



TAHOE-TRUCKEE SANITATION AGENCY
REGULAR BOARD MEETING
AUGUST 16, 2023



TAHOE-TRUCKEE SANITATION AGENCY

A Public Agency
13720 Butterfield Drive
TRUCKEE, CALIFORNIA 96161
(530) 587-2525 • FAX (530) 587-5840

Directors

Dan Wilkins: President
Blake Tresan: Vice President
Dale Cox
David Smelser
Scott Wilson
General Manager
Richard Pallante

BOARD OF DIRECTORS REGULAR MEETING NOTICE AND AGENDA

Date: August 16, 2023

Time: 9:00 AM

Place: Board Room, Tahoe-Truckee Sanitation Agency, 13720 Butterfield Drive, Truckee, California

Members of the public will have the opportunity to directly address the Agency Board of Directors concerning any item listed on the Agenda below before or during consideration of that item. To better accommodate members of the public and staff, some Agenda items may be considered in an order different than listed below.

I. Call to Order, Roll Call, and Pledge of Allegiance

II. Public Comment Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject that is within the jurisdiction of Tahoe-Truckee Sanitation Agency and that does not appear on the agenda. Any matter that requires action may be referred to staff for a report and action at a subsequent Board meeting. Please note there is a five (5) minute limit per person. In addition to or in lieu of public comment, any person may submit a written statement concerning Agency business to be included in the record of proceedings and filed with the meeting minutes. Any such statement must be provided to the recording secretary at the meeting.

III. Professional Achievements, Awards, and Anniversaries acknowledgement of staff for professional achievements and other awards.

IV. Consent Agenda Consent Agenda items are routine items that may be approved without discussion. If an item requires discussion, it may be removed from the Consent Agenda prior to action.

1. Approval of the minutes of the regular Board meeting on July 19, 2023.
2. Ratify payment of General Fund Warrants.
3. Ratify approval of Financial Statements.

V. Regular Agenda

1. Discussion and approval of RFP for Compensation and Limited Classification Study.
2. Approval to enter into an agreement with Carollo Engineers, Inc. to conduct a Land Use Risk Analysis Study.
3. Discussion and Review of Agency Purchasing Policy Resolution.
4. Waive First Reading and Introduce Ordinance No. 3-2023 Repealing Ordinance No. 3-2015.

5. Waive First Reading and Introduce Ordinance No. 4-2023 Prohibiting After Hours Use of Agency Property.
6. Approval of Resolution No. 12-2023 Investment of Monies in the Local Agency Investment Fund (LAIF).
7. Approval of Agency Reserve Fund Policy.
8. Approval of Agency Debt Management Policy.
9. Ratify Notice of Insufficiency of Claim to Cari McCormick and Delegate Action to Deny the Claim to General Manager.
10. Approval to purchase Progressive Cavity Pumps.
11. Concept freeze for 2024 Administration Parking & Landscaping Improvements project.
12. Approval of Resolution No. 13-2023 Commending Jason “Jay” Parker for his dedicated service to the Agency.

VI. Recess

VII. Management Team Report

1. Department Reports.
2. General Manager Report.

VIII. Board of Director Comment Opportunity for directors to ask questions for clarification, make brief announcements and reports, provide information to staff, request staff to report back on a matter, or direct staff to place a matter on a subsequent agenda.

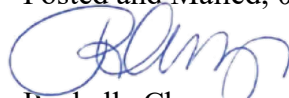
IX. Closed Session

1. Closed session for public employee performance evaluation of the General Manager position (Government Code §54957).

X. Closed Session Report

XI. Adjournment

Posted and Mailed, 08/10/2023.



Roshelle Chavez
Executive Assistant/Board Clerk

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact Roshelle Chavez at 530-587-2525, 530-587-5840 (fax), or email rchavez@ttsa.ca.gov. Requests must be made as early as possible, and at least one-full business day before the start of the meeting.

Documents and material relating to an open session agenda item that are provided to the T-TSA Board of Directors less than 72 hours prior to a regular meeting will be available for public inspection and copying at the Agency’s office located at 13720 Butterfield Drive, Truckee, CA.



TAHOE-TRUCKEE SANITATION AGENCY MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: I
Subject: Call to Order, Roll Call, and Pledge of Allegiance.

Background

Call to Order, Roll Call, and Pledge of Allegiance.



TAHOE-TRUCKEE SANITATION AGENCY MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: II
Subject: Public Comment.

Background

Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject that is within the jurisdiction of Tahoe Truckee Sanitation Agency and that does not appear on the agenda. Any matter that requires action may be referred to staff for a report and action at a subsequent Board meeting. There is a five (5) minute limit per person.



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Vicky Lufrano, Human Resources Administrator
Item: III
Subject: Professional Achievements, Awards and Anniversaries.

Background

Acknowledgement of staff for professional achievements, awards and anniversaries received the previous calendar month or quarter.

1-Year, 5-Year, 10-Year, 15-Year, 20-Year, Etc. Anniversaries

15 Years

- Kristin Davis – August 2023

Fiscal Impact

None.

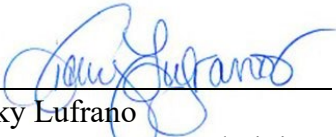
Attachments


None.

Recommendation

No action required.

Review Tracking

Submitted By: 
Vicky Lufrano
Human Resources Administrator

Approved By: 
Richard Pallante
General Manager



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Roshelle Chavez, Executive Assistant/Board Clerk
Item: IV-1
Subject: Approval of the minutes of the Special Board meeting on July 19, 2023.

Background

Draft minutes from previous meeting(s) held are presented to the Board of Directors for review and approval.

Fiscal Impact

None.

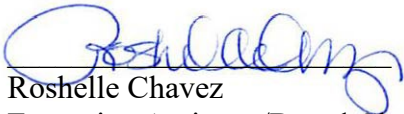
Attachments


- Minutes of the Special Board meeting on July 19, 2023.

Recommendation

Management and staff recommend approval of the minutes of the Special Board meeting on July 19, 2023.

Review Tracking

Submitted By: 
Roshelle Chavez
Executive Assistant/Board Clerk

Approved By: 
Richard Pallante
General Manager

**BOARD OF DIRECTORS
REGULAR MEETING MINUTES**

July 19, 2023

I. Call to Order:

Dan Wilkins called the regular meeting of the Tahoe-Truckee Sanitation Agency Board of Directors to order at 9:00 a.m. Roll call and Pledge of Allegiance followed.

Directors Present: Dan Wilkins, TCPUD
Blake Tresan, TSD
Dale Cox, OVPSD
David Smelser, ASCWD
Scott Wilson, NTPUD

Staff Present: Richard Pallante, General Manager
Vicky Lufrano, Human Resources Administrator
Roshelle Chavez, Executive Assistant/Board Clerk
Michael Peak, Operations Manager
Jay Parker, Engineering Manager
Paul Shouse, Maintenance Manager
Crystal Sublet, Finance & Administrative Manager
Andrew Ramos, Agency Counsel
Aaron Carlsson, Engineering Department
Scott Fleming, Engineering Department
Trevor Shamblin, Engineering Department
Mike Smith, Engineering Department
Michelle Mackey, Administration Department
Dawn Davis, Administration Department
Kayle Ohle, Administration Department
Tanner McGinnis, Maintenance Department
Luke Swann, Maintenance Department
Soraya Bedout-Morz, Maintenance Department
Zeb Snider, Maintenance Department
Jaime Garcia, Maintenance Department
Jesus Zarate, Maintenance Department
Anthony Salinas, Maintenance Department
Justin Parrish, Maintenance Department
Herb Hodges, Maintenance Department
Jeff Navarrete, Maintenance Department

Ryan Schultz, Maintenance Department
Greg O'Hair, Operations Department
Brandon Dimond, Operations Department
Jessie Denham, Operations Department
Brad Beattie, Operations Department
Dan Underwood, Operations Department
Jason Hays, Operations Department
Kristin Davis, Operations Department
Kristin Schrandt, Operations Department

II. Public Comment

There was no public comment. No action was taken by the Board.

III. Professional Achievements, Awards, and Anniversaries

Ms. Lufrano acknowledged Agency staff, Paul Shouse, who celebrated his five (5) employment anniversary in July. She also acknowledged Scott Fleming again for his five (5) year employment anniversary in June since he was not at the meeting. Ms. Lufrano also acknowledged Agency staff Herb Hodges, Jeff Navarrete, and Joel Oberly for their Second Quarter safety suggestion awards.

The Board acknowledged and congratulated staff for their achievements. President Wilkins stated that eleven years without a lost time safety incident is an amazing achievement.

IV. Public Hearing

1. Public Hearing for public comment related to the Board's consideration of adopting a resolution of the Board adopting 2023-2024 tax roll billing report and approving billing and collection of delinquent charges on county tax roll.

Public Hearing opened by President Wilkins at 9:03 A.M:

There was no public present and there was no public comment regarding this item.

President Wilkins closed the Public Hearing at 9:04 A.M

V. Consent Agenda

1. Approval of the minutes of the Special Board meeting on June 26, 2023.
2. Ratify payment of General Fund Warrants.
3. Ratify approval of Financial Statements.

MOTION by Director Cox **SECOND** by Director Smelser to approve the Consent Agenda; unanimously approved.

The Board approved the motion by the following vote:

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

Motion passed.

VI. Regular Agenda

1. Discussion of Employee Health Benefits.

Ms. Lufrano provided a PowerPoint presentation of current Agency Health benefits to the Board of Directors. She also gave the Board a timeline of when any potential changes to Agency Health benefits would need to be made to become effective January 1, 2024. General Manager, Richard Pallante read an anonymous public comment addressed to the Board after an all employee staff meeting on July 18th. Mr. Pallante also reviewed a list of staff concerns regarding potential changes to Agency Health benefits.

There was additional discussion, questions, and answers between Agency staff and the Board of Directors. Public comment was received from Agency staff Trevor Shamblin, Jason Hays, Jeff Navarrete, and Tanner McGinnis.

After further discussion, the Board of Directors advised that there would not be any changes made to Agency Health benefits for 2024, as this item was just for discussion only. A classification and compensation study will be performed in the near future and benefits will be included in the study.

A majority of the staff in attendance left following this Agenda item.

The Board of Directors took a break from 10:38 AM to 10:43 AM.

2. Consider approval of Ordinance No. 2-2023 Amending Ordinance 2-2015, As Amended, Making Conforming Changes to Agency Connection Charges.

MOTION by Director Tresan **SECOND** by Director Wilson to approve Ordinance No. 2-2023, As Amended, Making Conforming Changes to Agency Connection Charges; unanimously approved.

The Board approved the motion by the following vote:

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

Motion passed.

3. Approval of Resolution No. 7-2023 to adopt report on delinquent charges and authorize their collection on the county tax roll.

MOTION by Director Tresan **SECOND** by Director Cox to approve Resolution No. 7-2023 to adopt report on delinquent charges and authorize their collection on the county tax roll; unanimously approved.

The Board approved the motion by the following vote:

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

Motion passed.

4. Approval of Resolution No. 8-2023 adopting 2022-2023 tax roll billing report and requesting collection of delinquent sewer service charges on the Placer County tax roll.

MOTION by Director Cox **SECOND** by Director Smelser to approve Resolution No. 8-2023 adopting 2022-2023 tax roll billing report and requesting collection of delinquent sewer service charges on the Placer County tax roll; unanimously approved.

The Board approved the motion by the following vote:

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

Motion passed.

5. Approval of Resolution No. 9-2023 to request tax collection services with the County of Nevada concerning the collection of delinquent sewer service charges on the Nevada County tax roll.

MOTION by Director Cox **SECOND** by Director Smelser to approve Resolution No. 9-2023 to request tax collection services with the County of Nevada concerning the collection of delinquent sewer service charges on the Nevada County tax roll; unanimously approved.

The Board approved the motion by the following vote:

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

Motion passed.

6. Discussion and approval of OPEB Premium Reimbursement.

MOTION by Director Tresan **SECOND** by Director Wilson to approve the OPEB Premium Reimbursement along with Resolution No. 10-2023 and Resolution No. 11-2023 for the CalPERS OPEB Premium Reimbursement; unanimously approved.

The Board approved the motion by the following vote:

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

Motion passed.

7. Approval to award the 2023 Digital Scanning of Sewer Lines Project.

MOTION by Director Wilson **SECOND** by Director Smelser to award 2023 Digital Scanning of Sewer Lines Project to Pro-Pipe, Inc. at \$1.79 per lineal foot; unanimously approved.

The Board approved the motion by the following vote:

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

Motion passed.

8. Discussion/Staff direction on scope of work for Surplus Property Risk Assessment RFP.

Mr. Pallante addressed the Board of Directors with an update that they have been in communications with an Engineering firm that has offered to develop a scope for the Risk Assessment RFP at no cost to the Agency.

The scope of work will include: 1) Environmental/safety hazard risks associated with the reduction of buffer space area; 2) Hazards proposed to the treatment facility from various development within the buffer space area; 3) Potential nuisance risks to land users within the current buffer space area; 4) Review overall need of buffer space land for future treatment processes; 5) Chlorine vs. No-Chlorine operations at the Plant.

The Board also directed legal to include their land use search to include residential, industrial, or other Public Agency land use that may generate public activity like recreation use.

The Board agreed to move forward with the scope of work for the estimate and time frame.

9. Approval for General Manager to approve payment to title company for Surplus Property research, not to exceed \$20,000.00.

MOTION by Director Tresan **SECOND** by Director Cox to approve General Manager to approve payment to title company for Surplus Property research, not to exceed \$20,000.00; majority approved.

The Board approved the motion by the following vote:

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

Motion passed.

10. Approval of Climate Transformation Alliance Membership and Appointment of Board Representative.

MOTION by Director Cox **SECOND** by Director Smelser to approve Climate Transformation Alliance Membership and Appointment of Board Representative, Director Scott Wilson; unanimously approved.

The Board approved the motion by the following vote:

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

Motion passed.

The Board took a short break at 11:39 A.M. and resumed with Manager reports at 11:49 A.M.

VII. Management Team Reports

1. Department Reports

Mr. Peak provided an update on the operations department.

Mr. Shouse provided an update on the maintenance department.

Mr. Parker provided an update on the engineering department.

Ms. Sublet provided an update on the administration department.

No action was taken by the Board.

2. General Manager Report

Mr. Pallante provided an update on the status of various ongoing projects, none of which required action by the Board.

VIII. Board of Directors Comment

Director Cox inquired about the Agency curb appeal project and signage. Mr. Pallante stated that the in house Engineers are working on it and hope to have a drawing at the next meeting. More information is still needed to move forward and it will realistically be next construction season before the work is done. Director Cox also inquired about reclaiming the Ion Exchange area of the plant and what the time frame was in cleaning out that area. Mr. Pallante explained that it was part of the Master Plan and it was not in the current queue of planned projects.

Director Wilson commended Mr. Pallante and staff for holding the all staff meeting the day prior for staff and for the Health benefits portion of the meeting, as it was very eye opening for him.

Director Tresan reiterated Director Wilson's comments regarding the Health benefits portion of the meeting. He wanted to let staff know that the Board wants to hear from them. Director Tresan stated that he knows that Mr. Parker does not like to take center stage, but that he has given a retirement date and he's hoping there will be some formal recognition for him.

Mr. Parker stated that he will be retiring in August and he would be here for the next Board meeting. Director Cox and President Wilkins stated that there was a lot of knowledge and history that is going to be lost with Mr. Parker.

President Wilkins stated that he went to the TTAD meeting with Mr. Pallante regarding the Land Exchange Agreement. President Wilkins stated that a future process will require County approval to the modified parcel lines, and he will likely be involved with that process through his job at the Town of Truckee.

President Wilkins stated that recently there was a Moonshine Ink article where he was quoted and was trying to represent the Board and keep it on the straight and narrow. President Wilkins understands that the surplus land is not a done deal, that he was trying to represent the T-TSA Board appropriately and wanted to make sure that if anyone had any concerns with his comments to let him know. Director Cox thanked him for bringing it up. Both Director Smelser and Director Cox said they did not have any concerns.

President Wilkins stated that at the next meeting there will be a closed session item added for a public employee evaluation of the General Manager position.

IX. Adjournment

There being no further business, the meeting was adjourned at 11:56 a.m.

By:

Richard Pallante, General Manager

Date:

Approved: _____



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Crystal Sublet, Finance and Administrative Manager
Item: IV-2
Subject: Ratify payment of General Fund Warrants

Background

The report of General Fund Warrants is attached as prepared by Agency accounting software. It should be noted, payroll summaries are excluded from the General Fund Warrants and are incorporated into the Financial Statements.

The Finance Committee reviewed and approved payment of the General Fund Warrants at its recent meeting.

Fiscal Impact

Decrease in Agency funds per the warrant amounts.

Attachments

Report of General Fund Warrants.

Recommendation

Management and staff recommend the Board Directors ratify payment of the General Fund Warrants.

Review Tracking

Submitted By: *Crystal A Sublet*
Crystal Sublet
Finance and Administrative Manager

Approved By: *Richard Pallante*
Richard Pallante
General Manager

Payee	Check Number	Check Issue Date	Description	Amount
1000 BULBS				
	90036	07/27/2023	STOCK LAMPS FPR PLANT	237.20
Total 1000 BULBS:				237.20
150 GPP LLC				
	89995	07/13/2023	Monitoring Station Lease at 150 Alpine Meadows Road 96146 - Annual	1,124.28
Total 150 GPP LLC:				1,124.28
AIRGAS USA LLC				
	90037	07/27/2023	CYLINDER RENTALS JUNE 2023	108.74
	90037	07/27/2023	CYLINDER RENTALS JUNE 2023	27.37
	90037	07/27/2023	CYLINDER RENTALS JUNE 2023	70.59
Total AIRGAS USA LLC:				206.70
ALESHIRE & WYNDER LLP				
	90038	07/27/2023	JUNE 2023 FEES	8,383.50
	90038	07/27/2023	NOVEMBER 2022 FEES	164.50
	90038	07/27/2023	MARCH 2023 FEES	5,554.50
Total ALESHIRE & WYNDER LLP:				14,102.50
ALLIANT INSURANCE SERVICES INC				
	89996	07/13/2023	FY24 EQUIPMENT FLOATER RENEWAL PREMIUM	1,152.00
Total ALLIANT INSURANCE SERVICES INC:				1,152.00
ALPINE LOCK & KEY				
	89997	07/13/2023	COMMERCIAL LOCK REPAIR	310.00
Total ALPINE LOCK & KEY:				310.00
ANNIE'S CLEANING SERVICE				
	89998	07/13/2023	JUNE 2023 JANITORIAL SVC	3,813.33
Total ANNIE'S CLEANING SERVICE:				3,813.33
AT&T 831-000-9983 804				
	90039	07/27/2023	TELEPHONE BILL 10%	157.62
	90039	07/27/2023	TELEPHONE BILL 90%	1,418.58
Total AT&T 831-000-9983 804:				1,576.20
BOUCHER LAW, PC				
	90040	07/27/2023	MAY 2023 FEES	14,602.60
	90040	07/27/2023	JUNE 2023 FEES	3,658.00
Total BOUCHER LAW, PC:				18,260.60
BRAGG INVESTMENT COMPANY				
	90041	07/27/2023	40 TON HYDRAULIC TRUCK CRANE	1,645.65
Total BRAGG INVESTMENT COMPANY:				1,645.65

Payee	Check Number	Check Issue Date	Description	Amount
CALIFORNIA STATE BOARD OF EQUALIZAT				
	7312301	07/31/2023	USE TAX ON REPLACEMENT SENSORS	98.00
	7312301	07/31/2023	USE TAX ON DOCKING STATION	540.00
	7312301	07/31/2023	USE TAX ON CABINET	259.00
	7312301	07/31/2023	USE TAX ON ENDLESS SCREENING BAG	29.00
	7312301	07/31/2023	USE TAX ON ROTOR FOR CENTRIFUGE	180.00
	7312301	07/31/2023	USE TAX ON BOILER & COMBUSTION SYSTEMS CODES	9.00
	7312301	07/31/2023	USE TAX ON UTILITY TOTE TRAY	6.00
	7312301	07/31/2023	USE TAX ON LED SHOP LIGHT CABLE HANGER	111.00
	7312301	07/31/2023	USE TAX ON LOW PROFILE GRILLE & SURFACE MOUNT LED	14.00
Total CALIFORNIA STATE BOARD OF EQUALIZAT:				1,246.00
CASELLE				
	89999	07/13/2023	CONTRACT SUPPORT AND MAINT FOR 8/1/23-8/31/23	3,631.00
Total CASELLE:				3,631.00
CHAMPION CHEVROLET - GEO				
	90042	07/27/2023	VHCL 11 REPAIRS	1,775.43
	90042	07/27/2023	VHCL 11 REPAIRS	396.43
	90042	07/27/2023	VHCL 11 REPAIRS	630.85
Total CHAMPION CHEVROLET - GEO:				2,802.71
CHARD SNYDER & ASSOCIATES				
	90043	07/27/2023	COBRA FEE	17.44
	90043	07/27/2023	COBRA FEE	8.72
	90043	07/27/2023	COBRA FEE	2.18
	90043	07/27/2023	COBRA FEE	33.52
	90043	07/27/2023	COBRA FEE	8.72
	90043	07/27/2023	COBRA FEE	17.16
	90043	07/27/2023	COBRA FEE	8.72
	90043	07/27/2023	COBRA FEE	4.36
	90043	07/27/2023	COBRA FEE	2.18
	90043	07/27/2023	ADMIN FEE	41.55
	90043	07/27/2023	ADMIN FEE	15.80
	90043	07/27/2023	ADMIN FEE	6.00
	90043	07/27/2023	ADMIN FEE	77.55
	90043	07/27/2023	ADMIN FEE	26.55
	90043	07/27/2023	ADMIN FEE	59.55
	90043	07/27/2023	ADMIN FEE	15.00
	90043	07/27/2023	ADMIN FEE	9.00
	90043	07/27/2023	ADMIN FEE	3.00
	7132302	07/13/2023	HRA	42.40
	7132302	07/13/2023	HRA2	37.66
	7132302	07/13/2023	HRA	456.10
	7132302	07/13/2023	HRA2	10.00
	7132302	07/13/2023	HRA	4.56
	7132302	07/13/2023	HRA	501.67
	7132302	07/13/2023	HRA	3.75
	7132302	07/13/2023	HRA	149.11
	7132302	07/13/2023	HRA	25.00
	7132302	07/13/2023	HRA	240.00
	7132302	07/13/2023	HRA3 VISION	284.00
	7132302	07/13/2023	HRA3 VISION	405.27
	7132302	07/13/2023	HRA	1,125.00

Payee	Check Number	Check Issue Date	Description	Amount
	7132302	07/13/2023	HRA	394.24
	7132302	07/13/2023	HRA3 VISION	604.68
	7132302	07/13/2023	DCA	192.31
	7132302	07/13/2023	HRA3 VISION	454.96
	7132302	07/13/2023	HRA	45.00
	7132302	07/13/2023	HRA	5.00
	7132302	07/13/2023	HRA	20.00
	7132302	07/13/2023	HRA	58.00
	7132302	07/13/2023	HRA	35.00
	7132302	07/13/2023	HRA	63.43
	7312302	07/31/2023	FSA REFUND	56.49-
	7312302	07/31/2023	HRA REFUND	324.88-
	7312302	07/31/2023	HRA	40.94
	7312302	07/31/2023	HRA	20.18
	7312302	07/31/2023	HRA	20.00
	7312302	07/31/2023	HRA	10.00
	7312302	07/31/2023	HRA	588.16
	7312302	07/31/2023	HRA	140.00
	7312302	07/31/2023	HRA	75.56
	7312302	07/31/2023	HRA	35.00
	7312302	07/31/2023	HRA	10.00
	7312302	07/31/2023	FSA	15.00
	7312302	07/31/2023	HRA	2.66
	7312302	07/31/2023	HRA	35.00
	7312302	07/31/2023	HRA	149.51
	7312302	07/31/2023	HRA	15.00
	7312302	07/31/2023	HRA	10.00
	7312302	07/31/2023	HRA	166.00
	7312302	07/31/2023	HRA	35.00
	7312302	07/31/2023	HRA	5.00
	7312302	07/31/2023	HRA	35.00
	7312302	07/31/2023	HRA	35.00
	7312302	07/31/2023	HRA	251.00
	7312302	07/31/2023	HRA	30.47
	7312302	07/31/2023	HRA	16.89
	7312302	07/31/2023	HRA	82.02
	7312302	07/31/2023	HRA	23.30
	7312302	07/31/2023	HRA	350.00
	7312302	07/31/2023	HRA2	27.36
	7312302	07/31/2023	HRA	445.31
	7312302	07/31/2023	HRA	5.33
	7312302	07/31/2023	HRA	11.10
	7312302	07/31/2023	HRA	37.23
	7312302	07/31/2023	HRA	18.63
	7312302	07/31/2023	HRA	41.13
	7312302	07/31/2023	HRA	1,093.20
	7312302	07/31/2023	HRA	654.03
	7312302	07/31/2023	HRA	340.00
	7312302	07/31/2023	HRA3 VISION	470.84
	7312302	07/31/2023	DCA	192.31
	7312302	07/31/2023	HRA REPAYMENT	539.52-
	7312302	07/31/2023	HRA REPAYMENT	15.00-
	7312302	07/31/2023	HRA REPAYMENT	560.94-
Total CHARD SNYDER & ASSOCIATES:				9,550.47

Payee	Check Number	Check Issue Date	Description	Amount
CLARK PEST CONTROL				
	90044	07/27/2023	PEST AWAY SVC 072423	320.00
Total CLARK PEST CONTROL:				320.00
CORELOGIC INFORMATION SOLUTIONS, IN				
	90045	07/27/2023	JUNE 2023 INVOICE	521.67
Total CORELOGIC INFORMATION SOLUTIONS, IN:				521.67
CWEA				
	90000	07/13/2023	CERT RENEWAL - 35915	95.00
	90000	07/13/2023	CWEA MEMBERSHIP - 35915	214.00
	90046	07/27/2023	CERT RENEWAL	105.00
	90046	07/27/2023	CERT RENEWAL	110.00
Total CWEA:				524.00
DELL COMPUTER CORP. C/O DELL USA L.				
	90001	07/13/2023	WORKSTATION PC FOR LAB	2,883.82
Total DELL COMPUTER CORP. C/O DELL USA L.:				2,883.82
DXP ENTERPRISES INC				
	90047	07/27/2023	SPARE UNION CONNECTORS	327.98
Total DXP ENTERPRISES INC:				327.98
E&M ELECTRIC				
	90002	07/13/2023	USB ADAPTOR FOR PLC'S	1,011.25
	90002	07/13/2023	SCADA PLC'S	15,462.09
	90048	07/27/2023	ONSITE TRAINING FEE	2,500.00
	90048	07/27/2023	SIEMANS TIA PORTAL SOFTWARE DEVELOPMENT TRAINING - PART 2	6,000.00
	90048	07/27/2023	SIEMANS TIA PORTAL SOFTWARE DEVELOPMENT TRAINING - PART 2	6,000.00
Total E&M ELECTRIC:				30,973.34
FASTENAL				
	90049	07/27/2023	MISC NUTS AND BOLTS	11.42
	90049	07/27/2023	INFLATOR WRENCH KIT	583.67
Total FASTENAL:				595.09
FEDERAL EXPRESS CORP.				
	90003	07/13/2023	JUNE 2023 SHIPPING CHARGES	18.22
	90003	07/13/2023	JUNE 2023 SHIPPING CHARGES.	10.37
Total FEDERAL EXPRESS CORP.:				28.59
FERGUSON ENTERPRISES LLC #3325				
	90004	07/13/2023	GEOPHONE LEAK DETECTOR	440.12
Total FERGUSON ENTERPRISES LLC #3325:				440.12
FISHER SCIENTIFIC COMPANY				
	90050	07/27/2023	LAB SUPPLIES	210.34

Payee	Check Number	Check Issue Date	Description	Amount
Total FISHER SCIENTIFIC COMPANY:				210.34
GOLDEN ROTISSERIE				
	90035	07/24/2023	SAFETY RECOGNITION LUNCH 2023	1,000.00
Total GOLDEN ROTISSERIE:				1,000.00
GRAINGER INC., W.W.				
	90005	07/13/2023	VALVE REPAIR KIT FOR BOILER	1,530.97
	90005	07/13/2023	BALLAST POND 1 REPAIRS	244.16
	90005	07/13/2023	BALLAST POND 1 REPAIRS	525.98
	90005	07/13/2023	BALLAST POND 1 REPAIRS	77.07
	90005	07/13/2023	HUB CONNECTORS	108.04
	90005	07/13/2023	DISINFECTING WIPES	83.85
	90005	07/13/2023	SCRATCH BRUSH	10.57
	90005	07/13/2023	VALVE REBUILD KIT	370.92
	90005	07/13/2023	DISPOSABLE HOT CUPS	338.22
	90005	07/13/2023	TOILET PAPER ROLL	93.98
	90005	07/13/2023	PAPER TOWEL ROLL	215.74
	90005	07/13/2023	FLAT WASHER	6.52
	90005	07/13/2023	FLAT WASHER	4.20
	90051	07/27/2023	WELDING SHOP TOOLS	263.47
	90051	07/27/2023	WELDING SHOP TOOLS	388.41
	90051	07/27/2023	V-BELT	105.67
	90051	07/27/2023	AA BATTERY	16.26
	90051	07/27/2023	PIPE COUPLING	571.36
	90051	07/27/2023	AAA BATTERY	24.16
	90051	07/27/2023	SPRAY PAINT	12.23
Total GRAINGER INC., W.W.:				4,991.78
HACH CHEMICAL COMPANY				
	90006	07/13/2023	LAB SUPPLIES	217.43
	90006	07/13/2023	SHIPPING	15.16
Total HACH CHEMICAL COMPANY:				232.59
HARRINGTON INDUSTRIAL PLASTICS				
	90007	07/13/2023	3" PIPE BELL END PVC	1,091.64
	90007	07/13/2023	3" 90 ELBOWS PVC	20.29
	90007	07/13/2023	3" 90 ELBOW	44.62
	90007	07/13/2023	REDUCING TEE, SOCKET CONNECTION	89.63
	90007	07/13/2023	UNION, SOCKET CONNECTION, O-RING	218.49
	90052	07/27/2023	FLOWMETER	309.82
Total HARRINGTON INDUSTRIAL PLASTICS:				1,774.49
HDR ENGINEERING INC				
	90008	07/13/2023	CONNECTION FEE STUDY	1,793.01
	90008	07/13/2023	CONNECTION FEE STUDY	2,407.37
	90008	07/13/2023	SEWER RATE STUDY	22.61
	90008	07/13/2023	SEWER RATE STUDY	4,806.03
	90008	07/13/2023	SEWER RATE STUDY	1,034.25
	90008	07/13/2023	SEWER RATE STUDY	1,562.14

Payee	Check Number	Check Issue Date	Description	Amount
Total HDR ENGINEERING INC:				11,625.41
HOME DEPOT CREDIT SERVICES				
	90053	07/27/2023	WATER HEATER STRAPS	82.23
	90053	07/27/2023	WATER HEATER STRAPS	142.82
	90053	07/27/2023	CONCRETE PREP TOOL RENTAL	177.23
	90053	07/27/2023	FLOOR MAINTENANCE RENTAL	39.83
	90053	07/27/2023	KLEAN STRIP GRN ACID	25.90
Total HOME DEPOT CREDIT SERVICES:				468.01
HUNT & SONS INC.				
	90054	07/27/2023	UNLEADED GASOLINE	1,723.09
	90054	07/27/2023	DIESEL	411.76
Total HUNT & SONS INC.:				2,134.85
IDEXX LABORATORIES INC.				
	90055	07/27/2023	QUANTI-CULT QC KIT	357.90
Total IDEXX LABORATORIES INC.:				357.90
INDUSTRIAL PROSHOP				
	90056	07/27/2023	CLAMP ON END STOPS	249.14
Total INDUSTRIAL PROSHOP:				249.14
J.W. WELDING SUPPLY				
	90057	07/27/2023	STAINLESS	15.03
	90057	07/27/2023	ALUMINUM	12.68
	90057	07/27/2023	1LB TUBE	11.93
	90057	07/27/2023	SERVICE CHARGES	20.01
	90057	07/27/2023	SCREEN FRAME	376.08
	90057	07/27/2023	TUNGSTEN LANTHANTED	156.53
	90057	07/27/2023	3/32 2% LANTHANATED TUNGSTEN	174.59
	90057	07/27/2023	1/16" 2% CERT TUNGSTEN	57.52
	90057	07/27/2023	CYLINDER RENTALS	57.75
	90057	07/27/2023	CYLINDER RENTALS	140.42
	90057	07/27/2023	CYLINDER RENTALS	15.90
	90057	07/27/2023	CYLINDER RENTALS	57.75
	90057	07/27/2023	CYLINDER RENTALS	149.23
	90057	07/27/2023	CYLINDER RENTALS	15.90
	90057	07/27/2023	CYLINDER RENTALS	57.75
	90057	07/27/2023	CYLINDER RENTALS	135.90
	90057	07/27/2023	CYLINDER RENTALS	15.90
	90057	07/27/2023	U.H.P. GR.5 HELIUM COMPRESSED -33102400-2	312.75
	90057	07/27/2023	FUEL SURCHARGE RARE & SPEC	1.25
	90057	07/27/2023	FUEL SURCHARGE RARE & SPEC	1.25
	90057	07/27/2023	DELIVERY OUR TRUCK	35.00
Total J.W. WELDING SUPPLY:				1,821.12
JOHNSON CONTROLS FIRE PROTECTION LP				
	90058	07/27/2023	SERVICE ALL FOR HEAT SENSOR	724.20
	90058	07/27/2023	SPRINKLER SYSTEM	641.15

Payee	Check Number	Check Issue Date	Description	Amount
Total JOHNSON CONTROLS FIRE PROTECTION LP:				1,365.35
JORDAN TRUCK & TRAILER				
	90009	07/13/2023	RUBBER DEFLECTOR FOR SNOW PLOW	455.38
Total JORDAN TRUCK & TRAILER:				455.38
KAYLE OHLE				
	90010	07/13/2023	TUITION REIMB	834.00
	90010	07/13/2023	BOOKS REIMB	106.65
Total KAYLE OHLE:				940.65
LEHR - SACRAMENTO				
	90011	07/13/2023	LIGHT BAR VHCL 26	2,770.98
	90011	07/13/2023	LIGHT BAR VHCL 26	575.00
	90011	07/13/2023	LIGHT BAR VHCL 08	2,770.98
	90011	07/13/2023	LIGHT BAR VHCL 08	575.00
	90011	07/13/2023	LIGHT BAR VHCL 09	2,770.98
	90011	07/13/2023	LIGHT BAR VHCL 09	575.00
	90011	07/13/2023	LIGHT BAR VHCL 01	2,770.98
	90011	07/13/2023	LIGHT BAR VHCL 01	575.00
Total LEHR - SACRAMENTO:				13,383.92
LIBERTY UTILITIES				
	90012	07/13/2023	ELECTRIC BILL	27.50
	90012	07/13/2023	ELECTRIC BILL	17.38
	90059	07/27/2023	ELECTRIC BILL	26.40
	90059	07/27/2023	ELECTRIC BILL	23.75
	90059	07/27/2023	ELECTRIC BILL	36.49
Total LIBERTY UTILITIES:				131.52
LINDE GAS AND EQUIP INC				
	90060	07/27/2023	CYLINDER RENTAL	106.22
Total LINDE GAS AND EQUIP INC:				106.22
LUKE SWANN				
	90013	07/13/2023	REIMBURSEMENT	189.00
Total LUKE SWANN:				189.00
MATCO TOOLS				
	90061	07/27/2023	AXLE HUB BRIDGE NUT SOCKET	95.21
Total MATCO TOOLS:				95.21
MCMASTER-CARR				
	90062	07/27/2023	FLOOR SCRAPERS FOR MAINTENANCE OFFICE	82.37
	90062	07/27/2023	SWING CHECK VALVE	124.72
Total MCMASTER-CARR:				207.09

Payee	Check Number	Check Issue Date	Description	Amount
MOTION & FLOW CONTROL PRODUCTS, INC.				
	90014	07/13/2023	HYDRAULIC FITTINGS	346.50
Total MOTION & FLOW CONTROL PRODUCTS, INC.:				346.50
MOTION INDUSTRIES				
	90015	07/13/2023	17392 OIL SEAL (20-001591)	79.02
	90015	07/13/2023	6310/C3 SKF BEARING BALL (22-000355)	239.51
	90063	07/27/2023	BALL BEARINGS	126.84
	90063	07/27/2023	OIL SEALS	26.96
	90063	07/27/2023	OIL SEALS	16.46
	90063	07/27/2023	COUPLINGS	160.10
	90063	07/27/2023	BALL BEARINGS	175.20
Total MOTION INDUSTRIES:				824.09
MOUNTAIN HARDWARE				
	90064	07/27/2023	BATTERY D AND 9V	43.28
	90064	07/27/2023	EMT CONDUIT	55.18
	90064	07/27/2023	RETURN GASKET	7.57
	90064	07/27/2023	SAW BLADE	19.47
Total MOUNTAIN HARDWARE:				110.36
NAPA- SIERRA				
	90065	07/27/2023	PARTS CLEANER FOR GENERAL USE	88.07
	90065	07/27/2023	FUEL FILTERS	283.64
	90065	07/27/2023	BATTERY	151.37
	90065	07/27/2023	NAPA GOLD	235.70
	90065	07/27/2023	CONTROL MODULE FOR VHCL-07	31.17
Total NAPA- SIERRA:				789.95
OFFICE DEPOT				
	90016	07/13/2023	MARKERS	11.96
	90016	07/13/2023	SPIRAL NOTEBOOKS	22.95
	90016	07/13/2023	LARGE BINDER CLIPS	9.99
	90016	07/13/2023	SCISSORS	8.51
	90016	07/13/2023	PENS	6.55
	90066	07/27/2023	COPY PAPER 8 1/2" X 11"	770.83
Total OFFICE DEPOT:				830.79
OLYMPUS SCIENTIFIC SOLUTIONS CORP				
	90077	07/27/2023	DIGITAL ULTRASONIC GAUGE	5,028.44
Total OLYMPUS SCIENTIFIC SOLUTIONS CORP:				5,028.44
PACIFIC OFFICE AUTOMATION				
	90017	07/13/2023	5/28/23-6/28/23 MONTHLY BILL	55.85
	90067	07/27/2023	JUNE MONTHLY BILL	181.31
Total PACIFIC OFFICE AUTOMATION:				237.16
PAYMENTUS CORP				
	90068	07/27/2023	TRANSACTION FEES FOR JUNE 2024	62.50

Payee	Check Number	Check Issue Date	Description	Amount
Total PAYMENTUS CORP:				62.50
PERS-RETIREMENT				
	7132301	07/13/2023	UNFUNDED ACCRUED LIABILITY	1,106,589.00
Total PERS-RETIREMENT:				1,106,589.00
QUADIENT				
	90018	07/13/2023	QUARTERLY METER BILL	173.66
Total QUADIENT:				173.66
R.F. MACDONALD COMPANY				
	90019	07/13/2023	QUARTERLY MAINTENANCE BILL	3,800.00
Total R.F. MACDONALD COMPANY:				3,800.00
RAMOS ENVIRONMENTAL SERVICES				
	90020	07/13/2023	HAZARDOUS WASTE PICK-UP	13,535.99
	90020	07/13/2023	WASTE OIL DISPOSAL	100.00
Total RAMOS ENVIRONMENTAL SERVICES:				13,635.99
RENOWN HEALTH				
	90021	07/13/2023	EMPLOYEE SCREENING	120.00
Total RENOWN HEALTH:				120.00
ROY SMITH COMPANY				
	90022	07/13/2023	4717 GAL LIQUID OXYGEN DLVD 6/27/23	6,367.37
	90022	07/13/2023	4925 GAL LIQUID OXYGEN DLVD 6/22/23	6,648.15
Total ROY SMITH COMPANY:				13,015.52
SAFEWAY INC.				
	90023	07/13/2023	GROCERIES-JUNE 2023	133.31
Total SAFEWAY INC.:				133.31
SHRED-IT USA				
	90024	07/13/2023	5/31/23 & 6/14/23 SVC	165.86
	90024	07/13/2023	5/3/23 & 5/17/23 SVC	165.74
Total SHRED-IT USA:				331.60
SIERRA ELECTRONICS				
	90025	07/13/2023	RADIO LICENSES	324.75
	90069	07/27/2023	ANNUAL RADIO REPEATER SUBSCRIPTION - MONYHLY FEE	160.00
Total SIERRA ELECTRONICS:				484.75
SNAP-ON INDUSTRIAL				
	90026	07/13/2023	PULLER, PITMAN	185.98
	90026	07/13/2023	BEARING AND SEAL DRVR ST 10PC	114.41
	90026	07/13/2023	23PC 6PT SHL SKTSET	481.81
	90026	07/13/2023	3/8DR 72T STD CMPT RAT	63.95

