



# 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 AGENDA

WEDNESDAY, AUGUST 9, 2023

REGULAR SESSION AT 7:00PM

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

1. **CALL TO ORDER**

2. **ROLL CALL** President Steffen Bartschat

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

3. **APPROVE AGENDA**

4. **PUBLIC EXPRESSION**

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

5. **REGULAR BUSINESS: Board Actions**

- A. Introduction of Laura Booth, the new GGNRA Vegetation Ecologist for Tam Valley
- B. Presentation by Tracy Clay, Marin County DPW Principal Engineer, Marin County Flood and Water Control District regarding Flood Control Zone 3 activities
- C. Receive status update on adopted TCSO goals / priorities for 2022-2023
- D. Approve community center and corporation yard fence design and layout
- E. Introduction of Ordinance No. 100 restating and amending Ordinance No. 96 regulating the construction, use, and maintenance of private sewer laterals; CEQA exempt under sections 15268, 15273, 15308
- F. Approve employee cell phone reimbursement policy
- G. Receive report on solid waste collection route reviews
- H. Authorize the General Manager to purchase two Curbtender Solid Waste collection vehicles in an amount not-to-exceed \$455,000 which includes tax, license and fees

6. **REGULAR BUSINESS: Information Items**

- A. General Manager's report
- B. Receive monthly financial reports

- C. Receive Sewer treatment plant update reports: SASM and SMCSO
- D. Board member and/or Subcommittee report

**7. CONSENT CALENDAR**

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

- A. Approve minutes of July 26, 2023, special meeting in Kay Park
- B. Approve minutes of July 26, 2023, special meeting in Eastwood Park
- C. Approve minutes of July 12, 2023, regular meeting
- D. Approve agreement with Croce, Sanguinetti, & Vander Veen for annual financial audit and other financial services in an amount not-to-exceed \$35,375

**8. FUTURE AGENDA ITEMS**

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

**9. ADJOURNMENT**

***NEXT MEETINGS***

***BOARD SPECIAL WORK SESSION***

***August 23, 2023***

***1:00pm***

***TCSO Corporation Yard, 305 Bell Lane, Mill Valley***

***NEXT REGULAR BOARD MEETING***

***September 13, 2023***

***7:00pm***

***Tam Valley Community Center***



## TAMALPAIS COMMUNITY SERVICES DISTRICT

Staff Report  
Board Meeting  
August 9, 2023

**TO: BOARD OF DIRECTORS**

**FROM: GARRETT TOY, GENERAL MANAGER**

**SUBJECT: RECEIVE STATUS UPDATE ON ADOPTED TCSD GOALS / PRIORITIES FOR 2022-2023**

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### **RECOMMENDATION**

Receive update report and provide direction to staff as appropriate.

### **BACKGROUND**

At its June 22, 2022, work session, the Board conducted a study session to discuss parks & recreation events, programs, classes, policies, parks, and facilities; organizational structure; schedule and topics for future board work sessions. Prior to the meeting, Board members submitted a list of their priorities to staff to compile for the study session. Based on the direction received at the study session, staff prepared a preliminary list of goals and priorities.

The Board discussed the list of preliminary goals and priorities for FY22/23 at its July 13, 2022 meeting. However, the Board decided to wait to formally adopt its goals/priorities until after the Board's annual retreat. The annual retreat was initially scheduled for September 2022, but was canceled and rescheduled to February 2023.

The Board held its annual retreat on February 11, 2023, at the Fernwood Cemetery facilities. In March 2023, the Board adopted its annual goals.

### **DISCUSSION**

Attached is the status update for each of the Board's nine (9) adopted goals and priorities for 2022-2023. Staff will go over the update in more detail at the meeting.

### **FISCAL IMPACT**

n/a

### **ATTACHMENT**

A. Status report of goals/priorities

**ADOPTED BOARD GOALS/PRIORITIES 2022-2023**  
(not listed in order of priority)

1. Complete improvements in the Community Center including kitchen, bathrooms, and stage

Status: *Completed; on-going*

- The replacement of the kitchen cabinets and countertops were replaced in May 2023.
- In June and July 2023, the Board approved the design for restrooms and contract with the architect to prepare the plans and specifications for the bid package, respectively.
- We are waiting to bid out the restrooms before starting the design for the stage improvements.

2. Expand offering of events and programs

- a. Provide better event financial accounting and long-term scheduling
- b. Expand solid waste programs with an emphasis on innovative programs and re-introducing past popular programs

Status: *Completed; on-going.*

- For the past year, staff has tracked expenditures and revenues by event and reported the information to the Board.
- Staff has provided a 12-month event schedule to the Board for review which includes new events such as Creekside Unplugged and bringing back such events as Spaghetti Bingo.
- The adopted Solid Waste 5-Year Rate Study includes funding for new programs such as Hazardous Waste Day, expanded services for debris days, and distribution of new compost pails for all residential customers in the District.
- The Board recently approved the formation of the new Parks and Recreation Commission (PARC). PARC has expressed an interest in offering more programs and activities. Staff is working with PARC to develop the details for the Board review.

3. Develop disaster preparedness plan

- a. TCSD operations (to be developed first in 2023)
- b. Community coordination
- c. Evaluate impacts of sea level rise and extreme flooding

Status: *In process*

- a. Staff is working on an Emergency Operations Plan for the continuity of operations.
- b. Staff has met with NRG and SMFD to coordinate the use of the Community Center as a resource for the community in times of an emergency such as a warming center or for emergency use. SMFD has stated that such an arrangement is typically a verbal agreement in case using the community center is needed. TCSD staff has confirmed to NRG and SMFD the Community Center is available during times of an emergency. In addition, staff has offered a

parking spot to SMFD in the south “gravel” parking lot of the Community Center to park their emergency trailer.

- c. Staff will participate in all regional efforts to study and evaluate the impacts of sea level rise and extreme weather.
  - d. We are in the process of creating ID cards to identify staff as Disaster Service Workers for use in emergencies.
4. Improve/enhance communication with the public (newsletters, advertising, sponsorships, signage)
- a. Enhance reporting and communications to the Board and Community regarding the reasons for Sanitation CIP projects and create standards for measuring success
  - b. Continue to improve financial reporting to the Board and Community on TCSD activities with the goal of explaining “where their money goes”
  - c. Solicit community input on TCSD programs/events/use policy/facilities

Status: *Completed; On-going*

- We created a weekly e-newsletter, mailed out postcards for events, and continued with signage for events.
- We are in the process of creating a new website which will be more user friendly and provide better access to TCSD Board meeting agendas.
- For the past year, staff has tracked expenditures and revenues by event and included the information in the staff reports to the Board at their meetings.
- We have included in the newsletter articles regarding the annual budgets for each department as well as capital projects.
- Staff is working on potential measures of success for Wastewater projects.
- We are in the process of retaining a firm to conduct a community survey with the goal of having more randomized responses reflective of the District’s demographics.

5. Develop short and long-term park management plan
- a. Review park maintenance standards and options for implementation
  - b. Address Eastwood park management issues

Status: *In process; on-going*

- The Board approved a master landscaping contract for maintaining Kay Park, Eastwood Park, Cabin, McGlashen Trail, and Community Center. From time-to-time, we allocate the services to help maintain various open space parcels.
- We are in the process of updating the park inventory maps and list.
- Staff reseeded the grassy area in Kay Park and Eastwood Park. For Kay Park, we added topsoil, fertilizer, seed, and fenced off the grassy area to allow the new grass to take root. In Eastwood, we fenced off an area to reseed and let the grass rest. We also repaired and adjusted the irrigation in both parks for the grass. This will be an on-going annual process to maintain the grassy areas.

- Staff has developed a simplified Park Management Plan with maintenance schedule. We are working to revise the maintenance standards.
- The Board adopted revised/new rules for Eastwood park focused on the uses of the tennis/pickleball courts.
- PARC would like to explore Eastwood Park management policies.

6. Develop a 5-year masterplan for parks, facilities, and open space including short and long-term financing plan

Status: *Completed.*

- As part of the Adopted FY23-24 budget, staff has updated the 5-year operating forecast (financial plan) for Parks and Recreation as well as a 5-year CIP for Parks & Recreation (P&R) capital projects.
- The Adopted FY23-24 budget also includes the new/revised Parks & Recreation capital reserves for vehicle replacement, facility improvements, Park Facilities, and new Park Development. The P&R capital reserves and Measure County Park funds are the primary sources of funding for the CIP projects.
- The Parks & Recreation annual budget includes a new line item for vegetation management on TCSD open space parcels.

7. Update 5-year financial/operational plans for solid waste and wastewater

- a. Vehicle/equipment replacement program
- b. Wastewater Capital Projects

Status: *Completed.*

- As part of the FY23-24 budget approval process, we updated the 5-Year Operational Budget forecast for Solid Waste and Wastewater.
- In May 2023, the Board conducted the Proposition 218 public hearing to adopt the proposed rate increases of solid waste service charges for the next five years (FY23-24 through FY27-28) based on the 5-Year Rate Study and 10-year Financial Plan prepared by R3 Consulting Group.
- Approved the newly created 5-Year Capital Improvement Program (CIP) for both Solid Waste and Wastewater projects. The CIP was adopted as part of the annual budget. The proposed Wastewater projects reflect those projects listed in the Sewer Financial Plan prepared in August 2020.
- The annual budget includes operational and capital reserves with 5-year projections. The capital reserves are used to fund vehicle replacement, facilities, and other capital funds for each department.
- Adopted a 5-Year Vehicle Replacement Fund for Solid Waste and Wastewater with estimated costs for specific vehicle purchases over the 5-Year period as part of the budget approval process.

8. Review/evaluate organizational structure, administrative/personnel policies, service levels, and employee satisfaction

Status: Completed; on-going

- The Board has adopted several personnel policy revisions and amendments such as a uniform allowance program, stand-by pay program, medical-in-lieu program, and established salary ranges with steps increases and clarified performance review requirements.
- The Board has adopted by resolution a record retention/management policy, the uniform cost accounting act for public bidding, Rosenberg's Rules of Order for meetings, purchasing policy, surplus personal property policy, and master fee schedule.
- The Board adopted revisions to and/or new job descriptions for the Events and Communications Coordinator, Senior Maintenance Worker, Drivers, Administrative Clerk and Operations Superintendent. All job descriptions are now up to date.
- Staff conducted a classification and salary study for the Operations Superintendent and Senior Maintenance Worker positions which supported the revised job descriptions and salary ranges.
- Remodeled main office to improve the physical work environment and enhance access to the public.
- The Adopted 5-Year CIP includes facility improvements to improve the physical work environment in the corporation yard.
- The Adopted FY23-24 Annual budget supports current service levels.
- We have established clear lines of supervision for staff.
- We are in the process of conducting an internal employee feedback survey
- We continue to conduct on-going review of organizational/personnel policies.
- The Adopted FY23-24 budget included a comprehensive budget document with new components such as a 5-Year CIP, 5-Year budget forecast, and 5-Year forecast for operational and capital reserves, and new capital reserve funds for vehicle replacement, facilities, and new Parks and Recreation fund.

9. Hold a Household Hazardous Waste Day for TCSD customers in 2023

Status: In process scheduled for October 28th

- October 28, 2023 is the tentative date for the first TCSD sponsored Household Hazardous Waste Day. We are in the process of working out the details with a vendor who provides this service.



## TAMALPAIS COMMUNITY SERVICES DISTRICT

Staff Report  
August 9, 2023

**TO: BOARD OF DIRECTORS**

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

**SUBJECT: APPROVE COMMUNITY CENTER/CORPORATION YARD FENCE PROJECT DESIGN AND LAYOUT**

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### **RECOMMENDATION**

Approve design and layout of the Community Center/Corporation Yard Fence Replacement Project and provide direction to staff as appropriate.

### **BACKGROUND**

At the February 2023 Board meeting, direction was given to staff on the Community Center complex perimeter fence project. Specifically, to construct a 6-foot redwood perimeter replacement fence with a 2-foot lattice and work with the neighbors regarding their preference to build the new fence along the property line or the existing fence line.

Subsequent to the Board meeting, staff has met with the surrounding property owners about the fence project, with the exception of 227 Marin Ave (recently rebuilt their fence and therefore we would not replace or build outside of their fence) and 306 Enterprise Concourse (owner is infrequently onsite and did not respond to multiple requests to meet). All the property owners we met with were supportive of the project.

In addition to the discussion and direction regarding the community center perimeter fence, the Board also approved replacing the fence between the corporation yard and community center parcel. The fence is failing and needs to be replaced for health and safety reasons. The attached design of the project also includes moving the fence out toward the community center to use the underutilized area behind the TVIC building. The area would be used for additional outdoor storage and free up space in the corporation yard to add a storage shed for chairs and other event supplies and materials. The design also includes a new pedestrian gate that would be used by the staff and volunteers to access the yard instead of opening the main gate.

### **DISCUSSION**

Staff has returned to the Board tonight with the proposed design/layout of the perimeter fence and is seeking additional direction on the area behind the TVIC building towards the direction of the community center. Staff is proposing to clear the brush, then grade, flatten, and fill the area with base rock. The area would provide flex space for potential projects from the Parks and Recreation Commission (PARC) such as a community garden.



The attached fence design includes moving the fence closer to the property line at two locations. According to the property line survey recently conducted, the fences at 303 Bell Lane and 310 Enterprise Concourse encroaches on TCSD property by several feet. Discussions with the individual property owners to move the existing fence line closer to the property line have been productive. Also, the property owners at 303 Bell Lane and 302 Enterprise Concourse have requested a gate in the fence to access the public TCSD property and the removal of hazardous trees. Finally, the proposed design does not include replacing any of the split rail fencing currently on site.

Staff and Pippin Cavagnaro, from Nute Engineering, will go through the plans in more detail at the meeting.

With the Board's approval of the project design/layout, we would meet with the affected residents to discuss the final design/layout and then return to the Board with final project estimates and potential phasing of the project.

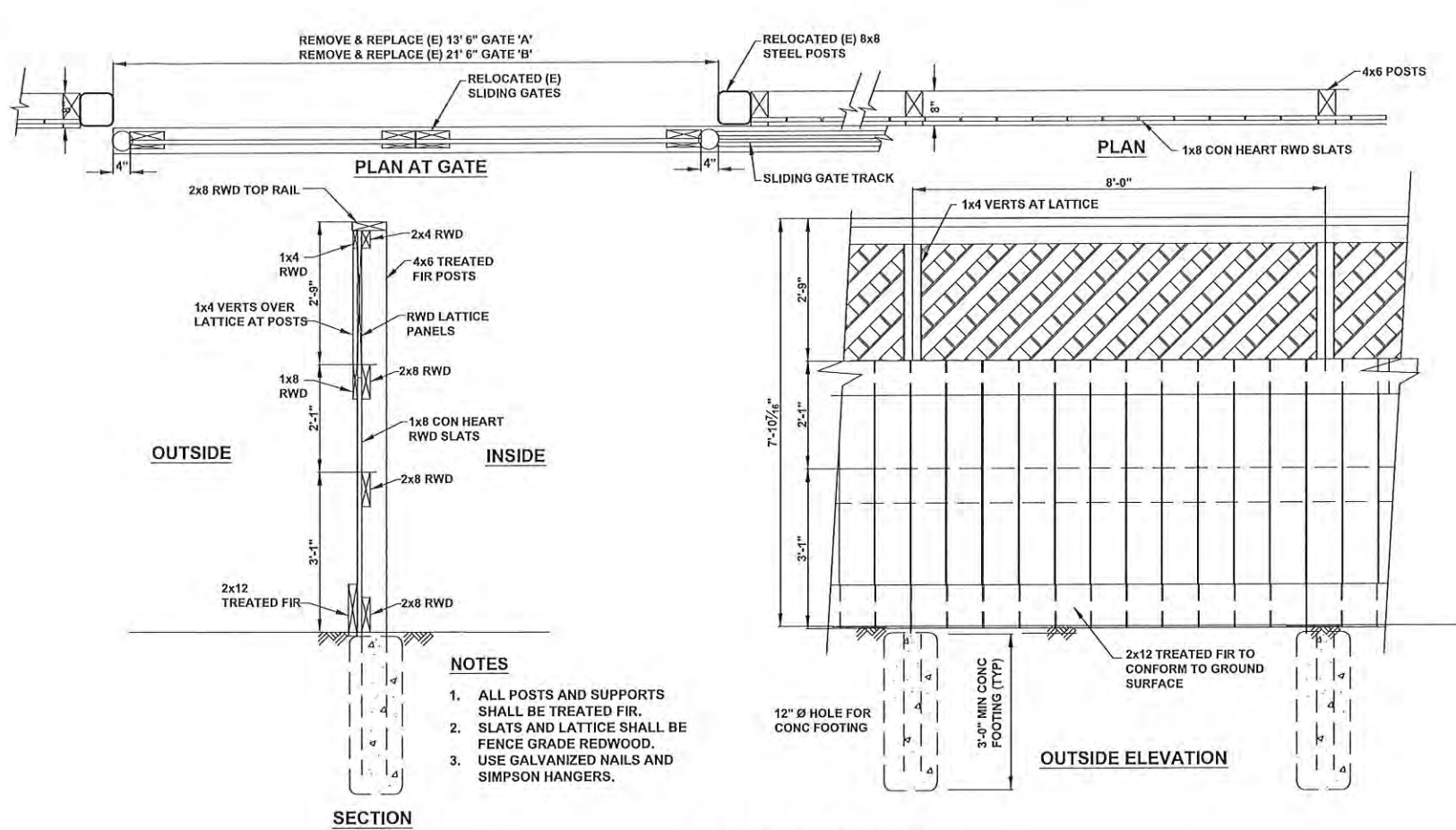
**FISCAL IMPACT**

Project is budgeted at \$291,000 in the Five-Year CIP Budget, including \$96,000 in Prop 68 funds.

**ATTACHMENTS**

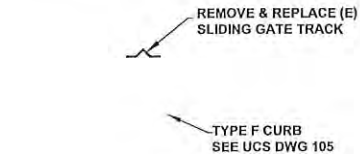
- A. Picture of typical fence design
- B. Community Center/Corporation Yard Fence Project Design



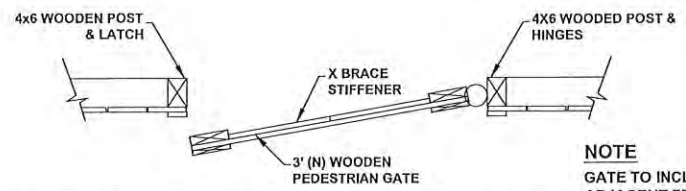


- NOTES**
1. ALL POSTS AND SUPPORTS SHALL BE TREATED FIR.
  2. SLATS AND LATTICE SHALL BE FENCE GRADE REDWOOD.
  3. USE GALVANIZED NAILS AND SIMPSON HANGERS.

