the resolution)

**V. General Manager's Report**

INFORMATIONAL: A. Operations

INFORMATIONAL: B. Engineering

INFORMATIONAL: C. Finance

INFORMATIONAL: D. Calendar

**VI. Board of Directors**

INFORMATIONAL:

- A. Director's Round Table
- B. Regular Board Meeting  
April 5, 2022 at 12 p.m.  
Remote/Teleconference

**VII. Adjournment**



# TAMALPAIS COMMUNITY SERVICES DISTRICT

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

## TCSO BOARD OF DIRECTORS MEETING

### MINUTES

WEDNESDAY, FEBRUARY 9, 2022, 7:00 PM

#### 1. CALL TO ORDER

The Tamalpais Community Services District Board of Directors Meeting was called to order by President Bartschat at 7:00pm on Wednesday, February 9, 2022.

#### 2. ROLL CALL

President Steffen Bartschat

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

Staff Present: General Manager Heather Abrams; Assistant General Manager Alan Shear; Wastewater and Facilities Superintendent, Mike Quecke; Parks and Recreation Coordinator, Amber Van Meter; Recording Secretary Cyndie Martel

Others Present: Elaine Wilkinson, SMFD NRG Coordinator; Fire Chief Chris Tubbs, SMFD; Pauline Sanguinetti, Croce, Sanguinetti and Vander Veen, Inc; Jim Kasper

#### 3. APPROVE AGENDA

##### MOTION TO APPROVE THE AGENDA

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

AYES: 5

NAYS: 0

ABSENT: 0

#### 4. PUBLIC EXPRESSION

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

- Dir Levine commented that Pam Keon, Lee Budish and Ted Barrone of NRG wanted to ask the Board to add a link on TCSD's website to NRG's website and asked that it be agendized and approved at a future meeting.

#### 5. PUBLIC PRESENTATION

A. Presentation from Elaine Wilkinson, SMFD NRG Coordinator and Chief Chris Tubbs

Ms. Wilkinson gave a presentation (attached) to the Board about the NRG and how the SMFD was working with the Marin NRG and CERT groups to organize emergency response.

Main takeaways included:

- Identifying Revenue Opportunities
- Communication
- Increasing outreach to broaden volunteer network
- Education & training opportunities



- The key to disaster survival? Friends and neighbors.

Chief Tubbs thanked TCSO for working closely with the SMFD and reinforced the need to build strategy around neighbors helping neighbors.

Dir Levine shared a concern in that current members of both NRG and CERT were generally older and to have continued success, recruiting younger residents would be key. Ms. Wilkerson and Chief Tubbs agreed and stated the plan was to get back into the schools to recruit a younger demographic who in turn could bring information back to their parents.

Public comment

- Mr. Kasper commented on Firesafe Marin and their programs in schools and an event called Ember Stop on Saturday, May 28 at the Civic Center Lagoon Island.
- Ms. Wilkerson commented that she was invited and would participate and looked forward to finding more ways to reach out to the community.

B. Introduction of new TCSO Parks and Recreation Coordinator Amber Van Meter

GM Abrams introduced the Board to the District's newest employee, Amber Van Meter, the Parks and Recreation Coordinator, who had been a park ranger throughout the country, a volunteer coordinator with GGNRA and had a degree in parks & recreation. Ms. Van Meter expressed that she was happy to be on board and looked forward to upcoming events.

The Board expressed the importance of the park and rec programs, welcomed Ms. Van Meter and stated they looked forward to her future contributions.

There was no public comment.

**6. REGULAR BUSINESS: Information Items**

A. Review 2021 annual financial audit

GM Abrams introduced Pauline Sanguinetti from Croce, Sanguinetti and Vander Veen and stated the 2020/2021 audit spoke well for the District's financial oversight.

Ms. Sanguinetti stated the District received a clean opinion, the highest level of assurance with no material errors or misstatements. She then went through the audit and answered questions from the Board. The Board was pleased with the District's progress.

There was no public comment.

B. Discuss repair projects for Tam Valley Community Center

GM Abrams stated this item was presented so the Board could review and discuss projects intended for the Tam Valley Community Center. Staff needed clear direction from the Board on project priorities.

The Board felt the list was comprehensive and prioritized projects as follows:

- Bathrooms – refurbish and bring to current standards

- Stage – lift for ADA requirements
- Security/Fire – replace aging fire and security system
- Kitchen – replace cabinets and install commercial dishwasher

Public comment;

- Mr. Kasper commented regular scheduled maintenance should be included.

GM Abrams stated the District could be served by having a long term master plan for funding that may include a special tax in addition to Measure A funds, grants or difficult choices in the budget.

C. Discuss purchasing replacement hydro truck for TCSO sewer enterprise

GM Abrams stated the District's current hydro-flush truck was on the list to be removed from service based on Bay Area Air Quality Management District (BAAQMD) and California Air Resources Board (CARB) emissions standards. The new Hydro-vector truck was fully equipped to service the District's sewer needs and once ordered would arrive approximately 10 months later.