Payee	Check Number	Check Issue Date	Description	Amount
	90026	07/13/2023	3/8DR 12PC 12PT SHL SKTSET	142.21
	90026	07/13/2023	3/8DR 12PC 12PT DP SKTSET	214.34
	90026	07/13/2023	WEIGHTED FENDER COVER	58.90
	90026	07/13/2023	SOCKET SETS	139.58
	90026	07/13/2023	SOCKET SETS	206.74
	90026	07/13/2023	SOCKET SETS	210.83
	90026	07/13/2023	SOCKET SETS	335.80
	90026	07/13/2023	SOCKET SETS	21.02
	90026	07/13/2023	MLT/POS 36IN	335.36
Total SNAP-ON INDUSTRIAL:				2,510.93
SOUTHWEST GAS CORP.				
	90027	07/13/2023	6/2/23-6/30/23 MAIN 10%	557.66
	90027	07/13/2023	6/2/23-6/30/23 MAIN 90%	5,019.02
	90027	07/13/2023	6/2/23-6/30/23 PLANT 10%	354.87
	90027	07/13/2023	6/2/23-6/30/23 PLANT 90%	3,193.91
Total SOUTHWEST GAS CORP.:				9,125.46
TAHOE TRUCKEE DISPOSAL				
	90028	07/13/2023	BIOSOLIDS - JUNE 2023	6,641.67
	90028	07/13/2023	CENTRIFUGE SLUDGE JUNE 2023	14,418.13
	90028	07/13/2023	BIOSOLIDS - MAY 2023	3,900.66
	90028	07/13/2023	DEBRIS BOXES	1,644.70
Total TAHOE TRUCKEE DISPOSAL:				26,605.16
TEICHERT MATERIALS				
	90070	07/27/2023	4" DRAIN ROCK	241.95
Total TEICHERT MATERIALS:				241.95
THATCHER COMPANY OF CA INC				
	90029	07/13/2023	4547.64 GAL DLVD 6/21/23 SODIUM HYPOCHLORITE	12,307.06
	90029	07/13/2023	4461.38 GAL DLVD 6/15/23 SODIUM HYPOCHLORITE	12,073.61
	90029	07/13/2023	17.14 HYDROCHLORITE ACID DLVD 5/23/23	3,794.49
Total THATCHER COMPANY OF CA INC:				28,175.16
TRILLIUM PUMPS USA				
	90071	07/27/2023	REBUILD PUMP	51,127.23
Total TRILLIUM PUMPS USA:				51,127.23
TRUCKEE DONNER PUD				
	90030	07/13/2023	5/16/23-6/19/23 ELECTRIC 10%	10,732.07
	90030	07/13/2023	5/16/23-6/19/23 ELECTRIC 90%	96,588.60
	90030	07/13/2023	5/16/23-6/19/23 WATER 10%	14.94
	90030	07/13/2023	5/16/23-6/19/23 WATER 90%	134.55
	90030	07/13/2023	5/16/23-6/19/23 ELECTRIC	55.52
	90030	07/13/2023	5/16/23-6/19/23 ELECTRIC	84.38
	90030	07/13/2023	5/16/23-6/19/23 ELECTRIC	33.06
Total TRUCKEE DONNER PUD:				107,643.12

Payee	Check Number	Check Issue Date	Description	Amount
U.S. BANK CARD DIVISION				
	7272303	07/27/2023	LOGITECH MOUSE	822.61
	7272303	07/27/2023	AUDIO CONFERENCE MONTHLY CHARGE	110.00
	7272303	07/27/2023	BREAKROOM SUPPLIES	403.81
	7272303	07/27/2023	CARHARTT COOLERS	4,993.85
	7272303	07/27/2023	100 LIFE CHANGING TIPS USING MICROSOFT	54.07
	7272303	07/27/2023	MONTHLY BILL	127.54
	7272303	07/27/2023	MONTHLY BILL	38.81
	7272303	07/27/2023	SAFETY BOOTS	243.51
	7272303	07/27/2023	FIRST RESPONDER LUNCH	30.29
	7272303	07/27/2023	FIRST RESPONDER LUNCH	151.18
	7272303	07/27/2023	RESCUE EQUIPMENT FOR FIRST RESPONDERS	2,606.43
	7272303	07/27/2023	STRAW HAT	116.74
	7272303	07/27/2023	COLOR RIBBON, HUB ADAPTOR	166.15
	7272303	07/27/2023	TOURNIQUET	29.20
	7272303	07/27/2023	MAGICARD	102.44
	7272303	07/27/2023	VIDEOPAD	131.11
	7272303	07/27/2023	GRABBER TOLL & TRASH PICKER	103.79
	7272303	07/27/2023	MONTHLY BILL	398.79
	7272303	07/27/2023	MONTHLY BILL	77.62
	7272303	07/27/2023	CONCRETE	74.91
	7272303	07/27/2023	HEX PIPE	346.50
	7272303	07/27/2023	SCRUB BRUSH	22.73
	7272303	07/27/2023	GAUGE	32.45
	7272303	07/27/2023	WALL CLOCK	35.61
	7272303	07/27/2023	ROTOR	267.33
	7272303	07/27/2023	CONFERENCE	940.71
	7272303	07/27/2023	TOOLS	805.33
	7272303	07/27/2023	GOLF CART QUICK CHARGE	33.55
	7272303	07/27/2023	STAINLESS STEEL HOP FILTER	87.66
	7272303	07/27/2023	CORDLESS 2 FAUZ WOOD BLIND	286.14
	7272303	07/27/2023	BOOKS	164.22
	7272303	07/27/2023	BOOKS	326.16
	7272303	07/27/2023	REPLACEMENT TRANSMITTER	117.99
	7272303	07/27/2023	FIRE DETECTION	203.12
	7272303	07/27/2023	MONTHLY BILL	38.76
	7272303	07/27/2023	ONLINE SERVICES	360.00
	7272303	07/27/2023	AMAZON WEB MONTHLY BILL	6.59
	7272303	07/27/2023	GOOGLE CHROME DEVICE MANAGEMENT	932.40
	7272303	07/27/2023	LOG ME IN MONTHLY BILL	84.00
	7272303	07/27/2023	ADOBE MONTHLY BILL MAY	17.99
	7272303	07/27/2023	TWILIO MONTHLY BILL	10.67
	7272303	07/27/2023	ADOBE MONTHLY BILL JUNE	17.99
	7272303	07/27/2023	PROBIBUS REPEATER & HUB	2,855.65
	7272303	07/27/2023	POCKET FLASHLIGHT	45.41
	7272303	07/27/2023	MOTOR	1,653.54
	7272303	07/27/2023	LOTION, FLASHLIGHT	127.40
	7272303	07/27/2023	ELBOW, SOCKET, COUPLING	484.08
Total U.S. BANK CARD DIVISION:				21,086.83
ULINE				
	90072	07/27/2023	UNIVERSAL SORBENT PADS	110.67
	90072	07/27/2023	SAFETY GLASS WIPES	58.58
	90072	07/27/2023	CIRCLE INVENTORY CONTROL LABELS	41.26
	90072	07/27/2023	CIRCLE INVENTORY CONTROL LABELS	108.25
	90072	07/27/2023	INVENTORY CONTROL LABELS	29.23

Payee	Check Number	Check Issue Date	Description	Amount
	90072	07/27/2023	SHIPPING	19.38
Total ULINE:				367.37
UNIFIRST CORPORATION				
	90031	07/13/2023	UNIFORMS	70.43
	90031	07/13/2023	UNIFORMS	45.98
	90031	07/13/2023	UNIFORMS	104.01
	90031	07/13/2023	UNIFORMS	20.87
	90031	07/13/2023	UNIFORMS	34.23
	90073	07/27/2023	UNIFORMS	174.68
	90073	07/27/2023	UNIFORMS	45.98
	90073	07/27/2023	UNIFORMS	34.23
	90073	07/27/2023	UNIFORMS	20.87
	90073	07/27/2023	UNIFORMS	170.18
	90073	07/27/2023	UNIFORMS	20.87
	90073	07/27/2023	UNIFORMS	104.01
	90073	07/27/2023	UNIFORMS	45.98
	90073	07/27/2023	UNIFORMS	34.23
	90073	07/27/2023	UNIFORMS	47.44
	90073	07/27/2023	UNIFORMS	34.23
	90073	07/27/2023	UNIFORMS	104.01
	90073	07/27/2023	UNIFORMS	166.43
	90073	07/27/2023	UNIFORMS	20.87
	90073	07/27/2023	UNIFORMS	104.01
Total UNIFIRST CORPORATION:				1,403.54
UNITED RENTALS				
	90074	07/27/2023	PLATFORM KIT	152.90
	90074	07/27/2023	SERVICE KIT,PLATFORM	60.37
	90074	07/27/2023	3832L, DECAL MOUNT	84.15
	90074	07/27/2023	PLATFORM, INSTALL 36	1,849.27
	90074	07/27/2023	SHOP SUPPLIES	44.75
	90074	07/27/2023	ENVIRONMENTAL SERVIC	66.21
	90074	07/27/2023	COE - TRAVEL LABOR	238.50
	90074	07/27/2023	COE - GENERAL LABOR	795.00
	90074	07/27/2023	ADDITIONAL PARTS	626.25
Total UNITED RENTALS:				3,917.40
VICKY LUFRANO				
	90032	07/13/2023	REIMBURSEMENT	1,089.32
Total VICKY LUFRANO:				1,089.32
VWR SCIENTIFIC INC				
	90033	07/13/2023	VWR FILTER PAPER 4.7CM PK100	512.56
	90033	07/13/2023	VIAL AMBER 40ML	469.07
	90033	07/13/2023	VWR FILTER PAPER 4.7CM PK100	505.98
	90033	07/13/2023	CONDUCTIVITY STD	342.34
	90033	07/13/2023	INOCULATING LOOP 10UL CS600	198.44
	90033	07/13/2023	VWR PIPET ASPIRATING 10ML CS200	227.35
	90033	07/13/2023	VWR PIPET ASPIRATING 1ML CS200	157.11
	90033	07/13/2023	SHIPPING AND HAZARD FEE	93.17
	90033	07/13/2023	CHLORINE TEST PAPER 10-50PPM 300/PK	34.63
	90033	07/13/2023	SHIPPING AND HAZARD FEE	31.26

Payee	Check Number	Check Issue Date	Description	Amount
	90033	07/13/2023	VWR IPA 70% 32OZ TRIGGER BOTTLE ST CS12	287.22
	90033	07/13/2023	SHIPPING AND HAZARD FEE	115.91
	90033	07/13/2023	VWR BOX GLASS DISP FLOOR PK6	171.12
	90033	07/13/2023	MINERALS QC STD. 500ML	787.84
	90033	07/13/2023	FILTER MICROF 47MM PK100	414.52
	90033	07/13/2023	VWR PIPET SERO INDU PKG STERILE YL 1 ML	256.23
	90033	07/13/2023	PIPETTE VOL VWR CLS A COLR CD BORO 10 ML	134.87
	90033	07/13/2023	CARBON STD. 1000 PPM ORGANIC	104.72
	90033	07/13/2023	MEDIUM TSA 15X100MM PLTD PK10	50.63
Total VWR SCIENTIFIC INC:				4,894.97
XYLEM WATER SOLUTIONS USA INC				
	90075	07/27/2023	O-RING	13.88
	90075	07/27/2023	GASKET, CASING	62.22
	90075	07/27/2023	HHC GASKET	22.27
	90075	07/27/2023	IMPELLER	5,768.31
	90075	07/27/2023	IMPELLER NUT	282.53
	90075	07/27/2023	IMPELLER NUT SCREW	20.59
	90075	07/27/2023	ROLLER BEARING	232.98
	90075	07/27/2023	BALL BEARING	245.73
	90075	07/27/2023	RATAINER RING	29.23
	90075	07/27/2023	OIL SEAL, BEARING - IB	45.71
	90075	07/27/2023	OIL SEAL, BEARING - OB	26.22
	90075	07/27/2023	GREASE RETAINER PLATE	168.03
	90075	07/27/2023	SHIM, HALF	33.56
	90075	07/27/2023	SHIM, HALF	34.64
	90075	07/27/2023	SHIUM, HALF	173.20
Total XYLEM WATER SOLUTIONS USA INC:				7,159.10
ZORO				
	90034	07/13/2023	STOCK P100 CARTRIDGES	297.45
	90034	07/13/2023	US Flag	43.20
	90076	07/27/2023	Knee Pro Ultra Flex III Hinged Gel Knee Pads,Pair,Blk/Orange	117.26
Total ZORO:				457.91
Grand Totals:				1,550,332.29



TAHOE-TRUCKEE SANITATION AGENCY
MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Crystal Sublet, Finance and Administrative Manager
Item: IV-3
Subject: Ratify approval of Financial Statements.

Background

Attached are the Financial Statements for the previous calendar month(s); each of which include (1) fund summaries, (2) end of month cash balances, (3) Local Agency Investment Fund (LAIF) statement, and (4) California Employers' Retiree Benefit Trust (CERBT) Fund statement.

Summaries of the expenditure and revenue activity are provided for Fund 10: General Fund; Fund 02: Wastewater Capital Reserve Fund; and Fund 06: Replacement, Rehabilitation and Upgrade Fund.

The end of month Combined Cash Investment table provides the end of month balances for all Agency cash accounts, which reconciles with Agency end of month fund balances.

The LAIF and CERBT statements provide a summary within the account.

The Finance Committee reviewed and approved the Financial Statements at its recent meeting.

Fiscal Impact

None.

Attachments

Report of Financial Statements.

Recommendation

Management and staff recommend the Board Directors ratify approval of the Financial Statements.

Review Tracking

Submitted By: *Crystal A. Sublet*
Crystal Sublet
Finance and Administrative Manager

Approved By: *Richard Pallante*
Richard Pallante
General Manager



Tahoe-Truckee Sanitation Agency
Fund 10: General Fund
Fiscal Year 2023 - 2024
Period Ending July 31, 2023

	Budget \$	Month \$	Month %	YTD \$	YTD %	Notes
REVENUE						
Income from Service Charge	17,026,000.00	1,407,043.73	8.3	1,407,043.73	8.3	1,2,3
Tax Revenue - Ad Valorem	5,078,000.00	0.00	0.0	0.00	0.0	2,3
Fund Interest	254,000.00	2.39	0.0	2.39	0.0	3
Other Revenue	73,000.00	5,227.40	7.2	5,227.40	7.2	4
Temporary Discharge	25,000.00	0.00	0.0	0.00	0.0	3
TOTAL REVENUE	22,456,000.00	1,412,273.52	6.3	1,412,273.52	6.3	
EXPENDITURE						
Salaries & Wages	6,567,000.00	751,142.53	11.4	751,142.53	11.4	
Employee Benefits	3,599,500.00	432,180.40	12.0	432,180.40	12.0	
OPEB Retiree Health Reimbursement	0.00	0.00	0.0	0.00	0.0	
Director Fees	9,500.00	500.00	5.3	500.00	5.3	
Vehicle	83,000.00	2,924.80	3.5	2,924.80	3.5	
CSRMA Insurance	415,000.00	1,152.00	0.3	1,152.00	0.3	
Professional Memberships	53,500.00	215.00	0.4	215.00	0.4	
Agency Permits & Licenses	225,000.00	0.00	0.0	0.00	0.0	
Office Expense	339,500.00	0.00	0.0	0.00	0.0	
Contractual Services	2,740,500.00	2,646.21	0.1	2,646.21	0.1	
Professional Services	689,000.00	3,631.00	0.5	3,631.00	0.5	
Conferences & Training	214,000.00	15,500.00	7.2	15,500.00	7.2	
Utilities	1,413,000.00	1,576.20	0.1	1,576.20	0.1	
Supplies, Repairs & Maintenance	1,234,500.00	11,592.59	0.9	11,592.59	0.9	
TOTAL EXPENDITURE	17,583,000.00	1,223,060.73	7.0	1,223,060.73	7.0	
NET INCOME (LOSS)	4,873,000.00	189,212.79		189,212.79		
Unfunded Accrued Liability	1,144,000.00	1,106,589.00		1,106,589.00	96.7	

8% of the fiscal year has elapsed.
This is an unaudited status report.

Notes:

- 1 - TTSa collects the majority of its Sewer Service Charges on the county property tax bills of Placer County, El Dorado County and Nevada County. Placer County and Nevada County Sewer Service Charges are on the Teeter Schedule.
- 2 - Sewer Service Charges and Property Tax Revenue are net amounts of each County's billing fees. Teeter Schedule 55% - 1/2024, 40% 5/2024 and 5% 7/2024.
- 3 - The majority of Sewer Service Charges are collected on the County tax roll and recorded on a monthly basis according to the accrual-based accounting method. Sewer Service Charges not on the County tax roll are recorded when received.
- 4 - Other Revenue includes rebates, billings and surplus items sold.



Tahoe-Truckee Sanitation Agency
Fund 02: Wastewater Capital Reserve
Fiscal Year 2023 - 2024
Period Ending July 31, 2023

	Budget \$	Month \$	Month %	YTD \$	YTD %	Notes
REVENUE						
Income from Connection Fees	1,071,000.00	310,202.00	29.0	310,202.00	29.0	
Fund Interest	440,000.00	15.64	0.0	15.64	0.0	
TOTAL REVENUE	1,511,000.00	310,217.64	20.5	310,217.64	20.5	
EXPENDITURE						
FY24 Disinfection Process Modernization	500,000.00	0.00	0.00	0.00	0.0	
FY24 Improve Physical Security	167,000.00	0.00	0.00	0.00	0.0	
FY24 Digestion Improvements Project	81,000.00	0.00	0.00	0.00	0.0	
FY24 Lime Systems Improvements	56,500.00	0.00	0.00	0.00	0.0	
FY24 River Crossing, Gravity Main	31,500.00	0.00	0.00	0.00	0.0	
FY24 Plant Wide Electrical Improvements	12,500.00	0.00	0.00	0.00	0.0	
FY24 TWAS Pump Replacement Project	7,000.00	0.00	0.00	0.00	0.0	
FY23 Scada/IT Develop Standards	237,000.00	0.00	0.00	0.00	0.0	7
SUBTOTAL EXPENDITURES	1,092,500.00	0.00	0.0	0.00	0.0	
Allocation of 73.2% of Bond Payment	2,206,000.00	0.00	0.0	0.00	0.0	
TOTAL EXPENDITURE	3,298,500.00	0.00	0.0	0.00	0.0	
NET INCOME (LOSS)	(1,787,500.00)	310,217.64		310,217.64		

8% of the fiscal year has elapsed.
This is an unaudited status report.

Notes:

- (1) Project started
- (2) Project started; no expenses invoiced
- (3) Project not started
- (4) Project completed
- (5) Project postponed to after FY24
- (6) Project cancelled
- (7) Project started in prior FY, not complete



Tahoe-Truckee Sanitation Agency
Fund 06: Replacement, Rehabilitation and Upgrade
Fiscal Year 2023 - 2024
Period Ending July 31, 2023

EXPENDITURE	Budget \$	Month \$	Month %	YTD \$	YTD %	Notes
FY24 Building Roof Replacements	1,268,000.00	0.00	0	0.00	0	
FY24 Front Entry Landscape Improvements	1,260,000.00	0.00	0	0.00	0	
FY24 Lime Systems Improvements	414,000.00	0.00	0	0.00	0	
FY24 LEL Equipment Replacement	364,000.00	0.00	0	0.00	0	
FY24 Cashman CAT 938M Wheel Loader	297,000.00	0.00	0	0.00	0	
FY24 Upgrade Networks	188,000.00	0.00	0	0.00	0	
FY24 Harmonic Filter Replacement	148,000.00	0.00	0	0.00	0	
FY24 Plant Wide NFPA 820 Compliance	126,000.00	0.00	0	0.00	0	
FY24 Visible Reinforcement Study	105,000.00	0.00	0	0.00	0	
FY24 Light Vehicle Replacement	104,000.00	0.00	0	0.00	0	
FY24 Filter Press Feed Pump	103,000.00	0.00	0	0.00	0	
FY24 Plant Wide Electrical	92,000.00	0.00	0	0.00	0	
FY24 2-Water Valve Replacement	86,000.00	0.00	0	0.00	0	
FY24 Odorous Air VFD	80,000.00	0.00	0	0.00	0	
FY24 Cashman CAT Skid Steer	78,000.00	0.00	0	0.00	0	
FY24 BIPS Strainer Basket Refurbishment	75,000.00	0.00	0	0.00	0	
FY24 Condition Assessment	74,000.00	0.00	0	0.00	0	
FY24 Maintenance Carts	63,000.00	0.00	0	0.00	0	
FY24 Replacement Primary Sludge Pumps	63,000.00	0.00	0	0.00	0	
FY24 TWAS Pump Replacement Project	50,000.00	0.00	0	0.00	0	
FY24 Misc Plant Rehab Project	50,000.00	0.00	0	0.00	0	
FY24 Breaker Replacement	49,000.00	0.00	0	0.00	0	
FY24 WAS Thickening	46,000.00	0.00	0	0.00	0	
FY24 Cake Discharge VFD	41,000.00	0.00	0	0.00	0	
FY24 Operation Forklift	40,000.00	0.00	0	0.00	0	
FY24 2-Water System	40,000.00	0.00	0	0.00	0	
FY24 Replacement Valves	35,000.00	0.00	0	0.00	0	
FY24 VFD Replacements	34,000.00	0.00	0	0.00	0	
FY24 BNR Blower Replacement	29,000.00	0.00	0	0.00	0	
FY24 Filter Press Hydraulic	26,000.00	0.00	0	0.00	0	
FY24 Phosphorus Stripper Flow	17,000.00	0.00	0	0.00	0	
FY23 Digestion Improvements Project	501,000.00	0.00	0	0.00	0	
FY23 Scada/IT Replace Servers	285,000.00	0.00	0	0.00	0	
FY23 River Crossing, Gravity Main	255,000.00	0.00	0	0.00	0	
FY23 Lab Equipment Replacements	73,000.00	0.00	0	0.00	0	
SUBTOTAL EXPENDITURES	6,559,000.00	0.00	0.0	0.00	0.0	
Allocation of 26.8% of Bond Payment	808,000.00	0.00	0.0	0.00	0.0	
TOTAL EXPENDITURES	7,367,000.00	0.00	0.0	0.00	0.0	

8% of the fiscal year has elapsed.
This is an unaudited status report.

Notes:

- (1) Project started
- (2) Project started; no expenses invoiced
- (3) Project not started
- (4) Project completed
- (5) Project postponed to after FY23
- (6) Project cancelled
- (7) Project started in prior FY, not complete

Tahoe-Truckee Sanitation Agency
 Combined Cash Statement
 July 31, 2023

COMBINED CASH ACCOUNTS

CASH - US BANK CHECKING	206,579.32
CASH - USB SERVICE CHARGE	395,987.05
CASH - US BANK TAX REV	6,688.61
CASH - US BANK WWCRF	177,602.87
CASH - WELLS FARGO PAYROLL	373,398.66
CASH - PETTY CASH	600.00
CASH - L.A.I.F.	3,194.66
MONEY MARKET INV - PERSHING	5,000,000.00
MONEY MARKET INV - ZIONS	5,000,000.00
CALIFORNIA CLASS	26,295,663.63
TOTAL COMBINED CASH	<u>37,459,714.80</u>
CASH ALLOCATED TO OTHER FUNDS	<u>(37,459,714.80)</u>
TOTAL UNALLOCATED CASH	0.00

FUND	CASH ALLOCATION RECONCILIATION	July 31, 2023	June 30, 2023	Amount of Change	% of Change	July 31, 2022	Amount of Change	% of Change
02	ALLOCATION TO WASTEWATER CAPITAL RESERVE FUND	18,339,632.10	17,903,043.23	436,588.87	2.44	17,205,588.68	1,134,043.42	6.59
06	ALLOCATION TO R.R. & UPGRADE FUND	3,550,009.92	3,525,289.43	24,720.49	0.70	8,176,839.48	(4,626,829.56)	(56.58)
07	ALLOCATION TO EMERGENCY & CONTINGENCY FUND	4,088,953.32	4,060,479.89	28,473.43	0.70	4,000,000.00	88,953.32	2.22
10	ALLOCATION TO GENERAL FUND	11,481,119.46	13,344,325.52	(1,863,206.06)	(13.96)	8,967,521.22	2,513,598.24	28.03
	TOTAL ALLOCATION TO OTHER FUNDS	37,459,714.80	38,833,138.07	(1,373,423.27)	(3.54)	38,349,949.38	(890,234.58)	(2.32)
	ALLOCATIONS FROM COMBINED CASH	(37,459,714.80)	(38,833,138.07)			(38,349,949.38)		
	ZERO PROOF IF ALLOCATIONS BALANCE	0.00	0.00			0.00		

California State Treasurer
Fiona Ma, CPA



Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

August 01, 2023

[LAIF Home](#)
[PMIA Average](#)
[Monthly Yields](#)

TAHOE TRUCKEE SANITATION AGENCY

TREASURER
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161

[Tran Type Definitions](#)

Account Number: 70-31-001

July 2023 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
7/6/2023	7/6/2023	RD	1731266	1691647	MICHELLE MACKEY	490,000.00
7/12/2023	7/12/2023	RW	1731467	1691851	MICHELLE MACKEY	-1,500,000.00
7/14/2023	7/19/2023	QRD	1735161	N/A	SYSTEM	224,641.02
7/14/2023	7/21/2023	RDX	1736581	N/A	MICHELLE MACKEY	15,000.00
7/17/2023	7/17/2023	RW	1733954	1694338	MICHELLE MACKEY	-26,383,000.00
7/20/2023	7/19/2023	RD	1736421	1696806	MICHELLE MACKEY	15,000.00
7/20/2023	7/21/2023	RDA	1736580	N/A	MICHELLE MACKEY	-15,000.00

Account Summary

Total Deposit:	729,641.02	Beginning Balance:	27,156,553.64
Total Withdrawal:	-27,883,000.00	Ending Balance:	3,194.66



[Investment Data](#)

[My Account Profile](#)

[Documentation/Forms](#)

Investment Allocation

Account: 5084675063 » Tahoe-Truckee Sanitation Agency

Investment Strategy	Unit Price	Number of Units	Balance
CERBT Strategy 1	20.901621	640,551.683	\$13,388,569.02
Total			\$13,388,569.02

[Download to Excel](#)



Summary Statement

July 31, 2023

Page 1 of 3

Investor ID: CA-01-0093

0000082-0000307 PDF 555495

Tahoe-Truckee Sanitation Agency
13720 Butterfield Drive
Truckee, CA 96161

California CLASS

California CLASS

Average Monthly Yield: 5.2934%

	Beginning Balance	Contributions	Withdrawals	Income Earned	Income Earned YTD	Average Daily Balance	Month End Balance
CA-01-0093-0001 CalClass Investment Account	0.00	26,250,000.00	0.00	45,663.63	45,663.63	10,912,763.34	26,295,663.63
TOTAL	0.00	26,250,000.00	0.00	45,663.63	45,663.63	10,912,763.34	26,295,663.63

Tel: (877) 930-5213

www.californiaclass.com



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Vicky Lufrano, Human Resources Administrator
Item: V-1
Subject: Discussion and approval of RFP for Compensation and Limited Classification Study

Background

At the August 2018 T-TSA Board meeting, the Request for Proposal (RFP) process for a classification and compensation study was approved by the Board of Directors. The RFP was distributed in August 2018 and three (3) proposals were received by the deadline date in September 2018.

The results of the study were enacted in January 2020, which included an updated salary schedule, organizational chart, and job classification descriptions.

In October 2022, during discussions related to possible changes to employee benefits, the Board of Directors chose "Option 4" which consisted of employee benefit changes to become effective in 2024, and also included the consideration of a future classification and compensation study. In July 2023, during discussions related to possible changes to employee benefits, employees had expressed interest in allowing the benefits review to take place during the future classification and compensation study.

Since employee benefits were a consideration in the total compensation package that was surveyed during the 2018 study, the Agency has prepared a Request for Proposal (RFP) to receive bids for a future classification (limited) and compensation study. It is desired for the study to begin during FY23-24, with a likely implementation date of July 2024.

There have previously been multiple all-employee discussions related to the classification and compensation process, as well as employee benefits. An observation group will be organized for the classification and compensation study, consisting of four employees chosen by the eligible group of employees.

Fiscal Impact

Cost of Classification (limited) and Compensation Study

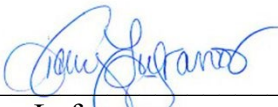
Attachments


Request for Proposal for Classification and Compensation Study

Recommendation

Management and staff recommend approval of the Request for Proposal for a Classification and Compensation study.

Review Tracking

Submitted By: 
Vicky Lufrano
Human Resources Administrator

Approved By: 
Richard Pallante
General Manager

**REQUEST FOR PROPOSALS
BY TAHOE-TRUCKEE SANITATION AGENCY
FOR A CLASSIFICATION (LIMITED) AND COMPENSATION STUDY**

Proposals Due By: September 13, 2023 at 3:00 p.m.

1. PROPOSALS REQUESTED

The Tahoe-Truckee Sanitation Agency (the “Agency”) solicits proposals from qualified firms (“proposers”) to provide the consulting services described below. Both small and large qualified firms with competitive rates are encouraged to apply.

2. BACKGROUND

The Agency is a public agency which provides regional wastewater treatment service to several Lake Tahoe area communities through the Agency’s five (5) member sewage collection districts. The member entities are North Tahoe Public Utility District, Tahoe City Public Utility District, Alpine Springs County Water District, Olympic Valley Public Utility District, and Truckee Sanitary District. The Agency is governed by a Board of Directors comprised of an appointed representative from each of the member sewage collection districts.

The Agency is comprised of the following departments: Operations, Maintenance, Engineering and Administrative Services. Overall, the Agency has approximately fifty (50) full-time employees. There are currently twenty-eight (28) position titles listed in Attachment A, with an asterisk denoting job classifications to be reviewed in the study. All positions are currently within a step-pay system.

3. SCOPE OF WORK

The Agency has decided to retain consulting services. The scope of work is described in Attachment B. The selected firm will be expected to have substantial knowledge and experience relating to these tasks and services.

4. PROPOSAL CONTENT

Interested and qualified firms are requested to submit two (2) hard copies and one (1) electronic copy of the written proposal no later than 3:00 p.m. on the date set forth above. The electronic copy shall be submitted on a thumb drive. It is the proposer’s responsibility to ensure that proposals are submitted and received in a timely manner. The submittal materials shall provide the following information:

(a) Firm name, address, telephone number and website, and principal contact name, telephone number and e-mail address.

(b) Brief description of the firm and a statement of the firm’s qualifications to perform the requested services.

(c) Name of the principal staff persons who will be primarily responsible for providing services to the Agency and their resume and qualifications.

(d) Explanation of the firm's experience in providing the requested services. Include the client, type of work, project start and completion dates, project name, and project size.

(e) List of client references, including name, address, telephone number and e-mail address, along with a brief description of the services provided to the client, dates of service and involved attorneys.

(f) Description of the firm's proposed fees, costs and charges, including an explanation of services correlating to a rate schedule with a not to exceed amount. Explain how often the Agency will be invoiced for services. Explain what costs would be charged to the Agency and the firm's policy for billing fees and costs relating to travel.

(g) Description of the firm's expected schedule to perform the work.

(h) Description of the firm's general liability, automobile liability and professional liability insurance coverages. The successful firm will need to provide proof of insurance satisfactory to the Agency.

Proposals shall be addressed and delivered to:

Tahoe-Truckee Sanitation Agency
Attention: Vicky Lufrano, Human Resources Administrator
13720 Butterfield Drive
Truckee, CA 96161

Questions regarding this request for proposals may be directed to Vicky Lufrano at vlufrano@ttsa.ca.gov or (530) 587-2525 x113.

5. EVALUATION AND SELECTION CRITERIA AND PROCESS

The Agency will review all submitted proposals and evaluate them against the following selection criteria: demonstrated positive experience performing the requested services; capability to perform the services, including demonstrated qualifications and resources to competently and timely perform the work; firm and principal staff reputation in the community; quality of references; location of the firm's nearest office that would service the work; and, proposal price and fees.

The Agency may schedule interviews with selected firms or it may make a selection based on the written submittal materials. Interviews may be conducted in person or telephonically.

Proposals will be reviewed and considered by the Agency Board of Directors, based on a recommendation from Agency staff. Contract award, if any, will be on the basis of the selection criteria set forth above. Proposal price alone will not be the determinative criterion. If the Board decides to proceed with retaining a firm, the Agency will enter into contract negotiations with the selected firm. The contract will be based on the Agency's standard form of services contract. The selected firm will be expected to begin work without delay.

6. GENERAL CONDITIONS AND REQUIREMENTS

(a) The Agency reserves the right to conduct contract negotiations with any firm (whether or not it has submitted a proposal), to verify the information in any proposal, to waive any informality in the process, to alter the selection process in any way, to request additional information or clarifications, to allow corrections of errors or omissions, to revise the scope of services and work, to extend the deadline for submission, to withdraw this request for proposals at any time without prior notice, to reject any and all proposals, and to decide whether or not to contract with any firm.

(b) The Agency makes no representation that any contract will be awarded to any firm responding to this request. Nothing in this request for proposals shall be construed to obligate the Agency to negotiate or enter into a contract with any particular firm. This request for proposals is not an offer to contract.

(c) All costs of response and proposal preparation shall be borne by the proposer. The Agency shall not be liable for any pre-contractual expenses incurred by the proposer, including any time and costs associated with the preparation and submission of the proposal and any interview.

(d) All submitted proposals shall become the property of the Agency. The Agency shall have the right to copy, publicly review and discuss, retain and dispose of each proposal. All responses received by the Agency will be considered public records subject to disclosure under the California Public Records Act.

(e) Proposals must be submitted in writing. Please be succinct. Unnecessarily elaborate or lengthy responses or other presentations beyond those needed to give sufficient and clear response to the request for proposals requirements are not desired. Proposals generally should not exceed 30 pages.

ATTACHMENT A

Position Titles:

Accounting Supervisor *
Accounting Technician I-II *
Assistant Engineer-Associate Engineer
Chemist I-II-III
Chief Plant Operator *
CMMS-GIS Technician
Customer Service Specialist I-II *
Electrical and Instrumentation Supervisor *
Electrical and Instrumentation Technician I-II-III
Engineering Department Manager *
Executive Assistant-Board Clerk
Finance and Administrative Department Manager
General Manager
Human Resources Administrator
Information Technology Specialist
Information Technology Supervisor *
Inventory Control Specialist
Laboratory Director
Maintenance Department Manager *
Maintenance Mechanic I-II-III
Maintenance Supervisor
Operations Department Manager *
Operations Shift Supervisor
Operations Supervisor *
Operator in Training-I-II-III
Purchasing Agent I-II
Safety Officer *
Senior Engineer *

ATTACHMENT B

The scope of work includes the preparation of a Classification (limited) and Compensation Study as described herein.

The Classification (limited) and Compensation Study shall recognize changes; ensures positions performing similar work with essentially the same level of complexity, responsibility, and knowledge, skills and abilities are classified together; provides salaries commensurate with assigned duties; clearly outlines promotional opportunities and provides recognizable compensation growth; provides justifiable pay differential between individual classes; and maintains prevalence with relevant labor markets. Details are as follows:

Classification Scope

- Consultant shall meet with Agency Human Resources Administrator (HR) to discuss study, methodology and Position Description Questionnaire (PDQ) to be used.
- Consultant shall meet with staff to explain the study, methodology and PDQ.
- Consultant shall provide PDQs to HR for staff distribution.
- Consultant shall determine the need to conduct interviews and/or job audits as necessary.
- Consultant shall evaluate and compare completed PDQs, interviews and job audit results to existing job descriptions.
- Consultant shall amend or create class specifications as needed to uniformly reflect distinguishing characteristics, essential job functions, minimum qualifications, working conditions, license requirements, regulatory requirements, standby/call-out responsibilities, physical requirements, etc., for all classifications.
- Consultant shall identify management, supervisory, professional, technical, and general staff, including FLSA status (exempt/non-exempt).
- Consultant shall draft and submit proposed class specifications for review by Agency. Consultant will recommend, if appropriate, classification series and levels within the series (i.e. I/II, Senior/Lead, etc.). In addition, Consultant to review reporting/organizational structure and make suggestions.
- Consultant shall finalize class specifications, including correction of identified discrepancies between existing and proposed classifications based on Agency comments.

Compensation Scope

- Consultant shall conduct a comprehensive total compensation survey of external regional labor markets for all positions to assure internal equity and external competitiveness. The method in which to perform this analysis is to be determined by the consultant.
- Consultant shall determine which cities/agencies/districts will be surveyed for the compensation survey, with Board of Directors direction.
- Consultant shall conduct salary survey by comparing bi-weekly, monthly or annual minimum and maximum base salary for each existing classification as listed on Attachment A.
- Consultant shall conduct a total compensation survey.
- Consultant shall recommend appropriate salary range for each existing or proposed position based on the Classification Study and on the compensation survey results, and internal relationships and equity.
- Consultant shall recommend appropriate duration between steps of the step-pay system.
- Consultant shall recommend an implementation strategy for the updated Compensation Study.

Consultant shall assume a minimum of three (3) meetings at the Agency.



TAHOE-TRUCKEE SANITATION AGENCY MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: V-2
Subject: Approval to enter into an agreement with Carollo Engineers, Inc. to conduct a Land Use Risk Analysis Study.

Background

As discussed in prior TTSA Board of Directors meetings, the Agency is exploring the possibility of declaring some of its property as surplus. To assist in evaluating the viability of this pursuit, it is recommended that a Land Use Risk Analysis Study (LURAS) be conducted to relate how potential land sales could impact Agency operations. One of the primary purposes of the LURAS would be to identify potential impacts that TTSA may have on any new neighbors and how these same potential neighbors might impact TTSA. Such impacts may stem from a variety of regulatory, environmental, nuisance, or other sources. The LURAS would also provide recommendations on minimum buffer space that TTSA should maintain around its facilities to avoid conflicts and issues associated with present and potential future Agency uses.

The proposed work is further described in greater detail in the attached scope of work prepared by Carollo Engineers, Inc.

Fiscal Impact

\$61,000, not including optional services to provide property appraisals (an additional \$17,400). These optional services may be amended later to the agreement if land surplus is found to be viable and the project progresses further.

Attachments

Proposed Scope of Work from Carollo Engineers, Inc.

Recommendation

Management and staff recommend approval to enter into an agreement with Carollo Engineers, Inc to conduct a Land Use Risk Analysis Study.