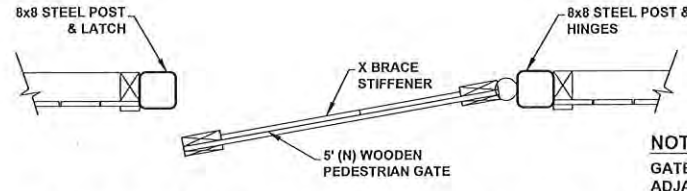
**FENCE DETAIL 1**  
N.T.S. 5



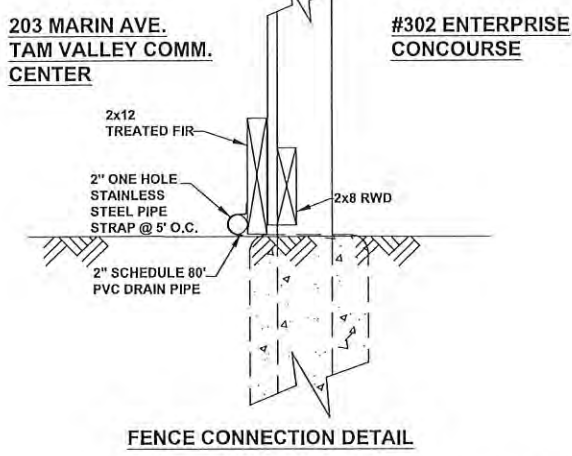
**SLIDING GATE TRACK 2**  
N.T.S. 5



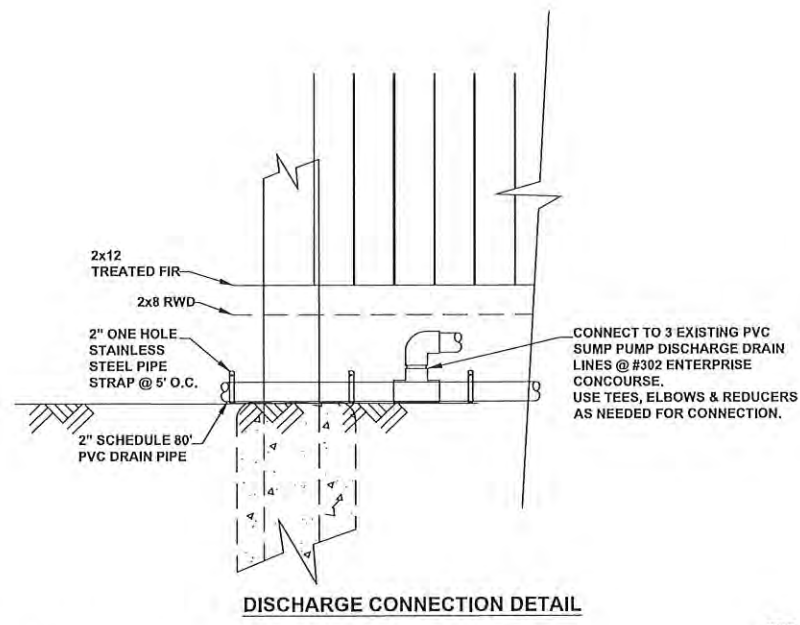
**3' PEDESTRIAN GATE DETAIL 3**  
N.T.S. 5



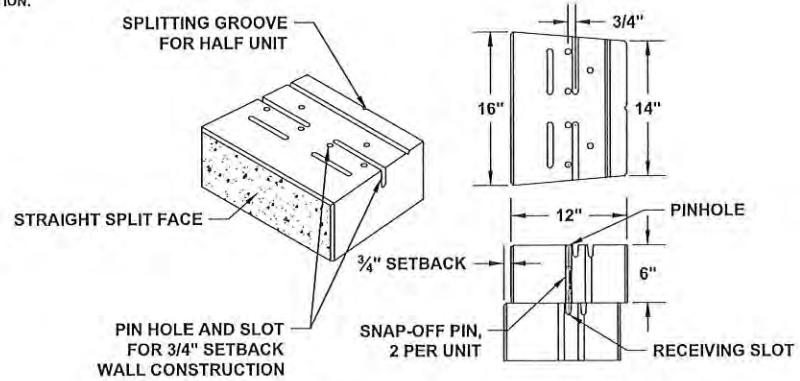
**5' PEDESTRIAN GATE DETAIL 4**  
N.T.S. 5



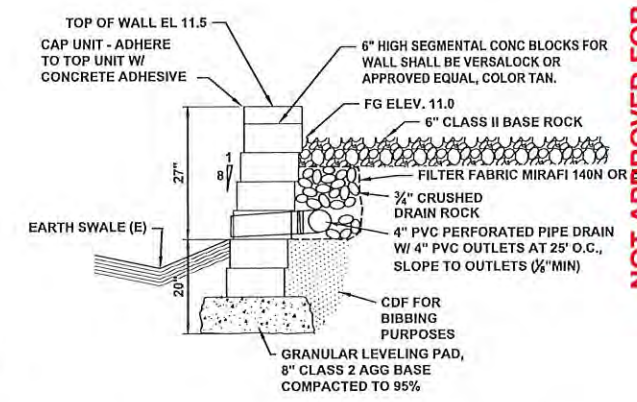
**2" PVC DISCHARGE LINE DETAIL 5**  
N.T.S. 5



**DISCHARGE CONNECTION DETAIL**



**VERSA-LOK STANDARD UNIT 6**  
N.T.S. 5



**SEGMENTAL WALL 7**  
N.T.S. 5

**NOT APPROVED FOR CONSTRUCTION**

P:\\_Projects\9067 TOSD Corp Yard Fence Replacement\CAD\9067 Titlesheet-Notes.dwg  
Printed: August 4, 2023 11:28 AM

NO.	DESCRIPTION
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5	

Checked By:	PC
Drawn By:	BEO
Project No.:	9067

IF THIS DOES NOT MEASURE AS SHOWN, WE WILL NOT SCALE.

PREPARED BY:  
**NUTE ENGINEERING**  
Civil and Sanitary Consultants  
907 MISSION AVE, SAN RAFAEL, CA 94901  
T: 415.453.4480 F: 415.453.0343 nute.biz

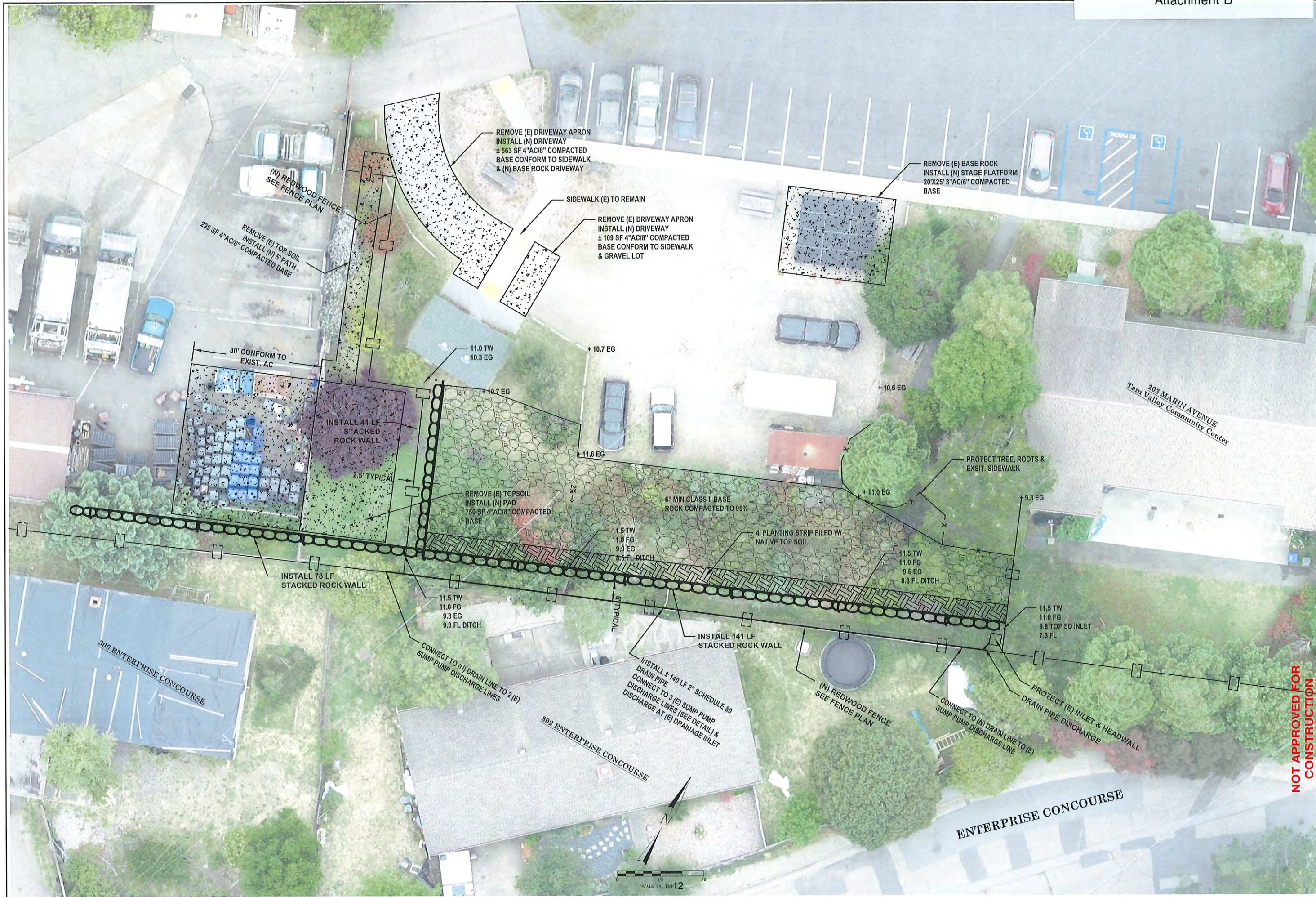
PREPARED FOR:  
TAMALPAIS COMMUNITY SERVICES DISTRICT  
305 BELL LANE  
MILL VALLEY, CA 94941  
P: 415-388-6393  
WWW.TAMALCOSD.ORG

CALIFORNIA  
MARIN COUNTY  
TAMALPAIS COMMUNITY SERVICES DISTRICT  
CORP YARD FENCE REPLACEMENT

PUMP STATION EQUIPMENT  
RELOCATION DETAILS AND NOTES

DATE: August 4, 2023  
SHEET: 5 OF 9

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NO.	DESCRIPTION	DATE

Checked By:	PC
Drawn By:	RTW
Project No.:	9067

IF THIS DOES NOT MEASURE AS SHOWN, REFER TO THE ORIGINAL AS-BUILT DRAWINGS.

**PREPARED BY:**  
**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
 305 BELL LANE  
 MILL VALLEY, CA 94641  
 P: 415-388-6393  
 WWW.TAMCSD.ORG

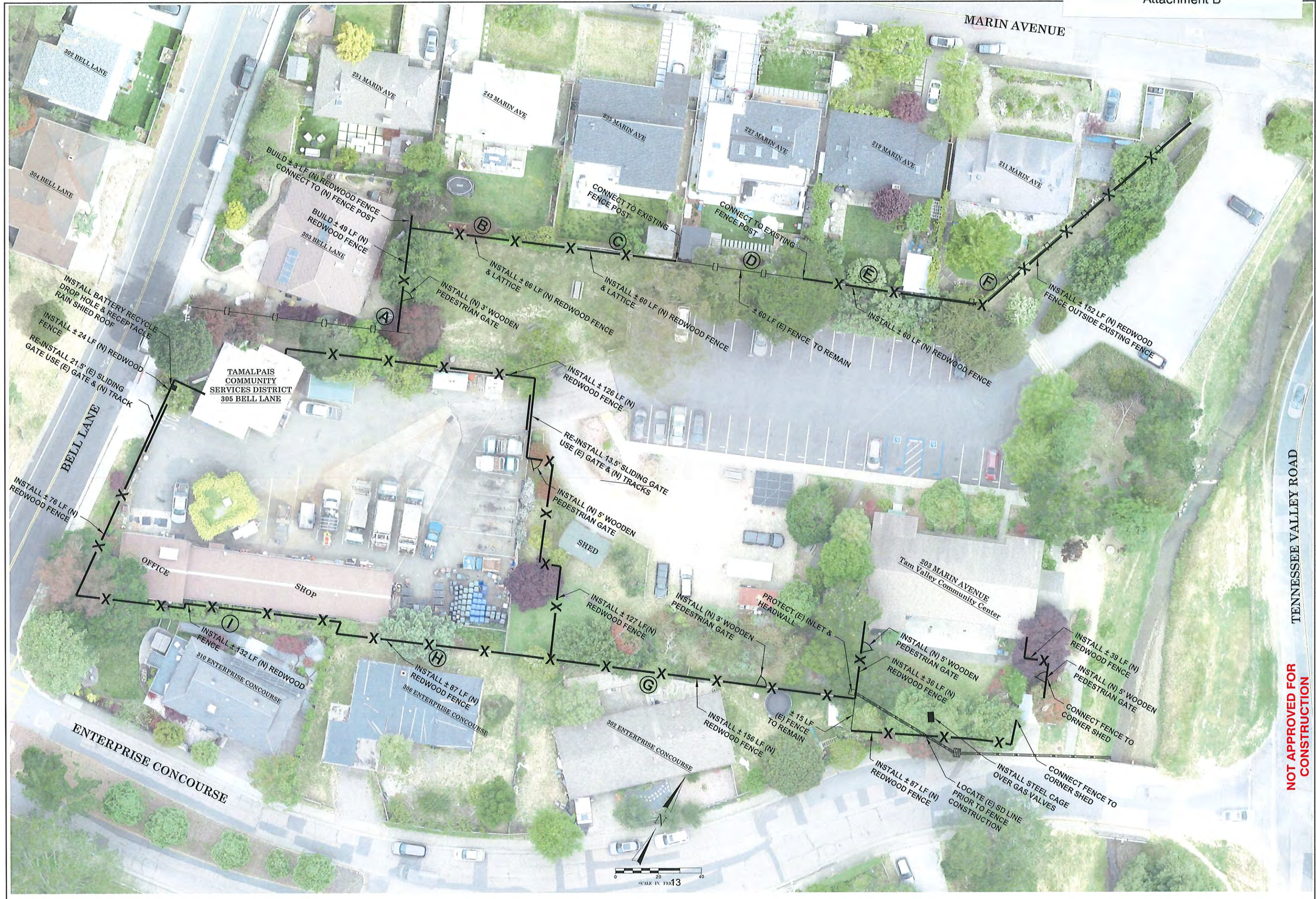
**PREPARED FOR:**  
 TAMALPAIS COMMUNITY SERVICES DISTRICT  
 305 BELL LANE  
 MILL VALLEY, CA 94641  
 P: 415-388-6393  
 WWW.TAMCSD.ORG

**CONTRACT NO.:**

**PRINT DATE:** August 4, 2023

**SHEET:** 8 OF 9

**NOT APPROVED FOR CONSTRUCTION**



**NOT APPROVED FOR CONSTRUCTION**

NO.	DESCRIPTION	DATE	INT.
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Checked By:	PC
Drawn By:	RTW
Project No.:	9067
Scale:	1" = 1'
IF THIS DOES NOT MEASURE CORRECTLY, PLEASE REFER TO THE SCALE.	

PREPARED BY:	TAMALPAIS COMMUNITY SERVICES DISTRICT
305 BELL LANE,	MILL VALLEY, CA 94941
P: 415-388-6393	WWW.TAMCSD.ORG

PREPARED FOR:	TAMALPAIS COMMUNITY SERVICES DISTRICT
CALIFORNIA	TAMALPAIS COMMUNITY SERVICES DISTRICT
MARIN COUNTY	TAMALPAIS COMMUNITY SERVICES DISTRICT
CONTRACT NO.:	
PRINT DATE:	August 4, 2023
SHEET:	7 OF 9



NO.	DESCRIPTION	DATE
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4		
5		

Checked By:	PC
Drawn By:	RTW
Project No.:	9067
IF THE DOES NOT MEASURE ONE OF THESE PLANS, PLEASE DO NOT SCALE.	

PREPARED BY:	TAMALPAIS COMMUNITY SERVICES DISTRICT
305 BELL LANE,	MILL VALLEY, CA 94941
P: 415-388-6393	WWW.TAMCSD.ORG

PREPARED FOR:	CALIFORNIA TAMALPAIS COMMUNITY SERVICES DISTRICT
CORP YARD FENCE REPLACEMENT	
BELL LANE	
DEMOLITION PLAN	

CONTRACT NO.:	
START DATE:	August 4, 2023
SHEET:	6 OF 9

**NOT APPROVED FOR CONSTRUCTION**

NOTE: ALL PROPERTIES SHALL BE SECURED WITH TEMPORARY CONSTRUCTION SECURITY FENCING AT THE END OF EACH WORKING DAY WHILE NEW FENCE IS BEING CONSTRUCTED.

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## TAMALPAIS COMMUNITY SERVICES DISTRICT

Staff Report  
August 9, 2023

**TO: BOARD OF DIRECTORS**

**FROM: GARRETT TOY, GENERAL MANAGER**

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

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### **RECOMMENDATION**

Introduce and waive first reading of Ordinance No. 100 entitled "An Ordinance of the Tamalpais Community Services District Restating and Amending Ordinance No. 96 Regulating the Construction, Use, and Maintenance of Private Sewer Laterals"

### **BACKGROUND**

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

At its July 12, 2023 meeting, staff proposed revisions to Ordinance No. 96 to clarify the requirements for inspections, maintenance, and/or improvements of private sewer laterals within the District.

### **DISCUSSION**

At the July 12<sup>th</sup> Board meeting, staff recommended that the Board provide comments and not introduce the ordinance. Staff indicated we would incorporate the input into the proposed Ordinance for consideration this evening.

Attached is a redline and a clean copy of the proposed revisions.

Specifically, we are proposing the following revisions:

- General revisions to improve clarity and consistency. Section titles now match the Section titles listed. We reordered and added to the definitions. We also reworded the "Effective Date" Section of the ordinance. We incorporated Section 400. C. Inspections for Commercial and Common Interest Developments in Section 400. B.

- Clarified the payment of applicable fees. We clarified that owners must pay applicable fees such as capacity charges and connection fees.
- Section 420.C. Revised inspection requirements. Currently, if a property has a newly constructed or completely replaced sewer service lateral that is less than ten (10) years old, no further inspections are required for home improvements over \$40,000 or the sale of property.

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

Specifically, we combined Section 400. D. into the new Section 420. C. regarding "Issuance of Compliance Certificates." We clarified the compliance differences between fully replaced/newly constructed sewer laterals (i.e., certificate valid up to 10 years) and partial repair/replacement of a sewer lateral (i.e., 3 years).

- Section 430 A.– Revised Notice to Repair. Currently, property owners have 90 days from the date of the notice to complete repairs. However, sometimes an owner cannot complete the repair within 90 days due to scheduling issues or other reasonable circumstances. As a matter of practice, staff extends the deadline for completion. To reflect our current practice, we added language to allow the General Manager or his/her designee to extend the ninety (90) day deadline, in his/her sole discretion, for up to an additional ninety (90) days to account for extenuating circumstance. However, any time extension beyond the additional 90 days will require approval by the Board of Directors.
- Section 460 was changed to "Reserved" from "Responsibility of Property Owner." There was no Section 460 in Ordinance No. 96 even though it was listed as a "Section" in the ordinance. Staff finds that "Responsibility of Property Owner" is reflected throughout the various sections of the Ordinance and that there is no need to have a separate section for owner responsibilities. We "Reserved" Section 460 for any additional requirements that may be needed in the future.
- Added Appeals Process. We added an Appeals section which establishes a deadline for appeals.
- Restated and Amended Ordinance. Added recitals and added Section to clarify this Ordinance restates and amends Ordinance No. 96 and supersedes any previous ordinances regulating private sewer laterals.
- CEQA. We added the required CEQA language.



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

Private Lateral Loans

At the July meeting, the Board requested information on the previous TCSD loan program for residents to replace their laterals. According to our research, between 2006 and 2008, TCSD financed 120 laterals for terms of five to ten years depending on the costs of the laterals. These loans have all been repaid. From 2010 to 2016, TCSD made 16 loans with 10 years terms. Of these 16 loans, 13 loans have been paid-in-full, and 3 loans are currently active with a combined remaining balance of approximately \$12,000.

CEQA

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

FISCAL IMPACT

n/a

ATTACHMENTS

Redline of Ordinance No. 96

Clean version of Ordinance No. 100

**ORDINANCE NO. 96100**

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

~~THE TCSD BOARD OF DIRECTORS HEREBY ESTABLISHES AN ORDINANCE TO REGULATE THE CONSTRUCTION, USE, AND MAINTENANCE OF PRIVATE SEWER LATERALS.~~

~~IN ORDER TO ENSURE THE PROPER CONSTRUCTION AND MAINTENANCE OF PRIVATE SEWER LATERALS WITHIN TCSD (HEREINAFTER REFERRED TO AS "THE DISTRICT"), THE BOARD OF DIRECTORS DO HEREBY ORDAIN:~~

**Sections:**

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

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

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

**SECTIONS**

- 100 Findings
- 150 Definitions
- 200 Sewer Laterals - New Construction
- 250 Connection Permits and Fees; Capacity Charge
- 280 Improper and Illegal Connections
- ~~300 to Private Sewer Lateral~~ Laterals
- ~~300 Ownership, Maintenance, and Repair of Private Sewer Laterals~~
- 400 Sewer Laterals - Mandatory Inspections
- 410 Sewer Laterals Inspections- Access to Premises
- 420 Sewer Laterals - Inspection Report - Requirements
- 430 Sewer Laterals - Required Repairs
- 440 Sewer Laterals - Common Interest Developments
- 450 Sewer Laterals - Multiple Connections
- ~~460 Responsibilities of the Property Owner~~
- ~~460 Reserved~~
- 500 Prohibited Discharges

- 550 Punishment - Prohibited Discharges
- 560 Damage to District's Sewer System
- 570 Punishment - Contractors - Violation of Section 280
- 580 Appeals

**SECTION 100 - FINDINGS**

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

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

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

**SECTION 150 - DEFINITIONS**

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

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

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

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

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

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

COMPLIANCE CERTIFICATE means a certificate issued by the District upon its determination that a sewer lateral has demonstrated compliance with all applicable District standards.

DISTRICT or TCSD is the Tamalpais Community Services District.

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **SECTION 250 - CONNECTION PERMITS AND FEES; CAPACITY CHARGE**

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

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

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

It shall be improper and illegal for a Contractor or Homeowner to connect the following to a private sewer lateral, unless otherwise permitted by the District: storm drains, roof drains, pool drains, vehicles such as recreational vehicles and campers, unpermitted structures, and/or

non-sewage pipes or drains. Violation of this Section is punishable under Section 570 of this Ordinance.