The Board asked Superintendent Quecke and GM Abrams numerous questions and recommended the hydro-flush truck be added to the budget.

There was no public comment.

D. General Manager's update

- i. EPA Quarterly report regarding sewers

GM Abrams presented the Board with her monthly update which included pump station flow through, CIP work, general park maintenance, specifics about the tree removal by PG&E at Eastwood Park and the fourth quarter 2021 report to the EPA which showed zero SSOs.

The Board inquired about the recruitment of the new GM, to which GM Abrams stated resumes were due on February 20 and more information would be available after that date.

At the Board's questions about COVID, GM Abrams stated most counties were following state guidelines and removing mask mandates except on public transportation and in health care facilities. The Board would need to make a decision about going back to in person Board meetings. The Board recommended agendaizing this item next month to discuss how staff felt about current COVID guidelines related to the office. She recommended moving forward on the office reconfiguration to accommodate residents at the front door.

The Board stated traditionally the District would have a celebration for a departing GM and recommended that GM Abrams come back to a Creekside for a proper send off. A proclamation was also in the works.

There was no public comment.

E. Financial reports

GM Abrams asked the Board if they had questions. As Ms. Mehtar was not at the meeting due to parental leave. When asked her return date, GM Abrams said that the District's parental leave program offered the minimum time off permitted by law at six weeks, unpaid. The Board may want to revisit this portion of the personnel policy.

At the Board's question about the percent of tax money received from the county being higher than expected, GM Abrams stated projections were better than expected throughout the county and Ms. Mehtar could revisit this topic upon her return.

There was no public comment.

F. Sewer treatment plants updates: SASM and SMCSO

SASM – Dir Jacobs reported that the January 2022 Board meeting was cancelled.

SMCSO – Dir Levine and the District's alternate were not available to attend the meeting in January.

There was no public comment.

**7. CONSENT CALENDAR**

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

- A. Review and Approve Resolution 2022-03 to add Assistant General Manager to TCSD's authorized LAIF signers
- B. Review and approve Resolution 2022-04 to add Assistant General Manager and update position titles in the district's conflict of interest code for Form 700 completion
- C. Approve Minutes of January 12, 2022 Board Meeting
- D. Approve Minutes of January 26, 2022 Work Session
- E. Approve resolution regarding continued COVID-19 emergency and TCSD continuing public meetings via Zoom pursuant to AB 361

**MOTION TO APPROVE THE CONSENT CALENDAR**

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

**AYES: 5**

**NAYS: 0**

**ABSENT: 0**

**8. FUTURE AGENDA ITEMS**

- A. Cancellation of February 23, 2022 Work Session

**MOTION TO CANCEL THE FEBRUARY 23, 2022 WORK SESSION**

**M/S/C: S. BARTSCHAT/J. JACOBS**

**AYES: 5**

**NAYS: 0**

**ABSENT: 0**

There was no public comment.

- B. Board input for March 9, 2022 Board Meeting Agenda



- Dir McMahon stated a statewide sanitary sewer system general order was in the works that would significantly affect TCSB, with information being provided at a workshop on February 23 and 24, 2022 followed by a 60-day comment period. He suggested staff attend the workshop and discuss with the Board whether they wanted to offer a comment.
- Dir Brown asked that research into the current status of Measure A funding, how it was changing and whether those changes would affect the District be included.
- Pres Bartschat asked that developing the proclamation for GM Abrams be agendaized.
- Dir Levine asked that adding a link from the TCSB website to the NRG website be included.
- Pres Bartschat asked that any financial reports due in March be added, as well as discussion of the upcoming budget cycle and any modifications to financial reports and due dates.
- As indicated in Item 6D, next steps with regard to COVID.

There was no public comment.

**9. ADJOURNMENT**

**MOTION TO ADJOURN THE MEETING**

**M/S/C: S. LEVINE/S. BARTSCHAT**

**AYES: 5**

**NAYS: 0**

**ABSENT: 0**

**MEETING ADJOURNED AT 9:19 P.M.**

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**NEXT TCSB BOARD MEETING  
MARCH 9, 2022 – 7:00PM  
Tamalpais Valley Community Center, 203 Marin Ave**

MARCH 9, 2022

ITEM 7B

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

**TO: BOARD OF DIRECTORS**

**FROM: ALAN SHEAR, INTERIM 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 and on January 12, 2022 TCSD adopted Resolution 2022-01, which allowed the February 9, 2022 meeting to be held via Zoom and on February 9, 2022 TCSD adopted Resolution 2022-02, which allowed the March 9, 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 2022-05



MARCH 9, 2022

ITEM 7B

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TCSD CONTINUING PUBLIC MEETINGS VIA ZOOM PURSUANT TO AB 361**

**TO: BOARD OF DIRECTORS**

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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 TCSD Resources

No additional resources are requested at this time.

### Attachment

- A. Resolution 2022-05



## TAMALPAIS COMMUNITY SERVICES DISTRICT

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

### RESOLUTION NO. 2022-05

#### 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 MARCH 9, 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