Review Tracking

Submitted By: 
Richard Pallante
General Manager



50 West Liberty Street, Suite 300
Reno, Nevada 89501
P 775-324-4427
carollo.com

August 7, 2023

Richard Pallante, General Manager
Tahoe-Truckee Sanitation Agency
13720 Butterfield Dr, Truckee, CA 96161

Subject: Land Use Risk Analysis Study Proposal

Dear Mr. Pallante:

Per your request, Carollo Engineers, Inc., has prepared the attached proposal for conducting a Land Use Risk Analysis Study (LURAS) to evaluate potential risks associated with the potential sale of surplus land currently owned by the Tahoe-Truckee Sanitation Agency (T-TSA). Our proposed fee for this effort is \$61,000 not including optional services to provide property appraisals. If T-TSA desires property appraisals, we have included a budget of \$17,400 to provide up to four property appraisals through our subconsultant Bender Rosenthal Inc.

Please reach out if you have any questions.

Sincerely,
CAROLLO ENGINEERS, INC.

A handwritten signature in black ink that reads "Richard L. Gutierrez". The signature is written in a cursive style.

Richard L. Gutierrez
Vice President

RLG|rlg

Enclosures:

Attachment A - Scope of Work
Attachment B – Fee Schedule

cc: Tim Loper

ATTACHMENT A
Proposed Scope of Work
Land Use Risk Analysis Study
for the
Tahoe-Truckee Sanitation Agency (T-TSA)

Introduction

Carollo Engineers Inc., (CONSULTANT) has engaged its Subconsultants, Ascent Environmental and Bender Rosenthal Inc., to assist the Tahoe-Truckee Sanitation Agency (T-TSA) with a Land Use Risk Analysis Study (LURAS) of a proposed surplus land sale that T-TSA is contemplating in response to a change in treatment operations at its Water Reclamation Plant (WRP) located in Truckee, CA. The wastewater treatment process at the WRP has traditionally included the use of gaseous chlorine for disinfection of the wastewater treatment process effluent. T-TSA is in the process of replacing gaseous chlorine with a liquid sodium hypochlorite (bleach) dosing system. Sodium hypochlorite requires a substantially smaller safety buffer to adjacent and nearby land uses because it has fewer risks than those associated with a leak in a chlorine gas system. T-TSA will retain its chlorine gas system for emergency backup purposes only. If the change to sodium hypochlorite is permanent, T-TSA would be able to release T-TSA-owned parcels or portions thereof for sale to raise capital and enable the opportunity for use of now-vacant and potentially underutilized lands. The LURAS will consider the potential risks associated with a variety of potential future land uses for these parcels.

Proposed Scope of Work

A surplus land sale could result in the acquisition of T-TSA land by parties or agencies that would be expected to develop the parcels for a variety of land uses. Therefore, this scope involves a review through the LURAS of the potential risks that this poses to operation of the WRP in the future if a land sale should occur. The LURAS is intended to be exhaustive; that is, to the extent possible, it will consider the potential resources to be affected, including a characterization of those resources within the area of influence around the WRP (analysis area), the potential impacts on those resources within the context of new land uses and operation of the WRP. The LURAS will also include a discussion of key regulations related to each of these resources as it pertains to potential new development should a land sale occur taking into consideration the requirements of the Surplus Lands Act (SLA) (Government Code sections 54220-54234). The land uses that will be considered for the potential surplus sale parcels for the purpose of this scope are residential, commercial, recreational, and public uses.

Task 1: Project Objectives and Description

CONSULTANT will prepare a discussion of the project objectives based on information and communication with T-TSA. CONSULTANT will also prepare a project description that will form the basis for what will be evaluated in the risk analysis. It will describe the existing WRP operations and potential changes for future WRP operations. The project descriptions shall provide sufficient level of detail to conduct the risk analysis. It is anticipated that the project description will include possible middle and longer-term changes to operations at the WRP, which will be considered in the hazards, nuisance, and public safety component of the risk analysis.

Task 1 Deliverables

- » *Draft and Final Project Objectives (electronic submittal)*



» *Draft and Final Project Description (electronic submittal)*

Task 2: Risk Analysis

Each resource area identified for evaluation in the LURAS will include a discussion of the methodology used for the evaluation of risk, and a summary of the key regulations related to that resource area that are relevant to the project. Specific resource issue areas that will be evaluated by the CONSULTANT are identified in the table below. This table contains an itemized list of the issues to be covered, the risks that will be evaluated that are related to those issues, and where appropriate, a discussion of the existing conditions related to that resource issue. The level of evaluation for each resource will be in proportion to the expected level of risk associated with it in the context of the land use being evaluated. The risk analysis will also provide a summary of any pertinent information (such as relevant deed restrictions) obtained by others under separate contract with T-TSA, as they relate to restrictions on the land uses considered and impacts to the resources evaluated. CONSULTANT will lead one workshop with T-TSA to review the Risk Analysis.

Resource Area	Resource Issues, Risks, and Constraints to Be Evaluated
Land Use, Planning, and Land Ownership	<p>Discussion of the consistency of potential land uses with land management plans in the analysis area, including with the Truckee Tahoe Airport Land Use Compatibility Plan, the Town of Truckee 2040 General Plan, the Nevada County General Plan, and other local identified plans relevant to the project.</p> <p>Discussion of the eligibility under the Public Lands Act and the potential for development of low-income housing on sale parcels.</p> <p>Identification of any adverse human health or environmental effects on minority and low-income populations within the sale parcels in connection with proximity to the WRP.</p> <p>Discussion of the consistency with Town of Truckee and Nevada County codes or ordinances.</p>
Hazards, Nuisance, and Public Safety	<p>Review of the EnviroStor and Geotracker databases to identify locations of known hazardous materials sites and documentation of any hazardous or solid wastes that may be present on the parcels considered for sale.</p> <p>Identification and evaluation of the effect of exposure to toxic air contaminants, objectionable odors, and nuisance noise on newly introduced populations or land uses within the sale parcels in connection with proximity to the WRP.</p> <p>Narrative description of potential noise-related impacts associated with future land uses of sale parcels, specifically, noise-related impacts from the WRP and its lessees (e.g., Teichert, Tahoe-Truckee Unified School District) on future land uses of the parcels, and a description of limitations on future land use under the Truckee Tahoe Airport Land Use Compatibility Plan related to noise restrictions.</p>



Resource Area	Resource Issues, Risks, and Constraints to Be Evaluated
Traffic and Transportation	Narrative discussion of anticipated changes to traffic volumes in relation to anticipated land uses associated with the sale parcels. Identification of any agreements between T-TSA and other entities that would provide or limit access to sale parcels.
Natural Resources	<p>Discussion of how a change in ownership and management may affect any state or federally listed or special status species and its habitat in the analysis area.</p> <p>Discussion of the potential for waters of the U.S., including wetlands to exist within the parcels proposed for sale, and the potential effects on these resources from a change in ownership.</p> <p>Brief discussion of riparian habitats, non-jurisdictional wetlands, streams and river segments within the parcels proposed for sale, and the potential effects on these resources from a change in land ownership.</p> <p>Discussion of groundwater resources and potential impacts to T-TSA's current and future disposal field effluent plumes in the analysis area.</p>
Cultural Resources	<p>Description of known archaeological and cultural resources identified by a CHRIS records search within parcels considered under the land sale.</p> <p>Documentation of impacts to any potentially eligible National Register of Historic Places (NRHP) sites on sale parcels with known resources.</p> <p>Brief discussion of how any existing cultural resources could potentially be protected following the land sale.</p>
Scenic and Recreational Resources	<p>Discussion of regulations guiding scenic resources in the analysis area, and identification of any nearby scenically sensitive areas.</p> <p>Analysis of potential scenic impacts from the WRP on sale parcels, and of development of the sale parcels on scenic resources in the analysis area.</p> <p>Discussion of the type of existing recreational opportunities and use patterns in the analysis area, and potential changes to these resources from the proposed land sale.</p>

Task 2 Deliverables

» *Draft and final Risk Analysis Memorandum to be incorporated into the LURAS (electronic submittal)*

Task 3: WRP Buffer Recommendations

As a part of the Risk Analysis Memorandum, CONSULTANT will provide recommendations on the anticipated minimum buffer space surrounding the WRP that would be required to minimize to the extent reasonable any



Page 5

impacts to the public, other entities, and the environment, or to avoid other potential issue areas or land use conflicts unrelated to treatment. CONSULTANT's input will be limited to the minimum buffer space required to avoid conflict with the resource areas evaluated in the Risk Analysis Memorandum. The buffer recommendations will consider operation of the WRP with and without gaseous chlorine.

Task 3 Deliverables

- » *Recommendations in the final Risk Analysis Memorandum to be incorporated into the LURAS (electronic submittal)*

Task 4: Project Management

CONSULTANT will provide the following services under this task.

Meetings and Workshops

This task includes the preparation of agendas, handouts, presentation material, and minutes for the following meetings:

- Kickoff Meeting
 - » *Organize, prepare and attend the project kickoff meeting. One of the goals of the kickoff meeting will be to confirm objectives for the LURAS. The Kick-off meeting will be attended by the project manager and the project leads and shall be conducted in person.*
- Monthly Progress Meetings
 - » *Organize, prepare and attend virtual monthly progress meetings. These meetings will review progress and any deviations from the schedule and budget of the project. The Project Manager will maintain decision and action logs as well as a critical issue log that will be updated for these monthly meetings. The level of effort for this task is based on a 4-month project duration.*
- Agency Board Meetings
 - » *Organize, prepare and attend up to one (1) Board meeting to support Agency staff in presenting the recommendations and findings from the LURAS.*

Invoicing and Progress Reports

Prepare and submit a written monthly progress report to accompany the invoice to T-TSA which shall show the percentage of work completed and the percentage of contract billed, summarize the work completed during the month, and summarize the work to be completed during the following month.



[Monitor Budget, Schedule, and Decision Log](#)

Monitor and track the overall project scope, budget and schedule, and update on a monthly basis. Maintain a log throughout the project to record the decisions made by the project team. The log shall contain decisions made during workshops and project meetings as well as during telephone conversations or by email. The log shall list the date the decision was made, the type of meeting in which it was made (regular design meeting, telephone conversation, etc.), the individual involved making the decision, and the nature of the decision.

[Subconsultant Management](#)

This is an on-going activity that shall be performed throughout the project. Activities shall include the following: provide information on project issues; review/approve work product; integrate work product with the CONSULTANT's work effort; control subconsultant budgets and schedules; keep T-TSA staff informed of the subconsultant work progress; establish meeting as necessary with subconsultants; and coordinate review of deliverables. Currently, two subconsultants are proposed to assist on this project as follows:

- » *Ascent Environmental (Environmental, risk assessment)*
- » *Bender Rosenthal Inc. (Real Estate related services, appraisals, land use)*

[Quality Assurance/Quality Control \(QA/QC\)](#)

Review and provide general QA/QC of all work products developed by CONSULTANT and subconsultants. All documents delivered to T-TSA are considered deliverables, including but not limited to reports, memoranda, agendas, meeting materials and summaries, invoices, progress reports, and other communications.

[Task 4 Deliverables](#)

- » *Monthly invoices and progress reports*
- » *Meeting minutes, agendas, and materials*

[Schedule](#)

The proposed scope of work can be completed within 18 weeks from notice to proceed.

[Optional Tasks](#)

If desired by T-TSA, CONSULTANT can provide budgets to perform the following additional tasks:



Task 5 - Conduct Property Appraisals

CONSULTANT's subconsultant, Bender Rosenthal Inc, shall develop up to four (4) Appraisals of the estimated fair market value of the fee simple interest of each individual parcels. The Appraisals will be a narrative report that will be prepared in conformance with and subject to the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute, which fully incorporate the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation, requirements related to the Uniform Relocation Assistance and Real Property Acquisition Act and state and federal statutes.

Optional Task 5 Deliverables

- » *Up to four (4) electronic Appraisal Reports that meet all State and Federal Standards. Printed and bound copies can be provided upon request.*

Assumptions

- Project duration is not anticipated to exceed 20 weeks
- T-TSA review time for deliverables is anticipated to be 2 weeks
- Title reports and deed restrictions to be provided by others and provided to CONSULTANT for informational purposes to inform the effort
- CONSULTANT will attend one (1) Board Meeting in person
- Evaluation will include up to 6 parcels
- Appraisal Mapping, Plat Maps and Legal Descriptions for the properties to be appraised will be provided by others



Tahoe- Truckee Sanitation Agency
 Land Use Risk Analysis Study
 Attachment B - Fee Estimate



Task Description	Hours by Classification						Labor	PECE	Subconsultants			Subs and Other Direct Expenses ⁽²⁾	Estimated Fee
	Tim Loper (PIC)	Richard Gutierrez (PM)	Coral Taylor (Project Engineer)	GIS Technician	Clerical/Document Processing	Total Hours			Ascent Environmental & Bender Rosenthal Inc. (hours/unit)	Total Cost	Sub Markup Fee (5%)		
	\$339	\$314	\$296	\$218	\$127			\$ 14,00					
Task 1 - Project Objectives and Description	1	4	8	0	2	15	\$ 4,200	\$ 210	16	\$ 3,000	\$ 150	\$ 3,400	\$ 7,600
Task 2 - Risk Analysis	2	4	16	4	4	30	\$ 8,100	\$ 420	148	\$ 24,920	\$ 1,246	\$ 26,600	\$ 34,700
Task 3 -WRP Buffer Recommendations	1	4	8	4	2	19	\$ 5,100	\$ 266	18	\$ 3,560	\$ 178	\$ 4,000	\$ 9,100
Task 4 - Project Management	2	4	2	0	0	8	\$ 2,500	\$ 112	32	\$ 6,640	\$ 332	\$ 7,100	\$ 9,600
Total Hours and Fee (Without Optional Task)	6	16	34	8	8	72	\$19,900	\$1,008	214	\$38,120	\$1,906	\$41,100	\$61,000
Optional Tasks													
Task 5 - Four (4) Property Appraisals	0	2	0	0	0	2	\$ 600	\$ 28	4	\$ 16,000	\$ 800	\$ 16,800	\$ 17,400
Total Hours and Fee (With Optional Task)	6	18	34	8	8	74	\$20,500	\$1,036	218	\$54,120	\$2,706	\$57,900	\$78,400



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: V-3
Subject: Discussion and review of Agency Purchasing Policy Resolution.

Background

On September 9, 2015, the Agency adopted Ordinance 3-2015 establishing purchasing and public works contracting regulations. As part of a routine review with staff, it was identified that the provisions outlined in the ordinance were impeding the efficient procurement of needed goods and materials. As a first step in pursuing an update to the ordinance staff approached the Finance Committee discussing the challenges being faced. The Committee received staff feedback and expressed that an update may be warranted allowing staff to draft a new policy. At the August 8th Finance Committee meeting staff presented an updated policy. Receiving positive feedback on the policy, staff is bringing the newly drafted policy for full Board review and consideration. Additionally, working with Agency legal representation, guidance was given to draft the policy as a resolution as this policy governs internal Agency business.

Fiscal Impact

None


Attachments

1. Ordinance No. 3-2015
2. Draft Resolution Establishing Rules and Regulations for the Procurement of Goods, Services and Contracts as well as Public Works Contracting

Recommendation

Discussion Item Only

Review Tracking

Submitted By: 
Richard Pallante
General Manager

ORDINANCE NO. 3-2015

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE TAHOE-TRUCKEE SANITATION AGENCY
ESTABLISHING PURCHASING AND
PUBLIC WORKS CONTRACTING REGULATIONS**

BE IT ORDAINED by the Board of Directors of Tahoe-Truckee Sanitation Agency that the following purchasing and public works contracting regulations are hereby established:

1. Purpose and Authority. The purpose of this ordinance is to establish revised regulations, procedures and policies governing Agency purchases of material, supplies and equipment and public works contracting. This ordinance is adopted pursuant to Agency Act sections 67 and 80, Public Contract Code sections 21614 and 21616, Government Code section 54202, and other applicable law.

2. Definitions

a. "Contracting Agent" means the Agency General Manager or his or her designee.

b. "Emergency" means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

c. "Lowest Responsible Responsive Bidder" for purposes of the purchase of Material (section 5) means the bidder that timely submits a complete and fully responsive bid and that best responds in price, quality, service, fitness and capacity to meet the particular bid requirements; price alone will not be the determinative factor, but will be considered along with other relevant responsibility factors including, but not limited to, the ability of the bidder to deliver, quality, availability of parts or service, and prior Agency or other experience with the bidder. Lowest Responsible Responsive Bidder also includes any vendor on the open market or Internet that offers a price for the particular Material that is less than the low bid received after soliciting bids.

d. "Lowest Responsible Responsive Bidder" for purposes of public works bidding and contracting (section 6) shall have the meaning as found in applicable California case law (see, e.g., *Great West Contractors, Inc. v. Irvine Unified School District* (2010) 187 Cal.App.4th 1425).

e. "Material" means material, supplies, equipment, and merchandise, including, but not necessarily limited to, vehicles, computers, other machines, office supplies, chemicals, tools, and furniture.

3. Applicability. These regulations apply to (a) Agency purchases of Material, and (b) the approval and award of contracts for construction, reconstruction, installation or repair of Agency facilities, buildings, structures and other public works. These regulations do not apply to the following purchases, expenditures, contracts or work: (a) leases; (b) consultant or service contracts (including equipment service, maintenance or repair contracts); (c) utility service

accounts and contracts; (d) maintenance work (including painting, landscape maintenance, vehicle servicing and maintenance, and other routine work for the preservation or protection of equipment or facilities); (e) procurement of insurance and bonds; (f) purchase of fuel, oil or other vehicle maintenance supplies; (g) purchase of computer software; or, (h) construction, reconstruction, installation, repair or other work performed by Agency employees.

4. Contracting Agent. The Contracting Agent shall have responsibility and authority in connection with purchasing Material and public works contracting in accordance with these regulations. The Contracting Agent may delegate to other Agency officers or employees the authority to make purchases, approve contracts and perform other duties in accordance with these regulations. The Contracting Agent may adopt rules and procedures to implement and supplement these regulations so long as they are consistent with this ordinance.

5. Purchases

a. Purchases Less Than \$5,000. For a purchase of Material of estimated value less than \$5,000, the Contracting Agent may make the purchase on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Contracting Agent deems most appropriate in the circumstances. If there are unappropriated funds available in the current approved Agency budget for the purchase, then the Contracting Agent may approve the purchase through a written invoice, purchase order or contract. If there are not unappropriated funds within the approved budget, then the purchase must be authorized in advance by the Board of Directors.

b. Purchases \$5,000 And Over. A purchase of Material of estimated value greater than \$5,000 must be made pursuant to the following bidding procedures (except as provided in subsections (b)(5) and (b)(6)):

(1) Bid Notice. The Contracting Agent will prepare a notice inviting bids for the purchase, including a description of the Material to be purchased (including, if appropriate, reference to the bid specifications), the method to obtain more detailed information about the purchase, the deadline for receipt of sealed bids, and the time and place of the bid opening. The notice inviting bids will be posted in three public places in the Agency, posted on the Agency website, and distributed and noticed to responsible prospective suppliers and vendors in such other manner as the Contracting Agent deems appropriate. The Contracting Agent, in his or her discretion, may require bidders to post a bidder's security in a form and amount as determined by the Contracting Agent. If a bidder's security is to be required, the bid security requirements must be set forth in the notice inviting bids.

(2) Bid Opening. At the time and place for the bid opening, the bids will be opened in public. The Contracting Agent will tabulate all bids received and keep them open for public inspection. Any bids received after the bid receipt deadline will be returned to the bidder unopened.

(3) Bid Award; \$15,000 or Less. If the low bid is \$15,000 or less and there are unappropriated funds available in the current approved Agency budget for the purchase, then the Contracting Agent may (i) award the purchase to the Lowest Responsible Responsive Bidder, (ii) reject all bids and re-advertise for bids, (iii) reject all bids and not proceed with the purchase, or (iv) reject all bids and proceed with an open market or Internet purchase if the price to be paid on the open market or Internet is less than the low bid. The Contracting Agent may waive any irregularity, informality or minor error in any bid that does not affect the bid price. Upon award to the Lowest Responsible Responsive Bidder, the Contracting Agent will approve the purchase through a written invoice, purchase order or contract. If the estimated value of the purchase is \$15,000 or less and no responsive bids are received by the bid deadline, the Contracting Agent may make and approve the purchase on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Contracting Agent deems most appropriate in the circumstances.

(4) Bid Award; Over \$15,000. If the low bid is over \$15,000 or if it is less than \$15,000 but there are not unappropriated funds available in the current approved Agency budget for the purchase, then, at the next Board of Directors meeting following the bid opening, the Contracting Agent will present the bids to the Board and make a recommendation on an award to the Lowest Responsible Responsive Bidder. In its discretion, the Board may (i) award the purchase to the Lowest Responsible Responsive Bidder, (ii) reject all bids and re-advertise for bids, (iii) reject all bids and not proceed with the purchase, or (iv) reject all bids and direct that an open market or Internet purchase be made by the Contracting Agent if the price to be paid on the open market or Internet is less than the low bid. The Board may waive any irregularity, informality or minor error in any bid that does not affect the bid price. Upon award to the Lowest Responsible Responsive Bidder, the purchase will be confirmed by an approved written invoice, purchase order or contract. If no responsive bids are received by the bid deadline, the Board may authorize the purchase to be made on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Board or Contracting Agent deems most appropriate in the circumstances.

(5) Exceptions. Bidding will not be required for purchases in the following situations: (i) the General Manager determines that the Material can be obtained reasonably and efficiently only from one vendor or supplier; (ii) the General Manager determines that it is strongly preferred for efficient operations that the Material be of a particular model, brand or make in order to match and be compatible with the model, brand or make of existing in-use Material; (iii) the Material is to be purchased through or from the State of California or other federal, state or local government group sale program; (iv) Emergency purchases (see subsection (b)(6)); or (v) the Board of Directors finds and determines by resolution that the nature of the purchase is such that competitive proposals would be unavailing or would not produce an advantage and the solicitation of competitive bids therefore would be undesirable, impractical, or impossible. For any purchase subject to an exception (excluding item (v) above), the General Manager may approve the purchase if it is under \$15,000 and there are unappropriated funds available in the current approved Agency budget or if it is authorized in an Emergency under subsection (b)(6). Otherwise, the purchase must be approved by the Board of Directors.

(6) Emergency Purchases. In case of an Emergency, the Contracting Agent is authorized to make necessary purchases of Material in the open market or through the Internet after first obtaining the verbal consent of at least two members of the Board. Purchases made under this subsection do not require prior Board approval and may be made without complying with the bidding requirements. The Contracting Agent thereafter must report promptly to the Board concerning the type and amount of the purchase and the Emergency circumstances warranting the purchase.

6. Public Works Contracting

a. Contracts Less Than \$5,000. For a public works contract of estimated value less than \$5,000, the Contracting Agent may negotiate the contract on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Contracting Agent deems most appropriate in the circumstances. If there are unappropriated funds available in the current approved Agency budget for the contract, then the Contracting Agent may approve and sign the contract. If there are not unappropriated funds within the approved budget, then the contract must be approved by the Board of Directors.

b. Contracts \$5,000 And Over. A public works contract of estimated value greater than \$5,000 must be made pursuant to the following bidding procedures (except as provided in subsections (b)(5) and (b)(6)):

(1) Bid Notice. The Contracting Agent will prepare a notice inviting bids for the contract, including a description of the work to be performed (including, if appropriate, reference to the bid and contract specifications), the method to obtain more detailed information about the work, the deadline for receipt of sealed bids, and time and place of the bid opening. The notice inviting bids will be posted in three public places in the Agency, posted on the Agency website, and distributed and noticed to responsible contractors in such other manner (e.g., posting to appropriate construction trade journals) as the Contracting Agent deems appropriate. The Contracting Agent, in his or her discretion, may require bidders to post a bidder's security in a form and amount as determined by the Contracting Agent. If a bidder's security is to be required, the bid security requirements must be set forth in the notice inviting bids.

(2) Bid Opening. At the time and place for the bid opening, the bids will be opened in public. The Contracting Agent will tabulate all bids received and keep them open for public inspection. Any bids received after the bid receipt deadline will be returned to the bidder unopened.

(3) Bid Award; \$15,000 or Less. If the low bid is \$15,000 or less and there are unappropriated funds available in the current approved Agency budget for the purchase, then the Contracting Agent may (i) award the public works contract to the Lowest Responsible Responsive Bidder and approve and sign the contract, (ii) reject all bids and re-advertise for bids, or (iii) reject all bids and not proceed with the contract. The Contracting Agent may waive any irregularity, informality or minor error in any bid that does not affect the bid price. If the estimated value of the work is \$15,000 or less and no responsive bids are received by the bid

deadline, the Contracting Agent may authorize the work by negotiating and approving a contract or contracts with a qualified contractor or contractors.

(4) Bid Award; Over \$15,000. If the low bid is over \$15,000 or if it is less than \$15,000 but there are not unappropriated funds available in the current approved Agency budget for the purchase, then, at the next Board of Directors meeting following the bid opening, the Contracting Agent will present the bids to the Board and make a recommendation on an award to the Lowest Responsible Responsive Bidder. In its discretion, the Board may (i) award the public works contract to the Lowest Responsible Responsive Bidder and authorize contract approval, (ii) reject all bids and re-advertise for bids, or (iii) reject all bids and not proceed with the contract. The Board may waive any irregularity, informality or minor error in any bid that does not affect the bid price. If no responsive bids are received by the bid deadline, the Board may authorize the work to be performed by negotiated contract or contracts with a qualified contractor or contractors.

(5) Exceptions. Bidding will not be required for public works contracts in the following situations: (i) there will be no cost to the Agency; (ii) the work will be contracted through an arrangement with a federal, state or local government agency; (iii) Emergency contracting (see subsection (b)(6)); or (iv) the Board of Directors finds and determines by resolution that the nature of the contract is such that competitive proposals would be unavailing or would not produce an advantage and the solicitation of competitive bids therefore would be undesirable, impractical, or impossible. Except for Emergency contracting, any public works contract subject to an exception must be approved by the Board of Directors.

(6) Emergency Contracting. Pursuant to Public Contract Code section 22050, the Board of Directors delegates to the General Manager the authority to repair and replace any Agency facility, building or structure and to take any other directly related immediate action in response to an Emergency, including procuring necessary contractors, equipment, services and supplies, without giving public notice for bids to let contracts. In the event of an Emergency, the General Manager may take such action and approve such contracts as appropriate to respond to the Emergency in accordance and in compliance with the requirements of section 22050.

7. Superseder. This ordinance supersedes the Agency Purchasing Policy dated December 2004 and all other prior inconsistent Agency ordinances, resolutions, policies and procedures.

8. Effective Date. This ordinance shall be effective 30 days from the date of its adoption.

9. Posting. This ordinance shall be posted within the Agency in at least three conspicuous places within ten days after its adoption.

Passed and adopted at a meeting of the Board of Directors of Tahoe-Truckee Sanitation Agency on this 9th day of September 2015, at Truckee, California, by the following vote:

AYES: Directors Butterfield, Cox, Henrikson, Lewis, and Northrop
NOES: None
ABSENT: None
ABSTAIN: None



O.R. Butterfield, President
Board of Directors

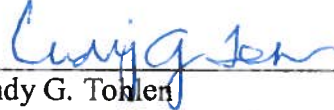
ATTEST:



LaRue Griffin
Secretary of the Board of Directors
TAHOE-TRUCKEE SANITATION AGENCY

CERTIFICATE

I hereby certify that the foregoing is a full, true and correct copy of Ordinance 3-2015, duly and regularly adopted by the Board of Directors of Tahoe-Truckee Sanitation Agency, County of Nevada, State of California, on September 9, 2015.



Cindy G. Tollen
Assistant Secretary of the Board
TAHOE-TRUCKEE SANITATION AGENCY

RESOLUTION NO. X-2023

AN RESOLUTION OF THE BOARD OF DIRECTORS OF THE TAHOE-TRUCKEE SANITATION AGENCY ESTABLISHING RULES AND REGULATIONS FOR THE PROCUREMENT OF GOODS, SERVICES AND CONTRACTS AS WELL AS PUBLIC WORKS CONTRACTING REGULATIONS. HEREINAFTER TO BE KNOWN AS THE PURCHASING POLICY; AND REPEALING ORDINANCE NO. 3-2015

BE IT ORDAINED by the Board of Directors of Tahoe-Truckee Sanitation Agency that the following procurement and public works contracting regulations are hereby established:

1. Purpose and Authority. The purpose of this Resolution is to establish practices and procedures governing Agency purchases of goods, services, contracts as well as public works contracting. This Resolution is adopted pursuant to Agency Act sections 67 and 80, Public Contract Code sections 21614 and 21616, Government Code section 54202, and other applicable law.

2. Definitions.

- a. "Agency" means Tahoe-Truckee Sanitation Agency.
- b. "Awarding Entity" means the Board of Directors, Agency General Manager, or Contracting Agent.
- c. "Bid" means an offer or proposal submitted by a Bidder setting forth the price for the Goods, Services, Contracts or Construction to be provided.
- d. "Bidder" means any individual, firm, entity, partnership, corporation, or combination thereof, submitting a Bid.
- e. "Change Order" means an Agency-issued document used to revise the terms of a contract with the purpose to modify or revise the quantity, price or scope of goods, services, or professional services.
- f. "Competitive Procurement" means a process involving the solicitation under the authority and supervision of the Agency General Manager by Formal Procurement or Informal Procurement under procedures and circumstances intended to foster effective, broad-based competition within private sector to provide goods, services, or construction.
- g. "Construction" means the process of building, altering, repairing, improving, or demolishing any public structure or building, or other improvements of any kind. It does not include routine operation, maintenance or repair of existing structures, buildings, or real property by the Agency's own forces.
- h. "Contract" means any type of legally recognized agreement to provide Goods,

Services or Construction, no matter what it may be titled (i.e., Agreements), including executed Purchase Orders, for the Procurement of Goods, Services or Construction.

- i. "Contracting Agent" means the Agency General Manager or his or her designee.
- j. "Contractor" means any Person (as hereinafter defined) who enters into a Contract with the Agency
- k. "Cooperative Purchasing" is "Procurement conducted by, or on behalf of, one or more Public Procurement Units" as defined by the American Bar Association Model Procurement Code for State and Local Governments. "Cooperative Purchasing" means a purchasing method whereby the Procurement requirements of two or more governmental entities are combined in order to obtain the benefit of volume Procurement or reduction in administrative expenses. Cooperative Purchasing practices may include other agencies who conduct volume procurements on behalf of governmental agencies.
- l. "Emergency" means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.
- m. "Formal Bid" means a written bid which shall be (1) submitted in a sealed envelope, (2) publicly opened and read and recorded at an Agency-specified date, time, and place, and (3) accepted only by an award made by the Awarding Entity.
- n. "Formal Procurement" means Procurement by written Notice Inviting Bids and Formal Bid, Request for Proposals and includes Procurement of Construction, Goods and Services
- o. "Goods" means supplies, materials and equipment.
- p. "Informal Bid" means an offer, which may be conveyed to the Contracting Agent by email, letter, memo, financial system, or other means, to provide for stated prices, goods, services, or construction, which are not required to be Procured by the Formal Procurement.
- q. "Informal Procurement" means Competitive Procurement by Request for Bid, Request for Proposals, request for information or request for quote.
- r. "Lowest Responsible Responsive Bidder" for purposes of the purchase of Material means the bidder that timely submits a complete and fully responsive bid and that best responds in price, quality, service, fitness and capacity to meet the particular bid requirements; price alone will not be the determinative factor, but will be considered along with other relevant responsibility factors including, but not limited to, the ability of the bidder to deliver, quality, availability of parts or service, and prior Agency or other experience with the bidder. Lowest Responsible Responsive Bidder also includes any vendor on the open market or Internet that offers a price for the particular Material that is less than the low bid received after soliciting bids.
- s. "Lowest Responsible Responsive Bidder" for purposes of public works bidding and contracting (section 10) shall have the meaning as found in applicable California case law

(see, e.g., *Great West Contractors, Inc. v. Irvine Unified School District* (2010) 187 Cal.App.4th 1425).

t. "Material" means material, supplies, equipment, and merchandise, including, but not limited to, vehicles, computers, other machines, office supplies, chemicals, tools, and furniture.

u. "On-Site Services" means a service provider will either repair or exchange the product at your location.

v. "Person" means any individual, partnership, limited partnership, association, corporation, labor union, committee, club, governmental entity, or other entity recognized by California Law.

w. "Piggyback Purchase" means utilizing an existing contract to acquire the same commodities or services at the same or lower price from another public entity contract.

x. "Procure" and "Procurement" mean buying, purchasing, renting, leasing, or otherwise acquiring or obtaining Good, Services, Contracts or Construction; this also includes all functions and procedures pertaining thereto.

y. "Professional Services" means advisory, consulting, architectural, information technology, engineering, financial, legal, surveying, research or developmental and any other Services which involve the exercise of professional discretion and independent judgment based on an advanced or specialized knowledge, expertise or training gained by formal studies or experience.

z. "Public Works Contract" means an agreement for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind.

aa. "Purchase Order" means Agency issued document with necessary terms and conditions, which authorizes the delivery of Goods, the rendering of Services or the performance of Construction at a stated price and encumbers Agency funds for the payment; therefore, when approved by the Agency through the annual budget process or at another time during the fiscal year.

bb. "Purchase Requisition" means a written request prepared by authorized personnel on the requisite Agency form and approved by appropriate authority levels to procure specified goods, services, and contracts.

cc. "Request for Proposals" means a written solicitation issued by Contracting Agent, through the supervision of the General Manager, which (1) generally describes the Goods or Services sought to be Procured by the Agency, (2) sets forth minimum standards and criteria for evaluating proposals submitted in response to it, (3) generally describes the format and content of proposals to be submitted, (4) provides for negotiation of terms and conditions of the Procurement and (5) may place emphasis on described factors other than price to be used in evaluating proposals.

dd. "Request for Bids" or "Notice of Inviting Bids" means a written or verbal solicitation issued under the authority and supervision of the General Manger for Formal or Informal Bids for described Goods, Services or Construction, which may be Procured by Formal or Informal

Procurement.

ee. “Services” means all services which are described in Agency specification or are in the nature of advertising, cleaning, gardening, insurance, janitorial, leasing of Goods, membership, postal, printing, security, subscriptions, travel, utilities, weeding and discing, and the repairing, maintaining or servicing of Goods, but does not include Professional Services, real property transactions, Construction, Design-build, nor employment and collective bargaining contracts.

ff. “Single Source” means there are two or more vendors that can provide the Goods or Services required by the Agency, but the department selects one vendor over the others. Department must state the circumstances leading to the selection of the vendor, any alternatives considered, rationale for selecting the vendor and how it was determined that the price was fair and reasonable by filling out the Single Source/ Sole Source Justification form.

gg. “Sole Source” means the ONLY known source for unique goods and services with no other option.

3. Policy. It is hereby determined and declared to be the policy requirement of the Agency that procurement of Goods, Services and Construction by the Agency shall, whenever practicable and advantageous to the Agency, be based on Competitive Procurement, whether by Informal or Formal Procurement if required, except as otherwise provided in this policy. This policy and regulations apply to (a) Agency purchases of Material, and (b) the approval and award of contracts for construction, reconstruction, installation or repair of Agency facilities, buildings, structures, and other public works. **These regulations do not apply** to the following purchases, expenditures, contracts or work: (a) leases; (b) consultant or service contracts (including equipment service, maintenance or repair contracts); (c) utility service, accounts and contracts; (d) maintenance work (including painting, landscape maintenance, vehicle servicing and maintenance, and other routine work for the preservation or protection of equipment or facilities); (e) procurement of insurance and bonds; (f) purchase of fuel, oil or other vehicle maintenance supplies; (g) purchase of computer software; or, (h) construction, reconstruction, installation, repair or other work performed by Agency employees.

4. Purchasing Code of Ethics. As public employees, Agency staff shall use their best unbiased judgment every time money is expended, or action taken on the Agency’s behalf. This shall include the Agency staff doing the following:

- a. Avoid unfair practices by granting all competitive Contractors equal consideration;
- b. Conduct business in good faith, demanding honesty, and ethical practices from all participants in the Procurement process;
- c. Decline personal gifts or gratuities from past, present, or potential Contractors with the intention of avoiding undue influence or appearance to influence Procurement decisions;
- d. Promote positive Contractor relationships by affording Contractor representatives courteous, fair, and ethical treatment;
- e. Make every reasonable effort to negotiate equitable and mutually agreeable settlements of controversies with a Contractor(s).
- f. Avoid involvement in any transactions/activities that could be considered or even appear to

- be a conflict between personal interest and the interests of the Agency; and,
- g. Know and obey the letter and spirit of laws governing Procurement and remain alert to the legal ramifications of Procurement decisions.

5. Contracting Agent. The Contracting Agent is the General Manager and shall have responsibility and authority in connection with Procuring Goods, Services, and Construction in accordance with this Policy. The Contracting Agent may delegate to Agency Department Managers and other employees the authority to make Procurement, enter Agency into Contracts and perform other duties in accordance with these regulations. The Contracting Agent may adopt rules and procedures to implement and supplement these regulations so long as they are consistent with this Policy.

6. Authorization. The following are limits herein authorized within the Policy:

- a. Procurement Less Than \$5,000 (five thousand dollars). For a purchase of Materials, Goods, and Services of estimated value less than \$5,000 (five-thousand dollars), the Contracting Agent may make the purchase on the open market or through the Internet. This may include Sole Source, Single Source, comparative pricing or Informal Competitive Bidding, whichever method the Contracting Agent deems most appropriate in the circumstances. If there are unappropriated funds available in the current approved Agency budget for the purchase, then the Contracting Agent may approve the purchase through a written invoice, Purchase Order, P-Card, or Contract. If there are not unappropriated funds within the approved budget, then the purchase must be authorized in advance by the Contracting Agent.
- b. Procurement between \$5,000 and \$25,000 (five thousand dollars and twenty-five thousand dollars). For purchases of Materials, Goods, and Services of estimated value between \$5,000 and \$25,000 (five thousand dollars and twenty-five thousand dollars), that are not required to follow a Formal Bid process as indicated within this Policy, the Contracting Agent and any employees designated by the Contracting Agent may make the purchase through the Informal Procurement process. If there are unappropriated funds available in the current approved Agency budget for the purchase, then the Contracting Agent may approve the purchase through a written invoice, purchase order or contract. If there are not unappropriated funds within the approved budget, then the purchase must be authorized in advance by the Contracting Agent.
- c. Procurement greater than \$25,000 (twenty-five thousand dollars). For purchases of Materials, Goods, and Services estimated value greater than \$25,000 (twenty-five thousand dollars), the Contracting Agent and any employees designated by the Contracting Agent must make the purchase through the Formal Procurement process. If the Contracting Agent chooses to use a Formal Bid process, the following procedures must be adhered to:
- 1. Bid Notice.** The Contracting Agent will prepare a Notice Inviting Bids for the Procurement, including a description of the Material to be Procured (including, if appropriate, reference to the bid specifications), the method to obtain more detailed information

about the Procurement, the deadline for receipt of sealed bids, and the time and place of the bid opening. The Notice Inviting Bids will be posted in three public places, posted on the Agency website, and distributed and noticed to responsible prospective suppliers and vendors in such other manner as the Contracting Agent deems appropriate. The Contracting Agent, in his or her discretion, may require bidders to post a bidder's security in a form and amount as determined by the Contracting Agent. If a bidder's security is to be required, the bid security requirements must be set forth in the Notice Inviting Bids.