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

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

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

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

#### **A. HEALTH AND SAFETY BASIS FOR REQUIRING A SEWER SERVICE LATERAL INSPECTION.**

An Owner shall have the sewer service lateral of his or her real property inspected in accordance with the requirements of this Chapter Ordinance (as directed and within the time period indicated by the District) upon the occurrence of any of the following events:

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

B. **EVENTS REQUIRING A SEWER SERVICE LATERAL INSPECTION -AND COMPLIANCE CERTIFICATE – RESIDENTIAL, COMMERCIAL OR NON-RESIDENTIAL, AND COMMON INTEREST DEVELOPMENT PROPERTIES.** An Owner shall have the sewer service lateral of his or her ~~residential~~ property inspected in accordance with the requirements of this ~~Chapter~~Ordinance upon the occurrence of any of the following events:

1. ~~Home~~-Additions and Improvements: Prior to the ~~issuance~~issuance of a County building permit for a residential or commercial building addition or new improvements on the real property where said addition or improvements (or cumulative additions or improvements through multiple projects over the prior three years) have a value of \$40,000 or greater, an inspection and Compliance Certificate shall be required.

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

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

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

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

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

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

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

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

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

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

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

~~1. Prior Replacement of Service Lateral. An Owner otherwise required to perform a sewer service lateral inspection under B above hereof shall not be required to perform such an inspection if the Owner (or the Owner's predecessor in interest) has originally installed or has replaced his or her property's sewer service lateral within the ten (10) years prior to the date of the application for a building permit, listing the property for sale or the road work or sewer repair.~~

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

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

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

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



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

Nothing herein shall be deemed to provide the District with any right or authority to enter a building or other apparently private or interior area of a real property, except to the extent such entry is expressly authorized by State law. Pursuant to the authority granted by the Community Services District Law, the District may request an inspection warrant to inspect the premises for public nuisances; abate public nuisances, either directly or by giving the Owner notice to abate; or to determine if a notice to abate has been complied with. Where there is no reasonable expectation of privacy, the District may enter onto property within its boundaries without a warrant for the same purposes previously described.

#### **SECTION 420 - SEWER LATERAL INSPECTION REPORT AND COMPLIANCE CERTIFICATE - REQUIREMENTS**

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

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

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

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

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

C. **ISSUANCE OF COMPLIANCE CERTIFICATE.** Upon the District's review and verification of an inspection report received pursuant to this Section, and a determination that the lateral meets all applicable standards to the District's satisfaction, the District shall issue a Compliance Certificate to the Owner.

1. A Compliance Certificate obtained after an Owner has fully replaced or constructed a new sewer lateral associated with a Parcel shall be valid for ten (10) years from the date of issuance, except that after five (5) years from the date of issuance, District Staff may require an inspection under Section 400 B. if it is determined that field conditions have significantly changed to warrant an inspection; all other Compliance Certificates shall be valid for three (3) years from the date of issuance, except as provided in subsections C.2. and C.3. of this section.

2.

Nothing in this Ordinance creates a right or entitlement to a Compliance Certificate obtained by error, omission, fraud, or misrepresentation. If District Staff determines a Compliance Certificate was obtained in such a manner, District Staff may do any of the following:

- a. Require immediate reinspection and recertification, or issue a compliance schedule;
- b. Revoke the existing Compliance Certificate or modify the effective period of the existing Compliance Certificate, if the District provides 30 days' prior written notice of the intended revocation or modification; or
- c. Immediately revoke the Compliance Certificate if District Staff determines the Compliance Certificate was obtained by fraud, misrepresentation, or other intentionally wrongful or misleading means.

3. District Staff shall mail a written notice to the affected Owner, notifying them of the District's intent to revoke or modify the Compliance Certificate, or of any immediate revocation already made. Within 30 days of the date the revocation notice was mailed, the affected Owner may submit a written appeal in accordance with the procedures of this Ordinance. The appellant will bear the burden of proof, by a preponderance of the evidence, that the Compliance Certificate was properly issued. In all other respects, appeals under this subsection will proceed in accordance with the provisions of section 580. Failure to appeal the revocation within 30 days will result in the revocation or modification described in the notice without further right of administrative appeal.

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

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

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

C. **REPAIRS TO IMPROPER CONNECTIONS CONSISTING OF MULTIPLE PRIVATE CONNECTIONS TO A COMMON LATERAL.** A sewer service lateral serving more than one

residential dwelling, except as provided for in Section 450, is an improper connection and shall be repaired or replaced as deemed appropriate by the District. The Owner of each affected residential dwelling shall be responsible for disconnecting their sewer service lateral from the common lateral and connecting to the nearest sewer main, if required.

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

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

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

3. **Corrections of Violations.** Section ~~652361064~~ of the ~~California Health and Safety Government~~ Code provides that ~~in order to enforce the provisions of any Ordinance of the District, the District may correct any violation of an Ordinance of the District. The cost of such corrections may be added to any sewer service charge payable by the person violating the Ordinance or the Owner or tenant of the property upon which the violation occurred, and/or the District may place treating it as a lien on the property wherein the violation occurred or the District may pursue a Civil Action for recovery of the costs. Whatever option the District pursues misdemeanor under this Subsection 3, the District shall be entitled to its costs and attorney fees. Section 19 of the Penal Code, or issuing an administrative citation.~~

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

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

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

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

**A-SECTION 460- RESERVED**

**SECTION 500 – PROHIBITED DISCHARGES**

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

- ~~1.~~A. Cooking grease whether emulsified or not
- ~~2.~~B. Waste automotive radiator coolant
- ~~3.~~C. Explosive mixtures
- ~~4.~~D. Radioactive wastes
- ~~5.~~E. Solid or viscous wastes which may cause obstruction to the flow in a sewer pipeline, including cleansing wipes or "flushable" wipes
- ~~6.~~F. Any toxic substances in excess of the United States Environmental Protection Agency standards pursuant to Section 307(a) of the Clean Water Act, or any other substances which may interfere with the biological processes of the wastewater system-
- ~~7.~~G. Petroleum products of any kind

- H. Any liquid or vapor having a temperature higher than one hundred forty (140) degrees Fahrenheit.
- I. Any food waste from a residential unit that has not been properly shredded to a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension. Food waste is prohibited from a commercial property.
- J. Any water containing synthetic detergents in excessive quantity.
- K. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- L. Any water or wastes containing acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- M. Any water or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement.
- N. Any wastewater containing cyanides in excess of two milligrams per liter (2 mg/l)
- O. Any water or waste containing phenols or other taste or odor producing substances in high concentrations.
- P. Any water or waste which contain substances or possess characteristics or pollutants which, in the judgment of the General Manager, may have a deleterious effect upon the sewage treatment works or collection system.

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

**A. — MISDEMEANOR.** Section 652361064 of the California Health and Safety Government Code provides that the violation of any ordinance, rule, or regulation of a sanitary district ~~the District~~ by any person is a misdemeanor punishable by imprisonment in the County jail not to exceed 30 days or by a fine not to exceed one-thousand dollars (\$1,000) or both. Each and every connection, occupancy, and/or prohibited discharge in violation of this Ordinance shall be deemed a separate violation and each and every day or part of a day a violation of the Ordinance, rule, or regulation continues shall be deemed a separate offense hereunder and shall be punishable as such.

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

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

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

Should a Contractor make any connections in violation of Section 280 of this Ordinance, the Contractor shall be guilty of a misdemeanor within the meaning of Section 652361064 of the California Health and Safety Government Code.

#### **SECTION 580 - APPEALS**

All decisions of the General Manager regarding the implementation of this Ordinance shall be final unless appealed. However, applicants may request an appeal of an adverse determination or any conditions or limitations per this Ordinance, within ten (10) days from the date the General Manager issues a decision or makes a determination. All appeals shall contain a statement of the grounds for the appeal. Appeals shall be made to the District Board who shall hear the matter and render a determination as soon as reasonably practicable, but in no event later than sixty (60) days after an appeal has been filed. Applicants are required to pay an appeal filing fee in an amount set by resolution. Following the filing of an appeal, the District Board shall hold a public hearing on the matter. All determinations on an appeal shall address and be based upon the same findings required to be made in the original determination from which the appeal is taken. Except for appeals of corrective orders and suspension or termination of service, the appeal is an evaluative, and not an adversarial, process to determine the facts of the issue and the appropriate application of this Ordinance. The Board, appellant and General Manager may provide any information deemed relevant to the issue and the Board's consideration. The Board's decision at the conclusion of the hearing shall be final. Adherence to formal rules of evidence is not required.

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

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

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

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

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

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

A. In some parts, the Ordinance merely represents a unification, restatement and clarification of existing policies and procedures of the District with regard to the matters addressed in the Ordinance and, therefore to that extent, neither the Ordinance itself nor its adoption constitutes a "project" as that term is defined under CEQA; and

B. To the extent that any portion of the Code may be a "project" for purposes of CEQA, it is found and determined that:

1. Those portions of the Code that establish policies and procedures which are ministerial in nature are statutorily exempt from the requirements of CEQA. (State Guidelines, §15268)

2. Those portions of the Code that establish or reestablish fees, rates and/or charges are statutorily exempt from the requirements of CEQA in that in each instance the fee, rate and/or charge is necessary for purposes of meeting operating expenses of the District, meeting financial reserve needs and requirements of the District and/or obtaining funds for capital projects which are necessary to maintain services within existing service areas in the District. (State Guidelines, §15273);

3. Those portions of the Code that establish regulatory processes and procedures with regard to the disposal of wastewaters and solid waste and the use of the District's wastewater facilities constitute procedures for the protection of the environment and, therefore, they are categorically exempt from the requirements of CEQA. (State Guidelines, Categorical Exemption Class 8, §15308.); and

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

#### **SECTION 700 - SEVERABILITY**

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

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

~~\_\_\_\_\_ This Upon adoption, this Ordinance shall be and the same is hereby declared to be or a summary shall be published once in a newspaper of general circulation published in the District within 15 days from and after its adoption, and the Ordinance shall be in full force and effect from and after thirty (30) days from and after the date of its final passage and shall be published once before the expiration adoption.~~

~~The foregoing ordinance was duly noticed and introduced at a regular meeting of fifteen (15) days after the Tamalpais Community Services District Board of Directors held in said passage, with District on the names 9th day of August 2023, and thereafter adopted at a regular meeting of the Directors voting for or against Board, held in said District on the same, in     <sup>th</sup> day of      2023 by the Marin Independent Journal, a newspaper of general circulation published in the County of Marin, State of California following vote:~~



AYES, and in favor thereof, Directors:

NOES, Directors:

ABSENT, Directors:

\_\_\_\_\_  
Steffen Bartschat

President, Board of Directors

Tamalpais Community Services District

ATTEST:

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

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PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Tamalpais Community Services District, held on \_\_\_\_\_ th day of \_\_\_\_\_, 2017 \_\_\_\_\_, 2023 by the following vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
Secretary

## ORDINANCE NO. 100

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

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

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

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

#### **SECTIONS**

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

#### **SECTION 100 - FINDINGS**

The District finds and determines that Infiltration and Inflow (hereinafter referred to as I&I) is a serious problem for the District in that during heavy rains, a significant amount of water is introduced into the District's system as a result of the I&I from breaches in the entire pipeline

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

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

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

## **SECTION 150 - DEFINITIONS**

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

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

**COMPLIANCE CERTIFICATE** means a certificate issued by the District upon its determination that a sewer lateral has demonstrated compliance with all applicable District standards.

**DISTRICT** or TCSD is the Tamalpais Community Services District.

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

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

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

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

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

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

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

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

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

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

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

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

## **SECTION 250 - CONNECTION PERMITS AND FEES; CAPACITY CHARGE**

Prior to constructing a lateral or connecting a new building to an existing lateral, or undertaking a repair of a lateral, the owner shall apply for and obtain a permit from the District and pay all applicable sewer capacity charges and/or inspection fees per District policies and regulations. The application shall include a plan showing the location of the lateral and the

proposed repair or replacement, and all buildings, other utilities, significant features, and topography of the property and showing the public right-of-way or easement in which the lateral and the District's sewer are located, and the proposed connection of the lateral to the District's sewer main.

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

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

It shall be improper and illegal for a Contractor or Homeowner to connect the following to a private sewer lateral, unless otherwise permitted by the District: storm drains, roof drains, pool drains, vehicles such as recreational vehicles and campers, unpermitted structures, and/or non-sewage pipes or drains. Violation of this Section is punishable under Section 570 of this Ordinance.

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

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

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

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

##### **A. HEALTH AND SAFETY BASIS FOR REQUIRING A SEWER SERVICE LATERAL INSPECTION.**

An Owner shall have the sewer service lateral of his or her real property inspected in accordance with the requirements of this Ordinance (as directed and within the time period indicated by the District) upon the occurrence of any of the following events:

1. **Overflow or Malfunction.** Whenever the District determines that the sewer service lateral has recently overflowed or has recently malfunctioned.
2. **Lateral Failure or Lack of Maintenance.** Whenever, based on sewer system testing conducted by the District (of either the sewer service lateral or the District's public sewer system),

the District finds that there is sufficient evidence to conclude that the sewer service lateral has failed, is likely to fail, or has not been properly maintained.

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

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

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

**B. EVENTS REQUIRING A SEWER SERVICE LATERAL INSPECTION AND COMPLIANCE CERTIFICATE – RESIDENTIAL, COMMERCIAL OR NON-RESIDENTIAL, AND COMMON INTEREST DEVELOPMENT PROPERTIES.** An Owner shall have the sewer service lateral of his or her property inspected in accordance with the requirements of this Ordinance upon the occurrence of any of the following events:

1. Additions and Improvements: Prior to the issuance of a County building permit for a residential or commercial building addition or new improvements on the real property where said addition or improvements (or cumulative additions or improvements through multiple projects over the prior three years) have a value of \$40,000 or greater, an inspection and Compliance Certificate shall be required.

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

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

- a. It shall be the responsibility of the Seller to coordinate an inspection of the sewer lateral upon listing the home for sale.
- b. Should the Seller fail to have an inspection conducted on the property prior to the sale of the property, the District shall require the new Owner to conduct an inspection and make any necessary repairs to the lateral.

3. Whenever the District is replacing a sewer line, conducting repairs of a sewer main, or the County is doing road resurfacing, an inspection and Compliance Certificate shall be required. Owners will be notified by the District of any current work and need for an inspection report on

their lateral prior to the road work or construction so that any remedial work to the lateral is completed prior to the construction or road work.

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

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

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

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

Nothing herein shall be deemed to provide the District with any right or authority to enter a building or other apparently private or interior area of a real property, except to the extent such entry is expressly authorized by State law. Pursuant to the authority granted by the Community Services District Law, the District may request an inspection warrant to inspect the premises for public nuisances; abate public nuisances, either directly or by giving the Owner notice to abate; or to determine if a notice to abate has been complied with. Where there is no reasonable expectation of privacy, the District may enter onto property within its boundaries without a warrant for the same purposes previously described.

#### **SECTION 420 - SEWER LATERAL INSPECTION REPORT AND COMPLIANCE CERTIFICATE - REQUIREMENTS**

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



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

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

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

device is already installed, the report shall indicate whether the backwater device is functioning properly.

g. A Declaration under penalty of perjury that the report is true and correct.

C. **ISSUANCE OF COMPLIANCE CERTIFICATE.** Upon the District's review and verification of an inspection report received pursuant to this Section, and a determination that the lateral meets all applicable standards to the District's satisfaction, the District shall issue a Compliance Certificate to the Owner.

1. A Compliance Certificate obtained after an Owner has fully replaced or constructed a new sewer lateral associated with a Parcel shall be valid for ten (10) years from the date of issuance, except that after five (5) years from the date of issuance, District Staff may require an inspection under Section 400 B. if it is determined that field conditions have significantly changed to warrant an inspection; all other Compliance Certificates shall be valid for three (3) years from the date of issuance, except as provided in subsections C.2. and C.3. of this section.

2. Nothing in this Ordinance creates a right or entitlement to a Compliance Certificate obtained by error, omission, fraud, or misrepresentation. If District Staff determines a Compliance Certificate was obtained in such a manner, District Staff may do any of the following:

- a. Require immediate reinspection and recertification, or issue a compliance schedule;
- b. Revoke the existing Compliance Certificate or modify the effective period of the existing Compliance Certificate, if the District provides 30 days' prior written notice of the intended revocation or modification; or
- c. Immediately revoke the Compliance Certificate if District Staff determines the Compliance Certificate was obtained by fraud, misrepresentation, or other intentionally wrongful or misleading means.

3. District Staff shall mail a written notice to the affected Owner, notifying them of the District's intent to revoke or modify the Compliance Certificate, or of any immediate revocation already made. Within 30 days of the date the revocation notice was mailed, the affected Owner may submit a written appeal in accordance with the procedures of this Ordinance. The appellant will bear the burden of proof, by a preponderance of the evidence, that the Compliance Certificate was properly issued. In all other respects, appeals under this subsection will proceed in accordance with the provisions of section 580. Failure to appeal the revocation within 30 days will result in the revocation or modification described in the notice without further right of administrative appeal.

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

A. **NOTICE TO REPAIR.** Upon receipt of the sewer service lateral inspection report pursuant to this Ordinance, the District will determine whether it indicates any deficiencies in the operation of the sewer service lateral and, thereafter, shall provide the Owner(s) with a Notice to Repair as may be deemed appropriate. The Notice to Repair/Replace shall specifically identify

the deficiencies to be corrected and shall establish a deadline within which the Owner(s) shall complete the required corrective actions within ninety (90) days of the date of Notice of Repair/Replace. The General Manager or his/her designee may extend the ninety (90) day deadline, in his/her sole discretion, for up to an additional ninety (90) days to account for extenuating circumstance. However, any time extension beyond the additional 90 days will require approval by the Board of Directors. The corrective actions may include a requirement that the lateral be replaced altogether and also may include the installation of cleanouts and backwater valves if those devices are otherwise required by this Ordinance or any uniform code adopted by the Agency.

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

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

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

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

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

3. **Corrections of Violations.** Section 61064 of the Government Code provides that the District may correct any violation of an Ordinance of the District by treating it as a misdemeanor under Section 19 of the Penal Code, or issuing an administrative citation.

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

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

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

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

## **SECTION 460- RESERVED**

## **SECTION 500 – PROHIBITED DISCHARGES**

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

- A. Cooking grease whether emulsified or not
- B. Waste automotive radiator coolant
- C. Explosive mixtures
- D. Radioactive wastes
- E. Solid or viscous wastes which may cause obstruction to the flow in a sewer pipeline, including cleansing wipes or "flushable" wipes
- F. Any toxic substances in excess of the United States Environmental Protection Agency standards pursuant to Section 307(a) of the Clean Water Act, or any other substances which may interfere with the biological processes of the wastewater system
- G. Petroleum products of any kind
- H. Any liquid or vapor having a temperature higher than one hundred forty (140) degrees Fahrenheit.
- I. Any food waste from a residential unit that has not been properly shredded to a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension. Food waste is prohibited from a commercial property.

- J. Any water containing synthetic detergents in excessive quantity.
- K. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- L. Any water or wastes containing acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- M. Any water or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement.
- N. Any wastewater containing cyanides in excess of two milligrams per liter (2 mg/l)
- O. Any water or waste containing phenols or other taste or odor producing substances in high concentrations.
- P. Any water or waste which contain substances or possess characteristics or pollutants which, in the judgment of the General Manager, may have a deleterious effect upon the sewage treatment works or collection system.

**SECTION 550 – PUNISHMENT – PROHIBITED DISCHARGES**

**MISDEMEANOR.** Section 61064 of the Government Code provides that the violation of any ordinance, rule, or regulation of the District by any person is a misdemeanor punishable by imprisonment in the County jail not to exceed 30 days or by a fine not to exceed one-thousand dollars (\$1,000) or both. Each and every connection, occupancy, and/or prohibited discharge in violation of this Ordinance shall be deemed a separate violation and each and every day or part of a day a violation of the Ordinance, rule, or regulation continues shall be deemed a separate offense hereunder and shall be punishable as such.

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

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

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

Should a Contractor make any connections in violation of Section 280 of this Ordinance, the Contractor shall be guilty of a misdemeanor within the meaning of Section 61064 of the Government Code.

**SECTION 580 - APPEALS**

All decisions of the General Manager regarding the implementation of this Ordinance shall be final unless appealed. However, applicants may request an appeal of an adverse determination or any conditions or limitations per this Ordinance, within ten (10) days from the date the General Manager issues a decision or makes a determination. All appeals shall contain a statement of the grounds for the appeal. Appeals shall be made to the District Board who shall hear the matter and render a determination as soon as reasonably practicable, but in no event

later than sixty (60) days after an appeal has been filed. Applicants are required to pay an appeal filing fee in an amount set by resolution. Following the filing of an appeal, the District Board shall hold a public hearing on the matter. All determinations on an appeal shall address and be based upon the same findings required to be made in the original determination from which the appeal is taken. Except for appeals of corrective orders and suspension or termination of service, the appeal is an evaluative, and not an adversarial, process to determine the facts of the issue and the appropriate application of this Ordinance. The Board, appellant and General Manager may provide any information deemed relevant to the issue and the Board's consideration. The Board's decision at the conclusion of the hearing shall be final. Adherence to formal rules of evidence is not required.

