

**ORDINANCE No. 1-2023**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
TAHOE-TRUCKEE SANITATION AGENCY  
AMENDING ORDINANCE 2-2015, AS AMENDED,  
ADJUSTING SERVICE CHARGES AND MAKING RELATED CHANGES**

BE IT ORDAINED by the Board of Directors of the Tahoe-Truckee Sanitation Agency ("Agency") as follows:

**Section 1. Purpose and Authority.** The purpose of this ordinance is to update and modify Agency Ordinance No. 2-2015 to adjust charges for sewer service by the Agency and make related changes. This ordinance is adopted pursuant to Article XIII D of the California Constitution, Agency Act sections 67 and 130, Government Code sections 54344, and 54350, Health and Safety Code section 5471, and other applicable law.

**Section 2. Findings.** The Board of Directors finds and determines as follows:

- (a) The Agency Board of Directors has reviewed, accepted, and approved the Tahoe-Truckee Sanitation Agency Sewer Rate Study, dated March 15, 2023 (the "Study") prepared by HDR Engineering, Inc. for the Agency.
- (b) On or about March 31, 2023, the Agency mailed a Notice of Public Hearing on proposed adjustments to sewer service rates to landowners of properties receiving sewer service within the Agency's territory in compliance with section 6(a) of Article XIII D of the California Constitution for a public hearing to be held on May 17, 2023.
- (c) The Study identified the need for, and benefits of, implementing various adjustments to the Agency's sewer service rates so that customers pay their proportionate share of the costs incurred to provide sewer service to them.
- (d) The proposed adjustments to the Agency's sewer service rates will help ensure that the Agency's financial and sewer service obligations can be met with reduced risk and uncertainty.
- (e) The Study demonstrates that the revenues derived from the proposed adjustments to the Agency's sewer service rates will not exceed the funds required to provide water service to the affected parcels.
- (f) As set forth in the Study, the amount of the proposed sewer service rates imposed on each affected parcel will not exceed the proportional cost of the sewer service attributable to the parcel in compliance with California law, including section 6(b)(3) of Article XIII D of the California Constitution and *Griffith v. Pajaro Valley Water Management District* ((2013) 220 Cal.App.4th 586, 601) and other relevant case law.

(g) As a result of the proposed adjustments to the Agency's sewer service rates, the Agency's customers will benefit from improved financial stability and certainty, thereby providing for more reliable sewer service.

(h) The Agency Board of Directors received presentations and public comment on the proposed adjustments at several past Board of Directors meetings.

(i) The Agency Board of Directors held a public hearing on May 17, 2023, during which it received oral and written comments, and written protests, regarding the proposed adjustments in the Agency's sewer service rates for Fiscal Years 2024 to 2028.

(j) At the close of the public hearing, the Board of Directors received less than a majority of written protests from the affected parcels, as defined by section 6(a)(2) of Article XIII D of the California Constitution.

(k) The Board of Directors has considered the comments received, as well as the number of valid written protests, and has decided to adopt and implement the proposed adjustments in the Agency's sewer service rates as more fully described in the Study.

**Section 3. Amendment.** Agency Ordinance No. 2-2015 is amended as follows:

(a) Section 2 is amended by adding the following defined term:

PUBLIC SCHOOL means a K or Grades 1 through 12 school operated by a public entity.

(b) Section 10.G is amended by replacing the existing subsection with the following:

G. Sewer Service Charges. All owners of parcels connected to the sewage works shall pay Agency sewer service charges, as fees for the use of, or the availability of the use of, such facilities, in accordance with the schedule set forth and attached hereto as Exhibit B and incorporated herein.

(c) Section 10.R is added with the following:

R. Public Schools. Sewer service charges for public schools served by the Agency shall be determined under this section. Sewer flows from public schools are proportional to the number of students in attendance each day multiplied by the number of days those students attend (student-days) and also proportional to the ages of the students attending. Estimated flow from public schools as follows:

- K through Grade 5: 7 gallons/student-day
- Grades 6 through 8: 12 gallons/student-day
- Grades 9 through 12: 15 gallons/student-day

Charges for public schools are calculated by multiplying the number of students by the number of days attended. This number is multiplied by the appropriate student age flow factor (above) times a rate per gallon flow (see Exhibit B, Sewer Service Charges).

Each school will maintain records of student-days during a complete fiscal year and shall report those numbers to the Agency by June 30th of the following year.

For any school that does not provide such information to the Agency by June 30th of each year, the Agency shall notify the school in writing, whereupon the school shall have thirty calendar days to provide this information to the Agency. If the Agency does not receive the required information within this 30-day period, the Agency shall have the discretion to set the fee based upon information available.