2. **Bid Opening.** The Bids will be opened in public at the time and place appointed in the Bid Notice. The Contracting Agent will tabulate all bids received and keep them open for public inspection. Any bids received after the bid receipt deadline will be returned to the bidder unopened.
3. **Bid Award \$25,000 (twenty-five thousand dollars) or less.** If the low bid is \$25,000 (twenty-five thousand dollars) or less and there are unappropriated funds available in the current approved Agency budget for the Procurement, then the Contracting Agent may (i) award the Procurement to the Lowest Responsible Responsive Bidder, (ii) reject all bids and re-advertise for bids, (iii) reject all bids and not proceed with the Procurement, or reject all bids and proceed with an open market or Internet purchase if the price to be paid on the open market or Internet is less than the low bid. The Contracting Agent may waive any irregularity, informality or minor error in any bid that does not affect the bid price.
4. Upon award to the Lowest Responsible Responsive Bidder, the Contracting Agent will approve the Procurement through a written invoice, Purchase Order or Contract. If the estimated value of the Procurement is \$25,000 (twenty-five thousand dollars) or less and no responsive bids are received by the bid deadline, the Contracting Agent may make and approve the purchase on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Contracting Agent deems most appropriate in the circumstances.
5. **Bid Award; Over \$25,000 (twenty-five thousand dollars).** If the low bid is over \$25,000 (twenty-five thousand dollars), at the next Board of Directors meeting following the bid opening, the Contracting Agent will present the bids to the Board and make a recommendation on an award to the Lowest Responsible Responsive Bidder. In its discretion, the Board may (i) award the Procurement to the Lowest Responsible Responsive Bidder, (ii) reject all bids and re-advertise for bids, (iii) reject all bids and not proceed with the

Procurement, or (iv) reject all bids and direct that an open market or Internet purchase be made by the Contracting Agent if the price to be paid on the open market or Internet is less than the low bid. The Board may waive any irregularity, informality or minor error in any bid that does not affect the bid price. Upon award to the Lowest Responsible Responsive Bidder, the purchase will be confirmed by an approved written invoice, Purchase Order or Contract. If no responsive bids are received by the bid deadline, the Board may authorize the Procurement to be made on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Board or Contracting Agent deems most appropriate in the circumstances.

- d. **Exceptions.** Bidding will not be required for Procurements in the following situations: (i) the General Manager determines that the Material can be obtained reasonably and efficiently only from one vendor or supplier; (ii) the General Manager determines that it is strongly preferred for efficient operations that the Material be of a particular model, brand or make in order to match and be compatible with the model, brand or make of existing in-use Material; (iii) the Material is to be purchased through or from the State of California or other federal, state or local government group sale program; (iv) Emergency Purchases); or the Board of Directors finds and determines by resolution that the nature of the purchase is such that competitive proposals would be unavailing or would not produce an advantage and the solicitation of Competitive Bids therefore would be undesirable, impractical, or impossible. For any Procurement subject to an exception the General Manager may approve the purchase if it is under \$25,000 (twenty-five thousand dollars) and there are unappropriated funds available in the current approved Agency budget or if it is an Emergency Procurement Otherwise, the purchase must be approved by the Board of Directors.

7. Sole Source. A sole source exists when goods or services, because of unique characteristics or other reasons, are only available from a single source. Sole source justifications are reviewed and approved by the General Manager prior to an order being placed. When an alternate supplier for a product or service cannot be identified, to the best of the requester's knowledge, based upon thorough research, a sole source justification must be provided. The sole source justification should document the good faith effort made in searching for other suppliers, include a list of the unique technical specifications required of the product, and the companies that were contacted in the search for alternate sources.

8. Cooperative Contracting. The Agency will utilize Cooperative Contracting when available, either through Cooperative Memberships with Sourcewell, Omnia Partners, or other Cooperative Purchasing Programs. The Agency may “Piggyback” on pricing arranged by other local government entities completing same or similar Procurements. To qualify for “Piggyback” the prior Procurement must have been (i) completed within the last year (ii) completed through a competitive purchase agreement (iii) the vendor must agree to honor the same pricing terms.

9. Emergency Procurements. In case of an Emergency, the Contracting Agent is authorized to

make necessary purchases of Material in the open market or through the Internet after first notifying at least two members of the Board. Procurements made under this subsection do not require prior Board approval provided at a scheduled Board Meeting and may be made without complying with the bidding requirements. The Contracting Agent thereafter must report promptly to the Board concerning the type and amount of the Procurement and the Emergency circumstances warranting the purchase.

10. Public Works Contracting

a. Contracts Less Than \$5,000 (five thousand dollars). For a public works contract of estimated value less than \$5,000 (five thousand dollars), the Contracting Agent may negotiate the contract on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Contracting Agent deems most appropriate in the circumstances. If there are unappropriated funds available in the current approved Agency budget for the contract, then the Contracting Agent may approve and sign the contract. If there are not unappropriated funds within the approved budget, then the contract must be approved by the Board of Directors.

b. Contracts \$5,000 (five thousand dollars) and over. A public works contract of estimated value greater than \$5,000 (five thousand dollars) must be made pursuant to the following bidding procedures:

(1) **Bid Notice.** The Contracting Agent will prepare a notice inviting bids for the contract, including a description of the work to be performed (including, if appropriate, reference to the bid and contract specifications), the method to obtain more detailed information about the work, the deadline for receipt of sealed bids, and time and place of the bid opening. The notice inviting bids will be posted in three public places in the Agency, posted on the Agency website, and distributed and noticed to responsible contractors in such other manner (e.g., posting to appropriate construction trade journals) as the Contracting Agent deems appropriate. The Contracting Agent, in his or her discretion, may require bidders to post a bidder's security in a form and amount as determined by the Contracting Agent. If a bidder's security is to be required, the bid security requirements must be set forth in the notice inviting bids.

(2) **Bid Opening.** At the time and place for the bid opening, the bids will be opened in public. The Contracting Agent will tabulate all bids received and keep them open for public inspection. Any bids received after the bid receipt deadline will be returned to the bidder unopened.

(3) **Bid Award; \$25,000 (twenty-five thousand dollars) or Less.** If the low bid is \$25,000 (twenty-five thousand dollars) or less and there are unappropriated funds available in the current approved Agency budget for the purchase, then the Contracting Agent may (i) award the public works contract to the Lowest Responsible Responsive Bidder and approve and sign the contract, (ii) reject all bids and re-advertise for bids, or (iii) reject all bids and not proceed with the contract. The Contracting Agent may waive any irregularity, informality or minor error in any bid that does not affect the bid price. If the estimated value of the work is \$25,000 (twenty-five thousand dollars) or less and no responsive bids are received by the bid deadline, the Contracting Agent may authorize the work by negotiating and approving a contract or contracts with a qualified contractor or contractors.

(4) **Bid Award; Over \$25,000 (twenty-five thousand dollars).** If the low bid is over \$25,000 (twenty-five thousand dollars) or if it is less than \$25,000 (twenty-five thousand dollars) but there are not unappropriated funds available in the current approved Agency budget for the purchase, then, at the next Board of Directors meeting following the bid opening, the Contracting Agent will present the bids to the Board and make a recommendation on an award to the Lowest Responsible Responsive Bidder. In its discretion, the Board may (i) award the public works contract to the Lowest Responsible Responsive Bidder and authorize contract approval, (ii) reject all bids and re-advertise for bids, or (iii) reject all bids and not proceed with the contract. The Board may waive any irregularity, informality or minor error in any bid that does not affect the bid price. If no responsive bids are received by the bid deadline, the Board may authorize the work to be performed by negotiated contract or contracts with a qualified contractor or contractors.

(5) **Exceptions.** Bidding will not be required for public works contracts in the following situations: (i) there will be no cost to the Agency; (ii) the work will be contracted through an arrangement with a federal, state or local government agency; (iii) Emergency contracting (see section (9)); or (iv) the Board of Directors finds and determines by resolution that the nature of the contract is such that competitive proposals would be unavailing or would not produce an advantage and the solicitation of competitive bids therefore would be undesirable, impractical, or impossible. Except for Emergency contracting, any public works contract subject to an exception must be approved by the Board of Directors.

(6) **Emergency Contracting.** Pursuant to Public Contract Code section 22050, the Board of Directors delegates to the General Manager the authority to repair and replace any Agency facility, building or structure and to take any other directly related immediate action in response to an Emergency, including procuring necessary contractors, equipment, services, and supplies, without giving public notice for bids to let contracts. In the event of an Emergency, the General Manager may take such action and approve such contracts as appropriate to respond to the Emergency in accordance and in compliance with the requirements of section 22050.

11. On-site Services. Purchase Orders will not be issued for On-site Services unless the following insurance requirements are met:

Types & Limits. Contractor at its sole cost and expense shall procure and maintain for the duration of this Agreement the following types and limits of insurance:

<i>Type</i>	<i>Limits</i>	<i>Scope</i>
Commercial general liability	\$2,000,000 per occurrence & \$5,000,000 aggregate	at least as broad as ISO CG 0001
Automobile liability	\$2,000,000 per accident	at least as broad as ISO CA 0001, code 1 (any auto)
Workers' compensation	Statutory limits	
Employers' liability	\$1,000,000 per accident	
Professional liability*	\$1,000,000 per claim	

*Required only if Contractor is a licensed engineer, land surveyor, geologist, architect, doctor, or attorney.

APPENDIX A – PURCHASING CARD POLICY

Purchasing Card Policy

The Purchasing Card (P-Card) is a flexible purchasing tool which offers an alternative to the existing purchasing processes and provides an extremely efficient and effective method for with individual purchase limits and a monthly total expenditure as assigned to each cardholder (automatically renewed each month). The card is to be used for official purchases of goods. Purchases made on the P-Card are subject to the same rules for formal bid limits, sole source and emergency purchases.

Cardholders- An employee of T-TSA who Is approved by his/her Department Head to use the P-Card to execute purchase transactions on behalf of T-TSA. All Cardholders MUST complete training before being issued a P-Card. Cardholder Responsibilities Include but are not limited to:

- Ensure the Purchasing Card is used for legitimate business purposes only.
- Always maintain the Purchasing Card in a secure location.
- Not allow other individuals to use their Purchasing Card.
- Use the card ONLY for individual purchases, not recurring/automatic charges that allow the vendor to use your card number repeatedly without your permission for each charge, such as monthly rentals, etc.
- Adhere to the purchase limits and restrictions of the Purchasing Card and ensure the total transaction amount of any single transaction does not exceed the authorized threshold.
- Not renew publication subscriptions more than once per fiscal year.
- Obtain and reconcile all sales slips, register receipts, and/or Purchasing Card slips to the Bank statement and provide it to Finance Department for reconciliation, approval, and allocation of transactions.
- Notify Finance Department if the default accounting code should be changed on an individual trans- action.
- Attempt to resolve disputes or billing errors directly with the vendor and notify the Bank if the dispute or billing error is not satisfactorily resolved by contacting the Bank.
- Ensure that an appropriate credit for the reported disputed item or billing error appears on a subsequent Cardholder statement.
- Not accept cash in lieu of a credit to the Purchasing Card account.
- Identifying and notifying Finance Department of transactions that require the submission of use tax to the Department of Revenue.
- Immediately report a lost or stolen card to the Bank and Finance Department
- Return the Purchasing Card to Finance Department upon terminating employment with T-TSA
- Report erroneous and emergency transaction needs to the Finance Department during normal business hours.

Purchasing Card Administrators- Employees within the Finance Department responsible for the implementation and day-to-day maintenance of the program; the main contact for questions or concerns about the program. Handles the internal accounting and payment functions for the program to ensure compliance with program and Agency policies.

Purchase Limits- All dollar-value purchase limits will be adhered to under the program and any splitting of transactions to avoid authorized limits is strictly prohibited. The Purchase Limit per cardholder per purchase is \$5,000 (five thousand dollars) and the limit per cardholder per month is \$25,000 (twenty-five thousand dollars).

Restricted Items- The following items and services are restricted for all Cardholders:

- Alcoholic Beverages

- Cash Advances
- Computers Construction Services
- Donations
- Firearms, Weapons & Ammunitions
- Hazardous Materials
- Items from On-line Auction sites
- On site Services
- Animals
- Cell Phones
- Controlled Substances
- Data Network Equipment
- Entertainment Expenses
- Gifts Benefitting Individual Employees
- Items for Personal Use
- Moving Services
- Professional Services
- Real Property

Training- To be administered by the Finance Department on how to use the web portal and will receive a detailed manual on rules and guidelines for using the P-Card.

Violations- Any violations of the P-Card policy shall result in a warning to the Cardholder; a second offense shall result in a temporary suspension of P-Card privileges until a mandatory re-training of the Cardholder on proper P-Card usage has been completed; subsequent offenses may result in revocation of the P-Card or other disciplinary action, up to and including termination.



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: V-4
Subject: Waive First Reading and Introduce Ordinance No. 3-2023 Repealing Ordinance No. 3-2015.

Background

On September 9, 2015, the Agency adopted Ordinance 3-2015 establishing purchasing and public works contracting regulations. As part of a routine review with staff it was identified that the provisions outlined in the ordinance were impeding the efficient procurement of needed goods and materials. Staff has drafted a new Resolution Establishing Rules and Regulations for the Procurement of Goods, Services and Contracts as well as Public Works Contracting. To approve and enact the new resolution the Board of Directors must take action to repeal Ordinance No. 3-2015. Upon final action to repeal Ordinance No. 3-2015 at the September 20th Tahoe-Truckee Board of Directors meeting staff will request approval for the updated resolution establishing rules and regulation for the procurement of goods, services, and contracts as well as public works contracting.

Fiscal Impact

None


Attachments

1. Ordinance No. 3-2023
2. Ordinance No. 3-2015

Recommendation

Staff recommends the approval of Ordinance No. 3-2023.

Review Tracking

Submitted By: 
Richard Pallante
General Manager

ORDINANCE NO. 3-2023
AN ORDINANCE OF THE BOARD OF DIRECTORS OF
TAHOE-TRUCKEE SANITATION AGENCY
REPEALING ORDINANCE NO. 3-2015

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

Section 1. Purpose, Findings and Authority. This ordinance repeals Ordinance No. 3-2015 pertaining to Establishing Purchasing and Public Works Contracting Regulations. The Board finds that there are significant updates to the Agency’s Purchasing and Public Works Contracting Policy to be made that will be replaced by a separate Agency Resolution that will become effective upon the repeal of Ordinance No. 3-2015. Addressing Purchasing and Public Works Contracting Regulations in an ordinance instead of a resolution also cause difficulty in the administration of the Agency’s financial affairs and makes changes unduly complicated and expensive to effect. The Board may adopt one or more policies as it deems appropriate to address certain items addressed in former Ordinance No. 3-2015, because adoption of such matters in policy will make them simpler to oversee and amend as the Agency’s circumstances require. This ordinance is adopted pursuant to Agency Act sections 67 and 80, Public Contract Code sections 21614 and 21616, Government Code section 54202, and other applicable law.

Section 2. Repeal of Ordinance No. 3-2015. Ordinance No. 3-2015, entitled “Establishing Purchasing and Public Works Contracting Regulations,” is hereby repealed, and shall have no further force or effect after the effective date of this ordinance.

Section 3. Effective Date. This ordinance shall take effect 30 days after its adoption.

Section 4. Posting. This ordinance shall be posted within the Agency in at least three conspicuous places within 10 days after its adoption.

INTRODUCED by the Board of Directors at its regular meeting held on August 16, 2023.

PASSED AND ADOPTED by the Board of Directors of the Tahoe-Truckee Sanitation Agency at a regular meeting on August 16, 2023 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

By:

Dan Wilkins, President - Board of Directors
Tahoe-Truckee Sanitation Agency

Attest:

Richard Pallante, Secretary - Board of Directors
Tahoe-Truckee Sanitation Agency

ORDINANCE NO. 3-2015

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE TAHOE-TRUCKEE SANITATION AGENCY
ESTABLISHING PURCHASING AND
PUBLIC WORKS CONTRACTING REGULATIONS**

BE IT ORDAINED by the Board of Directors of Tahoe-Truckee Sanitation Agency that the following purchasing and public works contracting regulations are hereby established:

1. Purpose and Authority. The purpose of this ordinance is to establish revised regulations, procedures and policies governing Agency purchases of material, supplies and equipment and public works contracting. This ordinance is adopted pursuant to Agency Act sections 67 and 80, Public Contract Code sections 21614 and 21616, Government Code section 54202, and other applicable law.

2. Definitions

a. "Contracting Agent" means the Agency General Manager or his or her designee.

b. "Emergency" means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

c. "Lowest Responsible Responsive Bidder" for purposes of the purchase of Material (section 5) means the bidder that timely submits a complete and fully responsive bid and that best responds in price, quality, service, fitness and capacity to meet the particular bid requirements; price alone will not be the determinative factor, but will be considered along with other relevant responsibility factors including, but not limited to, the ability of the bidder to deliver, quality, availability of parts or service, and prior Agency or other experience with the bidder. Lowest Responsible Responsive Bidder also includes any vendor on the open market or Internet that offers a price for the particular Material that is less than the low bid received after soliciting bids.

d. "Lowest Responsible Responsive Bidder" for purposes of public works bidding and contracting (section 6) shall have the meaning as found in applicable California case law (see, e.g., *Great West Contractors, Inc. v. Irvine Unified School District* (2010) 187 Cal.App.4th 1425).

e. "Material" means material, supplies, equipment, and merchandise, including, but not necessarily limited to, vehicles, computers, other machines, office supplies, chemicals, tools, and furniture.

3. Applicability. These regulations apply to (a) Agency purchases of Material, and (b) the approval and award of contracts for construction, reconstruction, installation or repair of Agency facilities, buildings, structures and other public works. These regulations do not apply to the following purchases, expenditures, contracts or work: (a) leases; (b) consultant or service contracts (including equipment service, maintenance or repair contracts); (c) utility service

accounts and contracts; (d) maintenance work (including painting, landscape maintenance, vehicle servicing and maintenance, and other routine work for the preservation or protection of equipment or facilities); (e) procurement of insurance and bonds; (f) purchase of fuel, oil or other vehicle maintenance supplies; (g) purchase of computer software; or, (h) construction, reconstruction, installation, repair or other work performed by Agency employees.

4. Contracting Agent. The Contracting Agent shall have responsibility and authority in connection with purchasing Material and public works contracting in accordance with these regulations. The Contracting Agent may delegate to other Agency officers or employees the authority to make purchases, approve contracts and perform other duties in accordance with these regulations. The Contracting Agent may adopt rules and procedures to implement and supplement these regulations so long as they are consistent with this ordinance.

5. Purchases

a. Purchases Less Than \$5,000. For a purchase of Material of estimated value less than \$5,000, the Contracting Agent may make the purchase on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Contracting Agent deems most appropriate in the circumstances. If there are unappropriated funds available in the current approved Agency budget for the purchase, then the Contracting Agent may approve the purchase through a written invoice, purchase order or contract. If there are not unappropriated funds within the approved budget, then the purchase must be authorized in advance by the Board of Directors.

b. Purchases \$5,000 And Over. A purchase of Material of estimated value greater than \$5,000 must be made pursuant to the following bidding procedures (except as provided in subsections (b)(5) and (b)(6)):

(1) Bid Notice. The Contracting Agent will prepare a notice inviting bids for the purchase, including a description of the Material to be purchased (including, if appropriate, reference to the bid specifications), the method to obtain more detailed information about the purchase, the deadline for receipt of sealed bids, and the time and place of the bid opening. The notice inviting bids will be posted in three public places in the Agency, posted on the Agency website, and distributed and noticed to responsible prospective suppliers and vendors in such other manner as the Contracting Agent deems appropriate. The Contracting Agent, in his or her discretion, may require bidders to post a bidder's security in a form and amount as determined by the Contracting Agent. If a bidder's security is to be required, the bid security requirements must be set forth in the notice inviting bids.

(2) Bid Opening. At the time and place for the bid opening, the bids will be opened in public. The Contracting Agent will tabulate all bids received and keep them open for public inspection. Any bids received after the bid receipt deadline will be returned to the bidder unopened.

(3) Bid Award; \$15,000 or Less. If the low bid is \$15,000 or less and there are unappropriated funds available in the current approved Agency budget for the purchase, then the Contracting Agent may (i) award the purchase to the Lowest Responsible Responsive Bidder, (ii) reject all bids and re-advertise for bids, (iii) reject all bids and not proceed with the purchase, or (iv) reject all bids and proceed with an open market or Internet purchase if the price to be paid on the open market or Internet is less than the low bid. The Contracting Agent may waive any irregularity, informality or minor error in any bid that does not affect the bid price. Upon award to the Lowest Responsible Responsive Bidder, the Contracting Agent will approve the purchase through a written invoice, purchase order or contract. If the estimated value of the purchase is \$15,000 or less and no responsive bids are received by the bid deadline, the Contracting Agent may make and approve the purchase on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Contracting Agent deems most appropriate in the circumstances.

(4) Bid Award; Over \$15,000. If the low bid is over \$15,000 or if it is less than \$15,000 but there are not unappropriated funds available in the current approved Agency budget for the purchase, then, at the next Board of Directors meeting following the bid opening, the Contracting Agent will present the bids to the Board and make a recommendation on an award to the Lowest Responsible Responsive Bidder. In its discretion, the Board may (i) award the purchase to the Lowest Responsible Responsive Bidder, (ii) reject all bids and re-advertise for bids, (iii) reject all bids and not proceed with the purchase, or (iv) reject all bids and direct that an open market or Internet purchase be made by the Contracting Agent if the price to be paid on the open market or Internet is less than the low bid. The Board may waive any irregularity, informality or minor error in any bid that does not affect the bid price. Upon award to the Lowest Responsible Responsive Bidder, the purchase will be confirmed by an approved written invoice, purchase order or contract. If no responsive bids are received by the bid deadline, the Board may authorize the purchase to be made on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Board or Contracting Agent deems most appropriate in the circumstances.

(5) Exceptions. Bidding will not be required for purchases in the following situations: (i) the General Manager determines that the Material can be obtained reasonably and efficiently only from one vendor or supplier; (ii) the General Manager determines that it is strongly preferred for efficient operations that the Material be of a particular model, brand or make in order to match and be compatible with the model, brand or make of existing in-use Material; (iii) the Material is to be purchased through or from the State of California or other federal, state or local government group sale program; (iv) Emergency purchases (see subsection (b)(6)); or (v) the Board of Directors finds and determines by resolution that the nature of the purchase is such that competitive proposals would be unavailing or would not produce an advantage and the solicitation of competitive bids therefore would be undesirable, impractical, or impossible. For any purchase subject to an exception (excluding item (v) above), the General Manager may approve the purchase if it is under \$15,000 and there are unappropriated funds available in the current approved Agency budget or if it is authorized in an Emergency under subsection (b)(6). Otherwise, the purchase must be approved by the Board of Directors.

(6) Emergency Purchases. In case of an Emergency, the Contracting Agent is authorized to make necessary purchases of Material in the open market or through the Internet after first obtaining the verbal consent of at least two members of the Board. Purchases made under this subsection do not require prior Board approval and may be made without complying with the bidding requirements. The Contracting Agent thereafter must report promptly to the Board concerning the type and amount of the purchase and the Emergency circumstances warranting the purchase.

6. Public Works Contracting

a. Contracts Less Than \$5,000. For a public works contract of estimated value less than \$5,000, the Contracting Agent may negotiate the contract on the open market or through the Internet by seeking the most favorable terms and price either through negotiation, comparative pricing or informal competitive bidding, whichever method the Contracting Agent deems most appropriate in the circumstances. If there are unappropriated funds available in the current approved Agency budget for the contract, then the Contracting Agent may approve and sign the contract. If there are not unappropriated funds within the approved budget, then the contract must be approved by the Board of Directors.

b. Contracts \$5,000 And Over. A public works contract of estimated value greater than \$5,000 must be made pursuant to the following bidding procedures (except as provided in subsections (b)(5) and (b)(6)):

(1) Bid Notice. The Contracting Agent will prepare a notice inviting bids for the contract, including a description of the work to be performed (including, if appropriate, reference to the bid and contract specifications), the method to obtain more detailed information about the work, the deadline for receipt of sealed bids, and time and place of the bid opening. The notice inviting bids will be posted in three public places in the Agency, posted on the Agency website, and distributed and noticed to responsible contractors in such other manner (e.g., posting to appropriate construction trade journals) as the Contracting Agent deems appropriate. The Contracting Agent, in his or her discretion, may require bidders to post a bidder's security in a form and amount as determined by the Contracting Agent. If a bidder's security is to be required, the bid security requirements must be set forth in the notice inviting bids.

(2) Bid Opening. At the time and place for the bid opening, the bids will be opened in public. The Contracting Agent will tabulate all bids received and keep them open for public inspection. Any bids received after the bid receipt deadline will be returned to the bidder unopened.

(3) Bid Award; \$15,000 or Less. If the low bid is \$15,000 or less and there are unappropriated funds available in the current approved Agency budget for the purchase, then the Contracting Agent may (i) award the public works contract to the Lowest Responsible Responsive Bidder and approve and sign the contract, (ii) reject all bids and re-advertise for bids, or (iii) reject all bids and not proceed with the contract. The Contracting Agent may waive any irregularity, informality or minor error in any bid that does not affect the bid price. If the estimated value of the work is \$15,000 or less and no responsive bids are received by the bid

deadline, the Contracting Agent may authorize the work by negotiating and approving a contract or contracts with a qualified contractor or contractors.

(4) Bid Award; Over \$15,000. If the low bid is over \$15,000 or if it is less than \$15,000 but there are not unappropriated funds available in the current approved Agency budget for the purchase, then, at the next Board of Directors meeting following the bid opening, the Contracting Agent will present the bids to the Board and make a recommendation on an award to the Lowest Responsible Responsive Bidder. In its discretion, the Board may (i) award the public works contract to the Lowest Responsible Responsive Bidder and authorize contract approval, (ii) reject all bids and re-advertise for bids, or (iii) reject all bids and not proceed with the contract. The Board may waive any irregularity, informality or minor error in any bid that does not affect the bid price. If no responsive bids are received by the bid deadline, the Board may authorize the work to be performed by negotiated contract or contracts with a qualified contractor or contractors.

(5) Exceptions. Bidding will not be required for public works contracts in the following situations: (i) there will be no cost to the Agency; (ii) the work will be contracted through an arrangement with a federal, state or local government agency; (iii) Emergency contracting (see subsection (b)(6)); or (iv) the Board of Directors finds and determines by resolution that the nature of the contract is such that competitive proposals would be unavailing or would not produce an advantage and the solicitation of competitive bids therefore would be undesirable, impractical, or impossible. Except for Emergency contracting, any public works contract subject to an exception must be approved by the Board of Directors.

(6) Emergency Contracting. Pursuant to Public Contract Code section 22050, the Board of Directors delegates to the General Manager the authority to repair and replace any Agency facility, building or structure and to take any other directly related immediate action in response to an Emergency, including procuring necessary contractors, equipment, services and supplies, without giving public notice for bids to let contracts. In the event of an Emergency, the General Manager may take such action and approve such contracts as appropriate to respond to the Emergency in accordance and in compliance with the requirements of section 22050.

7. Superseder. This ordinance supersedes the Agency Purchasing Policy dated December 2004 and all other prior inconsistent Agency ordinances, resolutions, policies and procedures.

8. Effective Date. This ordinance shall be effective 30 days from the date of its adoption.

9. Posting. This ordinance shall be posted within the Agency in at least three conspicuous places within ten days after its adoption.

Passed and adopted at a meeting of the Board of Directors of Tahoe-Truckee Sanitation Agency on this 9th day of September 2015, at Truckee, California, by the following vote:

AYES: Directors Butterfield, Cox, Henrikson, Lewis, and Northrop
NOES: None
ABSENT: None
ABSTAIN: None



O.R. Butterfield, President
Board of Directors

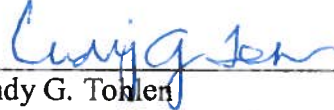
ATTEST:



LaRue Griffin
Secretary of the Board of Directors
TAHOE-TRUCKEE SANITATION AGENCY

CERTIFICATE

I hereby certify that the foregoing is a full, true and correct copy of Ordinance 3-2015, duly and regularly adopted by the Board of Directors of Tahoe-Truckee Sanitation Agency, County of Nevada, State of California, on September 9, 2015.



Cindy G. Tollen
Assistant Secretary of the Board
TAHOE-TRUCKEE SANITATION AGENCY



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: V-5
Subject: Waive First Reading and Introduce Ordinance No. 4-2023 Prohibiting After Hours Use of Agency Property.

Background

The Agency owns approximately 900 acres of property in the Martis Valley, most of which is unfenced and undeveloped. In prior discussions, the Board has expressed interest in striking an appropriate balance between allowing daytime use of Agency open space and protecting Agency facilities and buffer lands against incompatible uses and risks.

Agency staff have been working with Agency counsel to develop appropriate signage for fenced and unfenced Agency property. Staff are proposing the following:

- Fenced portions of Agency property that are not generally open to the public will be marked with No Trespassing signs to protect Agency facilities.
- Unfenced portions of Agency property will be marked with No Trespassing signs prohibiting: (1) after-hours access (between 8:30 pm to 5:30 am in summer, 5:30 pm to 7:00 am in winter); (2) fires; (3) offroad vehicle use; (4) parking on Joerger Drive and Butterfield Drive except in designated areas; and (5) camping.

Most of these proposed limitations can be implemented under existing state law. However, Agency counsel has advised that an ordinance is necessary to enforce a prohibition on after hours use of unfenced Agency property. The proposed ordinance would also prohibit open and cooking fires on Agency property, which may be cumulative with other local limitations on fires.

Local law enforcement would be authorized to enforce violations of the posted limits. Agency staff would work with law enforcement to make them aware of the ordinance and discuss appropriate enforcement mechanisms.

Following introduction at this meeting, the proposed ordinance would come back to the Board for potential approval as early as September 2023.

Fiscal Impact

Appropriate signage has been budgeted within the Maintenance budget.


Attachments

Ordinance No. 4-2023 Prohibiting After Hours Use of Agency Property.

Recommendation

Waive First Reading and Introduce Ordinance No. 4-2023 Prohibiting After Hours Use of Agency Property.

Review Tracking

Submitted By: 
Richard Pallante
General Manager

ORDINANCE NO. 4-2023

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF
TAHOE-TRUCKEE SANITATION AGENCY
PROHIBITING AFTER HOURS USE OF AGENCY PROPERTY**

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 protect the health, safety, and welfare of the public by prohibiting use of certain Agency real property after hours. The prohibition of after-hours use and camping on Agency real property is intended to mitigate the threat of criminal activity, degradation, fire, and other potential causes of destruction and interference to the critical infrastructure of the Agency.

This ordinance is adopted pursuant to Agency Act sections 67, 120 and 140, Penal Code section 602 and other applicable law.

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

- (a) The Agency owns approximately 900 acres of property in Martis Valley, most of which is undeveloped and unfenced.
- (b) The Agency has frequently experienced incidents involving use of Agency property outside of daylight hours, including unauthorized overnight camping.
- (c) After hours use of Agency property poses a threat to Agency facilities and operations due to potential damage to public property, interference with Agency operations, environmental degradation, and the high risk of fire damage to Agency facilities.
- (d) After hours use of Agency property also poses a threat to the health, safety, and welfare of the public due to unsanitary conditions and the lack of emergency services on undeveloped and unmonitored Agency property.
- (e) Prohibiting after hours use and camping on Agency property will enable the Agency to protect and preserve lives and infrastructure, ensure the provision of vital public services, and advance the Agency's efforts to limit fire risk.

Section 3. Definitions. When used in this Ordinance, the following words and phrases have the following meaning:

(a) "Agency property" means all real property under the ownership or control of the Agency, but does not include any fenced areas, indoor areas, or property that is otherwise not generally open to the public.

(b) "Camp" or "camping" means the use of, settling, fixing in place, setting up, storing, locating, or leaving behind on Agency property any or a combination of the following: tents, huts, other temporary physical shelters, cots, beds, bedrolls, hammocks, sleeping bags, tarpaulins, campfire materials, or cooking materials and similar equipment. Camp or camping specifically does not include an item or collection of items that reasonably

appear to be for a daytime use, of less than 12-hours, brought to the Agency property for hiking, picnics, or other day-time activities.

Section 4. After Hours Use Prohibited.

(a) For all purposes, including the determination of a trespass under Penal Code section 602, subdivision (o), Agency property is hereby declared to not be open to the general public during the following times:

1. April through September: 8:30 P.M. to 5:30 A.M. of the succeeding day.
2. October through March: 5:30 PM to 7:00 AM. of the succeeding day.

(b) It is unlawful and a trespass for any individual to enter into or camp on Agency property without Agency permission during the time periods set forth in section 4, subdivision (a).

(c) It is a violation of this ordinance to set up provisions for the purpose of camping whether or not a full night is actually spent on Agency property.

(d) Nothing in this section is intended to prohibit any lawful use of Agency property outside of the stated time restrictions.

Section 5. Fire Prohibited.

(a) It is unlawful and a trespass for any individual to ignite a fire or use a flame cooking device on Agency property without Agency permission.

Section 6. Enforcement.

(a) The Agency shall enforce this provision in a manner that is consistent with applicable federal, state and local laws, including but not limited to applicable case law.

(b) The Truckee Police Department, Nevada County Sheriff's Department, Agency staff, and the staff of all other agencies with jurisdiction are authorized to administer and enforce this ordinance.

(c) The Agency General Manager or designee is hereby authorized to promulgate rules, protocols and procedures for the implementation of this ordinance, including but not limited to directing staff to post signage referencing this ordinance.

Section 7. Effective Date. This ordinance shall take effect 30 days after passage.

Section 8. 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 16th day of August 2023, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

By:

Dan Wilkins, President - Board of Directors
Tahoe-Truckee Sanitation Agency

Attest:

Richard Pallante, Secretary - Board of Directors
Tahoe-Truckee Sanitation Agency

CERTIFICATE

I hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 4-2023, duly and regularly adopted by the Board of Directors of Tahoe-Truckee Sanitation Agency on August 16, 2023.

Roshelle Chavez, Board Clerk
Tahoe-Truckee Sanitation Agency



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Crystal Sublet, Finance and Administrative Manager
Item: V-6
Subject: Approval of Resolution No. 12-2023 Investment of Monies in the Local Agency Investment Fund (LAIF).

Background

Local Agency Investment Fund is established in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer.

The resolution is required to update Agency officers authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund.

Proposed Resolution 13-2022 for Authorizing Investment of monies in the Local Agency Investment Fund has been updated to include the positions as follows:

1. General Manager
2. Finance and Administrative Department Manager
3. Maintenance Department Manager
5. Operations Department Manager
6. Accounting Supervisor
7. Accounting Technician (I & II)

Fiscal Impact

None.

Attachments

Resolution No. 12-2023

Recommendation

Management and staff recommend approval of Resolution No. 12-2023 authorizing investment of monies in the Local Agency Investment Fund.

Review Tracking

Submitted By: *Crystal A Sublet*
Crystal Sublet
Finance and Administrative Manager

Approved By: *Richard Pallante*
Richard Pallante
General Manager

RESOLUTION 12-2023

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
TAHOE-TRUCKEE SANITATION AGENCY
MODIFYING AUTHORIZED REPRESENTATIVES FOR INVESTMENT
OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND**

WHEREAS, the Local Agency Investment Fund is established in the State Treasury under Government Code Section 16429.1, et. seq., for the deposit of money of a local agency for purposes of investment by the State Treasurer;

WHEREAS, the Board of Directors has authorized the Agency to deposit to and withdraw money from the Local Agency Investment Fund in accordance with Government Code Section 16429.1, et. seq., for the purpose of investment as provided therein is in the best interests of the Tahoe-Truckee Sanitation Agency; and

WHEREAS, the Agency desires to modify and update the list of Agency employees who are authorized to make deposits and withdrawals;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the following Tahoe-Truckee Sanitation Agency employees holding the title(s) specified herein below or their successors in office to order the deposit or withdrawal of monies in the Local Agency Investment Fund and to execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transactions contemplated hereby:

Richard Pallante
General Manager

Paul Shouse
Maintenance Department Manager

Crystal Sublet
Finance and Administrative
Department Manager

Michael Peak
Operations Department Manager

Michelle Mackey
Accounting Supervisor

Dawn Davis
Accounting Technician (I/II)

This resolution supersedes any prior Agency resolution authorizing Agency employees and officers to make deposit and withdrawals to and from the Local Agency Investment Fund. This resolution shall remain in full force and effect until rescinded or superseded by subsequent Board of Directors resolution.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Tahoe-Truckee Sanitation Agency this 16th day of August 2023, at Truckee, California, by the following vote:

AYES: .
NOES:
ABSTAIN:
ABSENT:

BY:

Dan Wilkins, President - Board of Directors
TAHOE-TRUCKEE SANITATION AGENCY

ATTEST:

Richard Pallante, Secretary - Board of Directors
TAHOE-TRUCKEE SANITATION AGENCY

CERTIFICATE

I hereby certify that the foregoing is a full, true and correct copy of Resolution 12-2023, duly and regularly adopted by the Board of Directors of TAHOE-TRUCKEE SANITATION AGENCY, County of Nevada, on August 16, 2023.

Roshelle Chavez, Board Clerk
TAHOE-TRUCKEE SANITATION AGENCY



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Crystal Sublet, Finance and Administrative Manager
Item: V-7
Subject: Approval of Agency Reserve Fund Policy.

Background

This Agency Fund Policy confirms and establishes the Agency financial operating and reserve funds. The purpose of this policy is to comprehensively set forth the various funds and to describe each fund's purpose, how the fund may be used, a target fund balance, and the authority and process to withdraw money from the fund.

The Agency's Fund Policy has been amended since its last approval on June 15, 2022. Staff and legal have reviewed and are making the recommended changes.

Fiscal Impact

None

Attachments

Reserve Fund Policy

Recommendation

Management recommends approval of the Agency Fund Policy update.

Review Tracking

Submitted By: *Crystal A Sublet*
Crystal Sublet
Finance and Administrative Manager

Approved By: *Richard Pallante*
Richard Pallante
General Manager



**TAHOE-TRUCKEE SANITATION AGENCY
RESERVE FUND POLICY**

Purpose

The Tahoe-Truckee Sanitation Agency (“T-TSA” or “Agency”) keeps and manages one operating fund and three reserve funds for the Agency’s current needs and plans to use these funds to accomplish prudent long-term financial planning. The purpose of this policy is to comprehensively set forth the various funds and to describe each fund’s purpose, how the fund may be used, a target fund balance, and the authority and process to withdraw money from the fund. This policy supersedes any other prior Agency resolution, policy, or regulation regarding the establishment and management of reserves.

The goal of maintaining adequate reserves is to ensure that there are appropriate levels of working capital in the Agency’s enterprise fund to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenses), to ensure stable services and fees, and to obtain and maintain a credit rating of AA or better. Properly designed policies send a positive signal to the community of ratepayers, bondholders, rating agencies, and regulatory agencies that the Board is committed to the Agency’s long-term financial health and viability. Prudent financial management and best practices dictate that the Agency maintain appropriate reserves for emergency use, capital projects, obligations accruing on a current basis that will be paid in the future, and those required by legal or external requirements.

The General Manager is responsible for the management, administration, and use of these funds in accordance with the terms of this policy, generally accepted accounting principles applicable to special districts, and applicable law. The General Manager shall keep and maintain an appropriate accounting of all receipts and disbursements from these funds and regularly report to the Board of Directors concerning the balance of and disbursement from the funds.

Definitions

Maintaining adequate reserves is important for providing reliable service to customers, financing long-term capital projects, and the funding of emergencies, should they arise. In this context, the following definitions are used for the remainder of this document.

Reserves: defined as the amount of Cash and Investments in that fund, plus the Accounts Receivable, less the Accounts Payable and less Amounts due to Others in the fund. This methodology indicates the relatively liquid portion of the fund, which constitutes a margin or buffer for meeting obligations.

Unrestricted Reserves: reserves that are established and set aside which are not subject to legal obligation or commitment (classified as unrestricted on the audited financial statements).

Restricted Reserves: reserves that are restricted by an outside source, such as by Board policy, statute, court, or contract (classified as restricted on the audited financial statements).

Days of Cash on Hand: determined by the amount of unrestricted reserves divided by one year's operating and maintenance expenses (excluding depreciation). This calculates a percentage and then multiplied by 365 to calculate the number of days of cash on hand.