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

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

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

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

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

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

- A. In some parts, the Ordinance merely represents a unification, restatement and clarification of existing policies and procedures of the District with regard to the matters addressed in the Ordinance and, therefore to that extent, neither the Ordinance itself nor its adoption constitutes a "project" as that term is defined under CEQA; and
- B. To the extent that any portion of the Code may be a "project" for purposes of CEQA, it is found and determined that:
  - 1. Those portions of the Code that establish policies and procedures which are ministerial in nature are statutorily exempt from the requirements of CEQA. (State Guidelines, §15268)
  - 2. Those portions of the Code that establish or reestablish fees, rates and/or charges are statutorily exempt from the requirements of CEQA in that in each instance the fee, rate and/or charge is necessary for purposes of meeting operating

expenses of the District, meeting financial reserve needs and requirements of the District and/or obtaining funds for capital projects which are necessary to maintain services within existing service areas in the District. (State Guidelines, §15273);

3. Those portions of the Code that establish regulatory processes and procedures with regard to the disposal of wastewaters and solid waste and the use of the District's wastewater facilities constitute procedures for the protection of the environment and, therefore, they are categorically exempt from the requirements of CEQA. (State Guidelines, Categorical Exemption Class 8, §15308.); and

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

**SECTION 700 - SEVERABILITY**

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

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

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

The foregoing ordinance was duly noticed and introduced at a regular meeting of the Tamalpais Community Services District Board of Directors held in said District on the 9th day of August 2023, and thereafter adopted at a regular meeting of the Board, held in said District on the \_\_\_<sup>th</sup> day of \_\_\_ 2023 by the following vote:

AYES, and in favor thereof, Directors:

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

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

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

ATTEST:

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

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Tamalpais Community Services District, held on \_\_\_th day of \_\_\_\_\_, 2023 by the following vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
Secretary





## TAMALPAIS COMMUNITY SERVICES DISTRICT

Staff Report  
August 9, 2023

**TO: BOARD OF DIRECTORS**  
**FROM: GARRETT TOY, GENERAL MANAGER**  
**SUBJECT: APPROVE EMPLOYEE CELL PHONE REIMBURSEMENT POLICY**

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### **RECOMMENDATION**

Adopt the resolution approving the Cell Phone Reimbursement Policy.

### **DISCUSSION**

TCSD issues phones to those employees who are on-call 24/7, may be assigned to be on-call 24/7, and/or need a phone to be accessible during business hours. For those other employees who's regularly assigned duties necessitate the use of cell phone while outside of the office, they use their personal phones.

Many public agencies adopt a cell phone reimbursement policy with an allowance to reimburse the reasonable costs of the employees' use of their personal phones. The policy complies with California Law which requires employers to reimburse employees for the reasonable cost for the use of their personal phones for work-related purposes regardless of the employee's cell phone plan. In general, the reimbursement of the use of personal cell phones is administratively less costly than TCSD issuing cell phones to all employees requiring the use of cell phones during business hours.

Below is the proposed policy which will be incorporated into the TCSD Personnel Policy.

### **"CELL PHONE REIMBURSEMENT POLICY**

For those staff whose regularly assigned duties necessitate the use of a personal mobile technology phone device to be accessible while outside of the office, the General Manager may authorize a monthly allowance of up to \$30.00. Staff must be able to receive and send text messages while working as well as access work emails but must comply with all California vehicle code requirements when driving. Certain terms and conditions will apply, as established by the General Manager, for the use of personal cell phones for business purposes.

TCSD will issue phones to those employees who are on-call 24/7 or may be assigned to be on-call 24/7. These employees using TCSD issued phone are not eligible for a phone allowance. TCSD issued cell phones are the property of TCSD and must be returned when an employee leaves employment.

For all other employees, the General Manager, in his/her sole discretion, may issue TCSD-owned phones to staff to use for business purposes.”

The policy will take effect with August 14, 2023, pay period. The resolution authorizes the General Manager to amend the TCSD Personnel Policy to incorporate the Cell Phone Reimbursement Policy and the General Manager is authorized to make changes from time to time to this policy but cannot revise the maximum monthly cell phone allowance without Board approval.

**FISCAL IMPACT**

An annual cell phone allowance of \$30/mo. per eligible employee (8) has a total annual cost of \$2,880. Five of TCSD’s 13 total full-time employees have TCSD issued phones. Each department would pay a prorated share of the costs.

**ATTACHMENTS**

- A. Resolution



**TAMALPAIS COMMUNITY SERVICES DISTRICT**

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

**RESOLUTION NO. 2023-1x**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT APPROVING A CELL PHONE REIMBURSEMENT POLICY**

**WHEREAS**, staff whose regularly assigned duties necessitate the use of a personal mobile technology phone device to be accessible while outside of the office; and

**WHEREAS**, TCSD issues phones to those employees who are on-call 24/7, may be assigned to be on-call 24/7, and/or need a phone to be accessible during business hours; and

**WHEREAS**, TCSD contacts employees without TCSD issued phones for business purposes; and

**WHEREAS**, under California Law employers are required to reimburse employees for the reasonable cost for the use of their personal phones for work-related purposes regardless of the employee’s cell phone plan; and

**WHEREAS**, many public agencies adopt a cell phone reimbursement policy with an allowance to reimburse the reasonable costs of the employees’ use of their personal phones; and

**WHEREAS**, the reimbursement of the use of personal cell phones is administratively less costly than TCSD issuing cell phones to all employees requiring the use of cell phones during business hours.

**THEREFORE, BE IT RESOLVED** that the Tamalpais Community Services District adopt the following personnel policy which will take effect the August 14, 2023 pay period:

**“CELL PHONE REIMBURSEMENT POLICY**

For those staff whose regularly assigned duties necessitate the use of a personal mobile technology phone device to be accessible while outside of the office, the General Manager may authorize a monthly allowance of up to \$30.00. Staff must be able to receive and send text messages while working as well as access work emails, but must comply with all California vehicle code requirements when driving. Certain terms and conditions will apply, as established by the General Manager, for the use of personal cell phones for business purposes.

TCSD will issue phones to those employees who are on-call 24/7 or may be assigned to be on-call 24/7. These employees using TCSD issued phone are not eligible

for a phone allowance. TCSD issued cell phones are the property of TCSD and must be returned when an employee leaves employment.

For all other employees, the General Manager, in his/her sole discretion, may issue TCSD-owned phones to staff to use for business purposes."

**BE IT FURTHER RESOLVED** that the Tamalpais Community Services District authorizes the General Manager to amend the TCSD Personnel Policy, as necessary and appropriate, to incorporate the Cell Phone Reimbursement Policy and the General Manager is authorized to make changes from time to time to this policy, but cannot revise the maximum monthly cell phone allowance without Board approval.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Tamalpais Community Service District at a duly noticed meeting held in said District on the 9th day of August 2023 by the following vote:

AYES:

NAYS:

ABSENT:

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

ATTEST:

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



**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
**Staff Report**  
**August 9, 2023**

**TO: BOARD OF DIRECTORS**  
**FROM: ALAN SHEAR, ASSISTANT GENERAL MANAGER**  
**SUBJECT: RECEIVE REPORT ON SOLID WASTE COLLECTION ROUTE REVIEWS**

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**RECOMMENDATION**

Receive the report on the solid waste collection route reviews.

**BACKGROUND**

In January 2022, TCSD adopted Ordinance 98, which codified SB1383. That bill was signed into law in 2016 and is a statewide organic waste recycling and surplus food recovery mandate to reduce emissions of methane from food and organic waste in landfills.

SB 1383 requires the state to:

- Reduce organic waste disposal by 75% by 2025.
- Rescue at least 20% of currently disposed surplus edible food by 2025.

SB 1383 mandates local agencies to do the following:

- 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.
- Provide organics and recycling collection services to all accounts.
- Jurisdictions must audit/enforce 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.
- Construction and demolition wastes are further regulated.

The regulations took effect January 1, 2022, with the first annual report due to CalRecycle October 1, 2022.

## DISCUSSION

TCSD contracted with Envirolutions to perform the route reviews (lid flip audit) necessary under SB 1383 to attain the appropriate data for the California Annual Report. The route reviews comply with the requirements of SB 1383 which includes measuring the prohibited container contaminants in all three streams (trash, recycling, and organics). All hauler routes must be reviewed annually to comply with SB 1383.

TCSD has four days of collection service (Tuesday through Friday) with four trash, four recycling, and four organics routes with roughly 2,200 accounts serviced, with a range of 484 to 600 accounts per trash route. For each audited route, 25 residential and two commercial accounts were scheduled to be reviewed. Additional addresses were pulled to account for containers that had not been set out.

The overall results showed residents sorted material well and kept contamination out of the recycling and organics. There were 363 containers audited, including residential and commercial accounts, during the one-week period (Tuesday-Friday) of the route reviews from June 20-23, 2023, with 82 containers containing prohibited contaminants. This could mean recycling and organics were in the trash container, or trash was in the organics and recycling container. Envirolutions noted prohibited contaminants if any material was identified and left an oops tag if it was more than 10% of the container.

Below summarizes the findings:

- 363 total containers were audited over the four days, and 82 of those containers received oops tags.
- Of the 82 containers identified to include incompatible material (e.g., recycling or organics), and received an oops tag for having greater than 10% incompatible material) more than half (42) were mixed recycling. The mixed organics containers received very few (5) oops tags.
- There were 71 out of 363 containers not set out at the time of service.
- Most oops tags were left on recycling containers.
- Non-program plastics were the main contributor to recycling container contamination.

## Conclusion

Based upon the report findings that the highest contamination levels were found in the recycling containers, Envirolutions recommends a continued emphasis on what goes in the blue cart as there seems to be a misunderstanding of which plastics are recyclable.

Compared to the results from the 2022 lid-flip audit performed by SCS Engineers, the highest contamination levels were found in the mixed organics containers. While the contamination levels in the green carts were lower this year, there is still a need to perform education and outreach on appropriate sorting in both the blue and green containers.

Per the recommendations from both lid-flip audits, staff will work on an education and outreach program to better inform residents of proper sorting in the blue and green containers. The education campaign will include information via the newsletter, postcards, stickers summarizing proper sorting, and the distribution of compost pails.

**FISCAL IMPACT**

N/A

**ATTACHMENTS**

June 2023 Route review report



# Tamalpais Community Services District Route Review Report June 2023

Prepared by:





## INTRODUCTION

Envirolutions Consulting was contracted by the Tamalpais Community Services District (TCSD) to conduct their annual route reviews for compliance with Senate Bill (SB) 1383. TCSD is a community district that provides refuse, recycling and organics collection services to customers in the Mill Valley, California area. The route reviews surveyed four days of collection service (Tuesday through Friday) with four trash, four recycling, and four organics routes with roughly 2,200 accounts serviced, with a range of 484 to 600 accounts per trash route. The route reviews conducted by Envirolutions comply with the requirements in the California Code of Regulations (CCR), Title 14, Division 7, Chapter 3, Article 6.2, and Section 18984.5. Each site sampled as part of the route reviews had all three streams (e.g., trash, recycling, and organics), which were sampled whenever possible. Envirolutions followed a similar protocol to the previous year's route reviews and efforts were made to follow the same format for contiguous reporting year-to-year.

## METHODOLOGY

### ***Route Selection***

Envirolutions used the route sample numbers outlined in the SB 1383 regulations for performance-based audits (Section 18984.5c), which suggests 25 lid flips for each route with less than 1,500 stops. Due to the number of sites collected on the routes in the TCSD service area, Envirolutions staff audited 25 residential (RES) sites per route, or 75 containers total each day (3 streams per stop). Additionally, we included 2 commercial (COM) accounts per day or 8 accounts total for the week as the commercial sector is very small in the TCSD service area.

### ***Measuring Contamination & Reporting***

Upon arriving at the site, Envirolutions staff opened each container lid to survey the contents of the container for prohibited materials and documented the contamination level without physical handling of the container. Contamination levels are set by the database used for the project, Recyclist, and they are: Low contamination (10% or less), Medium (11-50%), and High (above 50%). We had hoped to utilize Recyclist for data collection in the field but due to low connectivity, had to use paper forms to capture the information to subsequently input into Recyclist. For this reason, images were not included in the project.

### ***Education***

Residents were informed about the route reviews by a letter posted to the TCSD website and carried by Envirolutions staff in the field in the event someone questioned why we were looking into their waste receptacles. This letter is included as Attachment B.

Envirolutions utilized the "Oops" tags developed by TCSD to educate customers, which are included in this report as Attachment C. "Oops" tags were left when contamination levels were above 10% of the total container contents by volume. We did not encounter any contamination that warranted a non-collection event, such as the presence of household hazardous waste or other prohibited materials.

## PROJECT RESULTS

In total, Envirolutions staff included 363 containers during the one-week period (Tuesday-Friday) of the route reviews from June 20-23, 2023. This exceeded the target number of sites audited in the Scope of Work included as Attachment A, which was 25 residential accounts and 2 commercial accounts daily. The breakdown of each container type is included in the table below.

Table 1: Total number of audited containers by day

Route	Landfill	Recycling	Organics	Total
Tuesday	33	33	33	99
Wednesday	30	30	30	90
Thursday	30	30	30	90
Friday	28	28	28	84

Here is the breakdown of the sites included in the project by sector, residential or commercial. At each site, all three material streams (trash/recycle/organics) were included in the audit.

Table 2: Total number of sites by sector

Route	Residential	Commercial	Multifamily	Total
Tuesday	31	2	0	33
Wednesday	28	2	0	30
Thursday	28	2	0	30
Friday	26	2	0	28

During the project, Envirolutions encountered a higher than anticipated number of containers that were found empty or not set out. In some instances, it was clear the driver had serviced the route before we were able to audit the carts. To prevent this, we were in constant contact with TCS staff but it was an issue that persisted throughout the week. Other reasons why carts may not have been set out might include the fact that the route reviews were conducted during the summer when families may have been away on vacation. The breakdown of the occurrence of carts empty or not set out by sector is included in the charts below.

Table 3: RES carts found empty per day and material type

Date Inspected	Garbage	Mixed Organics	Mixed Recycling	Total
June 20,2023	4	11	4	19
June 21,2023	0	7	1	8
June 22,2023	0	7	0	7
June 23,2023	1	13	0	14
<b>Total</b>	<b>5</b>	<b>38</b>	<b>5</b>	<b>48</b>

Table 4: RES carts not set out per day and material type

Date Inspected	Garbage	Mixed Organics	Mixed Recycling	Total
June 20,2023	4	8	8	20
June 21,2023	4	9	2	15
June 22,2023	4	10	3	17
June 23,2023	4	11	4	19
<b>Total</b>	<b>16</b>	<b>38</b>	<b>17</b>	<b>71</b>

For the COM sector, the incidence of arriving to find the containers empty was lower and though some were marked as “not set out,” it is assumed all were present and had been serviced prior to being audited.

Table 5: COM containers found empty by day and material type

Date Inspected	Garbage	Mixed Organics	Mixed Recycling	Total
June 20,2023	0	1	2	3
June 21,2023	0	1	0	1
June 22,2023	2	2	2	6
June 23,2023	2	1	1	4
<b>Total</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>14</b>

Contamination levels witnessed during the project were generally low. The table below shows contamination witnessed by material type per day.

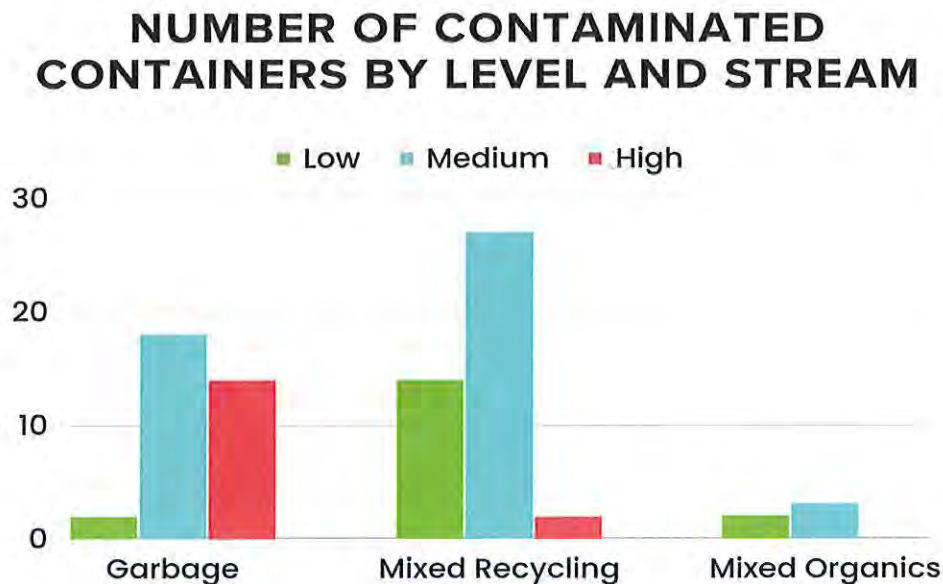
Table 6: Number of contaminated containers by level and stream

Stream	Low	Medium	High	Total
Garbage	2	18	14	34
Mixed Organics	2	3	0	5
Mixed Recycling	14	27	2	43
<b>Total</b>	<b>18</b>	<b>48</b>	<b>16</b>	<b>82</b>

Contamination in garbage meant that there were divertible materials (recyclables or organics) still left garbage. This is consistent with other route review projects Envirolutions has been involved in. This indicates more work is left to be done to get participation levels in these programs higher.

The most prevalent contamination level was found to be medium. It is interesting to note that the highest levels of contamination were found in recycling, even greater than that of garbage. Again, greater efforts will need to be devoted here to reverse this trend. It is encouraging to see relatively low levels of contamination in the organics stream. Presented in a different way, here are these same numbers as a chart.

Chart 1: Number of contaminated containers by level and stream



Envirolutions staff left “Oops” tags whenever 10% or greater contamination was encountered to educate the generator on what goes where. “Oops” tags were left at all contaminated containers during the project, meaning that a total of 82 Oops tags were left on containers during the project.

## RECOMMENDATIONS

Envirolutions has the following recommendations for future route reviews based on the outcomes of this project.

### ***Improved project coordination***

It was the case on several occasions, we arrived to discover the route had been serviced prior to our being able to audit the container(s). It is suggested for subsequent years more coordination with the drivers prior to start the audit. Perhaps the drivers can begin the collection routes a little later in the day during the week of the route reviews.

### ***Bringing mobile hotspots***

Our team was prepared for the occasional lack of reception but the reality was we were rarely within cell range. Thankfully we had paper forms to capture the data on but this did slow us down. For future years, we will plan ahead for this and arrange for each team to carry a mobile hotspot.

### ***Consider conducting the reviews in the fall***

We suspect that some of the “no set out” events were due to summer vacations. One consideration may be to have the route reviews slightly later in the year once school is back in session and families are more likely to be home.

### ***Greater focus for what goes in the blue cart***

Finally, due to the fact the highest contamination levels were found in the recycling cart, Envirolutions recommends a continued emphasis on what goes in the blue cart. Contamination in the recycling cart can be for any number of reasons, from “wish cycling” to a misunderstanding of what plastics are recyclable. For more details on what specific contaminants were in the recycling carts, please refer to the data in Recyclist.



## ATTACHMENT A: Scope of Work

### **Overview**

The route reviews performed by Envirolutions will assist TCSD in complying with the requirements in the California Code of Regulations (CCR), Title 14, Division 7, Chapter 3, Article 6.2, and Section 18984.5, which requires communities to measure prohibited contaminants in all three streams (e.g., trash, recycling, and organics).

### **Methodology**

#### ***Route Selection***

Envirolutions will seek to largely replicate the previous year's methodology developed by SCS Engineers to ensure consistency. In this methodology it was determined to use the route sample numbers in the SB 1383 regulations for performance based audits (Section 18984.5c), which suggests 25 lid flips for each route with less than 1,500 stops. Due to the size of the routes in the TCSD service area, Envirolutions staff will audit 25 residences per route or 75 containers total each day. Likewise, as was done in the previous year's Route Reviews, Envirolutions will review 2 commercial accounts per day or 8 accounts total for the week. This will result in 24 lid flips for all three commodities in the commercial sector.

### **Measuring Contamination & Reporting**

A description of the jurisdiction's process for determining the level of container contamination is required by Section 18984.6. Our process will be as follows:

- The process will involve opening the container lid, surveying the contents of the container for prohibited materials, documenting the estimated contamination level, and then closing the container lid. There shall be no physical handling of container contents and container placement shall remain as found upon arrival.
- Envirolutions staff will note the percentage of contamination in the container and relative level of fullness and based on this, make assumptions that the contamination levels of the unseen material in the bottom of the container.
- Contamination levels are set by Recyclist and are as such: Low (10% or less), Medium (10-50%), and High (above 50%). Envirolutions will determine with TCSD input as to whether a highly contaminated container or the presence of household hazardous waste would result in a non-collection event.
- Envirolutions staff will document their findings for each container reviewed directly into the Recyclist database utilizing the forms included in their database. We will use best efforts to document the findings only in digital form to reduce waste, increase accessibility, and minimize the time spent on data analysis. That said, paper forms will be available to prepare for the possibility of lack of reception or problems with the app.