(d) Exhibit A, Connection Charge Schedule, is amended to add Table A-4 from the attachment labeled Table A-4.

(e) Exhibit B, Service Charges is amended by replacing the exhibit in its entirety with the attachment labeled Exhibit B.

**Section 4. Supersedes Earlier Ordinances.** This ordinance supersedes any other prior inconsistent Agency ordinance, resolution, policy, regulation, fee or charge.

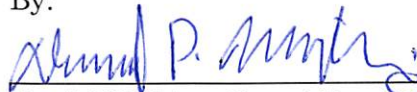
**Section 5. Effective Date.** This ordinance shall take effect on July 1, 2023.

**Section 6. Posting.** This ordinance shall be posted within the Agency in at least three conspicuous places within 10 days after its adoption.

PASSED AND ADOPTED by the Board of Directors of the Tahoe-Truckee Sanitation Agency on the 17th day of May 2023, by the following vote:

AYES: Directors Tresan, Wilson, Cox, Smelser, and President Wilkins.  
NOES: None  
ABSTAIN: None  
ABSENT: None

By:

  
Daniel Wilkins, Board President  
Tahoe-Truckee Sanitation Agency

Attest:

  
Roshelle Chavez, Board Clerk  
Tahoe-Truckee Sanitation Agency

**Table A-4**  
**Swimming Pools/Spas**

<b>Table A-4</b>	
<b>Swimming Pool "P" Units</b>	
0 - 25,000 gallons	23
25,001 - 50,000 gallons	46
50,001 - 75,000 gallons	69
75,000 - 100,000 gallons	92
100,000 gallons and over	115
 <b>Spa "P" Units</b>	
0 - 1,000 gallons	16
1,001 - 2,500 gallons	39
2,501 - 5,000 gallons	78
5,001 gallons and over	116

## Exhibit B Service Charges

### Exhibit B Sewer Service Charges - Annual Fee

Service Type	Code	Unit Type	FY24 Per Unit Charge (\$)	FY25 Per Unit Charge (\$)	FY26 Per Unit Charge (\$)	FY27 Per Unit Charge (\$)	FY28 Per Unit Charge (\$)
Beauty/Barber Shop	A	# of service chairs	179.96	213.42	242.36	263.16	272.20
Commercial Establishments (1) (unless otherwise noted)	B	# of fixture units	51.04	60.53	68.73	74.63	77.20
Dump Station	D	# of stations	398.00	472.00	536.00	582.00	602.00
Restaurant or Bar	F	# of seats inside	39.02	46.27	52.55	57.06	59.02
	Z	# of seats outside	14.05	16.66	18.92	20.54	21.25
	Z	# of seats banquet	14.05	16.66	18.92	20.54	21.25
Grocery	G	# of fixture units	78.82	93.47	106.15	115.26	119.22
Industrial User	I	as calculated pursuant to Table A-2	398.00	472.00	536.00	582.00	602.00
Car Washes	J	# of bays, Automatic	597.00	708.00	804.00	873.00	903.00
		# of bays, Automatic - Recycled	477.60	566.40	643.20	698.40	722.40
		# of bays, Self-Serve	398.00	472.00	536.00	582.00	602.00
		# of bays, Self-Serve - Recycled	318.40	377.60	428.80	465.60	481.60
Campsite with Sewer Connection	K	# of sites	213.52	253.21	287.55	312.23	322.96
Laundromat	L	# of washing machines	212.42	251.92	286.08	310.63	321.30
Motel or Hotel Unit	M	# of units	199.00	236.00	268.00	291.00	301.00
Motel or Hotel Unit with Kitchen	N	# of units	262.68	311.52	353.76	384.12	397.32
Swimming Pool or Spa	P	# of P units, see Table A-4	7.34	8.70	9.88	10.73	11.10
Campsite without Sewer Connection	Q	# of sites	180.58	214.16	243.20	264.07	273.14
Residential Unit	R	# of dwelling units	398.00	472.00	536.00	582.00	602.00
Other	S	As Determined by General Manager	7.34	8.70	9.88	10.73	11.10
Assembly Hall	T	# of seats	2.97	3.52	3.99	4.34	4.49
Public Schools	---	Per 1,000 gallons	3.67	4.35	4.94	5.36	5.55

(1) Refer to Table A-1

## **CERTIFICATE**

I hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 1-2023, duly and regularly adopted by the Board of Directors of Tahoe-Truckee Sanitation Agency on May 17, 2023.



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Roshelle Chavez, Board Clerk  
Tahoe-Truckee Sanitation Agency