Operating Funds (Unrestricted)

General Fund (Fund 10) (Establishes the Operating Reserve): The revenue source for this fund is provided through the collection of property tax revenue, sewer service charges, interest earnings, and miscellaneous revenue. This fund pays the costs and expenses relating to the operation and maintenance of the wastewater transport, treatment, disposal and related facilities including the administrative, operations, maintenance, and engineering departments. This reserve will ensure continuity of service regardless of cash flow and is considered working capital to be used to fund current expenses as needed. The Agency's goal is to have 180 days of cash on hand to ensure sufficient funding is available to meet its' debt service obligations and capital improvement plan. This reserve is unrestricted other than the items described above. Any amounts remaining in this reserve, above and beyond the target at the end of the fiscal year, may be transferred to the Replacement, Rehabilitation and Upgrade fund or to the Emergency and Contingency Reserve / Rate Stabilization Fund.

Recommendation: The target for this reserve is to have 180 days or more of cash on hand or 50% of current year budgeted operating expenses (less depreciation and capital outlay). The minimum funding level for this reserve shall be 90 days of cash on hand or 25% of current year budgeted operating expenses (less depreciation and capital outlay).

Reserve Funds (Unrestricted)

Replacement, Rehabilitation and Upgrade Fund (Fund 06): The purpose of the fund is to finance capital improvement projects to replace, rehabilitate and upgrade the existing plant, facilities, equipment, and appurtenances. This reserve is designated for funding the capital improvement program and other unforeseen capital projects. It is designed to stabilize funding for capital by accumulated "pay-as-you-go" reserves to reduce reliance on other funds such as debt financing but can also be used in conjunction with these other funding sources. The Agency shall prepare each year a five-year look forward for the Capital Improvement Program. The source of funding for this reserve shall be the General Fund (Fund 10) and the Emergency and Contingency Reserve / Rate Stabilization Fund (Fund 07). Projects to be funded from this reserve shall be any amounts that are capitalized on the financial statements and not those that are expensed and generally smaller in nature.

The General Manager may transfer monies from the Replacement, Rehabilitation and Upgrade Fund to meet the General Fund (Fund 10) minimum target balance and are to be used for any authorized purpose to the extent of the General Manager spending authority. Any withdrawal and use of the fund beyond the General Manager spending authority requires Board approval.

Recommendation: This reserve should be set in a manner consistent with the Agency's expected capital funding needs over the 5-year capital planning horizon and it is recognized these needs and funding amounts will vary. As such, the amount needed in this fund will be subject to Board review and discussion with Agency management. The appropriate level for the Replacement, Rehabilitation and Upgrade Fund will be set based on the desired level of "pay-as-you-go" funding in conjunction with other forms of capital funding such as grants and debt. The goal each year would be to establish and fund a minimum of 20% of the 5-year total or an amount in any given year at least equal to the amount expected to be funded that year, taking into account other funding sources available that year. Interest earned in this reserve shall be credited to this reserve.

Emergency and Contingency Reserve / Rate Stabilization Fund (Fund 07): The Emergency and Contingency Reserve Fund is intended to manage Agency financial obligations, mitigate risks due to revenue shortfalls and unanticipated expenses, aid in long-term financial planning, and insulate ratepayers from large, abrupt increases in service charges. This reserve helps to ensure continued service to the Agency's customers and service areas for events which are impossible to anticipate or budget. The ability of the Agency to quickly restore facilities and services is critical to the public health and safety of our residents. This fund will assist in covering emergency cash needs for any reason.

The Agency General Manager may transfer monies from the Emergency and Contingency Reserve Fund to meet the General Fund (Fund 10) and/or the Replacement, Rehabilitation and Upgrade Fund (Fund 06) minimum target balances and to use for any authorized purpose up to the extent of the General Manager spending authority. Any withdrawal and use of the fund beyond the General Manager spending authority requires Board approval.

Under the Indenture for the 2020 Wastewater Revenue Refunding Bonds, the Agency has established a Rate Stabilization Fund for the purpose of stabilizing the rates and charges imposed by the Agency with respect to the Wastewater System. From time to time the Agency may deposit amounts in the Rate Stabilization Fund, from any source of legally available funds, including but not limited to Operating Reserves which are released from the pledge and lien which secure the Bonds and any Parity Debt, as the Agency may determine. The Agency may, but is not required to, withdraw from any amounts on deposit in the Rate Stabilization Fund and deposit such amounts in the Wastewater Fund in any Fiscal Year for the purpose of paying Debt Service coming due and payable in such Fiscal Year. Amounts so transferred from the Rate Stabilization Fund to the Wastewater Fund shall constitute Revenues for such Fiscal Year (except as otherwise provided in the Indenture) and shall be applied for the purposes of the Wastewater Fund. Amounts on deposit in the Rate Stabilization Fund will not be pledged to or otherwise secure the Bonds or any Parity Debt. The Agency has the right at any time to withdraw any or all amounts on deposit in the Rate Stabilization Fund and apply such amounts for any lawful purposes of the Agency relating to the Wastewater System. Amounts in the Rate Stabilization Fund may also be used in any pro forma generated for purposes of a financing plan to help the smoothing of rates and to help generate debt service coverage in projected years of shortfall.

Recommendation: There is no strict guideline for a minimum amount to be funded in this reserve. It has been Agency practice to maintain a minimum balance of \$4 million. However, this amount may be reviewed and changed by the Board should another amount be deemed prudent. Should these funds be utilized and the reserve balance drops below the minimum, the Agency will strive to develop a plan to bring the amount up to the minimum required.

Reserve Funds (Restricted)

Wastewater Capital Reserve Fund (Fund 02): The purpose of the fund is to finance capital improvement and expansion facility projects that are necessary or appropriate to provide capacity to serve new development within the Agency's boundaries and to maintain a high level of sewer service for the benefit of such new development. The Wastewater Capital Reserve Fund is a restricted fund; therefore, monies in the fund shall not be used for any other purpose or transferred to any other fund, unless approved by the Board. The source of funding for this reserve is from connection charge revenue and interest earnings generated from this fund. Projects to be funded from this reserve shall be any amounts that are capitalized on the financial statements and not those that are expensed and generally smaller in nature.

Recommendation: This reserve should be set in a manner consistent with the Agency's expected capital funding needs over the 5-year capital planning horizon and it is recognized these needs and funding amounts will vary. As such, the amount needed in this fund will be subject to Board review and discussion with Agency management. The appropriate level for the Wastewater Capital Reserve will be set based on the desired level of "pay-as-you-go" funding in conjunction with other forms of capital funding such as grants and debt. The goal each year would

be to establish and fund a minimum of 20% of the 5-year total or an amount in any given year at least equal to the amount expected to be funded that year, taking into account other funding sources available that year. Interest earned in this reserve shall be credited to this reserve.

Reserve Fund for Bonds / Other Obligations: The Indenture for the 2020 Wastewater Revenue Refunding Bonds did not fund a reserve fund for the bonds. Some, but not all, debt issuances may require the creation of a separately held reserve equal to the lesser of three tests:

Maximum Annual Debt Service
1.25 Times Average Annual Debt Service
10.00% of Net Proceeds

These funds are sometimes held with the Fiscal Agent / Trustee as Cash with Fiscal Agent or may be held by the Agency in a separate fund. Any reserve fund, if required for a debt instrument, is generally used to pay the last year of debt service on the obligation. Certain obligations such as those issued by the SRF, USDA or federal loans through the WIFIA program may also require the funding of a debt service reserve and will be determined for each obligation on a case-by-case basis.

Recommendation: Establish, if needed, a debt service reserve fund per the requirements of the legal documentation such as an Installment Sale Agreement, Trust Indenture or Loan Agreement or as required by market conditions. In addition, the funding of a debt service reserve will be analyzed prior to the issuance of any obligation, based on the requirements of the legal documents as well as the preferences / requirements of the Agency staff, rating agencies and the market at the time of the issuance.

Reserve Procedures

A reserve review will be done each year by the Finance Department as part of the annual budget process. Any significant deviations from this reserve policy will be communicated to the General Manager and to the Board.

A detailed reserve review will be required when a major change in conditions threatens the reserve levels established by this policy.

During the annual budget process, staff will recommend approval of the five-year capital improvement budget which includes a plan to fund projects from either the Replacement, Rehabilitation and Upgrade Fund, the Wastewater Capital Reserve Fund or both depending on the nature and purpose of the projects.

Adopted by the T-TSA Board of Directors this August 16, 2023. This policy supersedes the Fund Policy adopted on June 15, 2022.

Richard Pallante
Secretary, Board of Directors
Tahoe-Truckee Sanitation Agency



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Crystal Sublet, Finance and Administrative Manager
Item: V-8
Subject: Approval of Agency Debt Management Policy.

Background

The Agency Debt Management Policy documents TTSA's goals for the approval and issuance of bonds, certificates of participation, notes and other debt instruments and sets forth guidelines for the use of debt issued by the Agency to finance capital projects.

In accordance with Government Code section 8855(i)(1), the Agency is required, at least 30 days prior to issuing any refunding bonds or other debt, to adopt local debt policies concerning the use of debt.

A local debt policy must include (1) the purposes for which the debt proceeds may be used, (2) the types of debt that may be issued, (3) the relationship of the debt to, and integration with, the issuer's capital improvement program or budget, (4) policy goals related to the issuer's planning goals and objectives, and (5) the internal control procedures that the issuer has implemented, or will implement, to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

The Agency's Debt Management Policy has been amended since its last approval on January 19, 2022. Staff and legal have reviewed and are making the recommended changes.

Fiscal Impact

None

Attachments

Debt Management Policy

Recommendation

Management recommends approval of the Agency Debt Management Policy update.

Review Tracking

Submitted By: *Crystal A Sublet*
Crystal Sublet
Finance and Administrative Manager

Approved By: *Richard Pallante*
Richard Pallante
General Manager



**TAHOE-TRUCKEE SANITATION AGENCY
DEBT MANAGEMENT POLICY**

Introduction

Tahoe-Truckee Sanitation Agency (“T-TSA” or “Agency”) owns and operates a system for the collection, treatment and disposal of wastewater within the service area of the Agency. This Debt Management Policy documents T-TSA’s goals for the approval, issuance, and administration of bonds, certificates of participation, notes and other debt instruments and sets forth guidelines for the use of debt issued by the Agency to finance capital projects. This policy is adopted pursuant to California Government Code section 8855 as amended by Senate Bill 1029 effective January 1, 2017. T-TSA’s overriding goal in issuing debt is to respond to, and provide for, the infrastructure, capital project, and other financing needs of the Agency, while ensuring that debt is issued and managed prudently to maintain a sound fiscal position and protect credit quality. This policy shall be reviewed periodically by the Agency Board and updated as needed.

Purpose of Policy

The purpose of this policy is to establish guidelines for the issuance and management of the Agency’s debt. The Policy confirms the commitment of the Board and management staff to adhere to sound financial management practices, including full and timely repayment of borrowing, and achieving the lowest possible cost of capital within prudent risk parameters. This policy confirms and memorializes:

1. The purposes for which the debt proceeds may be used;
2. The types of debt that may be issued;
3. The relationship of the debt to, and integration with, the Agency capital improvement program or budget;
4. Policy goals related to the Agency’s planning goals and objectives; and
5. The internal control procedures that the Agency has implemented, or will implement, to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

General Provisions

The Agency will adhere to the following legal requirements for the issuance of public debt:

1. The state law authorizing the issuance of the debt;
2. The federal and state laws governing the eligibility of the debt for tax-exempt status;
3. The federal and state laws governing the issuance of taxable debt; and
4. The federal and state laws governing the disclosure, sale, and trading of the debt.

T-TSA periodically will review its financial performance and its performance relative to this policy. This policy will be integrated into the decision-making framework utilized in the budgeting and capital improvement planning process. Necessary appropriations for annual debt service requirements will be included in T-TSA’s annual budget. T-TSA will issue debt only in the case where there is an identified and secure source of repayment.

Debt will be issued to the extent that:

1. Projected existing revenues are sufficient to pay for the proposed debt service together with all existing debt service covered by the same revenue, or
2. Additional projected revenues have been identified as a secure source of repayment in an amount sufficient to pay for the proposed debt.

Debt issuance for a capital project will not be considered unless the project has been incorporated into an Agency capital plan or has otherwise been approved by the Board.

Conditions for Debt Issuance

The following guidelines establish parameters for evaluating, issuing, and managing T-TSA's debt. These guidelines are not intended to serve as a list of rules to be applied to T-TSA's debt issuance process, but rather to serve as a set of practices to promote sound financial management. In issuing debt, T-TSA's objectives and priorities will be to:

1. Achieve the lowest cost of capital.
2. Maintain a prudent level of financial risk and maintain the Agency's sound financial position.
3. Preserve future financial flexibility.
4. Ensure that all debt is structured to maximize the benefit to both current and future Agency taxpayers, ratepayers, and constituents.
5. Maintain full and complete financial disclosure and reporting.
6. Obtain and maintain the highest practical credit ratings.
7. Maintain good investor relations with all investors in Agency debt.
8. Ensure compliance with applicable federal and state laws and regulations.
9. Ensure that the Agency's debt is consistent with the Agency's budget, planning goals and objectives, and capital improvement program.

Standards for Use of Debt Financing

When appropriate, T-TSA may use long-term debt financing to finance the design, acquisition, construction, rehabilitation, replacement, expansion, or repair of public facilities, buildings, equipment, and other improvements, including land and right-of-way acquisition, environmental review and mitigation, and permitting.

In any debt financing, the Agency will strive to achieve an equitable allocation of capital costs/charges between current and future users of the facilities being financed, provide more manageable charges to ratepayers, and minimize rate volatility. T-TSA may issue any type of debt legally available to the Agency.

T-TSA shall not finance construction of a facility if it is unable to adequately provide for the subsequent annual operation, maintenance, and repair costs of the facility throughout its expected life.

Capital projects financed through debt issuance generally will not be financed for a term longer than the expected useful life of the project.

The Agency will not issue debt to cover operating costs, unless specifically approved by the Board for good cause.

Financing Criteria

Each debt issuance should be evaluated on an individual basis considering the overall financing objectives and current market conditions to strive for the most cost-efficient financing.

Credit Enhancement: T-TSA will consider the use of credit enhancement (e.g., bond insurance, letter of credit) on a case-by-case basis. Only when clearly demonstrable savings can be realized utilizing the credit enhancement instrument.

Cash Funded Reserve Fund vs. Surety Policy: If the issuance of debt requires a cash-funded debt service reserve fund, then T-TSA may purchase a surety policy or otherwise replace an existing cash-funded debt service reserve fund when deemed prudent and advantageous.

Call Provisions: In general, T-TSA's debt instruments should include optional call provisions. T-TSA will avoid the sale of non-callable, long-term fixed rate bonds, absent careful evaluation of the value of the call option.

Additional Bonds Test / Rate Covenants: The amount and timing of debt will be planned to comply with the additional bonds/debt tests and rate covenants outlined in the appropriate legal and financing documents.

Short-Term Debt: T-TSA may utilize short-term borrowing to serve as a bridge for anticipated revenues, construction financing, securing low-interest loans or future bonding capacity.

Use of Variable Rate Debt: T-TSA will not issue variable interest rate debt without the specific approval of the Board.

Investment of Debt Proceeds: Bond or other debt proceeds will be invested in accordance with the legally permitted investment requirements and limitations and as set forth in the governing documents for each transaction, unless further restricted or limited by the Agency Investment Policy. T-TSA will seek to maximize investment earnings within the investment parameters set forth in the respective debt financing documentation. The reinvestment of debt proceeds will be incorporated into the evaluation of each financing decision, specifically addressing any arbitrage/rebate position.

Credit Rating: Prior to issuance of new debt, T-TSA shall consider and review the latest credit rating agency reports and guidelines to ensure the Agency's credit ratings and financial flexibility remain at levels consistent with the most highly rated comparable public agencies.

Interfund or Intrafund Loans: T-TSA may approve an interfund or intrafund loan with a fair rate of return from one fund to another as specifically authorized by a resolution of the Board of Directors. The loan must be documented and tracked in the Agency's accounting system, have a final maturity of five (5) years or less and pay interest to the lending fund at the LAIF rate over the term of the loan.

Refinancing Outstanding Debt

The General Manager, in consultation with a Municipal Advisor and bond counsel, shall have the responsibility to periodically evaluate potential debt refinancing opportunities. T-TSA will consider the following issues when analyzing potential refinancing ("Refunding") opportunities:

Debt Service Savings: Refunding may be considered when there is a net economic benefit from the refunding of at least three percent (3%) on a net present value basis. This figure will serve only as a guideline and T-TSA may determine that a different savings target is appropriate.

The Agency shall evaluate each refunding opportunity on a case-by-case basis. T-TSA shall take into consideration both the financial impact on a cash flow and net present value basis as well as the rating/credit impact. In addition to the savings guideline, the following shall be taken into consideration:

1. Remaining time to maturity;
2. Size of the issue;
3. Current interest rate environment;
4. Annual cash flow savings; and
5. The value of the call option.

Restructuring: T-TSA may seek to refinance a debt issue on a non-economic basis to restructure debt, mitigate irregular debt service payments, accommodate revenue shortfalls, release reserve funds, or comply with or eliminate rate / debt covenants.

Term / Final Maturity: T-TSA may consider the extension of the final maturity of the refunding to achieve a necessary outcome, provided that such extension is legal, and the extension is reviewed and approved by the Board. The term of any instrument shall not extend beyond the reasonably expected useful life of the asset that was financed. T-TSA may also consider shortening the final maturity of the bonds. The remaining useful life of the assets and the concept of inter-generational equity will guide these decisions.

Method of Issuance

T-TSA will determine, on a case-by-case basis and in consultation with a Municipal Advisor, whether to sell its debt competitively or through negotiation. No debt shall be issued without the approval of the Board of Directors.

Competitive Sale: In a competitive sale, T-TSA's debt generally will be awarded to the bidder providing the lowest true interest cost ("TIC"), as long as the bid adheres to the requirements set forth in the Official Notice of Sale.

Negotiated Sale: T-TSA recognizes that some debt issues are best sold through negotiation with a selected underwriter. T-TSA has identified the following circumstances below in which this would likely be the case:

1. Complex structures or credit considerations (such as non-rated bonds), which require a strong pre-marketing effort; significant par value, which may limit the number of potential bidders; unique / proprietary financing mechanism (such as a financing pool); or specialized knowledge of financing mechanism or process;
2. Market volatility, such that T-TSA would be better served by flexibility in the timing of its sale, such as in the case of a refunding issue wherein the savings target is sensitive to interest rate fluctuations, or in a changing interest rate environment;
3. When an underwriter has identified new financing opportunities or presented alternative structures that financially benefit T-TSA; and
4. As a result of an underwriter's familiarity with the project/financing enables T-TSA to take advantage of efficiency and timing considerations.

Direct Placemant (aka Private Placement): From time-to-time T-TSA may elect to issue debt on a direct placement basis to a commercial bank or other financial institution that purchases bonds for their own account. This method shall be considered if it is demonstrated to result in cost savings or provide other advantages relative to other methods of debt issuance, or if it is determined that access to the public market is unavailable and timing considerations require that a direct placement financing be utilized.

Debt Administration and Reporting Requirements

Observance of Debt Covenants and Use of Debt Proceeds: The General Manager will periodically ensure that T-TSA is in compliance with all legal covenants for each debt issue. The General Manager shall approve all expenditures of debt proceeds and periodically review expenditures to ensure debt proceeds are only expended on authorized improvements and costs.

Continuing Disclosure: The General Manager will periodically confirm that the Agency is in compliance with all applicable continuing disclosure requirements as set forth in any debt-related continuing disclosure agreement or similar covenant.

Record Keeping: A copy of all debt-related records shall be retained at T-TSA's offices or in an approved storage facility. At minimum, these records shall include all official statements, bid documents, transaction documents / transcripts, resolutions, trustee statements, and leases.

Arbitrage Rebate: The use of bond or debt proceeds and their investments must be monitored to ensure compliance with all Internal Revenue Code arbitrage rebate requirements. The General Manager shall ensure that all proceeds and investments are tracked in a manner that facilitates accurate calculation and that, if a rebate payment is due, such payment is made in a timely manner.

Adopted by the T-TSA Board of Directors this August 16, 2023. This policy supersedes the Debt Management Policy adopted on January 19th, 2022.

Richard Pallante
Secretary, Board of Directors
Tahoe-Truckee Sanitation Agency



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: V-9
Subject: Ratify Notice of Insufficiency of Claim to Cari McCormick and Delegate Action to Deny the Claim to General Manager.

Background

On July 20, 2023, the Agency received the attached claim from an attorney representing Cari McCormick. McCormick is a former Lake County employee. McCormick seeks to file a class action lawsuit against CalPERS and its contracting agencies concerning the formula used by CalPERS for disability retirement benefits. As a precursor to filing the lawsuit, she has filed Government Claims Act claims with many California agencies, including T-TSA.

McCormick was never an Agency employee and alleges no wrongdoing by the Agency.

The general counsel for the Agency's risk liability pool, California Sanitation Risk Management Authority (CSRMA), has prepared an analysis of the McCormick claim. The analysis attached to this report concludes the claim is not covered by the Agency's memorandum of coverage with the pool. The analysis also concludes that claim recipients should return the claim as insufficient and subsequently deny it.

Consistent with direction from CSRMA and Agency legal counsel, the Agency's general manager returned the claim as insufficient on August 2, 2023. On August 4, 2023, the Agency received a response from McCormick asking the Agency to take action on the claim. Both documents are enclosed with this report.

The Agency cannot take action to approve or deny the claim until 15 days have elapsed from returning the claim as insufficient, or August 17 at the earliest.

Fiscal Impact

Unknown fiscal impact if a class action lawsuit is ultimately filed and the Agency is named. No direct fiscal impact from the recommended action.

Attachments


1. Claim by Cari McCormick
2. Letter by CSRMA General Counsel dated July 27, 2023
3. Notice of Insufficiency of Claim by T-TSA dated August 2, 2023
4. Response by McCormick dated August 4, 2023

Recommendation

Ratify the General Manager's action to send the Notice of Insufficiency of Claim and delegate authority to General Manager to deny the claim no earlier than August 17, 2023.

Review Tracking

Submitted By: Andrew J. Ramos
Andrew J. Ramos
Agency Counsel

Approved By: 
Richard Pallante
General Manager

June 28, 2023

To Whom It May Concern:

My firm represents Cari McCormick. Enclosed you will find an administrative charge, with exhibits, filed by Ms McCormick with the California Civil Rights Department, naming as respondents the California Public Employees' Retirement System, Lake County, and the State of California.

As the charge explains, Ms McCormick's claims concern how certain pension benefits are calculated and paid through CalPERS. Those claims are brought *on behalf of* a putative class of California public employees ("Plaintiff Class"). Those claims are brought *against* a putative class of California public entity employers who employed one or more members of the proposed plaintiff class ("Defendant Class"). Ms McCormick will propose that the State of California, as represented by the California Attorney General's Office, serve as class representative for the proposed Defendant Class.

We have reason to believe your public entity may have employed one or more members of the proposed Plaintiff Class, because your public entity contracts to pay pension benefits through CalPERS. For that reason, we are serving Ms McCormick's FEHA charge on your public entity pursuant to Government Code section 12962(b). In addition, to the extent the government claim presentation requirements may apply, we hereby present the enclosed charge as a government claim.

For more information, please see the enclosed charge.

Regards,

AIMAN-SMITH & MARCY
PROFESSIONAL CORPORATION

/s/ Brent A. Robinson

Counsel for Plaintiff Cari McCormick
bar@asmlawyers.com

Enclosures



Civil Rights Department

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 8, 2023

Brent Robinson
Aiman-Smith & Marcy, 7677 Oakport Street, Suite 1150
Oakland, California 94621

RE: Notice to Complainant's Attorney
CRD Matter Number: 202306-20925508
Right to Sue: McCormick / California Public Employees' Retirement System et al.

Dear Brent Robinson:

Attached is a copy of your complaint of discrimination filed with the Civil Rights Department (CRD) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue.

Pursuant to Government Code section 12962, CRD will not serve these documents on the employer. You must serve the complaint separately, to all named respondents. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

Be advised that the CRD does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Civil Rights Department



Civil Rights Department

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 8, 2023

RE: Notice of Filing of Discrimination Complaint
CRD Matter Number: 202306-20925508
Right to Sue: McCormick / California Public Employees' Retirement System et al.

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Civil Rights Department (CRD) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to CRD is requested or required.

Sincerely,

Civil Rights Department



Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 8, 2023

Cari McCormick

RE: Notice of Case Closure and Right to Sue
CRD Matter Number: 202306-20925508
Right to Sue: McCormick / California Public Employees' Retirement System et al.

Dear Cari McCormick:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective June 8, 2023 because an immediate Right to Sue notice was requested.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this CRD Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Civil Rights Department

1 **COMPLAINT OF EMPLOYMENT DISCRIMINATION**
2 **BEFORE THE STATE OF CALIFORNIA**
3 **Civil Rights Department**
4 **Under the California Fair Employment and Housing Act**
5 **(Gov. Code, § 12900 et seq.)**

6 **In the Matter of the Complaint of**

7 Cari McCormick

CRD No. 202306-20925508

8 Complainant,

9 vs.

10 California Public Employees' Retirement System
11 Lincoln Plaza East 400 Q Street Room 1820
12 Sacramento, CA 95811

13 Lake County
14 255 North Forbes Street
15 Lakeport, CA 95453

16 State of California
17 c/o Attorney General Rob Bonta, Department of
18 Justice, P.O. Box 944255
19 Sacramento, CA 94244-2550

20 Respondents

21 1. Respondent **California Public Employees' Retirement System** is an employer subject to
22 suit under the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et
23 seq.).

24 2. Complainant is naming **Lake County** business as Co-Respondent(s).
25 Complainant is naming **State of California** business as Co-Respondent(s).

26 3. Complainant **Cari McCormick**, resides in the City of , State of .

27 4. Complainant alleges that on or about **June 1, 2023**, respondent took the following
28 adverse actions:

Complainant was discriminated against because of complainant's age (40 and over) and
as a result of the discrimination was denied equal pay, other.

-1-

Complaint – CRD No. 202306-20925508

Date Filed: June 8, 2023

CRD-ENF 80 RS (Revised 12/22)

1 **Additional Complaint Details: See Exhibits A, B, and C attached hereto.**

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-2-

Complaint – CRD No. 202306-20925508

27

Date Filed: June 8, 2023

28

1 VERIFICATION

2 I, **Brent A. Robinson**, am the **Attorney** in the above-entitled complaint. I have read
3 the foregoing complaint and know the contents thereof. The matters alleged are
4 based on information and belief, which I believe to be true.

5 On June 8, 2023, I declare under penalty of perjury under the laws of the State of
6 California that the foregoing is true and correct.

7 **San Francisco, CA**

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Date Filed: June 8, 2023

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EXHIBIT A

Exhibit A – Claim Narrative

Plaintiff Cari McCormick is an individual.

Defendants California Public Employees' Retirement System ("CalPERS"), State of California, and County of Lake are California governmental entities.

Plaintiff is ignorant of the true names or capacities of defendants named herein as Does 1 through 3,000, inclusive, and therefore identifies these defendants by these fictitious names. Each of the defendants named herein or designated as a Doe, is liable or in some manner legally responsible for the events alleged herein.

Plaintiff seeks to have the State of California, represented by the California Attorney General's Office, appointed to represent a defendant class, which includes all public entities that both employed one or more Plaintiffs, and are liable for employer-side retirement contributions for one or more Plaintiffs. A list of public entities believed to potentially be included within that defendant class, based on their listing as employers within the 2021-2022 Annual Comprehensive Financial Report published by CalPERS, is attached as Exhibit C.

Plaintiff refers to all defendants here collectively as "Defendants."

Plaintiff seeks to represent a plaintiff class of similarly situated persons. The class includes all persons who were employed by Defendants; who were at or over age 40 at the time they became members of the CalPERS system; who applied for and were granted ordinary disability retirement; whose retirement benefits are administered by CalPERS; and either (1) who have ever received disability retirement benefit payments pursuant to Government Code section 21423, who were over age 41 at membership in CalPERS, and who at retirement were credited with 18.518 or fewer years of actual service; or (2) who have ever received disability retirement benefit payments pursuant to Government Code section 21098, and who at retirement were credited with 24.691 or fewer years of actual service; or (3) who have ever received disability retirement benefit payments pursuant to Government Code section 21424, and who at retirement were credited with 29.629 or fewer years of actual service.

Plaintiff was employed by County of Lake; was over age 40 at membership in CalPERS; applied for and was granted ordinary disability retirement; receives benefits administered by CalPERS; and presently receives monthly disability benefit payments pursuant to one of the sections listed above. *See, generally, McCormick v. Public Employees' Retirement System* (2019) 41 Cal.App.5th 428.

Plaintiff refers to herself and the proposed plaintiff class collectively as "Plaintiffs."

At all relevant times, each of the Defendants was the agent of each of the remaining Defendants and, in doing the things alleged herein, was acting with the course and scope of such agency.

Exhibit A

Page 2

Each of the Defendants' actions or omissions as alleged herein was ratified by each of the remaining Defendants. Each of the acts or omissions of a Defendant's agents as alleged herein was ratified by that Defendant, as well as by each of the remaining Defendants. Each of the Defendants had knowledge of unlawful discrimination practiced upon its employees by the other Defendants, and failed to thereafter take all reasonable steps to prevent further discrimination against its employees. Each of the Defendants provided substantial assistance or encouragement to the other Defendants in the discrimination alleged here, and thereby caused harm to Plaintiff and the proposed class. Each of the Defendants had knowledge of the discrimination alleged here, and cooperated in that discrimination. For purposes of the discrimination alleged here, each of the Defendants was a joint employer and engaged in a joint venture, including by engaging in a combination of resources to carry out a single undertaking, with each having separate ownership interests in the joint undertaking, joint control, and an agreement to share profits and losses of that joint undertaking.

California law governs Plaintiffs' retirement benefits, and provides for ordinary disability retirement benefits for certain public employees such as Plaintiff who are rendered unable to do their job by any non-industrial long-term disability.

California law calculates such ordinary disability retirement benefits in a way that discriminates based on advanced age at membership. Government Code sections 21098, 21424, and 21423 each provides for younger employees to receive an ordinary disability retirement benefit equal to at least 33.333% of their final compensation. By contrast, older employees receive significantly reduced benefits, because those benefits are based on imputed years of service through age 60. For example, assume two state miscellaneous first-tier employees are otherwise identical, except that one was hired at age 18, the other at age 49. Each puts in 10 years of actual credited service, and each is forced to retire due to disabilities. The 18-year-old-at-hire will receive a benefit equal to 33.333% of his final compensation, because the formula gives him service credit as if he had worked without interruption through age 60. By contrast, the 49-year-old-at-hire will receive a benefit equal to just 19.8% under section 21423, with the difference in benefit amounts solely due to the older employee's advanced age.

Defendants are liable for disparate treatment. Defendants are qualifying employers, and employed Plaintiffs. Plaintiffs were over age 40 at membership. Defendants paid Plaintiffs reduced retirement benefits compared to employees younger at membership. Plaintiffs' age over 40 at membership was a substantial motivating factor in Defendants' determination and payment of the amount of Plaintiffs' disability retirement benefits. Plaintiffs have been harmed. Defendants' payment of reduced benefits to Plaintiffs is a substantial factor in causing them harm.

Defendants are also liable for pattern-or-practice of intentional discrimination. Discrimination is Defendants' standard operating procedure, rather than an unusual practice, and that standard operating procedure is a substantial factor in harming Plaintiffs.

Defendants are also liable for disparate impact. Defendants are qualifying employers, and employed Plaintiffs. Plaintiffs were over age 40 at membership. Defendants maintained a common policy or practice that has a disproportionate adverse effect on persons over age 40 at membership. Plaintiffs have been harmed. Defendants' policy or practice was a substantial factor in causing Plaintiffs' harm.

Defendants are also liable for their failure to prevent discrimination against Plaintiffs. Defendants knew or should have known of the above-alleged discrimination, and failed to take all reasonable steps necessary to prevent the same from occurring, thereby causing harm to Plaintiffs.

Defendants are also liable for breach of contract. At hiring, Defendants promised Plaintiffs future pay in exchange for present work, and Defendants' monthly retirement benefit payments are wages paid after the fact for Plaintiffs' years of labor. *See, e.g., Kern v. Long Beach* (1947) 29 Cal.2d 848, 850-852. The retirement benefit provisions at issue are contractual terms of class members' employment agreements: by those retirement provisions, Defendants promised class members future pay in exchange for present work, and once class members began performance, class members obtained a vested contractual right to the benefits Defendants had promised. *See, e.g., McGlynn v. State of California* (2018) 21 Cal.App.5th 548, 559.

Defendants maintained express written contractual terms of employment that provided for class members to be paid reduced retirement benefits based on their advanced ages at hiring. *See, Gov. Code §§ 21098, 21424, 21423.* Those terms of employment violate or are contrary to overriding state laws (*i.e.*, Gov. Code § 12940, subd. (a)) regulating such terms of employment, by providing for reduced compensation based solely on an employees' advanced age at hiring. To that extent, those terms of employment are contrary to superseding state law, they are illegal contractual terms, they are contrary to public policy, and they are therefore void. *See, Civil Code § 1667.* The unlawful terms of Plaintiffs' contracts with Defendants are severable, such that the illegal contract terms should be severed, and the balance of the contracts enforced. *Armendariz v. Found. Health Psychcare Servs., Inc.* (2000) 24 Cal.4th 83, 124. With illegal contractual terms severed, class members' contracts with the Defendants provide for class members to receive equal retirement benefits.

Alternately, FEHA's prohibition on age discrimination constitutes a contractual term of employment implied by operation of law into Plaintiffs' employment agreements with Defendants, such that Defendants were subject to a contractual duty to pay nondiscriminatory retirement benefits. *See, Castillo v. Express Escrow Company* (2007) 146 Cal.App.4th 1301, 1308 ("all laws in existence when the agreement was made become part of the contract"); *Anderson v. Time Warner Telecom of California* (2005) 129 Cal.App.4th 411, 418 ("All applicable laws are presumed to be known by the parties and to form a part of the agreement as if those laws were expressly referred to and incorporated."); *Coral Farms, L.P. v. Mahony* (2021) 63 Cal.App.5th 719, 731 ("The incorporation of current law into a contract is presumed and does not require a deliberate expression by the parties.").

The terms of Plaintiffs' employment contracts were sufficiently clear that the parties could understand what each was required to do, the parties exchanged consideration, and the parties agreed to terms. Plaintiffs did all, or substantially all, of the significant things their contracts required of them. Defendants failed to pay non-discriminatory benefits under the contracts, or paid discriminatory benefits in violation of the contracts. Plaintiffs were harmed. Defendants' breaches of contract were a substantial factor in causing Plaintiffs' harm.

The harm to Plaintiffs includes the loss of retirement benefits, the loss of additional amounts of money each would have received had he or she not suffered such unlawful discrimination, and harm in the form of humiliation, mental anguish, and emotional distress.

Defendants are also liable for prospective relief for violations of California's Equal Protection clause. Such relief includes declaratory relief, injunctive relief, and issuance of writs of mandamus and/or prohibition.

Thus, Defendants' unlawful policies and practices as alleged adversely affect, in a similar manner, a class of persons of which Plaintiff is a member, and raise substantial questions of law and fact that are common to that class. For those reasons, Plaintiff files this charge on behalf of a class of all others similarly situated, and seeks to represent the same.

EXHIBIT B

Exhibit B – Required Claim Information (Gov. Code § 910)

Name of Claimant:	Cari McCormick
Address of Claimant, and Address Where Notices re Claim Should Be Sent:	Cari McCormick c/o Brent A. Robinson Aiman-Smith & Marcy, PC 7677 Oakport Street, Suite 1150 Oakland, CA 94621
Date, Place, and Other Circumstances of the Occurrence or Transaction which Gave Rise to the Claim Asserted:	Following a decision in favor of Ms McCormick by the First District Court of Appeal in 2019, CalPERS granted Ms McCormick ordinary disability retirement. For additional information about facts giving rise to claim asserted, see Exhibit A.
A General Description of the Loss Incurred:	See Exhibit A for detailed factual narrative.
The Name or Names of the Public Employees Causing the Injury, Damage, or Loss, if Known:	Unknown.
The Amount Claimed If Less than \$10k:	The amount claimed exceeds \$10k.

Note: This Claim is presented on behalf of a class of similarly situated persons. Claimant is the proposed representative claimant. The class description is provided in Exhibit A.