### **Education**

In accordance with guidance we have received from CalRecycle, Envirolutions will utilize the "Oops" tags provided by TCSD to educate customers when there is the presence of any level of contamination. The contamination threshold will begin at encounters a heavily contamination container, Envirolutions staff will provide the customer with a notice of contamination in the form of either a Courtesy Notice or a Non-Collection Notice as determined by Envirolutions Staff. Courtesy Notices will be utilized when contamination levels are relatively minimal. Egregious contamination of more than 25% contamination, or in the instance of non-permitted items such as household hazardous waste or electronic waste, will result in a Non-Collection Notice. Both Courtesy Notices and Non-Collection Notices will be left behind as bin tags and in the event of Non-Collection Notices, the customer will be contacted to inquire about how the contamination will be addressed. The customer will be given the option of cleaning up the contamination to have the container serviced as it's intended commodity or having the container serviced as garbage. In both instances, the customer will be charged for the return visit but the cost for servicing the container as garbage will be greater than that of the original commodity. The fee schedules for this will be determined separately from this methodology.

### **Staffing and Field Safety**

Envirolutions staff will be provided with proper identification and PPE (hi-visibility vests, gloves, disinfectant, etc.) while in the field so they are clearly identifiable as performing services on behalf of the District. They will perform the route review during the allowable hours per municipal code. All efforts will be made to avoid conducting the route review during times of special waste, such as holidays.

## Project Plan

### ***Project Preparation and Oversight***

Envirolutions will work with TCSD to develop all aspects of the project plan, integrating any modifications requested from the previous year's methodology and coordinating operational details to solidify the project plan. This task will include but is not limited to securing route lists and identifying target sites, finalizing the data collection protocol, securing any necessary equipment, organizing and implementing a kick-off meeting and all necessary project oversight during the Route Review process.

### ***Conducting Route Reviews***

Envirolutions will conduct lid flips of all three containers (landfill, recycling and organics) to observe acceptable and unacceptable materials. The Route Reviews will include all residential routes (Tues-Fri) and will include sites from the small commercial sector in the service area. Sites will be selected randomly so as to avoid any sampling bias but it will be ensured in the project design that all routes will be sampled as required SB 1383 and California Code of Regulations (CCR), Title 14, Division 7, Chapter 3, Article 6.2, and Section 18984.5

### ***Producing the Route Review final report***

Envirolutions will collect data and summarize findings for a final report to be provided to TCSD. This will take the form of:

- ✓ Data tables provided within the Recyclist app
- ✓ Utilizing other forms of analysis to provide details on items such as rates of contamination per container type, commodity and other items of interest such as rate of no set-out or empty containers.
- ✓ Recommendations for any modifications to the methodology based on this year's findings.



## ATTACHMENT B: District Letter for Residents



### TAMALPAIS COMMUNITY SERVICES DISTRICT

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

June 2023

**TCSD is in your neighborhood today performing “lid-flips” and visually inspecting carts for proper sorting as required by state law.**

*Who is the Tamalpais Community Service District (TCSD)?*

Tamalpais Community Services District provides collection services for solid waste, recyclable material and organics recycling, to Tam Valley residential and commercial properties.

*Why is TCSD looking in my carts?*

A new state law Senate Bill (SB) 1383 requires that every city, town and county conduct annual route audits to monitor contamination, including the proper sorting of organics (food scraps, yard trimmings and food soiled paper) from landfill, and provide education and outreach to residents. Organics make up over one-third of material going to local landfills and contribute to global climate change. For more information about SB 1383 visit [www.tamcsd.org/organic-waste-regulation](http://www.tamcsd.org/organic-waste-regulation)

*Who is Envirolutions?*

Envirolutions is helping TCSD conduct required SB 1383 cart audits.

*What will happen if I put something in the wrong cart?*

If you put something in the wrong cart, our team will leave an “oops tag” explaining what materials or contamination was discovered, and tips for proper sorting. Note: TCSD does not have to service contaminated carts. If your cart is not serviced due to contamination found by a TCSD driver, call (415)-388-6393.

*Who should I contact with additional questions?*

Visit TCSD online at [www.tamcsd.org/contact-us](http://www.tamcsd.org/contact-us) or call (415) 388-6393.

## ATTACHMENT C: Oops Tags



**OOPS! TAG**

**WE'RE HERE TO HELP**

California state law SB 1383 requires local jurisdictions to monitor contamination and proper sorting to help reduce the amount of material going to a landfill and reduce greenhouse gas emission.

ORGANICS	RECYCLING	LANDFILL
		

**CONTAMINATION CIRCLED BELOW**

 Dirty Containers	 Polystyrene Foam	 Black Bags
 Biodegradable Plastics	 Plastic Bags	 Textiles
 Diapers	 Food Scraps	 Pet Waste
 Recyclables	 To Go Cups/ Coated Paper	 Yard Trimmings

OTHER : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

For more information:  
[www.tamcsd.org](http://www.tamcsd.org)    [www.calrecycle.ca.gov](http://www.calrecycle.ca.gov)    [zerowastemarin.org](http://zerowastemarin.org)

## ATTACHMENT D: List of all Audited Sites

Day	Sector	Address	Service Day
Tuesday	Residential	1046 ERICA RD	T
Tuesday	Residential	1036 ERICA RD	T
Tuesday	Residential	1010 ERICA RD	T
Tuesday	Residential	1008 ERICA RD	T
Tuesday	Residential	815 RIDGE VIEW DR	T
Tuesday	Residential	813 RIDGE VIEW DR	T
Tuesday	Residential	809 RIDGEVIEW DR	T
Tuesday	Residential	880 CHAMBERLAIN CT	T
Tuesday	Residential	809 EVEREST CT	T
Tuesday	Residential	850 CHAMBERLAIN CT	T
Tuesday	Residential	8 MOUNTAIN LODGE LN	T
Tuesday	Residential	330 S MORNING SUN AVE	T
Tuesday	Residential	335 S MORNING SUN AVE	T
Tuesday	Residential	380 S MORNING SUN AVE	T
Tuesday	Residential	395 LOWELL AVE	T
Tuesday	Residential	325 PINE HILL RD	T
Tuesday	Residential	372 PINE HILL RD	T
Tuesday	Residential	374 PINE HILL RD	T
Tuesday	Residential	385 PINE HILL RD	T
Tuesday	Residential	378 WOODSIDE AVE	T
Tuesday	Residential	300 TENNESSEE AVE	T
Tuesday	Residential	310 DOLAN AVE	T
Tuesday	Residential	385 DOLAN AVE	T
Tuesday	Residential	359 DOLAN AVE	T
Tuesday	Residential	301 MORNING SUN AVE	T
Tuesday	Residential	330 VILLA GARDEN DR	T
Tuesday	Residential	366 SHORELINE HWY	T
Tuesday	Residential	423 SHORELINE HWY	T
Tuesday	Residential	564 SHORELINE HWY	T
Tuesday	Residential	524 SHORELINE HWY	T
Tuesday	Commercial	229 Shoreline Hwy	MWF
Tuesday	Commercial	247 Shoreline Hwy	MWF
Wednesday	Residential	564 MARIN AVE	W
Wednesday	Residential	534 MARIN AVE	W
Wednesday	Residential	474 LIVE OAK DR	W
Wednesday	Residential	429 LIVE OAK DR	W
Wednesday	Residential	431 MARIN AVE	W
Wednesday	Residential	416 MARIN AVE	W
Wednesday	Residential	464 GREEN GLEN WAY	W

Wednesday	Residential	459 GREEN GLEN WAY	W
Wednesday	Residential	456 GREEN GLEN WAY	W
Wednesday	Residential	432 GREEN GLEN WAY	W
Wednesday	Residential	430 GREEN GLEN WAY	W
Wednesday	Residential	428 GREEN GLEN WAY	W
Wednesday	Residential	405 MARIN AVE	W
Wednesday	Residential	326 LAUREL WAY	W
Wednesday	Residential	303 BELL LN	W
Wednesday	Residential	379 CARRERA DR	W
Wednesday	Residential	328 DURANT WAY	W
Wednesday	Residential	406 TENNESSEE GLEN WAY	W
Wednesday	Residential	303 ASHTON LN	W
Wednesday	Residential	310 DEERTRAIL LN	W
Wednesday	Residential	333 DURANT WAY	W
Wednesday	Residential	303 BRISTOL PL	W
Wednesday	Residential	376 RICHARDSON WAY	W
Wednesday	Residential	412 COUNTY VIEW DR	W
Wednesday	Residential	302 DAWN CT	W
Wednesday	Residential	362 CARRERA DR	W
Wednesday	Residential	366 RICHARDSON WAY	W
Wednesday	Residential	351 COUNTY VIEW DR	W
Wednesday	Residential	356 CARRERA DR	W
Wednesday	Residential	343 CARRERA DR	W
Wednesday	Commercial	223 Flamingo Rd	MF
Wednesday	Commercial	701 Tennessee Valley Rd	MTh
Thursday	Residential	552 NORTHERN AVE	TH
Thursday	Residential	510 NORTHERN AVE	TH
Thursday	Residential	526 NORTHERN AVE	TH
Thursday	Residential	626 NORTHERN AVE	TH
Thursday	Residential	639 NORTHERN AVE	TH
Thursday	Residential	671 NORTHERN AVE	TH
Thursday	Residential	618 EASTWOOD WAY	TH
Thursday	Residential	620 EASTWOOD WAY	TH
Thursday	Residential	504 ANDRE LN	TH
Thursday	Residential	604 WANDA LN	TH
Thursday	Residential	620 LAGUNA RD	TH
Thursday	Residential	1005 MARIN DR	TH
Thursday	Residential	703 CABIN DR	TH
Thursday	Residential	723 ALTA VISTA RD	TH
Thursday	Residential	519 SHASTA WAY	TH
Thursday	Residential	885 AUTUMN LN	TH

Thursday	Residential	865 AUTUMN LN	TH
Thursday	Residential	875 MARIN DR	TH
Thursday	Residential	810 MARIN DR	TH
Thursday	Residential	818 AUTUMN LN	TH
Thursday	Residential	808 SMITH RD	TH
Thursday	Residential	885 MARIN DR	TH
Thursday	Residential	745 ALTA VISTA RD	TH
Thursday	Residential	739 ALTA VISTA RD	TH
Thursday	Residential	742 ALTA VISTA RD	TH
Thursday	Residential	510 ALTA WAY	TH
Thursday	Residential	737 BAY RD	TH
Thursday	Residential	1001 SMITH RD	TH
Thursday	Residential	932 ALTURAS WAY	TH
Thursday	Residential	940 ALTURAS WAY	TH
Thursday	Commercial	201 Flamingo Rd	MWF
Thursday	Commercial	373 Shoreline Hwy	MWF
Thursday	Commercial	309 Poplar St	M
Friday	Residential	408 ASH ST	F
Friday	Residential	515 PINEO AVE	F
Friday	Residential	305 GREENE ST	F
Friday	Residential	517 PINEO AVE	F
Friday	Residential	217 CLEVELAND CT	F
Friday	Residential	307 ROSS DR	F
Friday	Residential	1094 W CALIFORNIA AVE	F
Friday	Residential	967 W CALIFORNIA AVE	F
Friday	Residential	925 W CALIFORNIA AVE	F
Friday	Residential	929 W CALIFORNIA AVE	F
Friday	Residential	110 LORING AVE	F
Friday	Residential	75 SKYLINE TER	F
Friday	Residential	911 W CALIFORNIA AVE	F
Friday	Residential	421 MAPLE ST	F
Friday	Residential	1233 WATERVIEW DR	F
Friday	Residential	313 STARLING CT	F
Friday	Residential	308 SHEFFIELD AVE	F
Friday	Residential	306 JOYCE WAY	F
Friday	Residential	326 ROBIN RD	F
Friday	Residential	333 JEAN ST	F
Friday	Residential	319 ROBIN RD	F
Friday	Residential	308 JOYCE WAY	F
Friday	Residential	326 CARDINAL CT	F
Friday	Residential	260 LORING AVE	F

Friday	Residential	406 WELLESLEY CT	F
Friday	Residential	309 ROSS DR	F
Friday	Residential	239 FLAMINGO RD	F
Friday	Residential	259 FLAMINGO RD	F
Friday	Residential	299 FLAMINGO RD	F
Friday	Residential	471 WELLESLEY AVE	F
Friday	Commercial	201 Flamingo Rd	T
Friday	Commercial	373 Shoreline Hwy	T



**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
**Staff Report**  
**Board Meeting**  
**August 9, 2023**

**TO:** BOARD OF DIRECTORS

**FROM:** GARRETT TOY, GENERAL MANAGER

**SUBJECT:** Authorize the General Manager to purchase two Curbtender Solid Waste collection vehicles in an amount not to exceed \$455,000 which includes tax, license, and fees

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**RECOMMENDATION**

Adopt a resolution which: a) authorizes the General Manager to purchase two Curbtender vehicles for Solid Waste collections in an amount not to exceed \$455,000 which includes tax, license, and fees, b) declares the 2006 and 2007 Isuzu collection vehicles surplus, and c) appropriates an additional \$105,000 in the Solid Waste Vehicle Replacement Fund for the purchases.

**BACKGROUND**

In 2020, TCSD financed the purchase of two Curbtender collection vehicles to replace older primary route vehicles. The old vehicles (2006 and 2007) were retained as back-up vehicles. The replacement vehicles were based on recommendations and fleet analysis from R3 Consulting Group (R3). Standard replacement cycles for the solid waste industry are five to seven years for daily collection trucks. R3 recommended replacing primary route trucks after 10 years of service.

**DISCUSSION**

In the recent 10-year financial plan prepared by R3, which included a vehicle replacement schedule, the schedule showed the replacement of two primary route trucks this FY23-24. The Adopted FY23-24 budget included expenditures for two vehicles within the Solid Waste Vehicle Replacement Fund.

The new vehicles would replace the 2013 and 2015 trucks which are at the end of their useful life as primary route vehicles. These two older vehicles would become the new back-up vehicles. We recommend that TCSD declare the older 2006 and 2007 vehicles surplus and that we try to sell the vehicles. It should be noted that the current Heil Retriever Satellite Loaders, which are the older trucks, are no longer manufactured. To ensure consistency with operations and functions of the vehicles, the new vehicles would be the same as the Curbtenders purchased in 2020, but only newer.

The Curbtenders were selected as the preferred vehicle in 2020 because it meets the following criteria: a) size limitation based on the Tam Valley roadway system, b) side-loading capabilities, c) semi-automatic loading systems, d) rear transfer capabilities, and e) continued use of the Isuzu truck chassis, which the drivers are used to.

Collection trucks are the key resource TCSD solid waste crew members need in order to do their job. Broken, poorly performing, and/or leaking trucks have a direct impact on TCSD's ability to perform the solid waste collection function on time and within budget. The purchase of two new Curbtenders to replace older vehicles will significantly reduce maintenance costs, improve vehicle reliability, and provide greater flexibility in meeting the California Air Resources Board (CARB) Advanced Clean Fleet regulations.

Table A below shows the costs to maintain the current Isuzu route trucks.

Table A: TCSD Solid Waste Daily Collection Vehicle Repair Cost FY20-21 to FY22-23

Manufacturer	Type/Model	Capacity in Cubic Yards	Year In Svc	Use	Maintenance Costs FY20-21 to FY22-23
Isuzu (2)	NQR, NRR	6, 10	2006, 2007	Backup (30-40 days/yr.)	\$81,000 (approx.)
Isuzu (2)	NRR	10,10	2013, 2015	Shift	\$160,000 (approx.)
Isuzu (2)	NRR	10, 10	2020, 2020	Shift	\$52,000 (approx.)

An analysis of Table A indicates the maintenance costs to maintain the 2013 and 2015 trucks are 3 times more expensive than the newer 2020 models over the same 3-year period. The back-up trucks are even more expensive to maintain when you take into account, they are only used 30-40 days per year when the regular route vehicles are out for scheduled maintenance or being repaired. The back-up vehicles are used less than 1/6 the time as regular route vehicles. If you multiplied the maintenance costs by 6, the cost over the 3-year period would be over \$480,000.

We anticipate annual maintenance savings of \$50,000, which would result in a "pay-back" period for one vehicle of approximately 4 years.

The new Curbtenders will replace the 2013 and 2015 trucks in the regular route schedule. The 2013 and 2015 vehicles will be used as the back-up trucks. After the vehicles are declared surplus and the new vehicles arrive, we would try to sell the 2006 and 2007 vehicles on the used refuse truck market. If we are unable to sell the trucks, we would remove the spare parts that are compatible with other existing vehicles and sell the truck for scrap metal. There is only one regional supplier of the model TCSD requires. Attached is the quote for two vehicles.



California Air Resources Board (CARB) Advanced Clean Fleet regulations,

CARB Clean Fleet regulation takes effect January 1, 2024. Prior to 2024, TCSD can purchase these vehicles without evaluating compliance with regulations. Staff researched the availability of electric refuse vehicles including CARB's list of vehicles eligible for financial incentives and did not find any that could meet TCSD operational requirements of being able to maneuver on narrow roads and climb hills.

While we are in the process of evaluating CARB requirements, under CARB, TCSD is not considered a small fleet because we have more than 10 vehicles with a gross vehicle weight rating greater than 8,500 pounds; TCSD will most likely select to comply with the ZEV (Zero Emissions Vehicle) Milestone Option which allows for the phasing in of ZEV's between 2025 and 2042 based on vehicle type; vehicles with engines 18 years or older must be retire; and TCSD may be able to seek exemptions for some of our fleet. In essence, purchasing the two vehicles in 2023 provides more time for technology to be developed for TCSD-type refuse trucks, allows us to plan for and install the needed electric infrastructure, and allows TCSD more time to phase in ZEV without having to remove vehicles from service.

Costs

The estimated total cost for the two Curbtenders is approximately \$448,000 which includes \$381,000 for the purchase price, use/sales tax (est. \$32,000), and DMW registration/license fees (est. \$35,000). We are requesting purchase authority for up to \$455,000 since tax and fees are only estimates.

**FISCAL IMPACT**

The adopted FY23-24 Solid Waste Vehicle Replacement Fund budgeted \$350,000 for the purchase of two collection vehicles. The Board will need to appropriate an additional \$105,000 for the purchase of the vehicles. Specifically, \$50,000 will come from the Solid Waste Vehicle Replacement Fund Reserves and \$65,000 from the Solid Waste Capital Reserves fund balance.

We do not recommend financing the purchases because of high interest rates, availability of vehicle replacement funds, and sufficient capital reserves remaining after the purchase.