EXHIBIT C

Exhibit C – List of Potential Defendants

1. South San Joaquin County Fire Authority
2. Central Fire Protection District of Santa Cruz County
3. California Intergovernmental Risk Authority
4. State of California
5. Alameda County Office of Education
6. Alpine County Office of Education
7. Amador County Office of Education
8. Butte County Office of Education
9. Calaveras County Office of Education
10. Colusa County Office of Education
11. Contra Costa County Office of Education
12. Del Norte County Office of Education
13. El Dorado County Office of Education
14. Fresno County Office of Education
15. Glenn County Office of Education
16. Humboldt County Office of Education
17. Imperial County Office of Education
18. Inyo County Office of Education
19. Kern County Office of Education
20. Kings County Office of Education
21. Lake County Office of Education
22. Lassen County Office of Education
23. Los Angeles County Office of Education
24. Madera County Office of Education
25. Marin County Office of Education
26. Mariposa County Office of Education
27. Mendocino County Office of Education
28. Merced County Office of Education
29. Modoc County Office of Education
30. Mono County Office of Education
31. Monterey County Office of Education
32. Napa County Office of Education
33. Nevada County Office of Education
34. Los Angeles Unified School District
35. Los Angeles Community College District
36. San Diego County Office of Education
37. Alpine County
38. Amador County
39. Butte County
40. Calaveras County
41. Colusa County

Exhibit C
Page 2

42. Del Norte County
43. El Dorado County
44. Glenn County
45. Humboldt County
46. Inyo County
47. Kings County
48. Lake County
49. Lassen County
50. Madera County
51. Mariposa County
52. Modoc County
53. Mono County
54. Monterey County
55. Napa County
56. Nevada County
57. Placer County
58. Plumas County
59. Riverside County
60. San Benito County
61. San Joaquin County
62. Santa Clara County
63. Santa Cruz County
64. Shasta County
65. Sierra County
66. Siskiyou County
67. Solano County
68. Sutter County
69. Tehama County
70. Trinity County
71. Tuolumne County
72. Yolo County
73. Yuba County
74. Adelanto
75. Agoura Hills
76. Alameda
77. Albany
78. Alhambra
79. Aliso Viejo
80. Alturas
81. American Canyon
82. Anaheim
83. Anderson
84. Angels

Exhibit C

Page 3

85. Antioch
86. Apple Valley
87. Arcadia
88. Arcata
89. Arroyo Grande
90. Artesia
91. Arvin
92. Atascadero
93. Atherton
94. Atwater
95. Auburn
96. Avalon
97. Avenal
98. Azusa
99. Bakersfield
100. Baldwin Park
101. Banning
102. Barstow
103. Beaumont
104. Bell
105. Bell Gardens
106. Bellflower
107. Belmont
108. Belvedere
109. Benicia
110. Berkeley
111. Beverly Hills
112. Biggs
113. Bishop
114. Blue Lake
115. Blythe
116. Bradbury
117. Brawley
118. Brea
119. Brentwood
120. Brisbane
121. Buellton
122. Buena Park
123. Burbank
124. Burlingame
125. Calabasas
126. Calexico
127. California City

Exhibit C

Page 4

- 128. Calimesa
- 129. Calipatria
- 130. Calistoga
- 131. Camarillo
- 132. Campbell
- 133. Canyon Lake
- 134. Capitola
- 135. Carlsbad
- 136. Carmel-By-The-Sea
- 137. Carpinteria
- 138. Carson
- 139. Cathedral City
- 140. Cerritos
- 141. Chico
- 142. Chino
- 143. Chowchilla
- 144. Chula Vista
- 145. Citrus Heights
- 146. Claremont
- 147. Clayton
- 148. Clearlake
- 149. Cloverdale
- 150. Clovis
- 151. Coachella City
- 152. Coalinga
- 153. Colfax
- 154. Colma
- 155. Colton
- 156. Colusa
- 157. Commerce
- 158. Compton
- 159. Concord
- 160. Corcoran
- 161. Corning
- 162. Corona
- 163. Coronado
- 164. Corte Madera
- 165. Costa Mesa
- 166. Cotati
- 167. Covina
- 168. Crescent City
- 169. Cudahy
- 170. Culver City

Exhibit C
Page 5

- 171. Cupertino
- 172. Cypress
- 173. Daly City
- 174. Dana Point
- 175. Davis
- 176. Del Mar
- 177. Del Rey Oaks
- 178. Delano
- 179. Desert Hot Springs
- 180. Diamond Bar
- 181. Dinuba
- 182. Dixon
- 183. Dos Palos
- 184. Downey
- 185. Duarte
- 186. Dublin
- 187. Dunsmuir
- 188. East Palo Alto
- 189. Eastvale
- 190. El Cajon
- 191. El Centro
- 192. El Cerrito
- 193. El Monte
- 194. El Segundo
- 195. Elk Grove
- 196. Emeryville
- 197. Encinitas
- 198. Escalon
- 199. Escondido
- 200. Etna
- 201. Eureka
- 202. Exeter
- 203. Fairfax
- 204. Fairfield
- 205. Farmersville
- 206. Fillmore
- 207. Firebaugh
- 208. Folsom
- 209. Fontana
- 210. Fort Bragg
- 211. Fortuna
- 212. Foster City
- 213. Fountain Valley

Exhibit C

Page 6

- 214. Fowler
- 215. Fremont
- 216. Fullerton
- 217. Galt
- 218. Garden Grove
- 219. Gardena
- 220. Gilroy
- 221. Glendale
- 222. Glendora
- 223. Goleta
- 224. Gonzales
- 225. Grand Terrace
- 226. Grass Valley
- 227. Greenfield
- 228. Gridley
- 229. Grover Beach
- 230. Guadalupe
- 231. Gustine
- 232. Half Moon Bay
- 233. Hanford
- 234. Hawaiian Gardens
- 235. Hawthorne
- 236. Hayward
- 237. Healdsburg
- 238. Hemet
- 239. Hercules
- 240. Hermosa Beach
- 241. Hesperia
- 242. Hidden Hills
- 243. Highland
- 244. Hillsborough
- 245. Hollister
- 246. Hughson
- 247. Huntington Beach
- 248. Huntington Park
- 249. Imperial
- 250. Imperial Beach
- 251. Indian Wells
- 252. Indio
- 253. Industry
- 254. Inglewood
- 255. Ione
- 256. Irvine

Exhibit C
Page 7

- 257. Irwindale
- 258. Jackson
- 259. Kerman
- 260. King City
- 261. Kingsburg
- 262. La Canada Flintridge
- 263. La Habra
- 264. La Habra Heights
- 265. La Mesa
- 266. La Mirada
- 267. La Palma
- 268. La Puente
- 269. La Quinta
- 270. La Verne
- 271. Laguna Beach
- 272. Laguna Hills
- 273. Laguna Niguel
- 274. Laguna Woods
- 275. Lake Elsinore
- 276. Lake Forest
- 277. Lakeport
- 278. Lakewood
- 279. Lancaster
- 280. Larkspur
- 281. Lathrop
- 282. Lawndale
- 283. Lemon Grove
- 284. Lemoore
- 285. Lincoln
- 286. Lindsay
- 287. Live Oak
- 288. Livermore
- 289. Livingston
- 290. Lodi
- 291. Loma Linda
- 292. Lomita
- 293. Lompoc
- 294. Long Beach
- 295. Loomis
- 296. Los Alamitos
- 297. Los Altos
- 298. Los Altos Hills
- 299. Los Banos

Exhibit C
Page 8

- 300. Los Gatos
- 301. Lynwood
- 302. Madera
- 303. Malibu
- 304. Mammoth Lakes
- 305. Manhattan Beach
- 306. Manteca
- 307. Marina
- 308. Martinez
- 309. Marysville
- 310. Maywood
- 311. Mendota
- 312. Menifee
- 313. Menlo Park
- 314. Merced
- 315. Mill Valley
- 316. Millbrae
- 317. Milpitas
- 318. Mission Viejo
- 319. Modesto
- 320. Monrovia
- 321. Montague
- 322. Montclair
- 323. Monte Sereno
- 324. Montebello
- 325. Monterey
- 326. Monterey Park
- 327. Moorpark
- 328. Moraga
- 329. Moreno Valley
- 330. Morgan Hill
- 331. Morro Bay
- 332. Mountain View
- 333. Mt. Shasta
- 334. Murrieta
- 335. Napa
- 336. National City
- 337. Needles
- 338. Nevada City
- 339. Newark
- 340. Newman
- 341. Newport Beach
- 342. Norco

Exhibit C
Page 9

- 343. Norwalk
- 344. Novato
- 345. Oakdale
- 346. Oakland
- 347. Oakley
- 348. Oceanside
- 349. Ojai
- 350. Ontario
- 351. Orange
- 352. Orange Cove
- 353. Orland
- 354. Oroville
- 355. Oxnard
- 356. Pacific Grove
- 357. Pacifica
- 358. Palm Desert
- 359. Palm Springs
- 360. Palmdale
- 361. Palo Alto
- 362. Palos Verdes Estates
- 363. Paradise
- 364. Paramount
- 365. Parlier
- 366. Pasadena
- 367. Paso Robles
- 368. Patterson
- 369. Perris
- 370. Petaluma
- 371. Pico Rivera
- 372. Piedmont
- 373. Pinole
- 374. Pismo Beach
- 375. Pittsburg
- 376. Placentia
- 377. Placerville
- 378. Pleasant Hill
- 379. Pleasanton
- 380. Pomona
- 381. Port Hueneme
- 382. Porterville
- 383. Portola
- 384. Portola Valley
- 385. Poway

Exhibit C

Page 10

- 386. Rancho Cordova
- 387. Rancho Cucamonga
- 388.
- 389. Rancho Mirage
- 390. Rancho Palos Verdes
- 391. Rancho Santa Margarita
- 392. Red Bluff
- 393. Redding
- 394. Redlands
- 395. Redondo Beach
- 396. Redwood City
- 397. Reedley
- 398. Rialto
- 399. Richmond
- 400. Ridgecrest
- 401. Rio Vista
- 402. Ripon
- 403. Riverbank
- 404. Riverside
- 405. Rocklin
- 406. Rohnert Park
- 407. Rolling Hills
- 408. Rolling Hills Estates
- 409. Rosemead
- 410. Roseville
- 411. Ross
- 412. Sacramento
- 413. Salinas
- 414. San Anselmo
- 415. San Bernardino
- 416. San Bruno
- 417. San Buenaventura
- 418. San Carlos
- 419. San Clemente
- 420. San Dimas
- 421. San Fernando
- 422. San Francisco 1
- 423. San Gabriel
- 424. San Jacinto
- 425. San Joaquin
- 426. San Jose
- 427. San Leandro
- 428. San Luis Obispo

Exhibit C
Page 11

- 429. San Marcos
- 430. San Marino
- 431. San Mateo
- 432. San Pablo
- 433. San Ramon
- 434. Sand City
- 435. Sanger
- 436. Santa Ana
- 437. Santa Barbara
- 438. Santa Clara
- 439. Santa Clarita
- 440. Santa Cruz
- 441. Santa Fe Springs
- 442. Santa Maria
- 443. Santa Monica
- 444. Santa Paula
- 445. Santa Rosa
- 446. Santee
- 447. Saratoga
- 448. Sausalito
- 449. Scotts Valley
- 450. Seal Beach
- 451. Seaside
- 452. Sebastopol
- 453. Selma
- 454. Shafter
- 455. Shasta Lake
- 456. Sierra Madre
- 457. Signal Hill
- 458. Simi Valley
- 459. Solana Beach
- 460. Soledad
- 461. Solvang
- 462. Sonoma
- 463. Sonora
- 464. South El Monte
- 465. South Gate
- 466. South Lake Tahoe
- 467. South Pasadena
- 468. South San Francisco
- 469. St. Helena
- 470. Stanton
- 471. Stockton

Exhibit C

Page 12

- 472. Suisun City
- 473. Sunnyvale
- 474. Susanville
- 475. Sutter Creek
- 476. Taft
- 477. Tehachapi
- 478. Temecula
- 479. Temple City
- 480. Thousand Oaks
- 481. Tiburon
- 482. Torrance
- 483. Tracy
- 484. Truckee
- 485. Tulare
- 486. Tulelake
- 487. Turlock
- 488. Tustin
- 489. Twentynine Palms
- 490. Ukiah
- 491. Union City
- 492. Upland
- 493. Vacaville
- 494. Vallejo
- 495. Vernon
- 496. Victorville
- 497. Villa Park
- 498. Visalia
- 499. Vista
- 500. Walnut
- 501. Walnut Creek
- 502. Wasco
- 503. Waterford
- 504. Watsonville
- 505. Weed
- 506. West Covina
- 507. West Hollywood
- 508. West Sacramento
- 509. Westlake Village
- 510. Westminster
- 511. Whittier
- 512. Wildomar
- 513. Williams
- 514. Willits

Exhibit C
Page 13

- 515. Willows
- 516. Windsor
- 517. Winters
- 518. Woodlake
- 519. Woodland
- 520. Woodside
- 521. Yorba Linda
- 522. Yountville
- 523. Yreka
- 524. Yuba City
- 525. Yucaipa
- 526. Yucca Valley
- 527. Academic Senate for California Community Colleges
- 528. Access Services Incorporated
- 529. Agoura Hills and Calabasas Community Center
- 530. Alameda Alliance for Health
- 531. Alameda Corridor Transportation Authority
- 532. Alameda County Fire Department
- 533. Alameda County Law Library
- 534. Alameda County Mosquito Abatement District
- 535. Alameda County Schools Insurance Group
- 536. Alameda County Transportation Commission
- 537. Alameda County Waste Management Authority
- 538. Alameda County Water District
- 539. Alliance of Schools for Cooperative Insurance Programs
- 540. Alpine Fire Protection District
- 541. Alpine Springs County Water District
- 542. Alta California Regional Center, Inc.
- 543. Alta Irrigation District
- 544. Altadena Library District
- 545. Amador County Transportation Commission
- 546. Amador Transit
- 547. Amador Water Agency
- 548. American Canyon Fire Protection District
- 549. American River Flood Control District
- 550. Anderson Cemetery District
- 551. Anderson Fire Protection District
- 552. Angiola Water District
- 553. Antelope Valley Mosquito and Vector Control District
- 554. Antelope Valley Schools Transportation Agency
- 555. Antelope Valley Transit Authority
- 556. Apple Valley Fire Protection District
- 557. Arbuckle-College City Fire Protection District

- 558. Arcade Creek Recreation and Park District
- 559. Arcata Fire Protection District
- 560. Area 12 Agency on Aging
- 561. Aromas Water District
- 562. Arrowbear Park County Water District
- 563. Arroyo Grande District Cemetery
- 564. Associated Students California State University San Bernardino
- 565. Associated Students Inc., California State University, Fullerton
- 566. Associated Students Incorporated of California State University East Bay
- 567. Associated Students Incorporated of California State University Stanislaus
- 568. Associated Students of California State University, Chico
- 569. Association of California Water Agencies
- 570. Association of California Water Agencies - Joint Powers Insurance Authority
- 571. Association of Monterey Bay Area Governments
- 572. Atascadero Cemetery District
- 573. Auburn Area Recreation and Park District
- 574. Auburn Public Cemetery District
- 575. Avila Beach Community Services District
- 576. Aztec Shops, Ltd.
- 577. Bard Water District
- 578. Bardsdale Cemetery District
- 579. Barstow Cemetery District
- 580. Bay Area Air Quality Management District
- 581. Bay Area Water Supply and Conservation Agency
- 582. Beach Cities Health District
- 583. Bear Mountain Recreation and Park District
- 584. Bear Valley Community Services District
- 585. Beaumont District Library
- 586. Beaumont-Cherry Valley Recreation and Park District
- 587. Beaumont-Cherry Valley Water District
- 588. Bella Vista Water District
- 589. Belmont Fire Protection District
- 590. Belmont-San Carlos Fire Department
- 591. Belvedere-Tiburon Library Agency
- 592. Benicia City Housing Authority
- 593. Berkeley Housing Authority
- 594. BETA Healthcare Group Risk Management Authority
- 595. Big Bear Area Regional Wastewater Agency
- 596. Big Bear City Airport District
- 597. Big Bear City Community Services District
- 598. Big Bear Municipal Water District
- 599. Bighorn-Desert View Water Agency
- 600. Black Gold Cooperative Library System

Exhibit C
Page 15

601. Blanchard/Santa Paula Public Library District
602. Blue Lake Fire Protection District
603. Bodega Bay Fire Protection District
604. Bolinas Community Public Utility District
605. Bolinas Fire Protection District
606. Bonita-Sunnyside Fire Protection District
607. Boron Community Services District
608. Borrego Springs Fire Protection District
609. Borrego Water District
610. Boulder Creek Fire Protection District
611. Branciforte Fire Protection District
612. Brannan-Andrus Levee Maintenance District
613. Broadmoor Police Protection District
614. Brooktrails Township Community Services District
615. Browns Valley Irrigation District
616. Buckingham Park County Water District
617. Buena Park Library District
618. Burney Basin Mosquito Abatement District
619. Burney Fire District
620. Burney Water District
621. Butte County Air Quality Management District
622. Butte County Association of Governments
623. Butte County Fair Association
624. Butte County In-Home Supportive Services Public Authority
625. Butte County Mosquito and Vector Control District
626. Butte Local Agency Formation Commission
627. Butte Schools Self-Funded Programs
628. Butte-Glenn Community College District
629. Byron-Bethany Irrigation District
630. Cabrillo College Foundation
631. Cachuma Operation and Maintenance Board
632. Cal Poly Corporation
633. Cal Poly Pomona Foundation, Inc.
634. Calaveras Council of Governments
635. Calaveras County Water District
636. Calaveras Public Utility District
637. California Association for Park and Recreation Indemnity
638. California Authority of Racing Fairs
639. California Bear Credit Union
640. California Central Valley Flood Control Association
641. California Fair Services Authority
642. California Fairs Financing Authority
643. California Firefighter's Joint Apprenticeship Committee

Exhibit C

Page 16

- 644. California Interscholastic Federation, Central Coast Section
- 645. California Interscholastic Federation, Central Section
- 646. California Interscholastic Federation, North Coast Section
- 647. California Interscholastic Federation, Northern Section
- 648. California Interscholastic Federation, Sac- Joaquin Section
- 649. California Interscholastic Federation, San Diego Section
- 650. California Interscholastic Federation, Southern Section
- 651. California Interscholastic Federation, State Office
- 652. California Joint Powers Insurance Authority
- 653. California Joint Powers Risk Management Authority
- 654. California Maritime Academy Foundation, Inc.
- 655. California Municipal Utilities Association
- 656. California Pines Community Services District
- 657. California Redevelopment Association Foundation
- 658. California School Boards Association
- 659. California Special Districts Association
- 660. California State University, Bakersfield Foundation
- 661. California State University, East Bay Foundation, Inc.
- 662. "California State University, Fresno Athletic Corporation"
- 663. California State University, Stanislaus Auxiliary and Business Services
- 664. California State University-Fresno Association, Inc.
- 665. Callayomi County Water District
- 666. Calleguas Municipal Water District
- 667. Camarillo Health Care District
- 668. Cambria Cemetery District
- 669. Cambria Community Healthcare District
- 670. Cambria Community Services District
- 671. Cambria Community Services District
- 672. Cameron Park Community Services District
- 673. Camrosa Water District
- 674. Capitol Area Development Authority
- 675. Carmel Area Wastewater District
- 676. Carmel Highlands Fire Protection District of Monterey County
- 677. Carmichael Water District
- 678. Carpinteria Sanitary District
- 679. Carpinteria Valley Water District
- 680. Casitas Municipal Water District
- 681. Castro Valley Sanitary District
- 682. Castroville Community Services District
- 683. Cawelo Water District
- 684. Cayucos Sanitary District
- 685. Cayucos-Morro Bay Cemetery District
- 686. Centerville Community Services District

Exhibit C
Page 17

- 687. Central Basin Municipal Water District
- 688. Central Calaveras Fire and Rescue Protection District
- 689. Central Coast Water Authority
- 690. Central Contra Costa Solid Waste Authority
- 691. Central Contra Costa Transit Authority
- 692. Central County Fire Department
- 693. Central Marin Fire Authority
- 694. Central Marin Police Authority
- 695. Central Marin Sanitation Agency
- 696. Central Sierra Child Support Agency
- 697. Central Valley Regional Center, Inc.
- 698. Central Water District
- 699. Channel Islands Beach Community Services District
- 700. Chester Public Utility District
- 701. Chico Area Recreation and Park District
- 702. Children and Families Commission of San Luis Obispo County
- 703. Chino Basin Water Conservation District
- 704. Chino Basin Watermaster
- 705. Chino Valley Independent Fire District
- 706. Citrus Heights Water District
- 707. City/County Association of Governments of San Mateo County
- 708. Clear Creek Community Services District
- 709. Clearlake Oaks County Water District
- 710. Cloverdale Citrus Fair
- 711. Cloverdale Fire Protection District
- 712. Clovis Cemetery District
- 713. Coachella Valley Association of Governments
- 714. Coachella Valley Mosquito and Vector Control District
- 715. Coachella Valley Public Cemetery District
- 716. Coachella Valley Water District
- 717. Coalinga/Huron Unified School District Library District
- 718. Coalinga-Huron Cemetery District
- 719. Coalinga-Huron Recreation and Park District
- 720. Coast Life Support District
- 721. Coastal Developmental Services Fdn DBA Westside Regional Center
- 722. Coastside County Water District
- 723. Coastside Fire Protection District
- 724. Colfax Cemetery District
- 725. College of The Canyons Foundation
- 726. Colusa County One-Stop Partnership
- 727. Colusa Mosquito Abatement District
- 728. Community College League of California
- 729. Community Development Commission of Mendocino County

Exhibit C
Page 18

- 730. Compass Community Credit Union
- 731. Compton Creek Mosquito Abatement District
- 732. Compton Unified School District
- 733. Conejo Recreation and Park District
- 734. Connecting Point
- 735. Consolidated Mosquito Abatement District
- 736. Contra Costa Community College District
- 737. Contra Costa County Law Library
- 738. Contra Costa County Schools Insurance Group
- 739. Contra Costa Transportation Authority
- 740. Cooperative Organization for the Development of Employee Selection Procedures
- 741. Cooperative Personnel Services
- 742. Copperopolis Fire Protection District
- 743. Cordelia Fire Protection District of Solano County
- 744. Cordova Recreation and Park District
- 745. Corning Water District
- 746. Costa Mesa Sanitary District
- 747. Cosumnes Community Services District
- 748. Cottonwood Fire Protection District
- 749. Cottonwood Water District
- 750. CRA/LA, a Designated Local Authority
- 751. Crescent City Harbor District
- 752. Crescenta Valley Water District
- 753. Crestline Lake Arrowhead Water Agency
- 754. Crestline Village Water District
- 755. Crockett Community Services District
- 756. Cucamonga Valley Water District
- 757. Cutler Public Utility District
- 758. Cutler-Orosi Joint Powers Wastewater Authority
- 759. Cuyama Valley Recreation District
- 760. Dairy Council of California
- 761. Davis Cemetery District
- 762. De Luz Community Services District
- 763. Del Norte County Library District
- 764. Del Paso Manor Water District
- 765. Del Puerto Water District
- 766. Del Rey Community Services District
- 767. Delano Mosquito Abatement District
- 768. Delta Diablo
- 769. Delta Mosquito and Vector Control District
- 770. Denair Community Services District
- 771. Desert Water Agency
- 772. Diablo Water District

Exhibit C
Page 19

- 773. Diamond Springs/El Dorado Fire Protection District
- 774. Dixon Public Library District
- 775. Donald P. And Katherine B. Loker University
- 776. Student Union, Inc.
- 777. Dougherty Regional Fire Authority
- 778. Dublin San Ramon Services District
- 779. Durham Mosquito Abatement District
- 780. East Bay Dischargers Authority
- 781. East Bay Regional Park District
- 782. East Contra Costa Irrigation District
- 783. East County Schools Federal Credit Union
- 784. East Orange County Water District
- 785. East Palo Alto Sanitary District
- 786. East Quincy Services District
- 787. East Valley Water District
- 788. Eastern Municipal Water District
- 789. Eastern Sierra Transit Authority
- 790. Ebbetts Pass Fire Protection District
- 791. Edgemont Community Services District
- 792. El Dorado County Fire Protection District
- 793. El Dorado County Resource Conservation
District
- 794. El Dorado County Transit Authority
- 795. El Dorado County Transportation Commission
- 796. El Dorado County Water Agency
- 797. El Dorado Hills Community Services District
- 798. El Dorado Hills County Water District
- 799. El Dorado Irrigation District
- 800. El Dorado Local Agency Formation
Commission
- 801. Encina Wastewater Authority
- 802. Esparto Community Services District
- 803. Esparto Fire Protection District
- 804. Exeter District Ambulance
- 805. Fair Oaks Recreation & Park District
- 806. Fair Oaks Water District
- 807. Fairfield-Suisun Sewer District
- 808. Fall River Valley Community Services District
- 809. Fallbrook Public Utility District
- 810. Far Northern Coordinating Council on
Developmental Disabilities
- 811. Feather River Air Quality Management District
- 812. Feather River Recreation and Park District
- 813.
- 814.
- 815.

- 816. Feather Water District
- 817. Felton Fire Protection District
- 818. Fern Valley Water District
- 819. Florin County Water District
- 820. Florin Resource Conservation District Elk
- 821. Grove Water District
- 822. Fontana Unified School District
- 823. Foothill Municipal Water District
- 824. Foothill-De Anza Community College District
- 825. Foresthill Public Utility District
- 826. Forestville Water District
- 827. Fort Bragg Fire Protection Authority
- 828. Foundation for California Community Colleges
- 829. Foundation for Grossmont and Cuyamaca
- 830. Colleges
- 831. Fresno City Housing Authority
- 832. Fresno County Housing Authority
- 833. Fresno County Law Library
- 834. Fresno Westside Mosquito Abatement District
- 835. Fruitridge Fire Protection District
- 836. Fulton-El Camino Recreation and Park District
- 837. Garden Valley Fire Protection District
- 838. Georgetown Divide Public Utility District
- 839. Georgetown Divide Resource Conservation
- 840. Georgetown Fire Protection District
- 841. Gilsizer County Drainage District
- 842. Glendale College, Associated Students of
- 843. Glendale Community College District
- 844. Glenn County Mosquito and Vector Control
- 845. Gold Coast Transit
- 846. Gold Ridge Fire Protection District
- 847. Gold Ridge Resource Conservation District
- 848. Golden Gate Bridge Highway and
- 849. Transportation District
- 850. Golden Hills Community Services District
- 851. Golden Sierra Job Training Agency
- 852. Goleta Sanitary District
- 853. Goleta Water District
- 854. Goleta West Sanitary District
- 855. Granada Community Services District
- 856. Graton Community Services District
- 857. Graton Fire Protection District
- 858. Great Basin Unified Air Pollution Control

- 859. Greater Anaheim Special Education Local Plan
- 860. Area
- 861. Greater Los Angeles County Vector Control
- 862. Greater Vallejo Recreation District
- 863. Green Valley County Water District
- 864. Gridley Biggs Cemetery District
- 865. Grossmont Healthcare District
- 866. Groveland Community Services District
- 867. Gualala Community Services District
- 868. Hacienda La Puente Unified School District
- 869. Hamilton Branch Fire Protection District
- 870. Happy Camp Sanitary District
- 871. Happy Homestead Cemetery District
- 872. Happy Valley Fire District
- 873. Hayward Area Recreation and Park District
- 874. Health Plan of San Joaquin
- 875. Heartland Communications Facility Authority
- 876. Heber Public Utility District
- 877. Helendale Community Services District
- 878. Helix Water District
- 879. Henry Miller Reclamation District No. 2131
- 880. Heritage Ranch Community Services District
- 881. Herlong Public Utility District
- 882. Hesperia Fire Protection District
- 883. Hesperia Unified School District
- 884. Hesperia Water District
- 885. Hidden Valley Lake Community Services District
- 886. Hi-Desert Water District
- 887. Higgins Area Fire Protection District
- 888. Hilton Creek Community Services District
- 889. Hopland Public Utility District
- 890. Housing Authority of the City of Alameda
- 891. Housing Authority of the City of Calexico
- 892. Housing Authority of the City of Eureka
- 893. Housing Authority of the City of Livermore
- 894. Housing Authority of the City of Los Angeles
- 895. Housing Authority of the City of Madera
- 896. Housing Authority of the City of San Buenaventura
- 897. Housing Authority of the City of San Luis Obispo
- 898. Housing Authority of the City of South San Francisco
- 899. Housing Authority of the County of Butte
- 900. Housing Authority of the County of Kern
- 901. Housing Authority of the County of Santa Cruz

902. Hub Cities Consortium
903. "Human Rights/Fair Housing Commission of the
904. City and County of Sacramento"
905. Humboldt Bay Fire Joint Powers Authority
906. Humboldt Bay Harbor Recreation and Conservation District
907. Humboldt Bay Municipal Water District
908. Humboldt Community Services District
909. Humboldt County Association of Governments
910. Humboldt Transit Authority
911. Humboldt Waste Management Authority
912. Idyllwild Fire Protection District
913. Independent Cities Association, Inc.
914. Indian Wells Valley Water District
915. Inland Counties Regional Center, Inc.
916. Inland Empire Health Plan
917. Inland Empire Resource Conservation District
918. Inland Empire Utilities Agency
919. Intergovernmental Training and Development Center
920. Inverness Public Utility District
921. Ironhouse Sanitary District
922. Irvine Ranch Water District
923. Isla Vista Recreation and Park District
924. Jackson Valley Irrigation District
925. Jamestown Sanitary District
926. Joshua Basin Water District
927. June Lake Public Utility District
928. Jurupa Area Recreation and Park District
929. Jurupa Community Services District
930. Kaweah Delta Water Conservation District
931. Kelseyville Fire Protection District
932. Kensington Community Services District
933. Kentfield Fire Protection District
934. Kenwood Fire Protection District
935. Kern County Council of Governments
936. Kern County Local Agency Formation Commission
937. Kern Health Systems
938. Kern River Valley Cemetery District
939. Kern-Tulare Water District
940. Kettleman City Community Services District
941. Kings County Area Public Transit Agency
942. Kings County Association of Governments
943. Kings County In-Home Supportive Services Public Authority
944. Kings Mosquito Abatement District

- 945. Kings Waste and Recycling Authority
- 946. Kinneloa Irrigation District
- 947. Kirkwood Meadows Public Utility District
- 948. Konocti County Water District
- 949. La Habra Heights County Water District
- 950. La Puente Valley County Water District
- 951. Laguna Beach County Water District
- 952. Lake Arrowhead Community Services District
- 953. Lake County Fire Protection District
- 954. Lake County Vector Control District
- 955. Lake Don Pedro Community Services District
- 956. Lake Hemet Municipal Water District
- 957. Lake Oroville Area Public Utility District
- 958. Lake Shastina Community Services District
- 959. Lake Valley Fire Protection District
- 960. Lakeport County Fire Protection District
- 961. Lakeside Fire Protection District
- 962. Lakeside Water District
- 963. Lamont Public Utility District
- 964. Las Gallinas Valley Sanitary District of Marin County
- 965. Las Virgenes Municipal Water District
- 966. Lassen County Waterworks District No. 1
- 967. League of California Cities
- 968. Leucadia Wastewater District
- 969. Levee District No. 1 of Sutter County
- 970. Linda County Water District
- 971. Linda Fire Protection District
- 972. Linden-Peters Rural County Fire Protection District
- 973. Lindsay Strathmore Public Cemetery District
- 974. Little Lake Fire Protection District
- 975. Littlerock Creek Irrigation District
- 976. Live Oak Cemetery District
- 977. Livermore/Amador Valley Transit Authority
- 978. "Local Agency Formation Commission of
979. Monterey County"
- 980. Local Agency Formation Commission of Solano County
- 981. Local Government Services Authority, a Joint Powers Authority
- 982. Long Beach City College Associated Student Body Enterprises
- 983. Long Beach State University, Associated Students
- 984. Long Beach State University, Forty-Niner Shops, Inc.
- 985. Los Alamos Community Services District
- 986. Los Angeles County Area 'E' Civil Defense and Disaster Board
- 987. Los Angeles County Development Authority

Exhibit C

Page 24

- 988. Los Angeles County Law Library
- 989. Los Angeles County Sanitation District No. 2
- 990. Los Angeles County West Vector Control District
- 991. Los Angeles Memorial Coliseum Commission
- 992. Los Angeles Regionalized Insurance Services Authority
- 993. Los Gatos-Saratoga Department of Community Education and Recreation
- 994. Los Osos Community Services District
- 995. Lower Lake Cemetery District
- 996. Lower Lake County Waterworks District No. 1
- 997. Lower Tule River Irrigation District
- 998. Madera Cemetery District
- 999. Madera County Mosquito and Vector Control District
- 1000. Main San Gabriel Basin Watermaster
- 1001. Majestic Pines Community Services District
- 1002. Mammoth Lakes Fire District
- 1003. Mammoth Lakes Mosquito Abatement District
- 1004. Management of Emeryville Services Authority
- 1005. March Joint Powers Authority
- 1006. Marin Children and Families Commission
- 1007. Marin Community College District
- 1008. Marin County Housing Authority
- 1009. Marin County In-Home Supportive Services Public Authority
- 1010. Marin Municipal Water District
- 1011. Marina Coast Water District
- 1012. Marinwood Community Services District
- 1013. Mariposa Public Utility District
- 1014. Maxwell Public Utility District
- 1015. McCloud Community Services District
- 1016. McFarland Recreation and Park District
- 1017. McKinleyville Community Services District
- 1018. Meeks Bay Fire Protection District
- 1019. Meiners Oaks County Water District
- 1020. Mendocino City Community Services District
- 1021. Mendocino County Russian River Flood Control & Water Conservation Improvement District
- 1022. Mendocino Transit Authority
- 1023. Menlo Park Fire Protection District
- 1024. Merced County Housing Authority
- 1025. Merced County Mosquito Abatement District
- 1026. Merced Irrigation District
- 1027. Mesa Water District
- 1028. Metropolitan Transportation Commission
- 1029. Metropolitan Water District of Southern California

Exhibit C
Page 25

- 1030. Midpeninsula Regional Open Space District
- 1031. Mid-Peninsula Water District
- 1032. Mid-Placer Public Schools Transportation Agency
- 1033. Midway City Sanitary District
- 1034. Midway Heights County Water District
- 1035. Millview County Water District
- 1036. Minter Field Airport District
- 1037. Mission Springs Water District
- 1038. Mojave Air and Space Port
- 1039. Mojave Water Agency
- 1040. Mokelumne Rural Fire District
- 1041. Monte Vista County Water District
- 1042. Montecito Fire Protection District
- 1043. Montecito Sanitary District of Santa Barbara County
- 1044. Montecito Water District
- 1045. Monterey Bay Unified Air Pollution Control District
- 1046. Monterey County Regional Fire Protection District
- 1047. Monterey County Water Resources Agency
- 1048. Monterey One Water
- 1049. Monterey Peninsula Airport District
- 1050. Monterey Peninsula Regional Park District
- 1051. Monterey Peninsula Water Management District
- 1052. Monterey Regional Waste Management District
- 1053. Monterey-Salinas Transit District
- 1054. Montezuma Fire Protection District
- 1055. Morongo Basin Transit Authority
- 1056. Mother Lode Job Training Agency
- 1057. Moulton-Niguel Water District
- 1058. Mountains Recreation and Conservation Authority
- 1059. Mountain-Valley Library System
- 1060. Mt. San Antonio College Auxiliary Services
- 1061. MT. View Sanitary District of Contra Costa County
- 1062. Municipal Pooling Authority
- 1063. Municipal Water District of Orange County
- 1064. Murphys Sanitary District
- 1065. Murrieta Fire Protection District
- 1066. Murrieta Valley Cemetery District
- 1067. Napa County Mosquito Abatement District
- 1068. Napa County Resource Conservation District
- 1069. Napa Sanitation District
- 1070. Napa Valley Transportation Authority
- 1071. National Orange Show
- 1072. Natomas Fire Protection District

- 1073. Nevada Cemetery District
- 1074. Nevada County Consolidated Fire District
- 1075. Nevada County Local Agency Formation Commission
- 1076. Nevada County Resource Conservation District
- 1077. Nevada Irrigation District
- 1078. Newcastle, Rocklin, Gold Hill Cemetery District
- 1079. Nipomo Community Services District
- 1080. North Bay Cooperative Library System
- 1081. North Bay Regional Center
- 1082. North Bay Schools Insurance Authority
- 1083. North Central Counties Consortium
- 1084. North Coast County Water District
- 1085. North Coast Railroad Authority
- 1086. North Coast Unified Air Quality Management District
- 1087. North County Dispatch Joint Powers Authority
- 1088. North County Fire Protection District of Monterey County
- 1089. North County Fire Protection District of San Diego County
- 1090. North County Transit District
- 1091. North Delta Water Agency
- 1092. North Kern Cemetery District
- 1093. North Kern Water Storage District
- 1094. North Kern-South Tulare Hospital District
- 1095. North Los Angeles County Regional Center, Inc.
- 1096. North Marin Water District
- 1097. North of the River Municipal Water District
- 1098. North of the River Recreation and Park District
- 1099. North State Cooperative Library System
- 1100. North Tahoe Fire Protection District
- 1101. North Tahoe Public Utility District
- 1102. Northern California Power Agency
- 1103. Northern California Special Districts Insurance Authority
- 1104. Northern Salinas Valley Mosquito Abatement District
- 1105. Northern Sierra Air Quality Management District
- 1106. Northshore Fire Protection District
- 1107. Northstar Community Services District
- 1108. Northwest Mosquito and Vector Control District
- 1109. Novato Sanitary District
- 1110. Oakdale Irrigation District
- 1111. Oakdale Rural Fire Protection District
- 1112. Oakland City Housing Authority
- 1113. Oceano Community Services District
- 1114. Ojai Valley Sanitary District
- 1115. Olcese Water District

- 1116. Olivenhain Municipal Water District
- 1117. Olympic Valley Public Service District
- 1118. Omnitrans
- 1119. Ophir Hill Fire Protection District
- 1120. Orange County Health Authority
- 1121. Orange County Transportation Authority
- 1122. Orange County Vector Control District
- 1123. Orchard Dale Water District
- 1124. Orland Cemetery District
- 1125. Oro Loma Sanitary District
- 1126. Orosi Public Utility District
- 1127. Oroville Cemetery District
- 1128. Otay Water District
- 1129. Oxnard Harbor District
- 1130. Pacific Fire Protection District
- 1131. Padre Dam Municipal Water District
- 1132. Pajaro Valley Fire Protection Agency
- 1133. Pajaro Valley Public Cemetery District
- 1134. Pajaro Valley Water Management Agency
- 1135. Palm Ranch Irrigation District
- 1136. Palmdale Water District
- 1137. Palo Verde Valley District Library
- 1138. Palos Verdes Library District
- 1139. Paradise Recreation and Park District
- 1140. Pasadena City College Bookstore
- 1141. Paso Robles City Housing Authority
- 1142. Patterson Irrigation District
- 1143. Pauma Valley Community Services District
- 1144. Peardale Chicago Park Fire Protection District
- 1145. Pebble Beach Community Services District
- 1146. Peninsula Fire Protection District
- 1147. Peninsula Health Care District
- 1148. Peninsula Traffic Congestion Relief Alliance
- 1149. Penn Valley Fire Protection District
- 1150. Personal Assistance Services Council
- 1151. Phelan Pinon Hills Community Services District
- 1152. Pico Water District
- 1153. Pine Cove Water District
- 1154. Pine Grove Mosquito Abatement District
- 1155. Pinedale County Water District
- 1156. Pioneer Cemetery District
- 1157. Pixley Irrigation District
- 1158. Placer County Cemetery District No. 1

Exhibit C

Page 28

- 1159. Placer County Resource Conservation District
- 1160. Placer County Transportation Planning Agency
- 1161. Placer County Water Agency
- 1162. Placer Hills Fire Protection District
- 1163. Placer Mosquito and Vector Control District
- 1164. Planning and Service Area II Area Agency on Aging
- 1165. Pleasant Hill Recreation and Park District
- 1166. Pleasant Valley County Water District
- 1167. Pleasant Valley Recreation and Park District
- 1168. Plumas Eureka Community Services District
- 1169. Plumas Local Agency Formation Commission
- 1170. Pomerado Cemetery District
- 1171. Pomona Valley Transportation Authority
- 1172. Pomona, Calif State Polytechnic University, Associated Students, Inc.
- 1173. Port San Luis Harbor District
- 1174. Porter Vista Public Utility District
- 1175. Porterville Irrigation District
- 1176. Porterville Public Cemetery District
- 1177. Public Cemetery District No. 1 of Kern County
- 1178. Public Entity Risk Management Authority
- 1179. Public Risk Innovation, Solutions and Management
- 1180. Public Transportation Services Corporation
- 1181. Pupil Transportation Cooperative
- 1182. Purissima Hills Water District
- 1183. Quartz Hill Water District
- 1184. Quincy Community Services District
- 1185. Rainbow Municipal Water District
- 1186. Ramona Municipal Water District
- 1187. Rancho Adobe Fire Protection District
- 1188. Rancho California Water District
- 1189. Rancho Cucamonga Fire Protection District
- 1190. Rancho Murieta Community Services District
- 1191. Rancho Santa Fe Fire Protection District
- 1192. Rancho Santiago Community College Associated Students
- 1193. Rancho Simi Recreation & Park District
- 1194. Reclamation District No. 1000
- 1195. Reclamation District No. 1001
- 1196. Reclamation District No. 1660
- 1197. Reclamation District No. 3
- 1198. Reclamation District No. 833
- 1199. Reclamation District No. 999
- 1200. Red Bluff Cemetery District
- 1201. Redwood Coast Regional Center

Exhibit C
Page 29

- 1202. Redwood Empire Municipal Insurance Fund
- 1203. Redwood Empire School Insurance Group
- 1204. Reedley Cemetery District
- 1205. Regional Center of Orange County
- 1206. Regional Center of the East Bay
- 1207. Regional Housing Authority
- 1208. Regional Water Authority
- 1209. Rescue Fire Protection District
- 1210. Resort Improvement District No. 1
- 1211. Resource Conservation District of the Santa Monica Mountains
- 1212. Richardson Bay Sanitary District
- 1213. Rincon Del Diablo Municipal Water District
- 1214. Rio Alto Water District
- 1215. Rio Linda Elverta Community Water District
- 1216. Rio Vista-Montezuma Cemetery District
- 1217. Riverbank City Housing Authority
- 1218. Riverside County Air Pollution Control District
- 1219. Riverside County Department of Waste Resources
- 1220. Riverside County Flood Control and Water Conservation District
- 1221. Riverside County Law Library
- 1222. Riverside County Regional Park and Open Space District
- 1223. Riverside County Transportation Commission
- 1224. Riverside Transit Agency
- 1225. Rosamond Community Services District
- 1226. Rose Bowl Operating Company
- 1227. Rosedale-Rio Bravo Water Storage District
- 1228. Roseville Public Cemetery District
- 1229. Ross Valley Fire Department
- 1230. Ross Valley Sanitary District
- 1231. Rowland Water District
- 1232. Rubidoux Community Services District
- 1233. Running Springs Water District
- 1234. Rural County Representatives of California
- 1235. Sacramento Area Council of Governments
- 1236. Sacramento Area Flood Control Agency
- 1237. Sacramento City Housing Authority
- 1238. Sacramento County Public Law Library
- 1239. Sacramento Groundwater Authority
- 1240. Sacramento Metropolitan Air Quality Management District
- 1241. Sacramento Metropolitan Cable Television Commission
- 1242. Sacramento Metropolitan Fire District
- 1243. Sacramento Municipal Utility District
- 1244. Sacramento Public Library Authority