**ATTACHMENT**

- A. Resolution
- B. Vehicle quote



## TAMALPAIS COMMUNITY SERVICES DISTRICT

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

### RESOLUTION NO. 2023-1x

#### A RESOLUTION OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT AUTHORIZING THE GENERAL MANAGER TO PURCHASE TWO CURBTENDER VEHICLES FOR SOLID WASTE COLLECTIONS IN AN AMOUNT NOT TO EXCEED \$455,000 WHICH INCLUDES TAX, LICENSE, AND FEES

**WHEREAS**, collection trucks are the key resource TCSD solid waste crew members need in order to do their job and broken, poorly performing, and/or leaking trucks have a direct impact on TCSD's ability to perform the solid waste collection function on time and within budget; and

**WHEREAS**, in 2020, TCSD financed the purchase of two Curbtender collection vehicles to replace older primary route vehicles; and

**WHEREAS**, the Curbtender replacement vehicles were based on recommendations and fleet analysis from R3 Consulting Group (R3); and

**WHEREAS**, the older vehicles (2006 and 2007) that were replaced were retained as back-up vehicles; and

**WHEREAS**, in the recent 10-year financial plan prepared by R3, which included a vehicle replacement schedule, the schedule showed the replacement of two primary route trucks this FY23-24; and

**WHEREAS**, the Adopted FY23-24 budget included expenditures for two vehicles within the Solid Waste Vehicle Replacement Fund; and

**WHEREAS**, the current 2013 and 2015 primary route vehicles have exceeded or will exceed their 10-year life cycle; and

**WHEREAS**, these two older vehicles would become the new back-up vehicles; and

**WHEREAS**, maintenance costs to maintain the 2013 and 2015 trucks are 3 times more expensive than the newer 2020 models over the same 3-year period; and

**WHEREAS**, the current 2006 and 2007 back-up trucks are 6 times more expensive to maintain than the 2020 vehicles when you take into account, they are only used 30-40 days per year when the regular route vehicles are out for scheduled maintenance or being repaired; and

**WHEREAS**, the 2006 and 2007 back-up trucks will be taken out of service and declared surplus vehicles which will allow TCSD the ability to sell the trucks, remove space parts, and/or sell for scrap metal; and

**WHEREAS**, to ensure consistency with operations and functions of the vehicles, the new vehicles would be the same as the Curbtenders purchased in 2020, but only newer; and

**WHEREAS**, the purchase of two new Curbtenders to replace older vehicles will significantly reduce maintenance costs, improve vehicle reliability, and provide greater flexibility in meeting the California Air Resources Board (CARB) Advanced Clean Fleet regulations; and

**WHEREAS**, there is only one regional supplier of the Curbtender vehicles that TCSD require.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Directors of the Tamalpais Community Services District does hereby authorize the General Manager to do everything necessary and appropriate to: a) purchase two Curbtender vehicles for Solid Waste collections in an amount not to exceed \$455,000 which includes tax, license, and fees, b) declare the 2006 and 2007 Isuzu collection vehicles surplus after the new vehicles are placed in service, and c) appropriate an additional \$105,000 in the Solid Waste Vehicle Replacement Fund for the purchases of which \$50,000 will come from the Solid Waste Vehicle Replacement Fund Reserves and \$65,000 from the Solid Waste Capital Reserves fund balance.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Tamalpais Community Service District at a duly noticed meeting held in said District on the 9th day of August 9, 2023 by the following vote:

AYES:

NAYS:

ABSENT:

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

ATTEST:

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

## QUOTE

# Ray Gaskin Service

8553 Weyand Ave.  
 Sacramento, CA 95828  
[www.raygaskinservice.com](http://www.raygaskinservice.com)  
 Cell: 216-952-7060  
 Local: 916-701-9889  
 Prepared by: John Laine

DATE	6/26/2023
VALID FOR TERMS	60 DAYS TBD

## CUSTOMER

Tamalpais Community Services District  
 305 Bell Ln.  
 Mill Valley, CA 94941  
 Mike Quecke

DESCRIPTION	Quantity	AMOUNT
2024 Isuzu NRR COE - 132" WB/110" CA - 19,500lb GVWR Replace Rear Diesel Fuel tanks with Mid-Ship Tank Curbtender 10YD TomCat Satellite Transfer- Full Eject Hot Shift PTO Dual Upper Doors Steel Side Spill Shield Dual Perkins D6098-56-27K Grabber Lifter with Installation Hydraulic Tank Shutoff Ball Valve Clean out tool & Holder, Broom & Shovel Holders (Curbside) Pack Cylinder Grease Line Rear Backup Camera Lighting - LED Stop/Tail/Turn/Reverse LED Rear Reverse Flood Lights LED Smart Lights LED Rear Strobe, Dual, High Profile Center Mount Suction Strainer Cover Assy, Tank Cleanout  PDI	1	\$ 184,512.00
Freight: Iowa to Sacramento (drive away)	1	\$ 5,200.00
Delivery: Sacramento to Mill Valley	1	\$ 600
TAXES Estimated DMV Fees		TBD TBD
Current Chassis timing is December 2023		
Warranty: Standard 1yr Warranty on Body, Cylinders, Arm, & Hydraulics Chassis Warranty: 5 Year 200K warranty included Paint: Body Acrylic Urethane Enamel Color - Cab & Body Standard White		

## TERMS AND CONDITIONS

- Does not include taxes or fees unless otherwise noted
- Quote Valid for 30 days unless otherwise noted, Body build time is 145 days AFTER RECEIPT OF CHASSIS
- Please return after signing or submit PO to confirm

Customer Acceptance (sign below):

x \_\_\_\_\_ Date: \_\_\_\_\_ PO: \_\_\_\_\_  
 Print Name:

Subtotal	\$ 190,312.00
Taxable	
Tax rate	%
Tax due	
Other	\$ -
<b>TOTAL</b>	<b>\$ 190,312.00</b>

Number of Units 2

TOTAL **\$ 380,624.00**

If you have any questions about this price quote, please contact  
 John Laine - John@raygaskinservice.com  
**Thank You For Your Business!**



# TAMALPAIS COMMUNITY SERVICES DISTRICT

Item #6A

Staff Report  
Board Meeting  
August 9, 2023

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

**RECOMMENDATION**

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

**DISCUSSION**

Wastewater Statistics and Work

- June flow through Bell Lane Pump Station: 7,375,500 gallons
- June flow through Bob Bunce Pump Station: 131,604 gallons
- Rain: no measurable amount
- Sewer Spill: 2
  - o (approx. location: Cabin Dr.) less than 50 gallons caused by PG&E utility pole penetrating sewer main; staff is working with PG&E to resolve the issue.
  - o (approx. location: Sunnybrook Lane) est. 106 gallons caused by tree roots, probably cut from private laterals, accumulating in sewer main.
- Lateral Inspections Jan - July: 39 (for resales, ADU's, CIP, other)
- Completed repairs to pump #1 in Flamingo Pump Station No. 1 and both pumps in Flamingo Pump Station #2.
- Sewer Improvement Project- Phase D which replaces sewer main pipeline in the Eastwood Way and Glenwood Ave areas is out to bid with bids due August 24<sup>th</sup>.

Solid Waste Statistics and Work

SOLID WASTE CALLS FOR SERVICE 2023							
TYPE OF SERVICE	Month						
	Jan	Feb	March	April	May	June	July
Missed pick-up	26	27	20	20	18	25	39
New Service request	2	2	5	7	12	11	3
Replacement carts	17	8	10	6	8	18	10
Dumpsters	14	11	5	7	4	4	6
Extra trash pick-up	17	20	17	16	12	11	11
Late put out	2	4	2	-	1	2	1
Other	-	-	-	1	2	-	4
Total	78	72	59	57	57	71	74
YTD Total							468

Parks and Recreation Work

- We replaced the restroom door at Eastwood Park. A locksmith is scheduled to install the new locking mechanism for the Eastwood Park restroom in early August.
- Staff coordinated two Creekside Friday events in July. The last Creekside Friday event is August 11<sup>th</sup>.
- We worked on fixing the popcorn machine which will be available for the last Creekside event.
- Below are the revenues from Creekside Fridays to date. For the September meeting, we'll have a report on the total expenditures and revenues for Creekside Events in 2023 and comparisons to 2022 and 2019 (Pre-COVID).

Date	Event	Food Sales	Children's Area	T-shirt Sales	Total for Event
16-Jun	Creekside Friday 1	\$ 1,151.00	\$ 476.00	\$ 43	\$ 1,670.00
30-Jun	Creekside Friday 2	\$ 1,405.00	\$ 581.95	\$ -	\$ 1,986.95
14-Jul	Creekside Friday 3	\$ 1,456.00	\$ 442.40	\$ 35	\$ 1,933.40
28-Jul	Creekside Friday 4	\$ 1,153.00	\$ 317.00	\$ 7	\$ 1,477.00
<b>Total</b>		<b>\$ 5,165.00</b>	<b>\$ 1,817.35</b>	<b>\$ 85.00</b>	<b>\$ 7,067.35</b>

Date	Event	Beverage Sales
16-Jun	Creekside Friday 1	\$ 1,452.00
30-Jun	Creekside Friday 2	\$ 1,207.58
14-Jul	Creekside Friday 3	\$ 774.00
28-Jul	Creekside Friday 4	\$ 1,089.00
<b>Total</b>		<b>\$ 4,522.58</b>

Administration

- Staff continues to work with Nute Engineering on the design of the various CIP projects.
- We prepared the agenda and attended the PARC meeting on July 7<sup>th</sup>. The next PARC meeting is August 10<sup>th</sup> at the Tam Valley Community Center
- Staff has almost completed the development of the new TCSD website. The site should be up and running by September, but it will be a work in progress as we continue to add and modify content.
- Staff will provide an oral update regarding PG&E efforts to locate a transmission power pole in the TCSD parking lot.



**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
**Staff Report**  
**August 09, 2023**

ITEM 6B.

**TO: BOARD OF DIRECTORS**

**FROM: SARAH MEHTAR, FINANCE AND PROGRAMS MANAGER**

**SUBJECT: RECEIVE MONTHLY FINANCIAL REPORTS**

**RECOMMENDATION**

Receive and file the July 2023 financial reports.

**BACKGROUND**

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

**Schedule of Reports**

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

**DISCUSSION**

As of July 31, 2023, TCSD had the following cash and investment balances:

<b>Institution</b>	<b>Account</b>	<b>June 30, 2023</b>	<b>July 31, 2023</b>
Wells Fargo	General Checking	\$ 12,442.59	\$ 637,034.32
Wells Fargo	General Savings	\$ 1,269,393.57	\$ 357,659.39
Wells Fargo	General Merchant Services	\$ 6,345.37	\$ 15,858.34
State of CA - LAIF	General Account	\$9,413,291.24	\$9,478,285.04
<b>TOTALS</b>		<b>\$10,701,472.77</b>	<b>\$10,488,837.09</b>

The State of California Local Agency Investment Fund (LAIF) earned 3.15% as the quarterly apportionment rate for the quarter ending June 30, 2023. The LAIF interest rate for July 2023 was 3.305% which is 0.138 percentage points higher from the prior month and 2.215 percentage points higher from July 2022.

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

### **MONTHLY REPORTS**

The disbursement reports for July 2023 are attached to this report (Attachment A). The largest disbursement for the period was to Special Districts Risk Management Authority in the amount of \$111,419.65 for the property and liability insurance for FY2023-24.

The year-to-date annual budget report (Attachment B) is through the end of July 2023. The report gives the cumulative totals for the fiscal year with budget comparisons. YTD Parks and Recreation revenues are \$19,839.47, which is 2% of budget. YTD Wastewater revenues are \$36,493.90, which is 1% of budget. Finally, YTD Solid Waste revenues are YTD \$23,250.33, which is 1% of budget.

The County disperses property tax payments to public agencies in installments within a fiscal year. The District expects its first disbursement from the County of Marin in December and the second payment is expected in April.

### **Quarterly Reports**

Attachments C and D are reports for the second quarter of the calendar year, which represents activity from April through June 2023.

The Wastewater Services current Capital Improvement Projects (CIP) are being funded by the Certificates of Participation (COP) issued in October 2020. The fiscal year (FY22-23) CIP spending was \$2,006,083.02. Phase C was completed, while other projects are in the design and planning phase.

Measure A disbursements totaling \$73,491.07 were received in the fiscal year ending June 30, 2023. Of which \$13,149.55 was for the FY22-23 fiscal year and \$60,341.52 was an allocation from FY21-22.

### **FISCAL IMPACT**

N/A

### **ATTACHMENTS**

- A. Monthly Disbursement Reports
- B. Year-to-Date Annual Budget Reports
- C. Certificates of Participation (COP) Fund Balance
- D. Measure A Year-to-Date Budget Report





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

Date	Num	Name	Memo	Amount
07/28/2023	100391	Diesel Direct	1033.2 gal Diesel, for Above Ground Tank	4,721.43
07/28/2023	100384	Marin County Tax Collector	LAFCO Charges 2023-24	4,663.03
07/05/2023	100338	Andrews, Bret & Kimberly	Recalculated Incremental Settlement for 2023-24 Claims for 737 Alta Vista	4,226.61
07/28/2023	100402	Teamsters Anthem PPO	Medical Insurance Premium	3,303.26
07/09/2023	100343	Diesel Direct	651.6 gal Diesel, for Above Ground Tank	2,949.87
07/14/2023	100366	Bay Cities Refuse Service, Inc.	Good Earth, Dumping Trash - Compactor June 2023, 9 Trips, 11.60	2,854.08
07/28/2023	100396	Proud City Inc.	New Website - Launch and Annual Payment	2,400.00
07/09/2023	100350	Pacific Window Cleaning & Janitorial, Inc	Cleaning Services June 2023	2,350.00
07/28/2023	100387	AT&T	Office Data Lines, Wireless Services Bunce Pump Station & Comm. Ctr, Alarm Phone Lines	1,859.87
07/28/2023	100401	United Laboratories	Maint. Parts and Supplies	1,568.01
07/14/2023	100370	Sysco	Creekside Friday #3	1,513.61
07/09/2023	100340	Cintas	Uniforms, Carpets, Towels, Soap	1,446.50
07/28/2023	100395	Pacific Gas & Electric	Office, Shop, Cabin and CC Gas & Electricity and Kay Park and Eastwood Electricity	1,348.10
07/28/2023	100389	Cintas	Uniforms, Carpets, Towels, Soap	1,210.12
07/28/2023		QuickBooks Payroll Service	Created by Payroll Service on 07/27/2023	1,070.72
07/26/2023	100375	Perfect Timing Personnel Services, Inc.	Front Desk Sub: Jul 19-21, 2023	1,007.07
07/21/2023	100372	Lucchese, Robert	TCSD reimbursement for half the cost of drainage repair at 339 Laurel Way	875.00
07/14/2023	100354	Fog City Swampers	CF3 July 14 Band	800.00
07/28/2023	100374	Void Where Prohibited	Creekside Friday Band July 28, 2023	800.00
07/21/2023	100373	Friends of Tam Valley	Creekside Friday 3 (7/14) Beverage Sales	774.00
07/28/2023	100400	Sysco	Creekside Friday #4	768.30



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

Date	Num	Name	Memo	Amount
07/05/2023	100337	Baywork Inc.	Sanitary Sewer Association, Annual Membership	765.00
07/28/2023	100385	CA Underground Service Alert	2023 Membership Fee \$300 plus Unique 2022 Billable Ticket Fee	730.35
07/09/2023	100348	Matrix Computer Solutions	Monthly Service fee and IT Service calls	680.00
07/09/2023	100352	Wells Fargo Fin. Lse. - RMC	Copier Lease 6/20- 7/19/23	650.90
07/28/2023	100394	Miller Starr Regalia	Greene Vs. Kenyon Litigation, June 2023	640.00
07/09/2023	100344	Friends of Tam Valley	Creekside Friday 2 (6/30) Beverage Sales (portion paid with previous check)	561.58
07/14/2023	100367	Best Best & Kreiger	Attorney fees for Prop 218 Solid Waste	517.50
07/28/2023	100388	Central Marin Sanitation Agency	F.O.G. Services for TCSD Food Service Establishments, Apr - Jun 2023	506.80
07/14/2023	100377	Employee Personal W/H	Employee Personal W/H	500.00
07/28/2023	100382	Employee Personal W/H	Employee Personal W/H	500.00
07/09/2023	100341	Atco Pest Control	Pest Control for Eastwood Park and Community Center	450.00
07/28/2023	100393	Linde Gas & Equipment Inc.	Cutting Torches (For equipment fabrication in shop)	364.30
07/14/2023	100369	Janice Clement Event Planning & Mgmt.	Kitchen Management at Creekside Friday on 6/16	340.00
07/09/2023	100349	North Bay Bottling	Drinking Water Jun'23	315.00
07/09/2023	100351	Ubeo Business Services LLC.	Charge for Color Prints Ricoh Printer	244.92
07/28/2023	100386	Goodman Building Supply Co.	For Drilling New Lock into Eastwood Bathroom Door; Pump Fittings; Spray paint for parking lot	192.71
07/28/2023	100399	Stericycle, Inc.	August 2023 Medical Waste Services	185.66
07/09/2023	100342	Datco Services Corp.	Jul-Sept 2023 Contract Services (6 Drivers)	175.50
07/14/2023	100371	Veterans Covert Protection Group	Down payment for Oktoberfest Event Security	156.00
07/15/2023	100380	Safety-Kleen Systems, Inc.	TA 14833 Solvent Tank in Shop 7/13/23	139.30



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

Date	Num	Name	Memo	Amount
07/14/2023	100378	Teamsters Anthem PPO	856-131145 Medical Insurance Premium	119.67
07/14/2023	100364	Quecke, Michael (v)	Reimbursement for Kaiser Physical for Class B Driver License Renewal	115.00
07/28/2023	100363	Schwartz, Jack (v)	Reimbursement Seniors' Lunches	95.31
07/14/2023	100368	Esposito, Camille (v)	Reimbursement for Travel for Events Work (143.60 miles Mar'23-Jul'23)	94.06
07/28/2023	100428	Healon, Casey (v)	Reimbursement for Covid tests	78.09
07/28/2023	100365	AT&T (Internet)	Internet Svc.	64.20
07/28/2023	100345	HercRentals	Rental Equipment (clean concrete off pedestal to replace shutoff valve)	61.79



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

Date	Name	Memo	Amount
07/07/2023	Petersen Plumbing Services	Kay Park Fountain Maint.	\$ 738.00
07/07/2023	CPRS	Playground Safety Inspector Certification	\$ 650.00
07/20/2023	FasTrak	Bridge Account Replenishment	\$ 510.00
07/20/2023	Marin Municipal Water	3" Meter for Hydroflush Truck	\$ 477.04
07/01/2023	Streamline, Inc.	Streamline member fee- July 2023	\$ 375.00
07/01/2023	Microsoft	Software Licenses	\$ 350.00
07/06/2023	Verizon Wireless	Device & Data Plan	\$ 304.59
07/10/2023	Go To Communications, Inc.	(415)388-6393 Voice & Data Lines and Wireless Services	\$ 249.98
07/12/2023	Adobe	Adobe subscription	\$ 239.88
07/18/2023	World Centric	16oz cups for Creekside	\$ 234.59
07/05/2023	Comcast	Internet Jun 13 - Jul 12 @ 305 Bell Ln.	\$ 182.59
07/13/2023	Grainger	General Supplies	\$ 146.90
07/03/2023	Comcast	Internet Jun 13 - Jul 12 @ 203 Marin Ave.	\$ 141.59
07/08/2023	QuickBooks Time, Inc.	Online Time Card Service- Jun 2023	\$ 132.00
07/10/2023	Verizon Wireless	Data Plan for Refuse Driver's iPads	\$ 120.48
07/26/2023	CR Automotive, Inc	9: Smog Test	\$ 110.00
07/10/2023	Terminix	Pest Control Servicing at Community Center & Main Office	\$ 106.00
07/21/2023	Amazon.com	Office Supplies	\$ 75.78
07/28/2023	Survey Monkey	Survey Monkey Community Polling	\$ 69.00
07/16/2023	Amazon.com	Office Supplies	\$ 64.30
07/18/2023	Amazon.com	Supplies for P&R Tool box	\$ 52.99
07/27/2023	Smart & Final	Creekside Supplies	\$ 49.30
07/19/2023	Marin Independent Journal/Circ.	Subscription	\$ 31.66
07/14/2023	Safeway	Creekside Supplies	\$ 29.71
07/13/2023	Shutter Stock	Stock Images for P&R	\$ 29.00
07/11/2023	Chevron	Propane for Creekside Friday #3	\$ 24.80
07/21/2023	Transbay Security services	Two Key Sets for T-2 Trailer	\$ 20.98
07/14/2023	Trader Joe's	Popcorn for Creekside	\$ 19.53
07/24/2023	Chevron	Propane for Creekside Friday 4	\$ 19.41
07/31/2023	Chevron	Propane for Creekside Friday	\$ 18.87
07/28/2023	Apple Store	Apple Storage	\$ 2.99
07/20/2023	Amazon.com	Return	\$ (9.73)



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

Date	Num	Name	Memo	Amount
07/09/2023	100339	Spec.Dist.Risk Mgmt. Auth.	Property & Liability Insurance 2023-24	111,419.65
07/14/2023		QuickBooks Payroll Service	Payroll Service on 07/13/2023	62,118.97
07/28/2023		QuickBooks Payroll Service	Payroll Service on 07/27/2023	58,465.04
07/01/2023	100315	Spec.Dist.Risk Mgmt. Auth.	Workers Compensation Insurance 2023-24	57,357.53
07/28/2023	100397	Pump Repair Service Co. Inc.	Servicing at All 4 Pump Stations (Flamingo 1 and 2, Bunce Stn., Bell Ln.)	36,181.15
07/31/2023	100427	County of Marin DOF Payroll	Retiree Health Insurance Premiums Feb 2023 - June 2023	28,368.70
07/28/2023	100398	Roy's Sewer Service, Inc.	Jetter Trailer Service Cleaning at Various Locations and an Emergency Call Out	20,831.25
07/01/2023	100316	Kaiser Foundation Health Pln	July 2023 Medical	18,040.08
07/28/2023	100426	Nute Engineering	May: Corp. Yard Fence Replacement Project; Palma Way Update Memo; Corp. Yard Fence Replacement Project	15,257.00
07/28/2023	100383	Marin County Employees Retirement Sys.	PP15 2023 Jul 15 - 28, 2023	13,896.47
07/09/2023	100347	Marin Sanitary Service	June 2023 Solid Waste 129.32 tons @\$106.52/T	13,775.20
07/14/2023	100379	Marin County Employees Retirement Sys.	PP14 2023 Jul 1 - 14, 2023	12,773.17
07/10/2023	100362	Marin Resource Recovery Center	Green Waste, 113.45 Tons @ \$96.60/T, Jun 2023	10,959.08
07/28/2023	100392	J W Mobile/Napa Truck Service	15: Check tail lamp and PTO inop and Replace Driver's Seat Base; 93: Air Filter and Battery Ordered	7,174.65
07/09/2023	100346	Jorges Tree Services	Monthly Parks & Open Space Manit.- 3 days/week - May	6,765.00
07/14/2023	100376	Marin County Employees Retirement Sys.	PEPRA W/H PP14 2023 Jul 1 - Jul 14, 2023	4,992.43
07/28/2023	100390	Consolidated Fabricators Corp.	Four of 1.5yd Bins Rear Loader; Rubber Swivel Caster Qty 30.	4,943.29
07/28/2023	100381	Marin County Employees Retirement Sys.	PEPRA W/H PP15 2023 Jul 15 - Jul 28, 2023	4,893.21



**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
**Year-to-Date Budget Report**  
**FY 2023-24**

	<b>WASTEWATER DEPT.</b>			
	July 2023 (8% of year)	Budget 2023-24	% of Budget Spent	Comments
Ordinary Revenue/Expense				
Revenue				
4101 · Sanitation Service Charges	\$ -	\$ 6,032,000	0%	
4103 · Permits/Lateral Connection Fees	\$ 3,997.00	\$ 31,200	13%	
4104 · Muir Woods Sanitation Svc. Chrg.	\$ -	\$ 55,906	0%	
4420 · Interest Revenue	\$ 32,496.90	\$ 26,700	122%	
<b>Total Revenue</b>	<b>\$ 36,493.90</b>	<b>\$ 6,145,806</b>	<b>1%</b>	
Expense				
5010 · Salaries				
5011 · Wages and P.T.O	\$ 31,653.89	\$ 391,820	8%	
5012 · Overtime Pay	\$ 1,209.20	\$ 4,543	27%	
5013 · Performance Recognition	\$ -	\$ 7,816	0%	
5014 · Temporary Help	\$ 335.69	\$ 8,295	4%	
<b>Total 5010 · Salaries</b>	<b>\$ 33,198.78</b>	<b>\$ 412,474</b>	<b>8%</b>	
5020 · Employee Benefits				
5021 · Health Insurance	\$ 1,110.90	\$ 54,017	2%	
5022 · Retirement Contributions	\$ 6,155.21	\$ 73,315	8%	
5023 · Social Security and Medicare	\$ 2,528.07	\$ 31,400	8%	
5025 · Retiree Medical Insurance	\$ 1,834.68	\$ 22,822	8%	
5026 · Reserve-Retiree Medical Insu.	\$ -	\$ 24,860	0%	
<b>Total 5020 · Employee Benefits</b>	<b>\$ 11,628.86</b>	<b>\$ 206,414</b>	<b>6%</b>	
5110 · Wastewater Treatment Expense				
5111 · SMCSO Sewage Treatment O&M	\$ -	\$ 2,439,558	0%	
5121 · SASM Sewage Treatment & Capital	\$ -	\$ 160,017	0%	
5131 · Almonte and Homestead Svc Fees	\$ -	\$ 9,000	0%	
<b>Total 5110 · Wastewater Treatment Expense</b>	<b>\$ -</b>	<b>\$ 2,608,575</b>	<b>0%</b>	
5140 · Sewer System Maint. & Repair	\$ 37,962.40	\$ 225,000	17%	
5330 · Tree & Landscaping	\$ -	\$ 10,000		
5400 · TCSD Board Fees	\$ 232.00	\$ 5,000	5%	
5401 · Professional Services	\$ 506.80	\$ 60,000	1%	
5420 · Staff Training & Travel Expense	\$ 110.77	\$ 7,381	2%	
5425 · Office and Technology	\$ 1,254.75	\$ 19,200	7%	
5430 · Telephone and Alarms	\$ 947.87	\$ 15,000	6%	
5431 · Public Communications	\$ -	\$ 7,000	0%	
5432 · Insurance	\$ 45,442.86	\$ 55,000	83%	
5437 · Miscellaneous		\$ 1,000	0%	
5438 · Fees and Permits	\$ 3,061.70	\$ 37,000	8%	
5439 · Utilities	\$ 573.17	\$ 9,000	6%	
5440 · Fuel Expense	\$ 75.00	\$ 12,000	1%	
5450 · Maintenance and Supply	\$ 1,156.54	\$ 100,000	1%	
5470 · Yard & Bldg. Improvements	\$ -	\$ 10,000		
5483 · Debt Issuance Costs	\$ -	\$ 1,340,000	0%	
<b>Total Expense</b>	<b>\$ 136,151.50</b>	<b>\$ 5,140,044</b>	<b>3%</b>	



**TAMALPAIS COMMUNITY SERVICES DISTRICT**  
**Year-to-date Budget Report**  
**FY 2023-24**

**SOLID WASTE DEPT.**

	July 2023 (8% of year)	Budget 2022-23	% of Budget Spent	Comments
<b>Ordinary Revenue/Expense</b>				
<b>Revenue</b>				
4201 · Solid Waste Service Charges	\$ -	\$ 2,797,000	0%	
4202 · Other Solid Waste Services	\$ 502.50	\$ 7,600	7%	
4410 · Donations/Fundraising/Grants	\$ -	\$ 5,000	0%	
4420 · Interest Revenue	\$ 22,747.83	\$ 18,690	122%	
<b>Total Revenue</b>	<b>\$ 23,250.33</b>	<b>\$ 2,828,290</b>	<b>1%</b>	
<b>Expense</b>				
<b>5010 · Salaries</b>				
5011 · Wages and P.T.O	\$ 52,308.06	\$ 699,737	7%	
5012 · Overtime Pay	\$ 5,817.40	\$ 52,934	11%	
5013 · Performance Recognition	\$ -	\$ 13,642	0%	
5014 · Temporary Help	\$ 335.69	\$ 25,000	1%	
<b>Total 5010 · Salaries</b>	<b>\$ 58,461.15</b>	<b>\$ 791,313</b>	<b>7%</b>	
<b>5020 · Employee Benefits</b>				
5021 · Health Insurance	\$ 11,028.95	\$ 141,000	8%	
5022 · Retirement Contributions	\$ 14,277.89	\$ 181,132	8%	
5023 · Social Security and Medicare	\$ 4,453.05	\$ 58,930	8%	
5024 · Other Employee Benefits	\$ -	\$ -	0%	
5025 · Retiree Medical Insurance	\$ 3,491.73	\$ 43,616	8%	
5026 · Reserve-Retiree Medical Insu.	\$ -	\$ 27,940	0%	
<b>Total 5020 · Employee Benefits</b>	<b>\$ 33,251.62</b>	<b>\$ 452,618</b>	<b>7%</b>	
<b>5210 · Solid Waste Disposal Expense</b>				
5211 · Waste Disposal Fees	\$ 12,475.97	\$ 190,937	7%	
5212 · Recycling Fees	\$ -	\$ 50,000	0%	
5213 · Green Waste Disposal Fees	\$ -	\$ 116,284	0%	
5214 · Debris Day Expenses	\$ -	\$ 21,679	0%	
<b>Total 5210 · Solid Waste Disposal Expense</b>	<b>\$ 12,475.97</b>	<b>\$ 378,900</b>	<b>3%</b>	
5400 · TCSO Board Fees	\$ 132.00	\$ 3,500	4%	
5401 · Professional Services	\$ 517.50	\$ 185,000	0%	
5420 · Staff Training & Travel Expense	\$ 110.77	\$ 3,300	3%	
5425 · Office and Technology	\$ 1,308.43	\$ 20,000	7%	
5430 · Telephone and Alarms	\$ 459.96	\$ 7,300	6%	
5431 · Public Communications	\$ -	\$ 25,000	0%	
5432 · Insurance	\$ 44,567.86	\$ 79,000	56%	
5437 · Miscellaneous	\$ -	\$ 1,040	0%	
5438 · Fees and Permits	\$ 1,566.37	\$ 43,300	4%	
5439 · Utilities	\$ 120.88	\$ 3,600	3%	
5440 · Fuel Expense	\$ 1,614.37	\$ 91,500	2%	
<b>5450 · Maintenance and Supply</b>				
5451 · General Supplies	\$ 75.80	\$ 3,448	2%	
5452 · Maint. & Supply Contract Svc	\$ 651.80	\$ 14,801	4%	
5454 · Vehicle Repair & Maint.	\$ 110.00	\$ 210,000	0%	
5456 · Bridge Tolls	\$ 510.00	\$ 4,268	12%	
5457 · Solid Waste Carts & Bins	\$ -	\$ 38,737	0%	
5461 · Meeting Supplies	\$ -	\$ 814	0%	
<b>Total 5450 · Maintenance and Supply</b>	<b>\$ 1,347.60</b>	<b>\$ 272,068</b>	<b>0%</b>	
5470 · Yard & Bldg. Improvements	\$ -	\$ 10,000		
5471 · Minor Equipment	\$ -	\$ 4,600	0%	
5472 · Donations/Grants Paid Expenses	\$ -	\$ 5,000	0%	
Vehicle Lease	\$ -	\$ 44,900	0%	
<b>Total Expense</b>	<b>\$ 155,934.48</b>	<b>\$ 2,421,940</b>	<b>6%</b>	



TAMALPAIS COMMUNITY SERVICES DISTRICT  
Year-to-date Budget Report  
FY 2023-24

**PARKS AND RECREATION DEPT.**

	July 2023 (8% of year)	Budget 2023-24	% of Budget Spent	Comments
<b>Ordinary Revenue/Expense</b>				
<b>Revenue</b>				
4301 · Taxes	\$ -	\$ 1,058,250	0%	
4303 · Tia's After School Program Rev	\$ -	\$ 30,600	0%	
4310 · Facilities Rental & Fees	\$ 4,096.00	\$ 28,350	14%	
4320 · Park Rentals	\$ 196.00	\$ 2,730	7%	
4330 · Class Fees	\$ -	\$ 30,906	0%	
4350 · TCSD Event Revenue	\$ 5,798.40	\$ 73,800	8%	
4410 · Donations/Fundraising/Grants	\$ -	\$ 4,899	0%	
4420 · Interest Revenue	\$ 9,749.07	\$ 8,010	122%	
4430 · Miscellaneous Revenue	\$ -	\$ 2,040	0%	
<b>Total Revenue</b>	<b>\$ 19,839.47</b>	<b>\$ 1,239,585</b>	<b>2%</b>	
<b>Expense</b>				
5011 · Wages and P.T.O	\$ 32,011.44	\$ 423,104	8%	
5012 · Overtime Pay	\$ 738.41	\$ 6,544	11%	
5013 · Performance Recognition	\$ -	\$ 8,448	0%	
5014 · Temporary Help	\$ 3,301.47	\$ 38,064	9%	
<b>Total 5010 · Salaries</b>	<b>\$ 36,051.32</b>	<b>\$ 476,160</b>	<b>8%</b>	
5020 · Employee Benefits				
5021 · Health Insurance	\$ 5,379.19	\$ 60,000	9%	
5022 · Retirement Contributions	\$ 6,236.54	\$ 79,244	8%	
5023 · Social Security and Medicare	\$ 2,740.82	\$ 40,000	7%	
5025 · Retiree Medical Insurance	\$ 347.33	\$ 4,360	8%	
5026 · Reserve-Retiree Medical Insu.	\$ -	\$ 9,350	0%	
<b>Total 5020 · Employee Benefits</b>	<b>\$ 14,703.88</b>	<b>\$ 192,954</b>	<b>8%</b>	
5300 · Events Expense	\$ 5,879.84	\$ 76,450	#REF!	
5330 · Tree & Landscaping Services	0	\$ 30,000	20%	
5331 · Landscaping Contract Svc	\$ 450.00	\$ 73,000	1%	
5332 · McGlashan Trail Maintenance	\$ -	\$ 4,500	0%	
5333 · Vegetation Management	\$ -	\$ 40,000		
5340 · Instructor Fees	\$ -	\$ 9,647	0%	
5341 · Tia's Afterschool Program Exp	\$ -	\$ 11,434	0%	
5400 · TCSD Board Fees	\$ 136.00	\$ 5,529	2%	
5401 · Professional Services	\$ -	\$ 35,000	0%	
5420 · Staff Training & Travel Expense	\$ 149.45	\$ 6,000	2%	
5425 · Office and Technology	\$ 1,340.44	\$ 18,847	7%	
5430 · Telephone and Alarms	\$ 1,210.88	\$ 14,542	8%	
5431 · Public Communications	\$ 69.00	\$ 3,846	2%	
5432 · Insurance	\$ 22,783.93	\$ 37,240	61%	
5437 · Miscellaneous	\$ -	\$ 473	0%	
5438 · Fees and Permits	\$ 2,216.39	\$ 24,841	9%	
5439 · Utilities	\$ 654.05	\$ 19,995	3%	
5440 · Fuel Expense	\$ -	\$ 4,458	0%	
5450 · Maintenance and Supply				
5451 · General Supplies	\$ 192.80	\$ 9,580	2%	
5452 · Maint. & Supply Contract Svc	\$ 502.82	\$ 23,966	2%	
5454 · Vehicle Repair & Maint.	\$ 20.98	\$ 3,854	1%	
5458 · Cabin/Comm.Ctr. Maint. & Supply	\$ -	\$ 8,655	0%	
5459 · Park Maint.	\$ -	\$ 10,729	0%	
5461 · Meeting Supplies	\$ -	\$ 866	0%	
<b>Total 5450 · Maintenance and Supply</b>	<b>\$ 716.60</b>	<b>\$ 57,650</b>	<b>1%</b>	
5470 · Yard & Bldg. Improvements	\$ -	\$ 10,000		
5471 · Minor Equipment	\$ -	\$ 3,432	0%	
<b>Total Expense</b>	<b>\$ 86,361.78</b>	<b>\$ 1,155,998</b>	<b>7%</b>	





TAMALPAIS COMMUNITY SERVICES DISTRICT  
WASTEWATER DEPARTMENT  
Certificates Of Participation (C.O.P.) Funds

**Certificates Of Participation (C.O.P) Funds Balance Sheet**

**TCSD Accelerated CIP - Comparing Budgeted Plan to Progress Completed**

	Budgeted	FY 20/21 Complete	FY 21/22 Complete	FY 22/23 Complete	FY 23/24 Plan	Forecast Total	% Complete Today
Phase A	\$ 375,000	\$ 48,577.63	\$ 327,135.50	-	\$ -	\$ 375,713.13	100%
Phase B	\$ 1,300,000	\$ 491,589.93	\$ 978,666.01	-	\$ -	\$ 1,470,255.94	100%
Phase C	\$ 2,900,000		\$ 839,264.39	\$ 1,802,079.82	\$ -	\$ 2,641,344.21	100%
Phase D				\$ 6,910.50		\$ 6,910.50	
Tennessee Valley Main				\$ 2,673.00		\$ 2,673.00	
Bell Ln PS	\$ 3,865,000		\$ 91,474.65	\$ 149,574.00	\$ 4,322,651	\$ 4,563,700.00	5%
Bell Ln. Force Main Rehab.			\$ 10,617.50	\$ 44,845.70	\$ 3,232,247	\$ 3,287,710.29	2%
Hydro-Vactor Truck	\$ 350,000				\$ 380,000	\$ 380,000.00	-
<b>Total Spent+Forecast</b>		\$ 540,167.56	\$ 2,247,158.05	\$ 2,006,083.02	\$ 7,934,898	\$ 12,728,307.07	38%

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



Tamalpais Community Services District  
MEASURE A FUNDS  
Fiscal year 2022-2023

**June 2023**  
**(92% of FY)**                      **Budget**  
**FY 22/23**

**Sources of Funds**

Estimated Balance from Prior Years	\$ 175,555.09	\$ 175,555.09
FY22/23 Disbursements	\$ 73,491.07	\$ 49,118.87
<b>Total Funds</b>	<b>\$ 249,046.16</b>	<b>\$ 224,673.96</b>

**Planned Work**

Community Center Stage Accessibility Improvements**	\$ -	\$ 50,000.00
Replace Community Center Kitchen Cabinets**	\$ 76,471.88	\$ 80,000.00
Community Center Bathroom Remodel Design	\$ 4,950.00	\$ -
T.V.I.C Historical Archive Bldg. - Landscaping **	\$ 700.00	\$ 10,000.00
Tree & Landscaping Services	\$ -	\$ 60,000.00
Community Center Security Systems	\$ 15,000.00	\$ 24,673.96
<b>Total Expenses</b>	<b>\$ 97,121.88</b>	<b>\$ 224,673.96</b>

<b>Measure A Balance at Fiscal Year End</b>	<b>\$ 151,924.28</b>	<b>\$ -</b>
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\*\*Projects carried over from previous year

Date: July 21, 2023

To: Garrett Toy, Jim Jacobs and Steffen Bartschat

cc: Sarah Mehtar, Natalie Callahan-Worthington

Re: SASM Board of Commissioners Meeting, July 20, 2023

I attended the SASM Board Meeting in Jim Jacobs absence this evening. A closed session was called to order at 5:30pm. That meeting was adjourned at 5:55pm with no reportable action.

The regular meeting was called to order 6:03pm.

Commissioners present: Vice President Al Leibof, Peter McIntosh, Jeff Brown (for Jim Jacobs), Stephen Burke, Todd Gates. Lew Kious attended via phone, but because that was not previously noticed, he officially attended as a member of the public.

Commissioners absent: Lew Kious

Staff present: WWTP Director Mark Grushayev,

Public present: Bonner Beuhler, Lew Kious (via phone)

The only agenzized item was the consent calendar, which contained the following:

1. Consideration of the Minutes of the June 15, 2023, meeting.
2. Monthly Report.
3. Consideration of a Budget Adjustment for FY 2023-24.

The consent calendar passed unanimously.

The meeting was adjourned at 6:17pm

Respectfully Submitted,

Jeff Brown

TCSD Alternative Representative

**AGENDA ITEM 6.C. SMCSD REPORT**

## REPORT FROM DIRECTOR LEVINE

I attended the SMCSD Board of Directors Meeting on August 1, 2023 at noon.

1. No New Business on agenda.

2. GM Report:

a. No SSO's or blending events this month.

b. Operations and Maintenance.

. Completed planned wet well maintenance.

. PG&E finally provided permanent power to the new Coloma Pump Station.

c. Projects:

. Clarifier and Headworks Gate Rehab: to increase capacity and redundancy for primary treatment. Project design 98% complete. Bids due in September. Funded for \$2,105,000.

. Op Center and Lab Remodel: Complete late September. Budgeted \$400,000.

. Beach Force Main: Permit application under review by City of Sausalito and BCDC. Rate funded capital budget of \$2,640,000.

. Bio-solids Handling Project: Study conducted on how to handle and transfer bio-solids from the plant, Project is rate funded at \$400,000.

. Primary Digester Heating System: Has reached the end of its useful life. Planned for this winter at rate funded budget of \$400,000.

. Plant Electrical System Upgrade: Electrical systems in the Op building, maintenance shop and other buildings have reached the end of their useful lives. Rate funded budget of \$800,000.

. TCSD Flow Meter: District has given up on PG&E supplying power to the meter. Instead they will utilize solar power and eliminate the need for utility power. Project scheduled for September. Rate funded budget of \$200,000.

Steve Levine

8/1/23



# 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 SPECIAL MEETING MINUTES WEDNESDAY, JULY 26, 2023, 8:00 AM KAY PARK

### 1. CALL TO ORDER

The Tamalpais Community Services District Board of Directors Special Meeting was called to order by President Bartschat at 8:06am on Wednesday, July 26, 2023 at Kay Park.

### 2. ROLL CALL

President Steffen Bartschat

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

Staff Present: General Manager, Garrett Toy; Assistant General Manager (AGM) Alan Shear

Others Present: Erin Rosenblatt, PARC Commissioner

### 3. APPROVE AGENDA

**MOTION TO APPROVE THE AGENDA**

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

**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:

There was no public expression.

### 5. REGULAR BUSINESS

A. Discuss Kay Park operations, maintenance, improvements, uses, policies, rules/regulations, and other related issues; tour the park facilities; and provide direction to staff as appropriate.

GM Toy provided an update on the operations, improvements, and current maintenance standards of the park.

The Board made comments, discussed issues, and asked questions of staff.

PARC Commissioner Rosenblatt offered comments during the meeting.

Staff indicated we would discuss some of the issues raised at the next PARC meeting.

### 10. ADJOURNMENT

**THE MEETING WAS ADJOURNED AT 8:33am**

(Note: the Board moved to Eastwood Park for the special meeting at 9:00am)

Approved by the Board on: \_\_\_\_\_



# TAMALPAIS COMMUNITY SERVICES DISTRICT

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## TCSO BOARD OF DIRECTORS SPECIAL MEETING MINUTES

WEDNESDAY, JULY 26, 2023, 9:00 AM  
 EASTWOOD PARK

### 1. CALL TO ORDER

The Tamalpais Community Services District Board of Directors Special Meeting was called to order by President Bartschat at 9:00am on Wednesday, July 26, 2023 at Eastwood Park.

### 2. ROLL CALL

President Steffen Bartschat

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

Staff Present: General Manager, Garrett Toy; Assistant General Manager (AGM) Alan Shear

Others Present: Erin Rosenblatt, PARC Commissioner, Michael Wisner, PARC Commissioner

### 3. APPROVE AGENDA

MOTION TO APPROVE THE AGENDA

M/S: J. BROWN/ S. LEVINE

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:

Andy Allen, Tam Valley resident, stated the fence in the children's play area was not tall enough.