- 1245. Sacramento Regional Fire/EMS Communications Center
- 1246. Sacramento Suburban Water District
- 1247. Sacramento Transportation Authority
- 1248. Sacramento-Yolo Mosquito and Vector Control District
- 1249. Salida Fire Protection District
- 1250. Salinas Valley Solid Waste Authority
- 1251. Salton Community Services District
- 1252. Samoa Peninsula Fire Protection District
- 1253. San Andreas Regional Center, Inc.
- 1254. San Andreas Sanitary District
- 1255. San Benito County Water District
- 1256. San Bernardino City Unified School District
- 1257. San Bernardino County Housing Authority
- 1258. San Bernardino County Transportation Authority
- 1259. San Bernardino Valley Municipal Water District
- 1260. San Bernardino Valley Water Conservation District
- 1261. San Diego Association of Governments
- 1262. San Diego Community College District
- 1263. San Diego County Law Library
- 1264. San Diego County Water Authority
- 1265. San Diego Metropolitan Transit System
- 1266. San Diego State University Associated Students
- 1267. San Diego Trolley, Inc.
- 1268. San Diego Unified School District
- 1269. San Dieguito Water District
- 1270. San Elijo Joint Powers Authority
- 1271. San Francisco Bay Area Rapid Transit District
- 1272. San Francisco Bay Area Water Emergency Transportation Authority
- 1273. San Francisco City and County Housing Authority
- 1274. San Francisco Community College District Bookstore Auxiliary
- 1275. San Francisco County Transportation Authority
- 1276. San Francisco Health Authority
- 1277. San Francisco Law Library
- 1278. San Francisquito Creek Joint Powers Authority
- 1279. San Gabriel County Water District
- 1280. San Gabriel Valley Council of Governments
- 1281. San Gabriel Valley Mosquito and Vector Control District
- 1282. San Gabriel Valley Municipal Water District
- 1283. San Geronio Pass Water Agency
- 1284. San Jacinto Valley Cemetery District
- 1285. San Joaquin County Housing Authority
- 1286. San Joaquin County IHSS Public Authority
- 1287. San Joaquin Delta Community College District

Exhibit C
Page 31

- 1288. San Juan Water District
- 1289. San Lorenzo Valley Water District
- 1290. San Luis Obispo Cal Poly Associated Students, Inc.
- 1291. San Luis Obispo Council of Governments
- 1292. San Luis Water District
- 1293. San Mateo Consolidated Fire Department
- 1294. San Mateo County Harbor District
- 1295. San Mateo County In-Home Supportive Services Public Authority
- 1296. San Mateo County Law Library
- 1297. San Mateo County Schools Insurance Group
- 1298. San Mateo County Transit District
- 1299. San Miguel Community Services District
- 1300. San Miguel Consolidated Fire Protection District
- 1301. San Simeon Community Services District
- 1302. Sanger Cemetery District
- 1303. Sanitary District No. 5 of Marin County
- 1304. Santa Ana River Flood Protection Agency
- 1305. Santa Ana Unified School District
- 1306. Santa Ana Watershed Project Authority
- 1307. Santa Barbara County Law Library
- 1308. Santa Barbara County Special Education Local Plan Area
- 1309. Santa Barbara Regional Health Authority
- 1310. Santa Clara County Central Fire Protection District
- 1311. Santa Clara County Health Authority
- 1312. Santa Clara County Housing Authority
- 1313. Santa Clara County Law Library
- 1314. Santa Clara County Schools Insurance Group
- 1315. Santa Clara Valley Open Space Authority
- 1316. Santa Clara Valley Transportation Authority
- 1317. Santa Clara Valley Water District
- 1318. Santa Clarita Valley School Food Services Agency
- 1319. Santa Clarita Valley Water Agency
- 1320. Santa Cruz County Law Library
- 1321. Santa Cruz County Regional Transportation Commission
- 1322. Santa Cruz Local Agency Formation Commission
- 1323. Santa Cruz Metropolitan Transit District
- 1324. Santa Cruz Port District
- 1325. Santa Cruz Regional 9-1-1
- 1326. Santa Fe Irrigation District
- 1327. Santa Margarita Water District
- 1328. Santa Maria Public Airport District
- 1329. Santa Monica Community College District
- 1330. Santa Nella County Water District

- 1331. Santa Paula City Housing Authority
- 1332. Santa Ynez River Water Conservation District, Improvement District No. 1
- 1333. Santos Manuel Student Union of California State University, San Bernardino
- 1334. Sausalito-Marín City Sanitary District
- 1335. Schell Vista Fire Protection District
- 1336. School Risk And Insurance Management Group
- 1337. Schools Excess Liability Fund
- 1338. Schools Insurance Authority
- 1339. Scotts Valley Fire Protection District
- 1340. Scotts Valley Water District
- 1341. Selma Cemetery District
- 1342. Selma-Kingsburg-Fowler County Sanitation District
- 1343. Serrano Water District
- 1344. Sewer Authority Mid-Coastside
- 1345. Sewerage Commission-Oroville Region
- 1346. Shafter Wasco Irrigation District
- 1347. Shasta Area Safety Communications Agency
- 1348. Shasta Community Services District
- 1349. Shasta Lake Fire Protection District
- 1350. Shasta Mosquito and Vector Control District
- 1351. Shasta Regional Transportation Agency
- 1352. Shasta Valley Cemetery District
- 1353. Shiloh Public Cemetery District
- 1354. Sierra Lakes County Water District
- 1355. Sierra-Sacramento Valley Emergency Medical Services Agency
- 1356. Silicon Valley Animal Control Authority
- 1357. Silicon Valley Clean Water
- 1358. Silveyville Cemetery District
- 1359. Solano Cemetery District
- 1360. Solano County Mosquito Abatement District
- 1361. Solano County Water Agency
- 1362. Solano Irrigation District
- 1363. Solano Transportation Authority
- 1364. Sonoma County Fire District
- 1365. Sonoma County Junior College District
- 1366. Sonoma County Library
- 1367. Sonoma Marin Area Rail Transit District
- 1368. Sonoma State Enterprises, Inc.
- 1369. Sonoma Student Union Corporation
- 1370. Soquel Creek Water District
- 1371. South Bay Regional Public Communications Authority
- 1372. South Central Los Angeles Regional Center for Developmentally Disabled Persons

Exhibit C
Page 33

- 1373. South Coast Water District
- 1374. South County Support Services Agency
- 1375. South Feather Water and Power Agency
- 1376. South Kern Cemetery District
- 1377. South Orange County Wastewater Authority
- 1378. South Placer Fire District
- 1379. South Placer Municipal Utility District
- 1380. South San Joaquin Irrigation District
- 1381. South San Luis Obispo County Sanitation District
- 1382. South Tahoe Public Utility District
- 1383. Southeast Area Social Services Funding Authority
- 1384. Southern California Association of Governments
- 1385. Southern California Library Cooperative
- 1386. Southern California Public Power Authority
- 1387. Southern California Regional Rail Authority
- 1388. Southern San Joaquin Municipal Utility District
- 1389. Southern Sonoma County Resource Conservation District
- 1390. Southwest Transportation Agency
- 1391. Special District Risk Management Authority
- 1392. Stallion Springs Community Services District
- 1393. Stanislaus Consolidated Fire Protection District
- 1394. Stanislaus Regional Housing Authority
- 1395. State Bar of California
- 1396. State Center Community College District
- 1397. State Water Contractors
- 1398. Stege Sanitary District
- 1399. Stinson Beach County Water District
- 1400. Stockton East Water District
- 1401. Stockton Unified School District
- 1402. Strawberry Recreation District
- 1403. Successor Agency to the Redevelopment Agency of the City of Fresno
- 1404. Successor Agency to the Redevelopment Agency of the City & County of San Francisco
- 1405. Suisun Fire Protection District
- 1406. Suisun Resource Conservation District
- 1407. Summit Cemetery District
- 1408. Sunnyslope County Water District
- 1409. Susanville Sanitary District
- 1410. Sutter Cemetery District
- 1411. Sweetwater Authority
- 1412. Sweetwater Springs Water District
- 1413. Sylvan Cemetery District
- 1414. Tahoe City Public Utility District

- 1415. Tahoe Resource Conservation District
- 1416. Tahoe-Truckee Sanitation Agency
- 1417. Tehachapi Valley Recreation and Park District
- 1418. Tehachapi-Cummings County Water District
- 1419. Tehama County Mosquito Abatement District
- 1420. Temescal Valley Water District
- 1421. Templeton Community Services District
- 1422. Thermalito Water and Sewer District
- 1423. Three Rivers Community Services District
- 1424. Three Valleys Municipal Water District
- 1425. Tiburon Fire Protection District
- 1426. Trabuco Canyon Water District
- 1427. Tracy Rural County Fire Protection District
- 1428. Transbay Joint Powers Authority
- 1429. Transportation Agency for Monterey County
- 1430. Transportation Authority of Marin
- 1431. Treasure Island Development Authority
- 1432. Tri-City Mental Health Center
- 1433. Tri-Counties Association for the Developmentally Disabled
- 1434. Tri-County Schools Insurance Group
- 1435. Tri-Dam Project
- 1436. Trindel Insurance Fund
- 1437. Trinity Public Utilities District
- 1438. Truckee Donner Public Utility District
- 1439. Truckee Fire Protection District
- 1440. Truckee Sanitary District
- 1441. Truckee Tahoe Airport District
- 1442. Tulare Mosquito Abatement District
- 1443. Tulare Public Cemetery District
- 1444. Tuolumne City Sanitary District
- 1445. Tuolumne Fire District
- 1446. Tuolumne Utilities District
- 1447. Turlock Mosquito Abatement District
- 1448. Twain Harte Community Services District
- 1449. Twentynine Palms Water District
- 1450. Twin Rivers Unified School District
- 1451. Ukiah Valley Fire District
- 1452. Union Public Utility District
- 1453. Union Sanitary District
- 1454. United Water Conservation District
- 1455. University Enterprises Corporation at CSUSB
- 1456. University Enterprises, Inc.
- 1457. University Student Center of California State University Stanislaus

Exhibit C
Page 35

- 1458. Upland City Housing Authority
- 1459. Upper San Gabriel Valley Municipal Water District
- 1460. Utica Water and Power Authority
- 1461. Vacaville Fire Protection District
- 1462. Vacaville-Elmira Cemetery District
- 1463. Val Verde Unified School District
- 1464. Vallecitos Water District
- 1465. Vallejo Flood and Wastewater District
- 1466. Valley Center Municipal Water District
- 1467. Valley County Water District
- 1468. Valley Mountain Regional Center, Inc.
- 1469. Valley of the Moon Water District
- 1470. Valley Sanitary District
- 1471. Valley Springs Public Utility District
- 1472. Valley-Wide Recreation and Park District
- 1473. Vandenberg Village Community Services District
- 1474. Ventura College Foundation
- 1475. Ventura County Law Library
- 1476. Ventura County Schools Business Services Authority
- 1477. Ventura County Schools Self-Funding Authority
- 1478. Ventura County Transportation Commission
- 1479. Ventura Port District
- 1480. Ventura River Water District
- 1481. Victor Valley Transit Authority
- 1482. Victor Valley Wastewater Reclamation Authority
- 1483. Visalia Public Cemetery District
- 1484. Vista Irrigation District
- 1485. Walnut Valley Water District
- 1486. Wasco Recreation and Park District
- 1487. Washington Colony Cemetery District
- 1488. Water Employee Services Authority
- 1489. Water Facilities Authority
- 1490. Water Replenishment District of Southern California
- 1491. Weaverville Community Services District
- 1492. Weaverville Sanitary District
- 1493. West Almanor Community Services District
- 1494. West Basin Municipal Water District
- 1495. West Bay Sanitary District
- 1496. West Cities Communication Center
- 1497. West Contra Costa Integrated Waste Management Authority
- 1498. West Contra Costa Transportation Advisory Committee
- 1499. West County Transportation Agency
- 1500. West County Wastewater District

Exhibit C

Page 36

- 1501. West End Communications Authority
- 1502. West Kern Water District
- 1503. West Stanislaus Irrigation District
- 1504. West Valley Mosquito and Vector Control District
- 1505. West Valley Sanitation District of Santa Clara County
- 1506. West Valley Water District
- 1507. West Valley-Mission Community College District
- 1508. Westborough Water District
- 1509. Western Contra Costa Transit Authority
- 1510. Western Municipal Water District
- 1511. Western Riverside Council of Governments
- 1512. Westlands Water District
- 1513. Westwood Community Services District
- 1514. Wheeler Ridge-Maricopa Water Storage District
- 1515. Wildomar Cemetery District
- 1516. Williams Fire Protection Authority
- 1517. Willow County Water District
- 1518. Willow Creek Community Services District
- 1519. Willows-Cemetery District
- 1520. Wilton Fire Protection District
- 1521. Winterhaven Water District
- 1522. Winters Cemetery District
- 1523. Winters Fire Protection District
- 1524. Winton Water and Sanitary District
- 1525. Woodbridge Rural County Fire Protection District
- 1526. Woodlake Fire District
- 1527. Woodside Fire Protection District
- 1528. Yolo County Federal Credit Union
- 1529. Yolo County Housing Authority
- 1530. Yolo County In-Home Supportive Services Public Authority
- 1531. Yolo County Public Agency Risk Management Insurance Authority
- 1532. Yolo County Transportation District
- 1533. Yolo Emergency Communications Agency
- 1534. Yolo-Solano Air Quality Management District
- 1535. Yorba Linda Water District
- 1536. Yuba Community College District
- 1537. Yuba County Water Agency
- 1538. Yuba Sutter Transit Authority
- 1539. Yucaipa Valley Water District
- 1540. Yuima Municipal Water District

A. Byrne Conley
Peter A. Urhausen
Sean C. Conley

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Fax: (925) 932-1623

Austin R. Gibbons (**Retired**)

www.gibbons-conley.com

July 27, 2023

Dennis Mulqueeny & Seth Cole
Program Administrators
California Sanitation Risk Management Authority
560 Mission Street, 6th Floor
San Francisco, CA 94105

Re: *CSRMA: Claim letters from Christine McCormick relating to PERS disability retirement calculations*

Dear Dennis and Seth;

The members of CSRMA, together with a very large number of California public agencies, have been receiving letters from an attorney for Christine McCormick advising of her intention to file suit against PERS and to seek class action status for a class of plaintiffs as well as a purported class of public entities. Although the letters are not labeled as government claims, the attached Exhibit B does specifically reference Government Code section 910 requirements.

My conclusion is that this is not covered under the CSRMA Memorandum of Coverage, since claims regarding disability benefits under a retirement plan are excluded by Exclusions 5, 7, 8, 9 and 10. Further, the claim does not seek compensatory damages, but rather benefits under a disability plan.

However, it is such an unusual claim, and I am seeing these come from cities in several different self-insurance pools, I am going to pass on some comments in the hope it helps the Members to address the merits of the claim.

The Claimant.

Claimant Cari McCormack was formerly an appraiser for property taxes for Lake County. She began experiencing physical symptoms after the County Courthouse, where she worked, was re-roofed, creating an alleged chemical smell. These symptoms continued for some time. The County would not allow her to work elsewhere, and after her leave ran out, her employment was terminated. She applied for a PERS disability retirement. This was denied by the Administrative Law Judge on the ground that she was not disabled from working anywhere else, but the Court of Appeal issued a writ, ordering her disability retirement to be granted. The Court held that disability retirement eligibility was governed by Government Code section 21156 and the PERS law, unlike the Teachers' Retirement Law, did not consider reasonable accommodation issues in determining eligibility: "Finally, we turn to the determinative legal issue in this case: whether, as CalPERS argues and the trial court agreed, members are ineligible

for disability retirement when they are “physically capable of performing all of the usual duties for their actual employer, and the only impediment to performing the duties is [the] employer's alleged failure to provide reasonable accommodations.” We conclude that CalPERS may not deny disability retirement under section 21156 when, due to a medical condition, applicants can no longer perform their duties at the only location where their employer will allow them to work.” (*McCormick v. Public Employees Retirement System* (2019) 41 Cal.App.5th 428, 439-440.)

The current claim.

In this current claim, McCormick now asserts that the formula used by CalPERS for disability retirement benefits is discriminatory, on an age discrimination basis. The analysis is a little bit tricky because Claimant is claiming that the formula discriminates against employees “who were at or over age 40 at the time they became members of the CalPERS system....” From the description in the claim, it appears that PERS law assumes the disability retirement applicant would have worked until age 60, then calculates the years of service plus the years on disability up to age 60, and pays a percentage of the last salary based upon this calculation. So, a member who joined at age 18 will likely have many more years of service than another employee who joined at age 41 or later.

The PERS formula as explained in the claim would seem to make sense – if each of the employees described in the example worked to age 60, the percentage of salary used for determination of the retirement benefit would be based upon years of service, and someone with 42 years of service would have a higher multiplier than someone with 18 years of service. It is not at all clear how this is discriminatory or invalid when the formula itself is determined by the Legislature in the Government Code itself. But, that is the claim. It is true that commercial insurance disability policies do not work this way – the benefit is typically simply a percentage of salary for the period of disability, for the period of time specified in the coverage. But there should be nothing inherently wrong with the benefit being determined by a time of service element, as are retirement benefits.

Procedurally, this claim is not titled a “government claim” but buried in the attachments as Exhibit B it recites “Required Claim Information (Gov. Code section 910)” so I would treat this as a claim.

Class action status sought.

This is where it gets strange – the “Name of Claimant” is listed as “Cari McCormick” but Exhibit A purports to claim that Claimant will seek class action status as lead Plaintiff for a class of PERS member employees. The Claim also seeks to name a *class of defendants* including no less than 1,540 California public entities. “Plaintiff seeks to have the State of California, represented by the California Attorney General’s Office, appointed to represent a defendant class, which includes all public entities that employed one or more Plaintiffs, and are liable for employer-side retirement contributions for one or more Plaintiffs.” The Claim attaches as Exhibit C a list of 1540 entities participating in PERS as listed in PERS’ CAFR statement.

It is true that a class of *plaintiffs* may sue a public entity and provide only the name and address of the lead plaintiff. (*City of San Jose v. Superior Court* (1974) 12 Cal.3d 447, 457.) In the *San Jose* case, the Supreme Court decided that the injuries to each potential class member (nuisance to each property owner, in various locations, from operation of a municipal airport) were distinct and that a class should not be certified because there was insufficient community of interest. That may be the ultimate determination here, though there would be a common interest in a determination of how the statutes governing benefits are applied and interpreted.

On the other hand, here the Claim indicates that McCormick will seek to create a class of *plaintiffs* and a class of *defendants* (1540 public entities) involuntarily joined and represented by the Attorney General. It is not clear that this Claimant can create a class of *defendants* this way. California CCP section 382 provides: “If the consent of any one who should have been joined as plaintiff cannot be obtained, he may be made a defendant, the reason thereof being stated in the complaint; and when the question is one of a common or general interest, of many persons, or when the parties are numerous, and it is impracticable to bring them all before the court, one or more may sue or defend for the benefit of all.”

Weil and Brown, *California Civil Procedure Before Trial*, at sections 14:58 – 14:60 indicate that there are limited circumstances in which actions against a class of defendants is authorized. However, “very careful scrutiny is given to the requirements of adequate representation, notice to the class, and standing in defendants’ class actions.” (At section 14:58.)

Here it appears that Claimant’s counsel hopes to litigate an issue over calculation of disability retirement benefits and claim damages on behalf of a potentially large class of persons, with a hefty attorney fee award included. This will likely face many procedural blockades. First, class certification of defendants may well be denied. It is not clear that the litigation over the PERS formula cannot be held with regard to this Claimant alone, as opposed to a class action suit. The damages as to each class plaintiff is different (the reason cited in the *San Jose* case for denying class action certification) and the government claim does not specify for each public entity the employees and amounts involved. Further, there is no right to sue letter as to the many public entity defendants listed – the right to sue letter only names the State of California, the County of Lake, and CalPERS. (The right to sue letter itself says it applies to “the person, employer, labor organization, or employment agency named in the above referenced complaint.”) So, arguably any employment discrimination claim should be unavailable until compliance with DFEH statutes. The government claim also asserts a breach of contract theory (where public employment is generally held by statute, not contract) but the contract terms are not specifically described, beyond a vague reference to a general promise to provide disability benefits. Finally, there may be additional statute of limitations issues since the PERS statutes have been in place for some time, and it appears the Claimant’s determination of benefits may go back to 2019.

<https://www.ce9.uscourts.gov/jury-instructions/node/190>

<https://www.ce9.uscourts.gov/jury-instructions/node/206>

Here is a link to the Ninth Circuit’s Manual of Model Jury Instructions for Age Discrimination claims, and a link to the instruction on Damages. According to the Manual, the ADEA does not

provide for “nonwage compensatory damages” such as emotional distress, but only liquidated damages, injunctive relief, back pay and occasionally front pay if reinstatement is not a feasible remedy. Also the Manual asserts that the ADEA is the exclusive remedy, a section 1983 cause of action cannot be maintained.

Coverage.

There is no Complaint yet, of course. The essential claim here is age discrimination in employment. Coverage for Employment Related Practices includes claims of “discrimination” which includes age discrimination. However, coverage is subject to Exclusions that apply to certain types of damages claims.

Under the Exclusions, “As respects COVERAGES A, B, C and D, this MEMORANDUM does not provide COVERAGE for LOSS resulting from:

5. Any obligation for which a COVERED PARTY or any insurance company as its insurer may be held liable under any workers’ compensation or disability benefits law or any similar law.

...

20. LOSS arising from (a) failure to perform, or breach of, a contractual obligation, or (b) any liability for which the ENTITY is obligated to pay damages by reason of liability assumed in a contract or agreement....

...

22. Claims, demands or actions seeking relief or redress in any form other than money damages

...

D. This MEMORANDUM also does not provide COVERAGE for LOSS under COVERAGE C - PUBLIC ENTITY ERRORS AND OMISSIONS, arising out of:

...

2. Any employee benefit plan because of unlawful discrimination, whether the plan is voluntarily established by a COVERED PARTY or mandated by statute.

...

E. This MEMORANDUM does not provide COVERAGE for LOSS under COVERAGE C -

PUBLIC ENTITY ERRORS and OMISSIONS for EMPLOYMENT RELATED PRACTICES with respect to:

...

4. Any obligation which a COVERED PARTY may have for workers' compensation disability benefits, unemployment compensation, social security benefits or other similar employment benefits which may be required by law, whether or not the COVERED PARTY'S obligation is payable directly or is secured by insurance or another indirect funding and payment mechanism.

.

Under this governing language, CSRMA would have no coverage for the matters alleged in the claim. If members become liable for additional disability benefits to employees or former employees, such liability would not be considered a covered compensatory damage, but rather an employment benefit.

CSRMA members who have received these claims may want to send a notice of insufficiency of the claim for failure to meet the elements of Government Code section 910 (c), (d), and (e). Claimant might argue that the claim satisfies the requirement as discussed in the *San Jose* case, allowing a claim by a representative class member, but I would raise the defense anyway since one obvious objection to establishing a class of defendants is that each potential class member is in a different factual situation, and the "claim" as currently presented does not give members the essential information required by the Code.

If claimant McCormick does file a suit and tries to name members as parties, we would of course review that for coverage as well, but based on what is in the claim it does not appear that any such suit would be covered by CSRMA.

Any questions, please call.

Very Truly Yours,

Byrne Conley

A. Byrne Conley
CSRMA General Counsel

**TAHOE-TRUCKEE SANITATION AGENCY
NOTICE OF INSUFFICIENCY OF CLAIM
AND RETURN WITHOUT ACTION**

Date: 8/2/2023

Date of Claim: 7/20/2023

Cari McCormick
c/o Brent A. Robinson
Aiman-Smith & Marcy, PC
7677 Oakport Street, Suite 1150
Oakland, CA 94621

This is to advise you that your Claim has been reviewed, evaluated, and found to be deficient for the reason(s) in bold and underlined below:

1. The Claim fails to state the name(s) and mailing address of all claimants.
2. The Claim is not signed.
3. The Claim fails to state the mailing address to which the person desires notices to be sent.
4. **The Claim does not comply with Government Code 910(c) as the Claim does not provide enough information to determine the location, date, and/or how the incident/accident occurred that gave rise to the Claim that has been asserted.**
5. **The Claim does not comply with Government Code 910(d) as the Claim does not provide enough information to determine the nature of the loss, damage, or injury that gave rise to the Claim that has been asserted.**
6. The Claim does not provide enough specific information to determine what, if anything, the public entity did or failed to do to create liability exposure.
7. The Claim does not state the amount sought or the court of appropriate jurisdiction.

The Claim will not be acted upon for fifteen (15) days from the date of this Notice to allow for your amendment of this Claim.

WARNING:

A claim that is deficient or does not contain sufficient information, as required by law, may not be considered to have been filed in a timely manner and may prevent the prosecution of a lawsuit based on the incident/accident which is the subject of this Claim.

PROOF OF SERVICE

On 8/03/2023, I served the within NOTICE OF INSUFFICIENCY OF CLAIM on the claimant by placing a true copy thereof enclosed in a sealed envelope for overnight delivery by an established courier service addressed as requested by the claimant.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Truckee, California on 8/03/2023.


Richard Pallante, General Manager

{00301595.1}

August 4, 2023

VIA UPS NEXT DAY DELIVERY

Clerk, Secretary, Auditor, or Governing Body
c/o Richard Pallante, General Manager
Tahoe-Truckee Sanitation Agency
13720 Butterfield Dr.
Truckee, CA 96161

Re: McCormick v. CalPERS et al.

Dear Richard Pallante:

As you know, my firm represents Cari McCormick. Thank you for your letter dated August 2, 2023. I respond to each of the points you raised in your letter.

As a preliminary matter, I note that your Agency is estopped from requiring compliance with the claim presentation protections of the Government Claims Act, because it has failed to register as a public entity with the California Secretary of State, as required by section 53051. *See*, California Roster 2022 (listing no entity by name of “Tahoe-Truckee Sanitation Agency”); § 946.4; *Wilson v. San Francisco Redevelopment Agency* (1977) 19 Cal.3d 555, 560.

That aside, your contention that Ms McCormick failed to substantially comply with section 910 is mistaken. Indeed, it appears you neglected to review Exhibit B to her claim, which is captioned, “Required Claim Information (Gov. Code § 910),” and which is reproduced in relevant part below:



Exhibit B – Required Claim Information (Gov. Code § 910)

Name of Claimant:	Cari McCormick
Address of Claimant, and Address Where Notices re Claim Should Be Sent:	Cari McCormick c/o Brent A. Robinson Aiman-Smith & Marcy, PC 7677 Oakport Street, Suite 1150 Oakland, CA 94621
Date, Place, and Other Circumstances of the Occurrence or Transaction which Gave Rise to the Claim Asserted:	Following a decision in favor of Ms McCormick by the First District Court of Appeal in 2019, CalPERS granted Ms McCormick ordinary disability retirement. For additional information about facts giving rise to claim asserted, see Exhibit A.
A General Description of the Loss Incurred:	See Exhibit A for detailed factual narrative.
The Name or Names of the Public Employees Causing the Injury, Damage, or Loss, if Known:	Unknown.
The Amount Claimed If Less than \$10k:	The amount claimed exceeds \$10k.

Note: This Claim is presented on behalf of a class of similarly situated persons. Claimant is the proposed representative claimant. The class description is provided in Exhibit A.

As you can see, and contrary to what you state in your letter, Ms McCormick’s claim states all the information required by section 910. That includes stating the date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted, as required by section 910(c). Her claim also stated a “general description” of the indebtedness, obligation, injury, damage, or loss incurred “so far as it may be known at the time of presentation” within the meaning of section 910(d), with the referenced Exhibit A (captioned “Claim Narrative”) containing a detailed four-page description of the same. Her claim also stated the name or names of the public employees causing the injury, damage, or loss, “if known,” as required by section 910(e). Finally, her claim stated that the amount claimed exceeds \$10,000 and expressly includes class action claims brought on behalf of thousands of other public employees, which necessarily precludes proceeding via a limited civil case. *See*, § 910(f).

For those reasons, Ms McCormick’s position is that she has complied with the presented a timely claim in compliance with the requirements of the Government Claims

Re: McCormick v. CalPERS et al.

August 4, 2023

Page 3

Act, such that your entity must now take action on Ms McCormick's claim as required by the same.

Regards,

AIMAN-SMITH & MARCY
PROFESSIONAL CORPORATION

/s/ Brent A. Robinson

Counsel for Plaintiff Cari McCormick
bar@asmlawyers.com



TAHOE-TRUCKEE SANITATION AGENCY MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Paul Shouse, Maintenance Manager
Item: V-10
Subject: Approval to purchase Progressive Cavity Pumps.

Background

In late 2021, the Agency began researching solutions to replace existing progressive cavity pumps used in the primary sludge pump stations. Parts for the existing pumps were becoming increasingly expensive and the means of performing maintenance on them were recognized as exposing staff to increased risk. Staff research identified Seepex as having a proprietary technology that would greatly reduce staff exposure and long-term maintenance costs. A Seepex progressive cavity pump was purchased and installed in early 2022. Since then, staff has experienced no issues with the replacement pump, and has purchased an additional unit for the thickened waste activated sludge (TWAS) process. Based on current observations, staff anticipates meeting or exceeding the manufacturers claim of extended service intervals.

Currently, there are two progressive cavity pumps for feeding the filter press for dewatering chemical sludge; one remaining progressing cavity pump for transferring TWAS from the thickeners to the centrifuge feed tank; and three remaining progressive cavity pumps for transferring primary sludge and scum from the primary clarifiers. Two of the remaining pumps are due for rebuild, with the remainder due within a year.

The split stator and rotor design of the Seepex Smart Conveying Technology (SCT) offers Maintenance staff the ability to completely rebuild pumps in place rather than by removing the entire unit for a shop rebuild. This process eliminates the risk of hoisting large equipment overhead and minimizes the need to manipulate heavier components in awkward spaces. Additionally, future rebuilds will be less frequent due to the re-tensioning device standard on SCT pumps. Combined, these features are anticipated to increase the life of the rotor and stator by up to 200% and drive asset lifecycle cost down, while increasing equipment operational availability.

Bids for procurement were not solicited in accordance with Agency Ordinance No. 3- 2015:

“Exceptions. Bidding will not be required for purchases in the following situations:(ii) the General Manager determines that it is strongly preferred for efficient operations that the Material be of a particular model, brand or make in order to match and be compatible with the model, brand or make of existing in-use Material.”

Quotes were provided by DXP Enterprises, the sole source of Seepex for the municipal market in Northern California, in the following amounts:

Amount	Description	GL Account	Quote #
\$88,600.00	Filter Press Feed Pump (qty 2)	06-09-1500-080	13385609
\$50,855.16	Primary Sludge/Scum Pump (qty 3)	06-09-1500-089	13395112
\$18,479.13	TWAS pump (qty 1)	06-09-1500-090	13395073
\$20,725.77	Filter Press Feed Pump spare parts	10-11-8000	13445678
\$7,812.73	TWAS pump spare parts	10-11-8000	13384655

Freight is estimated at \$1,000 for each pump.

Fiscal Impact

The quotes provided are less than the approved budget amounts as shown in the list below. Spare parts are included in separate quotes and allocated to the approved Maintenance Department budget.

Description	GL Account	Amount	Budget
Filter Press Feed Pumps	06-09-1500-080	\$88,600.00	\$ 103,000.00
Primary Sludge/Scum Pumps	06-09-1500-089	\$50,855.16	\$ 63,000.00
TWAS pump	06-09-1500-090	\$18,479.13	\$ 50,000.00
Filter Press Feed Pump spare parts	10-06-8000	\$20,725.77	Part of annual Maintenance budget \$20,000.00
TWAS pump spare parts	10-06-8000	\$7,812.73	Part of annual Maintenance budget \$7000.00
Total		\$186,472.79	\$ 243,000.00


Attachments


DXP Enterprises, Inc. - Seepex Sole Source Letter
13385609 - DXP Enterprises Seepex BN 70-12 quote for Filter Press Feed
13395112 - DXP Enterprises Seepex BN 35-6LS quote for Primary Scum/Sludge
13395073 - DXP Enterprises Seepex BN 35-6LS quote for TWAS
13445678 - DXP Enterprises Seepex BN 70-12 spare parts quote
13384655 - DXP Enterprises Seepex BN 35-6LS spare parts quote

Recommendation

Management and staff recommend approval, up to \$192,000.00, for the purchase of two (2) Seepex BN 70-12 progressing cavity pumps for Filter Press Feed (\$90,000); three (3) Seepex BN 35-6LS progressing cavity pumps for Primary Sludge/Scum (\$52,000); one (1) Seepex BN 35-6LS progressing cavity pump for TWAS (\$20,000); spare parts for the Filter Press Feed Pumps (\$22,000); and spare parts for the TWAS Pumps (\$8,000).

Review Tracking

Submitted By: 
Paul Shouse
Maintenance Manager

Approved By: 
Richard Pallante
General Manager

March 21, 2023

DXP Enterprises, Inc.
5301 Hollister Street
Houston, TX 77040

RE: SOLE SOURCE LETTER

SEEPEX Inc.
511 Speedway Drive
Enon, Ohio 45323
USA

To Whom It May Concern ,

T +1 937 864-7150
sales.us@seepex.com
www.seepex.com

DXP is the sole source supplier for Municipal products in the Territory of California. This includes sales of both pumps and parts.

Your local California DXP representative is:

Scott Davis
Pump Sales Engineer
Scott.Davis@dxpe.com
(510) 447-0703

Thank you so much.

Sincerely,

John Salyers

John Salyers
Director of Sales

SEEPEX Inc.
511 Speedway Drive
Enon, Ohio 45323
USA

QUOTATION



1340 N. Jefferson St.
Anaheim, CA 92807

Phone 714-779-0911
Fax 714-912-7330

Order Number

13385609



Order Date
06/13/2023

Page
1 of 1

Quote Expires On 7/13/2023

Bill To:

TAHOE-TRUCKEE SANITATION AGENCY
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161
US

530-587-2525

Ship To:

TAHOE-TRUCKEE SANITATION AGENCY
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161
US

Customer ID: 525864

Order Required Date 10/13/2023

PO Number	Ship Route	Taker	SalesRep
		JOHN.DIETZEL	Scott Davis

Quantities					Item ID Item Description	Pricing UOM Unit Size	Unit Price	Extended Price
Ordered	Allocated	Remaining	UOM Unit Size	Disp.				
2.000	0.000	2.000	EA		(002) SEE BN 70-12	EA	40,000.0000	80,000.00
Item Required Date: 10/13/2023					1.0	PUMP, PROGRESSIVE CAVITY BN 70-12	1.0	
					A1-J0-J0-F0-C			

Total Lines: 1

SUB-TOTAL: 80,000.00
TAX: 6,600.00
AMOUNT DUE: 86,600.00
 USD

QUOTATION



1130 Potrero Avenue
Richmond, CA 94804

Phone 510-236-5481
Fax 510-236-5598

Order Number

13395112



Order Date

06/16/2023

Page

1 of 1

Quote Expires On 7/17/2023

Bill To:

TAHOE-TRUCKEE SANITATION AGENCY
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161
US

530-587-2525

Ship To:

TAHOE-TRUCKEE SANITATION AGENCY
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161
US

Customer ID: 525864

Order Required Date 09/29/2023

PO Number	Ship Route	Taker	SalesRep
		JOHN.DIETZEL	Scott Davis

Quantities					Item ID	Pricing	Unit	Extended
Ordered	Allocated	Remaining	UOM	Disp.	Item Description	UOM	Price	Price
			Unit Size			Unit Size		

1.000	0.000	1.000	EA		(001) SEE BN 35-6LS / A1-C1-L8-F0-GA	EA	14,736.0000	14,736.00
-------	-------	-------	----	--	--------------------------------------	----	-------------	-----------

Item Required Date: 9/29/2023

1.0					PROGRESSIVE CAVITY PUMP PUMP TO HANDLE SCUM	1.0		
-----	--	--	--	--	--	-----	--	--

Total Lines: 1

SUB-TOTAL: 14,736.00
TAX: 1,215.72
AMOUNT DUE: 15,951.72
 USD

QUOTATION



1130 Potrero Avenue
Richmond, CA 94804

Phone 510-236-5481
Fax 510-236-5598

Order Number

13395073



Order Date

06/16/2023

Page

1 of 1

Quote Expires On 7/17/2023

Bill To:

TAHOE-TRUCKEE SANITATION AGENCY
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161
US

530-587-2525

Ship To:

TAHOE-TRUCKEE SANITATION AGENCY
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161
US

Customer ID: 525864

Order Required Date 10/16/2023

PO Number	Ship Route	Taker	SalesRep
		JOHN.DIETZEL	Scott Davis

Quantities					Item ID Item Description	Pricing UOM Unit Size	Unit Price	Extended Price	
Ordered	Allocated	Remaining	UOM Unit Size	Disp.					
1.000	0.000	1.000	EA		(001) SEE BN 35-6LS / A1-C1-L8-F0-GA	EA	16,147.0000	16,147.00	
Item Required Date: 10/16/2023					1.0	PROGRESSIVE CAVITY PUMP PUMP TO HANDLE THICKENED ACTIVATED SLUDGE	1.0		

Total Lines: 1

SUB-TOTAL: 16,147.00

TAX: 1,332.13

AMOUNT DUE: 17,479.13

USD

QUOTATION



1130 Potrero Avenue
Richmond, CA 94804

Phone 510-236-5481
Fax 510-236-5598

Order Number

13445678



Order Date
07/13/2023

Page
1 of 1

Quote Expires On 8/11/2023

Bill To:

TAHOE-TRUCKEE SANITATION AGENCY
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161
US

Ship To:

TAHOE-TRUCKEE SANITATION AGENCY
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161
US

530-587-2525

Customer ID: 525864

Order Required Date 07/27/2023

PO Number	Ship Route	Taker	SalesRep
		JOHN.DIETZEL	Scott Davis

Quantities					Item ID Item Description	Pricing UOM Unit Size	Unit Price	Extended Price
Ordered	Allocated	Remaining	UOM Unit Size	Disp.				
1.000	0.000	1.000	EA		(001) SEE STAF00600700FNNX00	EA	1,503.5500	1,503.55
Item Required Date: 7/27/2023					1.0	STATOR-HALF 60/70-12S NBR	1.0	
1.000	0.000	1.000	EA		(002) SEE STAF00600700FNTX00	EA	1,303.6800	1,303.68
Item Required Date: 7/27/2023					1.0	STATOR-HALF 60/70-12S NBR, TSE	1.0	
1.000	0.000	1.000	EA		(003) SEE ROTL80600700FN09SR	EA	8,094.0000	8,094.00
Item Required Date: 7/27/2023					1.0	ROTOR SRT 60/70-12S TOOL STEEL	1.0	
1.000	0.000	1.000	EA		(004) SEE ROKC106007000RXXXX	EA	1,896.1500	1,896.15
Item Required Date: 7/27/2023					1.0	ROTOR HEAD SRT 60/70 1.4021 W/PIN	1.0	
1.000	0.000	1.000	EA		(005) SEE R-OF00350G00000000	EA	15.9300	15.93
Item Required Date: 7/27/2023					1.0	O-RING Ø70X3,5 NBR	1.0	
1.000	0.000	1.000	EA		(006) SEE RSIN10300K00000471	EA	152.2500	152.25
Item Required Date: 7/27/2023					1.0	RETAINING RING 100X3,0 DIN 471, 1.4122	1.0	
1.000	0.000	1.000	EA		(007) SEE DSGM006007000AT0P6	EA	39.8500	39.85
Item Required Date: 7/27/2023					1.0	CASING GASKET	1.0	
1.000	0.000	1.000	EA		(008) SEE GRDAUA100U01H0A7A7	EA	2,326.2000	2,326.20
Item Required Date: 7/27/2023					1.0	MECH.SEAL SEEPEX GA-G60 100 Q1Q1 VGG	1.0	
2.000	0.000	2.000	EA		(009) SEE SGTFO06007000XN612	EA	1,907.3000	3,814.60
Item Required Date: 7/27/2023					1.0	SINGLE SET JOINT PARTS 060/70 NBR 30321	1.0	

Total Lines: 9

SUB-TOTAL: 19,146.21
TAX: 1,579.56
AMOUNT DUE: 20,725.77
USD

QUOTATION



1340 N. Jefferson St.
Anaheim, CA 92807

Phone 714-779-0911
Fax 714-912-7330

Order Number

13384655



Order Date
06/12/2023

Page
1 of 1

Quote Expires On 7/12/2023

Bill To:

TAHOE-TRUCKEE SANITATION AGENCY
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161
US

530-587-2525

Ship To:

TAHOE-TRUCKEE SANITATION AGENCY
13720 BUTTERFIELD DRIVE
TRUCKEE, CA 96161
US

Customer ID: 525864

Order Required Date 06/19/2023

PO Number	Ship Route	Taker	SalesRep
		JOHN.DIETZEL	Scott Davis

Quantities					Item ID Item Description	Pricing UOM Unit Size	Unit Price	Extended Price
Ordered	Allocated	Remaining	UOM Unit Size	Disp.				
2.000	0.000	2.000	EA		(001) SEE STAF00600350SNNX00	EA	560.3500	1,120.70
<i>Item Required Date: 6/19/2023</i>					1.0	STATOR HALF	1.0	
1.000	0.000	1.000	EA		(002) SEE ROTL80600350SN09SR	EA	3,303.4500	3,303.45
<i>Item Required Date: 6/19/2023</i>					1.0	ROTOR SRT 60/35-6LS C45 DUKTIL 250?M	1.0	
2.000	0.000	2.000	EA		(003) SEE SGTF006001700XN612	EA	956.9000	1,913.80
<i>Item Required Date: 6/19/2023</i>					1.0	SINGLE SET JOINT PARTS	1.0	
1.000	0.000	1.000	EA		(004) SEE DSGM006001700AO0K6	EA	22.4500	22.45
<i>Item Required Date: 6/19/2023</i>					1.0	CASING GASKET	1.0	
1.000	0.000	1.000	EA		(005) SEE GRDAUA070U01H0A7A7	EA	856.9000	856.90
<i>Item Required Date: 6/19/2023</i>					1.0	MECHANICAL SEAL	1.0	

Total Lines: 5

SUB-TOTAL: 7,217.30
TAX: 595.43
AMOUNT DUE: 7,812.73
USD



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Aaron Carlsson, Senior Engineer
Item: V-11
Subject: Concept freeze for 2024 Administration Parking & Landscaping Improvements project.