### 5. REGULAR BUSINESS

A. Discuss Eastwood Park operations, maintenance, improvements, uses, policies, rules/regulations, and other related issues; tour the park facilities; and provide direction to staff as appropriate.

GM Toy provided an update on the operations, improvements, and current maintenance standards of the park.

The Board made comments, discussed issues, and asked questions of staff.

Some members of the public and PARC Commissioner offered comments on the discussion.

Staff indicated we would discuss some of the issues raised with PARC at their next meeting.

### 10. ADJOURNMENT

THE MEETING WAS ADJOURNED AT 9:43am

Approved by the Board on: \_\_\_\_\_



## TAMALPAIS COMMUNITY SERVICES DISTRICT

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### TCSD BOARD OF DIRECTORS MEETING

#### MINUTES

WEDNESDAY, JULY 12, 2023, AT 7:00 P.M.

#### 1. CALL TO ORDER

The Tamalpais Community Services District Board of Directors Meeting was called to order by President Bartschat at 7:02 pm on Wednesday, July 12, 2023.

#### 2. ROLL CALL

President Steffen Bartschat

Vice president Jeff Brown, Directors Jim Jacobs (absent), Steve Levine, Mat McMahon

Staff Present: General Manager (GM), Garrett Toy; Assistant General Manager (AGM), Alan Shear; TCSD Clerk, Natalie Callahan

Others present: PG&E Representatives: Mark Van Gorden, Brandon Liddell, Behnoud Kermani

#### 3. APPROVE AGENDA

MOTION TO APPROVE THE AGENDA

WITH ITEM 5A REMOVED DUE TO LAURA BOOTH NOT BEING ABLE TO ATTEND MEETING

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

#### 4. PUBLIC EXPRESSION

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

There was no public expression.

#### 5. REGULAR BUSINESS: Board Actions

A. Removed due to Laura Booth not being able to attend meeting.

- B. Discussed request from PG&E regarding relocation of transmission tower to a new transmission pole (lattice steel pole-LSP) in the TCSD parking lot. PG&E cannot replace the existing tower in the same location because the Army Corp of Engineers does not allow any new towers on levees.

PG&E Reps shared images of what the proposed tower would look like and the proposed location.

PG&E shared that it's an urgent project that needs immediate attention due to foundation subsidence and some of the cross arms have buckled.

PG&E will do a targeted notification to the neighbors where visual impact may occur.

PG&E is projecting to start the foundation work in December 2023 and building & installing the tower, the first quarter of 2024.

The Board discussed and asked questions of PG&E Reps and staff.  
There was no public comment.

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

The proposed increases will slightly increase revenues and help offset costs.

The Board discussed and asked questions of staff.

The Board requested the following changes to be made:

1. Clarify hourly rate for the Community Center, Cabin and Park rental fees.
2. Remove candidate filing fee.
3. Remove Initiative /Referendum filing fee.

There was no public comment.

**MOTION TO ADOPT RESOLUTION 2023-13 WHICH INCORPORATES WASTEWATER AND SOLID WASTE FEES INTO THE MASTER FEE SCHEDULE, ADDS NEW AND INCREASES SOLID WASTE FEES AS RECOMMENDED, AND APPLIES THE SAME CPI ADJUSTMENTS BASED ON A FEB-FEB TIME PERIOD TO WASTEWATER, SOLID WASTE AND PARKS & RECREATION FEES FOR SERVICE WITH INCREASES ROUNDED UP OR DOWN TO THE NEAREST DOLLAR.**



(SUBJECT TO THE FOLLOWING THREE CHANGES LISTED ABOVE)

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

- D. Discussed consideration of Ordinance NO 100 restating and amending Ordinance NO 96 Regulating the construction, use, and maintenance of private sewer laterals, CEQA exempt under sections 15268, 15273, 15308.

GM Toy stated that staff is not recommending the introduction of the ordinance this evening, but only seeking comments.

GM Toy presented the following proposed revisions to the Board:

- General revisions to improve clarity and consistency
- Clarified the payment of applicable fees
- Revised inspection requirements
- Section 460 was changed to “Reserved” from “Responsibility of Property Owner”
- Added Appeals Process
- Restated and Amended Ordinance
- Added required CEQA language.

The board discussed the matter and asked questions of staff.

GM Toy will create a revised redline with the proposed revisions to present at the next Board meeting along with the introduction of the Ordinance.

There was no public comment.

- E. Discussed / consider options for the commemorative and memorial bench and picnic table program.

The board discussed and asked questions of staff.

Board made the following recommendations:

- Offer comprehensive price to include plaque, installation, and other costs.
- Create one page agreement including: bench/table is the property of TCSD, TCSD will maintain bench/table for a certain number of years.
- Remove the PAY NOW button on TCSD website.

Staff indicated they would refine the policy and discuss with PARC.

There was no public comment.

- F. Discussed/consider authorizing the General Manager to enter into a professional services agreement with Robert W. Hayes for architectural services for the Tam Valley Community Center restrooms remodel project for a not-to-exceed amount of \$30,000.

The scope of the work will include the following services:

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

The Board discussed the matter and asked questions of staff.

There was no public comment.

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

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

- G. Discussed agenda and meeting location for July 26 and August 9, 2023 work sessions.

July 26, 2023, Work Session – Field trip to Kay Park (8am) and Eastwood Park (9am)

August 23, 2023, Work Session – Field trip to TCSD Courtyard Sewer/Solid Waste (1pm)

There was no public comment.

## **6. REGULAR BUSINESS: Information Items**

### **A. General Manager Report**

GM Toy, shared with the Board the wastewater statistics – June flow through Bell Lane pump station was 9.2 million gallons and Bob Bunce pump station was 139,000 gallons.

Fixed dog water fountain – cost for repair was \$840.

GM Toy gave update on Creekside Fridays revenue. Board recommended doing a revenue comparison pre covid (2019).

GM Toy gave an update on PARC meetings.

There was no public comment.

B. Received monthly financial reports.

There was no public comment.

C. Receive sewer treatment plant update reports: SMCSD and SASM

SMCSD: Dir Levine report on the July 11, 2023 meeting:

Actions:

1. Adopted resolution for Notice of Exemption pursuant to CEQA for the Beach Force Main project. No impact to TCSD.
2. Reviewed Bay Area Clean Water Agencies Recycled Water Study dated May 11, 2023.
3. Reviewed Bay Area Clean Water Agencies Evaluation of Nature Based Solutions for nutrient removal opportunities and constraints analysis dated June 30, 2023.

4. GM Report:

a. Operations and Maintenance:

- . No high flow or SSO events this month.
- . Routine maintenance on disc filters, plant collection system, pump station.
- . Completed annual diesel fuel testing.

5. Projects:

- a. Clarifier Rehab: construction planned for this fall. Budget: \$1,659,000
- b. Operations Center and Lab Remodel: project began June 12; completion late September . Budget: \$400,000
- c. Beach Force Main: Applied for permit. Rate funded capital project. Budget: \$2,640,000.
- d. Bio-solids Handling: Study completed to ensure long term regulatory compliance and to minimize costs of processing and hauling off bio-solids.
- e. Primary Digester Heating System Replacement: System has reached the end of its

useful life. Initiate in fall or winter. Budget: \$400,000

f. Plant Electrical System Upgrade: for facilities constructed prior to 1986. System has reached the end of its useful life. In design. Budget \$800,000.

g. TCSD Flow Meter: Scheduled for September. Budget \$200,000

SASM – no oral report.

VP Brown will attend next SASM meeting.

## 7. CONSENT CALENDAR

A. Approve minutes of June 14, 2023, meeting

MOTION TO APPROVE THE CONSENT CALENDAR

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

## 8. FUTURE AGENDA ITEMS

A. Review of meeting

The Board made suggestions for more comfortable seating arrangements for the public.  
Discussed changing the placement of the Board and PARC tables at Creekside Fridays.

B. Board input for future Board Meeting Agendas

Bring back PG&E and Flood Control for future Board meetings

Look at goals set from the last Board Retreat to see progress made.

## 9. ADJOURNMENT

MOTION TO ADJOURN

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

THE MEETING WAS ADJOURNED AT 9:15 PM

Approved by Board on:



## TAMALPAIS COMMUNITY SERVICES DISTRICT

Staff Report  
August 09, 2023

**TO: BOARD OF DIRECTORS**

**FROM: SARAH MEHTAR, FINANCE AND PROGRAMS MANAGER**

**SUBJECT: APPROVE AGREEMENT WITH CROCE, SANGUINETTI, & VANDER VEEN FOR ANNUAL FINANCIAL AUDIT AND OTHER FINANCIAL SERVICES IN AN AMOUNT NOT-TO-EXCEED \$35,375**

### **RECOMMENDATION**

Authorize the General Manager to enter into an agreement with Croce, Sanguinetti, & Vander Veen for annual financial audit and other financial services in an amount not-to-exceed \$35,375.

### **BACKGROUND**

TCSD, like all public agencies, is required to have an independent audit of its financial statements annually, and like all special districts, TCSD is required to file a special districts financial transactions report with the State Controller.

Each Year, TCSD financial staff works with a qualified auditor to review TCSD's financial documents and produce audited financial statements as required by the State of California, and in compliance with generally accepted accounting practices in the United States. The proposed \$35,375 amount includes \$34,375 for annual financial audit services and \$1,000 for the financial transactions report required by the State of California for each special district. No additional consulting services are needed this year.

TCSD's current auditor, Croce, Sanguinetti, & Vander Veen Inc. (CSV) has an excellent working knowledge of TCSD's financial statements, and the financial statements of Sausalito Marin City Sanitary District (SMCSD) based on having previously audited both districts.

### **DISCUSSION**

Last year, TCSD paid CSV approximately \$33,650 for TCSD's annual audit and financial transactions report. In the past, the district worked with Mark Croce as the audit partner. Last year, Pauline Sanguinetti was the CSV audit partner which complied with requirements to change audit partners after six years of continuous use, while also allowing continuity with TCSD's finance team.

### **Impact on TCSD Resources**

If authorized, TCSD staff will pay up to \$35,375 to CSV for annual audit and related services.

### **Attachments**

- A. Croce, Sanguinetti, & Vander Veen Inc. 2023 proposal for annual audit services
- B. Croce, Sanguinetti, & Vander Veen Inc. 2023 proposal for special districts financial transactions report



CROCE, SANGUINETTI, & VANDER VEEN  
INC.

CERTIFIED PUBLIC ACCOUNTANTS

July 17, 2023

Board of Directors and Ms. Sarah Mehtar, Finance Manager  
**Tamalpais Community Services District**  
305 Bell Lane  
Mill Valley, California 94941

We are pleased to confirm our understanding of the services we are to provide the **Tamalpais Community Services District** for the year ended June 30, 2023.

### **Audit Scope and Objectives**

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, and the disclosures, which collectively comprise the basic financial statements of the **Tamalpais Community Services District** as of and for the year ended June 30, 2023. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement **Tamalpais Community Services District's** basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to **Tamalpais Community Services District's** RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us the sufficient evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis.
2. Budgetary Comparison Schedule - Major Special Revenue Fund.
3. Schedule of the District's Proportionate Share of the Net Pension Liability.
4. Schedule of Contributions - Pension Plan.
5. Schedule of Changes in the Total OPEB Liability and Related Ratios.

The objectives of our audit are to obtain reasonable assurance as to whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; issue an auditor's report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material

misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements.

The objectives also include reporting on internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.

### **Auditor's Responsibilities for the Audit of the Financial Statements**

We will conduct our audit in accordance with GAAS and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of your accounting records of the **Tamalpais Community Services District** and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste and abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include direct confirmation of cash and certain other assets and liabilities by correspondence with selected customers, creditors, and financial institutions. We may request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry.

Our audit of financial statements does not relieve you of your responsibilities.

#### **Audit Procedures - Internal Control**

We will obtain an understanding of the government and its environment, including the system of internal control, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. An audit is not designed to provide assurance on internal control or to identify deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

#### **Audit Procedures - Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of **Tamalpais Community Services District's** compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

#### **Other Services**

We will also prepare standard, adjusting, or correcting journal entries and assist in preparing the financial statements of **Tamalpais Community Services District** in conformity with U.S. generally accepted accounting principles based on information provided by you. We will also prepare the Special Districts Financial Transactions Report of **Tamalpais Community Services District**. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.



You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

### **Responsibilities of Management for the Financial Statements**

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for designing, implementing and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with accounting principles generally accepted in the United States of America, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is responsible for making drafts of financial statements, all financial records and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; additional information that we may request for the purpose of the audit; and unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by GAAS and *Government Auditing Standards*.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving management, employees who have significant roles in internal control, and others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the

government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, or contracts or grant agreements that we report.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to using the auditor's report, you understand that you must obtain our prior written consent to reproduce or use our report in bond offering official statements or other documents.

With regard to publishing the financial statements on your website, you understand that websites are a means to distribute information and, therefore, we are not required to read the information contained in those sites or to consider the consistency of other information on the website with the original document.

#### **Engagement Administration, Fees, and Other**

Pauline Sanguinetti is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it. Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

It is our policy to keep records related to this engagement for seven years. However, Croce, Sanguinetti, & Vander Veen, Inc. does not keep any original client records, so we will return those to you at the completion of the services rendered under this engagement. When records are returned to you, it is your responsibility to retain and protect your records for possible future use, including potential examination by government or regulatory agencies. By your signature below, you acknowledge and agree that upon the expiration of the seven-year period, Croce, Sanguinetti, & Vander Veen, Inc. shall be free to destroy our records related to this engagement.

We expect our fees for the audit services set forth in this letter for the fiscal year ended June 30, 2023 not to exceed \$34,375. Our invoices for the services outlined in this letter are payable on presentation. The fee estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

You may request that we perform additional services not addressed in this engagement letter. If this occurs, we will communicate with you regarding the scope of the additional services and the estimated fees. We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our services will continue to be governed by the terms of this engagement letter. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to perform the additional services. Our standard hourly rates range from \$220/hour for management to \$360/hour for partners.

In the event that the District requires a single audit due to the expenditure of federal funds, we will perform such an audit in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards* issued by the Comptroller General of the United States, the Single Audit Act Amendments of 1996, and the provisions of the Uniform Guidance. Services rendered in order to meet the aforementioned requirements will be billed to you separately.

Should any litigation or adverse action (such as audits by outside organizations and/or threatened litigation, etc.) by third parties arise against **Tamalpais Community Services District** or its officers subsequent to this engagement, which results in the subpoena of documents from Croce, Sanguinetti, & Vander Veen, Inc. and/or requires additional assistance from us to provide information, depositions, or testimony, **Tamalpais Community Services District** hereby agrees to compensate Croce, Sanguinetti, & Vander Veen, Inc. (at our standard hourly rates then in effect) for additional time charges and other costs (copies, travel, etc.) and to indemnify us for any attorney's fees to represent Croce, Sanguinetti, & Vander Veen, Inc.

If any dispute arises among the parties hereto, the parties agree to first try in good faith to settle the dispute by mediation administered by the American Arbitration Association or other organization under its applicable rules for resolving professional accounting and related services disputes before resorting to litigation. The costs of any mediation proceeding shall be shared equally by all parties.

### **Reporting**

We will issue a written report upon completion of our audit of **Tamalpais Community Services District's** financial statements. Our report will be addressed to those charged with governance of **Tamalpais Community Services District**. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or withdraw from this engagement.

If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming an opinion

on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawing from the engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will state (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The report will also state that the report is not suitable for any other purpose. If, during our audit, we become aware that **Tamalpais Community Services District** is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

We appreciate the opportunity to be of service to **Tamalpais Community Services District** and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign where indicated and return it to us. A copy of this engagement letter is enclosed for your files.

Very truly yours,

*Croce, Sanguinetti, & Vander Veen, Inc.*

CROCE, SANGUINETTI, & VANDER VEEN, INC.  
Certified Public Accountants

RESPONSE:

This letter correctly sets forth the understanding of **Tamalpais Community Services District**.

Management signature: X \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Director signature: X \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



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**CROCE, SANGUINETTI, & VANDER VEEN**

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CERTIFIED PUBLIC ACCOUNTANTS

July 17, 2023

Board of Directors and Ms. Sarah Mehtar, Finance Manager  
**Tamalpais Community Services District**  
305 Bell Lane  
Mill Valley, California 94941

We are pleased to confirm our acceptance and understanding of the services we are to provide for **Tamalpais Community Services District** for the year ended June 30, 2023.

You have requested that we prepare the Special Districts Financial Transactions Report of **Tamalpais Community Services District** for the year ending June 30, 2023.

### **Our Responsibilities**

The objective of our engagement is to prepare the Special Districts Financial Transactions Report in accordance with the requirements of the Controller of the State of California, which differ from accounting principles generally accepted in the United States of America. We will conduct our engagement in accordance with Statement on Standards for Accounting and Review Services (SSARS) promulgated by the Accounting and Review Services Committee of the AICPA and comply with the AICPA's Code of Professional Conduct, including the ethical principles of integrity, objectivity, professional competence, and due care.

We are not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or otherwise gather evidence for the purpose of expressing an opinion or a conclusion. Accordingly, we will not express an opinion, a conclusion, nor provide any assurance on the Special Districts Financial Transactions Report.

Our engagement cannot be relied upon to identify or disclose any misstatements, including those caused by fraud or error, or to identify or disclose any wrongdoing within the entity or noncompliance with laws and regulations.

### **Management Responsibilities**

The engagement to be performed is conducted on the basis that management acknowledges and understands that our role is to prepare the Special Districts Financial Transactions Report in accordance with the requirements of the Controller of the State of California. Management has the following overall responsibilities that are fundamental to our undertaking the engagement to prepare your Special Districts Financial Transactions Report in accordance with SSARS:

- a. The prevention and detection of fraud.
- b. To ensure that the entity complies with the laws and regulations applicable to its activities.

- c. The accuracy and completeness of the records, documents, explanations, and other information, including significant judgments, you provide to us for the engagement to prepare the Special Districts Financial Transactions Report.
- d. To provide us with:
  - i. Documentation, and other related information that is relevant to the preparation and presentation of the Special Districts Financial Transactions Report,
  - ii. Additional information that may be requested for the purpose of the preparation of the Special Districts Financial Transactions Report; and
  - iii. Unrestricted access to persons within **Tamalpais Community Services District** of whom we determine necessary to communicate.

As part of our engagement, we will issue a disclaimer that will state that the Special Districts Financial Transactions Report was not subjected to an audit, review, or compilation engagement by us and, accordingly, we do not express an opinion, conclusion, nor provide any assurance on them.

#### **Other Relevant Information**

Pauline Sanguinetti is responsible for supervising the engagement.

We expect our fees for the services set forth in this letter for the fiscal year ended June 30, 2023 not to exceed \$1,000. Our invoices for the services outlined in this letter are payable on presentation. The fee estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

It is our policy to keep records related to this engagement for seven years. However, Croce, Sanguinetti, & Vander Veen, Inc. does not keep any original client records, so we will return those to you at the completion of the services rendered under this engagement. When records are returned to you, it is your responsibility to retain and protect your records for possible future use, including potential examination by government or regulatory agencies. By your signature below, you acknowledge and agree that upon the expiration of the seven-year period, Croce, Sanguinetti, & Vander Veen, Inc. shall be free to destroy our records related to this engagement.

Should any litigation or adverse action (such as audits by outside organizations and/or threatened litigation, etc.) by third parties arise against **Tamalpais Community Services District** or its officers subsequent to this engagement, which results in the subpoena of documents from Croce, Sanguinetti, & Vander Veen, Inc. and/or requires additional assistance from us to provide information, depositions, or testimony, **Tamalpais Community Services District** hereby agrees to compensate Croce, Sanguinetti, & Vander Veen, Inc. (at our standard hourly rates then in effect) for additional time charges and other costs (copies, travel, etc.) and to indemnify us for any attorney's fees to represent Croce, Sanguinetti, & Vander Veen, Inc.

If any dispute arises among the parties hereto, the parties agree to first try in good faith to settle the dispute by mediation administered by the American Arbitration Association or other organization under its applicable rules for professional accounting and related services disputes before resorting to litigation. The costs of any mediation proceeding shall be shared equally by all parties.

You agree to hold us harmless and to release, indemnify, and defend us from any liability or costs, including attorney's fees, resulting from management's knowing misrepresentations to us.

We appreciate the opportunity to be of service to **Tamalpais Community Services District** and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign where indicated and return it to us. A copy of this engagement letter is enclosed for your files.

Very truly yours,

*Croce, Sanguinetti, & Vander Veen, Inc.*

CROCE, SANGUINETTI, & VANDER VEEN, INC.  
Certified Public Accountants

RESPONSE:

This letter correctly sets forth the understanding of **Tamalpais Community Services District**.

Management signature: X \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Director signature: X \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_