Background

The Administration Parking Lot and surrounding landscape have become outdated and are in need of rehabilitation. The 2024 Administration Parking & Landscaping Improvements project (Project) seeks to rehabilitate this area. Staff is currently working on the Project with the intention of construction starting in the summer of 2024.

Proposal

The improvements associated with the Project include the following:

1. Installation of new curb and gutter along a new alignment.
2. Regarding the front lawn area.
3. Installation of new walk paths.
4. Update the existing landscape and irrigation.

Analysis

The proposed improvements will benefit the Agency by doing the following:

1. Increase the number of parking spaces.
2. Upgrade the drainage in the front lawn area.
3. Improving snow removal efficiency.
4. Reduce the number of manhours need to maintain the front landscaping and pond.
5. Enhance the sustainability by installing environmentally friendly landscaping practices.
6. Revitalizing the walkways to improve handicap and employee access.

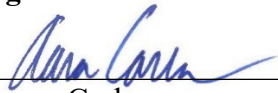
Attachments

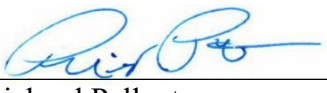
2024 Administration Parking & Landscaping Improvements Concept Freeze drawing.

Recommendation

Staff is seeking input from the Board to establish a Project concept freeze. Staff recommends the Board review and discuss the proposed design and provide direction as deemed appropriate.

Review Tracking

Submitted By: 
Aaron Carlsson
Senior Engineer

Approved By: 
Richard Pallante
General Manager

T:\Engineering\Projects\2022_Front Lawn Landscape Project\Drawings\Proposed Concept_1\02_LAYOUT.dwg 8/9/2023 15:22



①



②



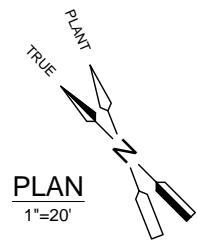
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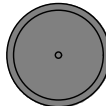




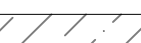
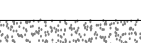





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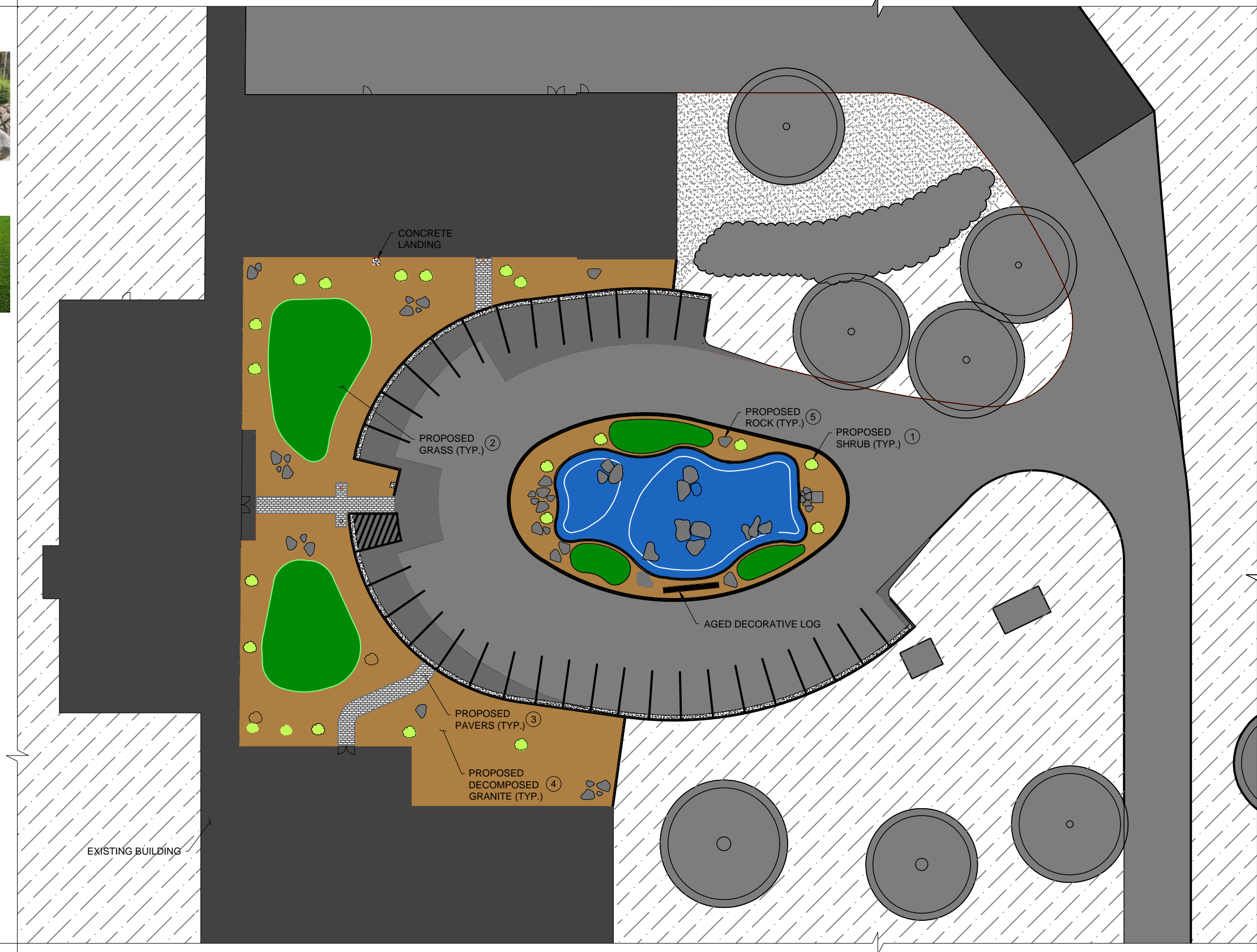


⑤



LEGEND

-  EXISTING ASPEN GROVE
-  TREE
-  SHRUB
-  ROCK
-  EXISTING BUILDING
-  PROPOSED GRASS
-  NATIVE CONDITION
-  EXISTING GRASS TO REMAIN
-  DECOMPOSED GRANITE
-  EXISTING ASPHALT PAVING
-  PROPOSED ADDITIONAL ASPHALT PAVING
-  PROPOSED PAVERS
-  PROPOSED CONCRETE



**PRELIMINARY
NOT FOR CONSTRUCTION**



Tahoe-Truckee Sanitation Agency
13720 Butterfield Drive
Truckee, California 96161
(530) 587-2525

**2024 ADMINISTRATION PARKING & LANDSCAPE
IMPROVEMENTS**

CONCEPT FREEZE

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING
0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

NO.	REVISIONS	APPROVED BY	DATE	SHEET	
				DWG NO.	DATE
DESIGNED BY:	APC	DRAWN BY:	TWS	CHECKED BY:	
				APPROVED BY:	
					AUGUST 2023



TAHOE-TRUCKEE SANITATION AGENCY MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: V-12
Subject: Approval of Resolution No. 13-2023 Commending Jason “Jay” Parker for his dedicated service to the Agency.

Background

Jason “Jay” Parker began his career at T-TSA as a consultant with CH2M Hill when he was assigned to work on the 2002 Plant Expansion Project. He became an Agency employee in August 2004 in the role of Assistant Chief Engineer until promoted to, Chief Engineer/Assistant General Manager, and eventually Engineering Department Manager.

The Board of Directors would like to recognize Jason “Jay” Parker for his 19 years of service; in which he diligently fulfilled his responsibility as Assistant Chief Engineer from August 2004 to January 2007, Chief Engineer/Assistant General Manager from January 2007 to November 2011, and Engineering Department Manager from November 2011 through his retirement in August 2023. During this time, Mr. Parker oversaw numerous capital improvement projects and served to ensure the economical and efficient operation of the Tahoe-Truckee Sanitation Agency. His dedication served to protect the integrity of the Tahoe-Truckee Sanitation Agency and protect the public health, safety, and welfare of the community. The Board of Directors’ express its sincere thanks and appreciation for the outstanding service and dedication Jason “Jay” Parker has provided to the Agency, its staff, and the people of the community.

Fiscal Impact

None

Attachments

Resolution No. 13-2023

Recommendation

Management and staff recommend approval of Resolution No. 13-2023 commending Jason “Jay” Parker for his dedicated service to the Agency.

Review Tracking

Submitted By: 

Richard Pallante
General Manager

RESOLUTION NO. 13-2023

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE TAHOE-TRUCKEE SANITATION AGENCY
COMMENDING JASON ‘JAY’ PARKER
FOR HIS DEDICATED SERVICE TO THE AGENCY**

WHEREAS, was employed by the Tahoe-Truckee Sanitation Agency on August 16, 2004 until his retirement on August 17, 2023; and;

WHEREAS, the Tahoe-Truckee Sanitation Agency Board of Directors would like to recognize Jason “Jay” Parker for his over 19 years of service; in which he diligently fulfilled his responsibility as an Assistant Chief Engineer from August 2004 to January 2007, Chief Engineer/Assistant General Manager from January 2007 to November 2011, and Engineering Department Manager from November 2011 through his retirement in August 2023. During this time, Jason “Jay” Parker served to ensure the economical and efficient operation of the Tahoe-Truckee Sanitation Agency and to protect the integrity of the Tahoe-Truckee Sanitation Agency Waster Reclamation Plant and Truckee River Interceptor, lead countless improvement projects, and protect the public health, safety, and welfare; the Board of Directors’ express its sincere thanks and appreciation for the outstanding service and dedication Jason “Jay” Parker has provided to the Agency, its staff, and the people of the community;

WHEREAS, the Tahoe-Truckee Sanitation Agency Board of Directors would like to express its sincere thanks and appreciation for the outstanding service and dedication Jason “Jay” Parker has provided to the Tahoe-Truckee Sanitation Agency, its staff, and the people of the community;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Tahoe-Truckee Sanitation Agency as follows:

1. The Board of Directors thanks and commends Jason “Jay” Parker for outstanding service to the Agency.
2. Jason “Jay” Parker has served as an integral part of the Truckee River Interceptor Repair and Rehabilitation.
3. Jason “Jay” Parker has been instrumental in maintaining and improving the Wastewater Treatment Plant facilities.
4. Jason “Jay” Parker has served as an integral part of the development of the Agency 25-year Master Plan.
5. Jason “Jay” Parker for serving as the Agency Safety Director.
6. Jason “Jay” Parker has been a dynamic part of the Agency earning not only the respect, devotion and admiration of the Board of Directors and Agency staff, but the respect and recognition throughout the entire Agency service area.

PASSED AND ADOPTED by the Board of Directors of the Tahoe-Truckee Sanitation Agency on this 16th day of August 2023 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

By:

Dan Wilkins, President - Board of Directors
TAHOE-TRUCKEE SANITATION AGENCY

Attest:

Richard Pallante, Secretary - Board of Directors
TAHOE-TRUCKEE SANITATION AGENCY

DRAFT



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: VI
Subject: Recess



**TAHOE-TRUCKEE SANITATION AGENCY
MEMORANDUM**

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: VII-1
Subject: Department Reports.

Background

Department reports for previous and current month(s).

Fiscal Impact

None.


Attachments

1. Operations Department Report.
2. Maintenance Department Report.
3. Engineering Department Report.
4. Administrative Department Report.

Recommendation

No action required.

Review Tracking

Submitted By: 
Richard Pallante
General Manager



TAHOE-TRUCKEE SANITATION AGENCY OPERATIONS DEPARTMENT REPORT

Date: August 16, 2023
To: Board of Directors
From: Michael Peak, Operations Manager
Subject: Operations Department Report

Compliance:

- All plant waste discharge requirements were met for the month.

Operations:

- Plant performed well through the month.
- Continue to monitor and evaluate Sodium Hypochlorite pilot project for effluent disinfection.
- Water Information Management Solution (WIMS) is currently being utilized by staff.
- Final effluent filter inspections and media replacement.

Operations Work Orders:

- Completed this month: 0
- Pending: 2

Laboratory:

- Staff performed necessary laboratory testing.
- Lab staff in the process of implementing quality systems improvements. Lab assessment completed on May 31st, report received, corrective action in process.

Laboratory Corrective Actions:

- Completed this month: 0
- Pending: 24

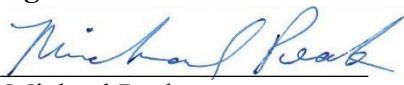
Plant Data:


Influent Flow Description	MG
Monthly average daily ⁽¹⁾	4.31
Monthly maximum instantaneous ⁽¹⁾	7.12
Maximum 7- day average	5.02

Effluent Limitation Description ⁽²⁾	WDR Monthly Average		WDR Daily Maximum	
	Recorded	Limit	Recorded	Limit
Suspended Solids (mg/l)	1.8	10.0	2.6	20.0
Turbidity (NTU)	NA	NA	2.4	10.0
Total Phosphorus (mg/l)	0.47	0.80	0.75	1.50
Chemical Oxygen Demand (mg/l)	38	45	52	60

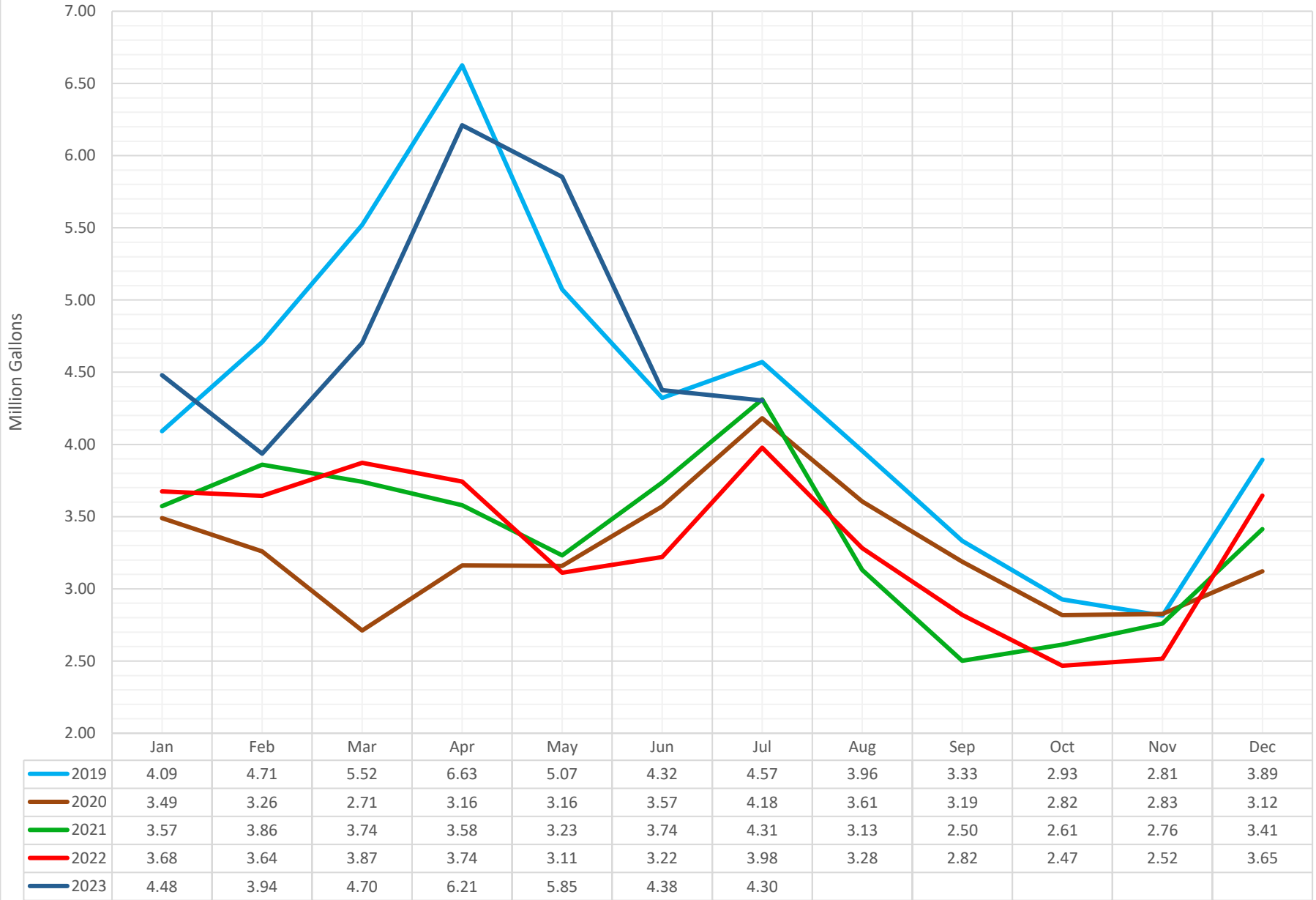
Notes: 1. Flows are depicted in the attached graph.
2. Effluent table data per WDR reportable frequency. Attached graphs depict all recorded data.

Review Tracking:

Submitted By: 
Michael Peak
Operations Manager

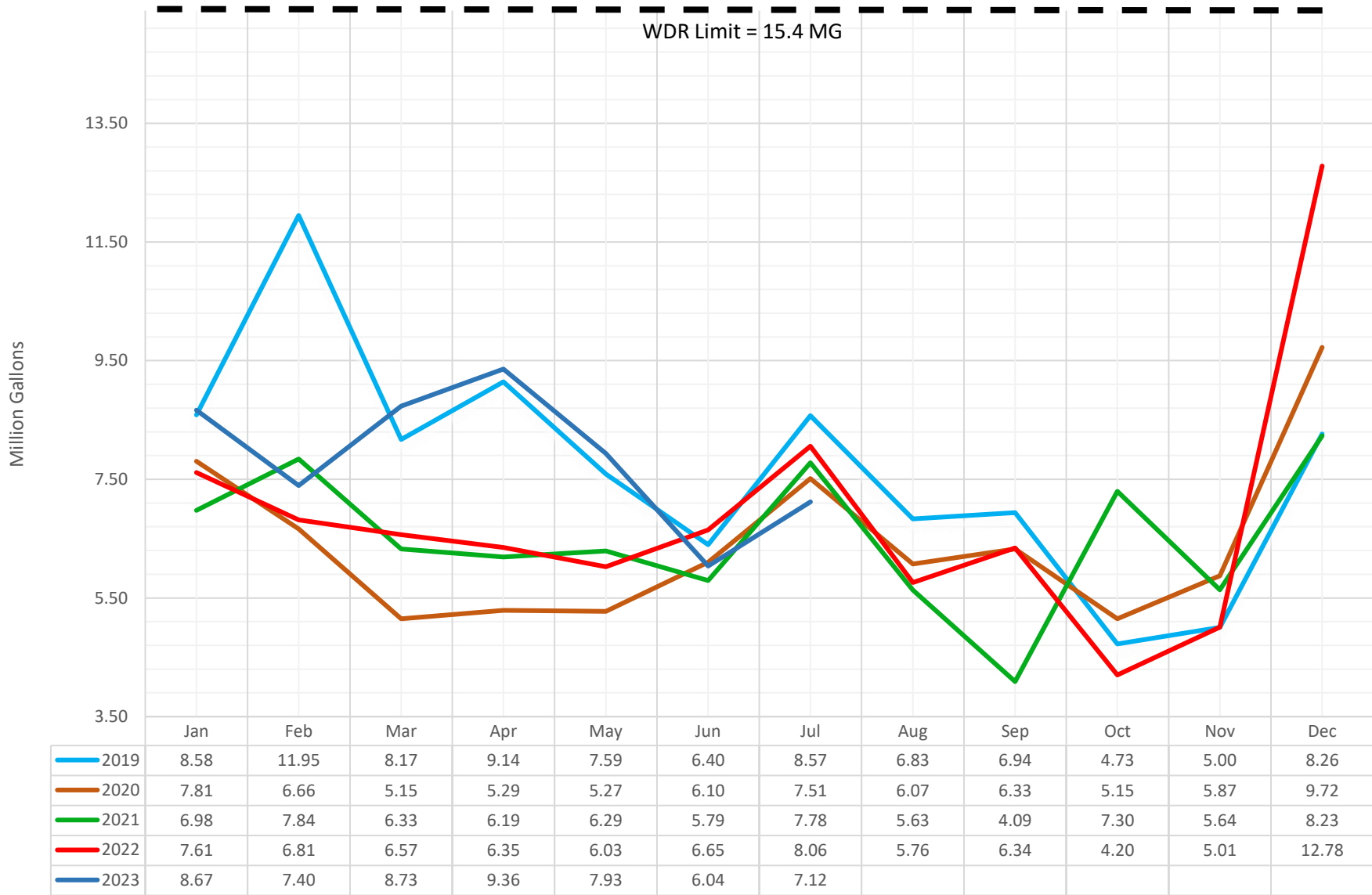
Approved By: 
Richard Pallante
General Manager

Monthly Average Daily Flow (Influent)

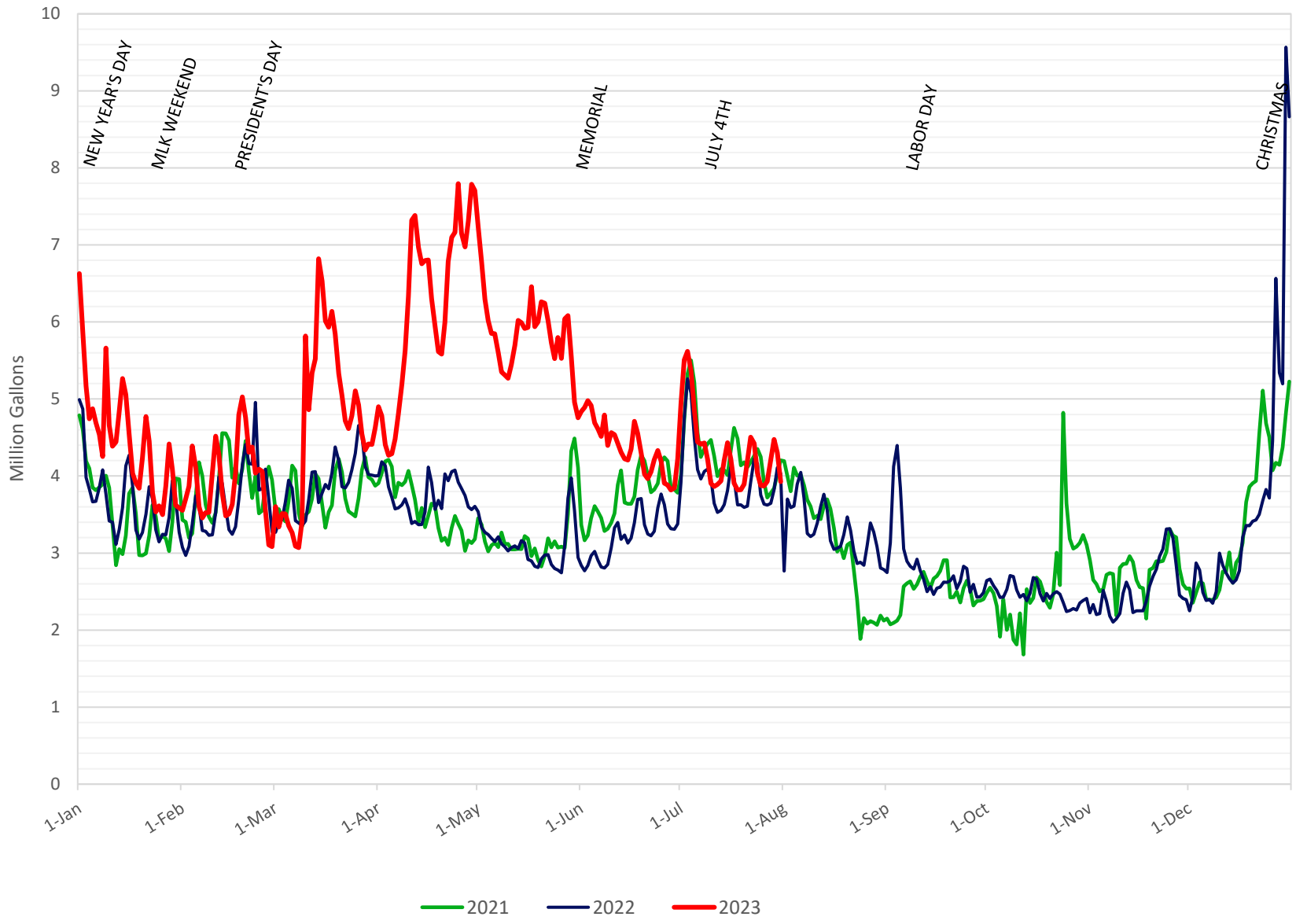


Monthly Maximum Instantaneous Flow (Influent)

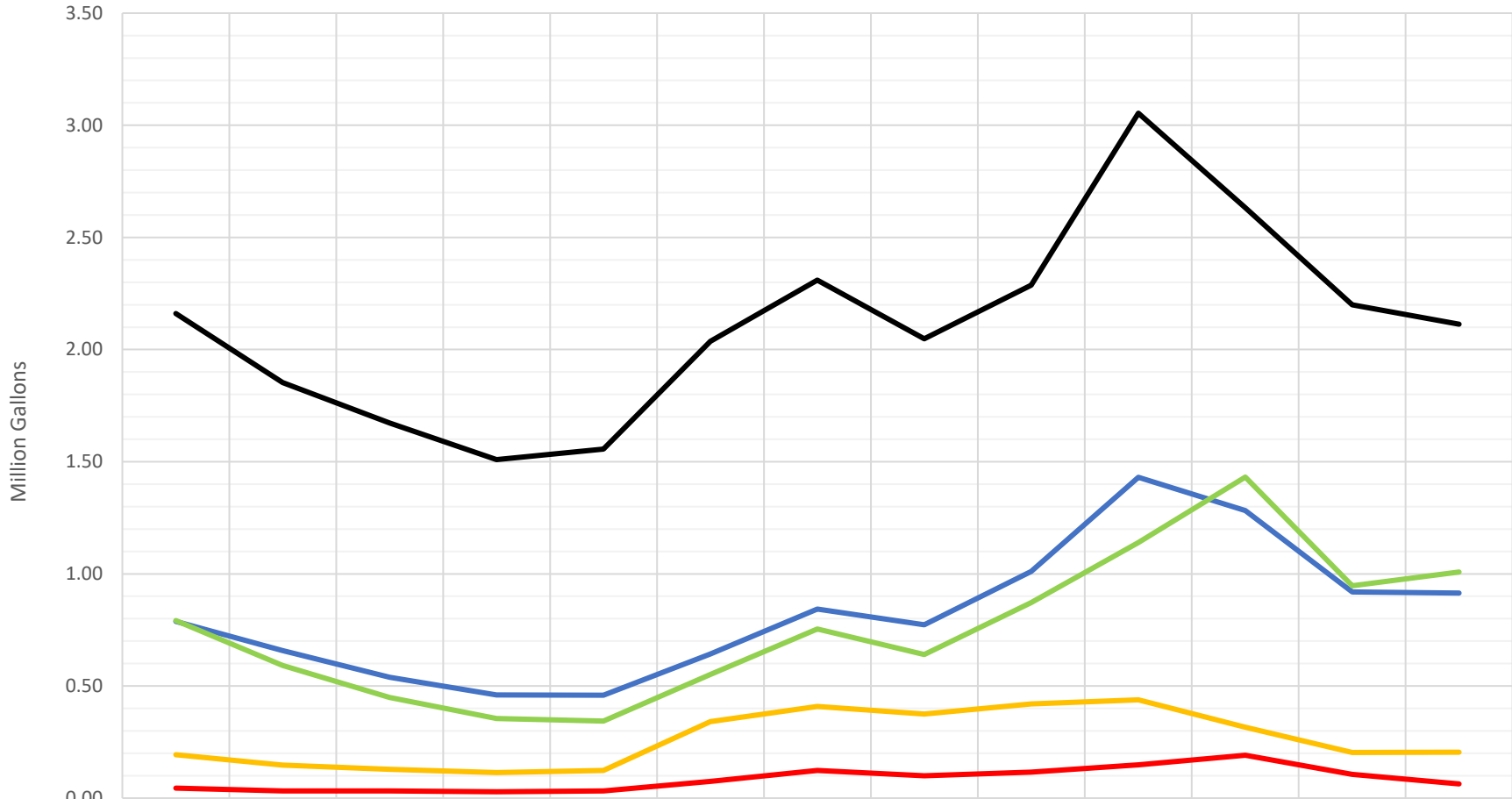
WDR Limit = 15.4 MG



T-TSA Daily Influent Flow

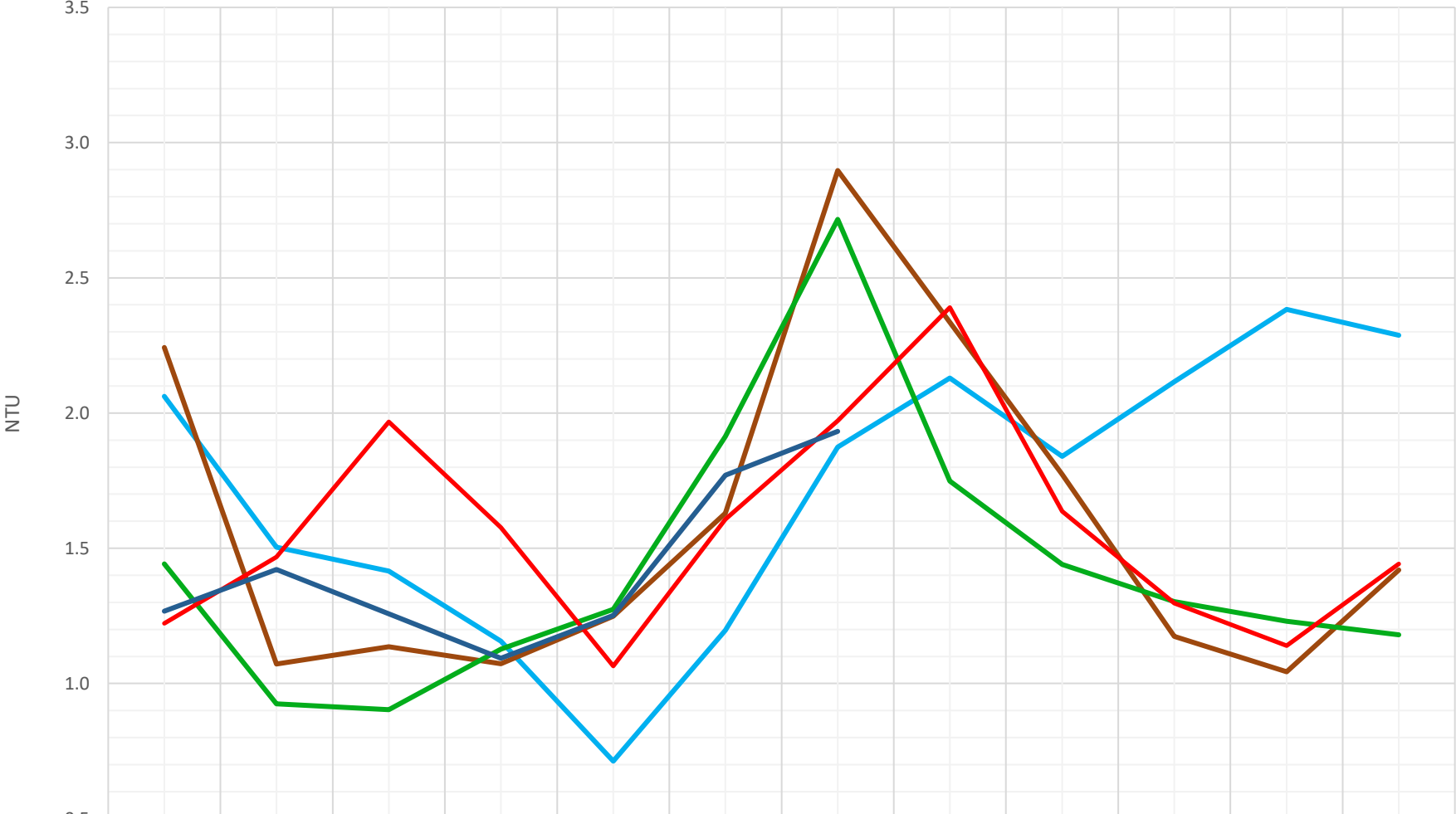


Monthly Average Daily Flow (Districts)



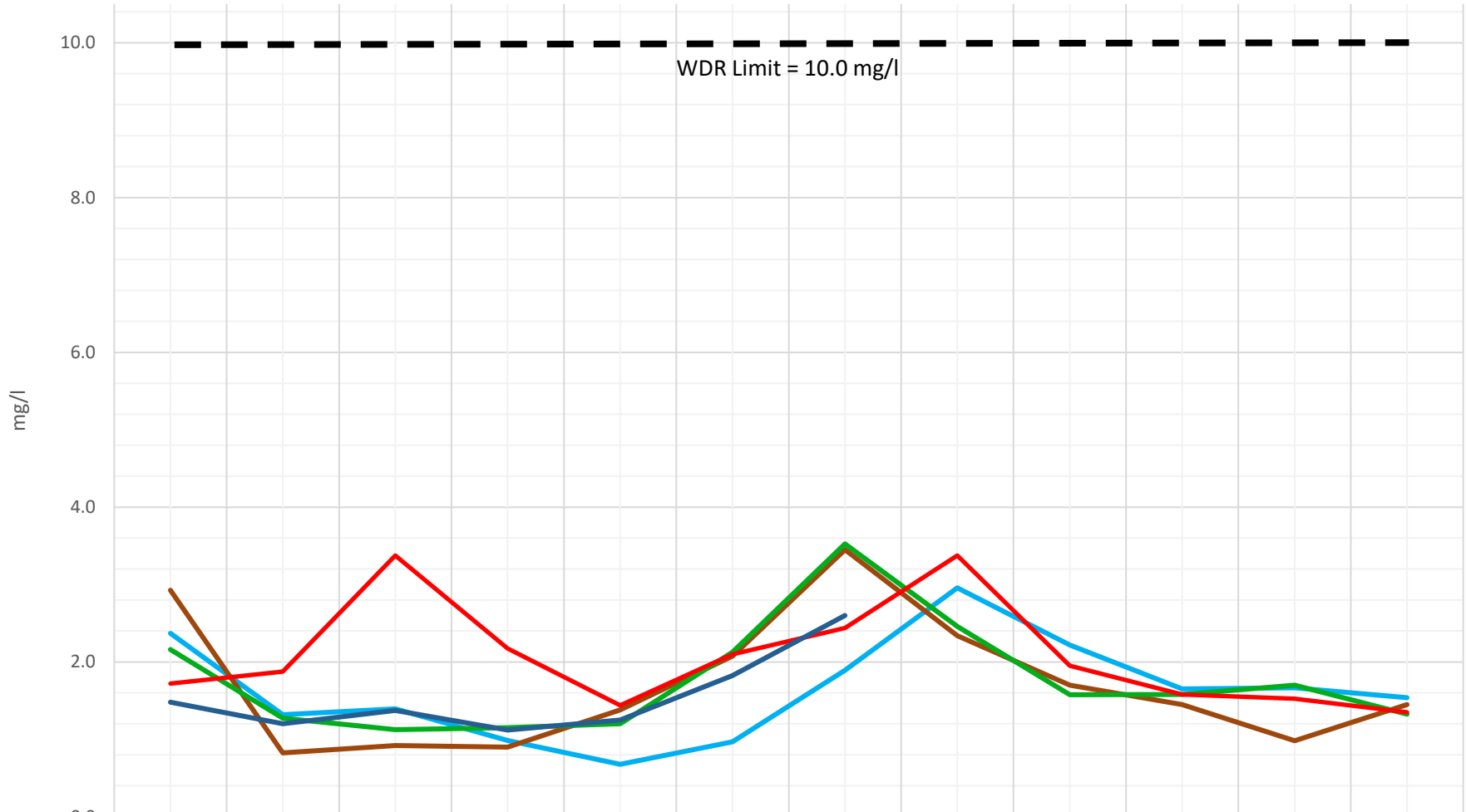
	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23
NTPUD	0.79	0.66	0.54	0.46	0.46	0.64	0.84	0.77	1.01	1.43	1.28	0.92	0.91
TCPUD	0.79	0.59	0.45	0.36	0.34	0.55	0.75	0.64	0.87	1.14	1.43	0.95	1.01
ASCWD	0.04	0.03	0.03	0.03	0.03	0.07	0.12	0.10	0.12	0.15	0.19	0.11	0.06
OVPSD	0.19	0.15	0.13	0.11	0.12	0.34	0.41	0.37	0.42	0.44	0.32	0.20	0.21
TSD	2.16	1.85	1.67	1.51	1.56	2.04	2.31	2.05	2.29	3.05	2.63	2.20	2.11

Monthly Average Daily Turbidity (Effluent)



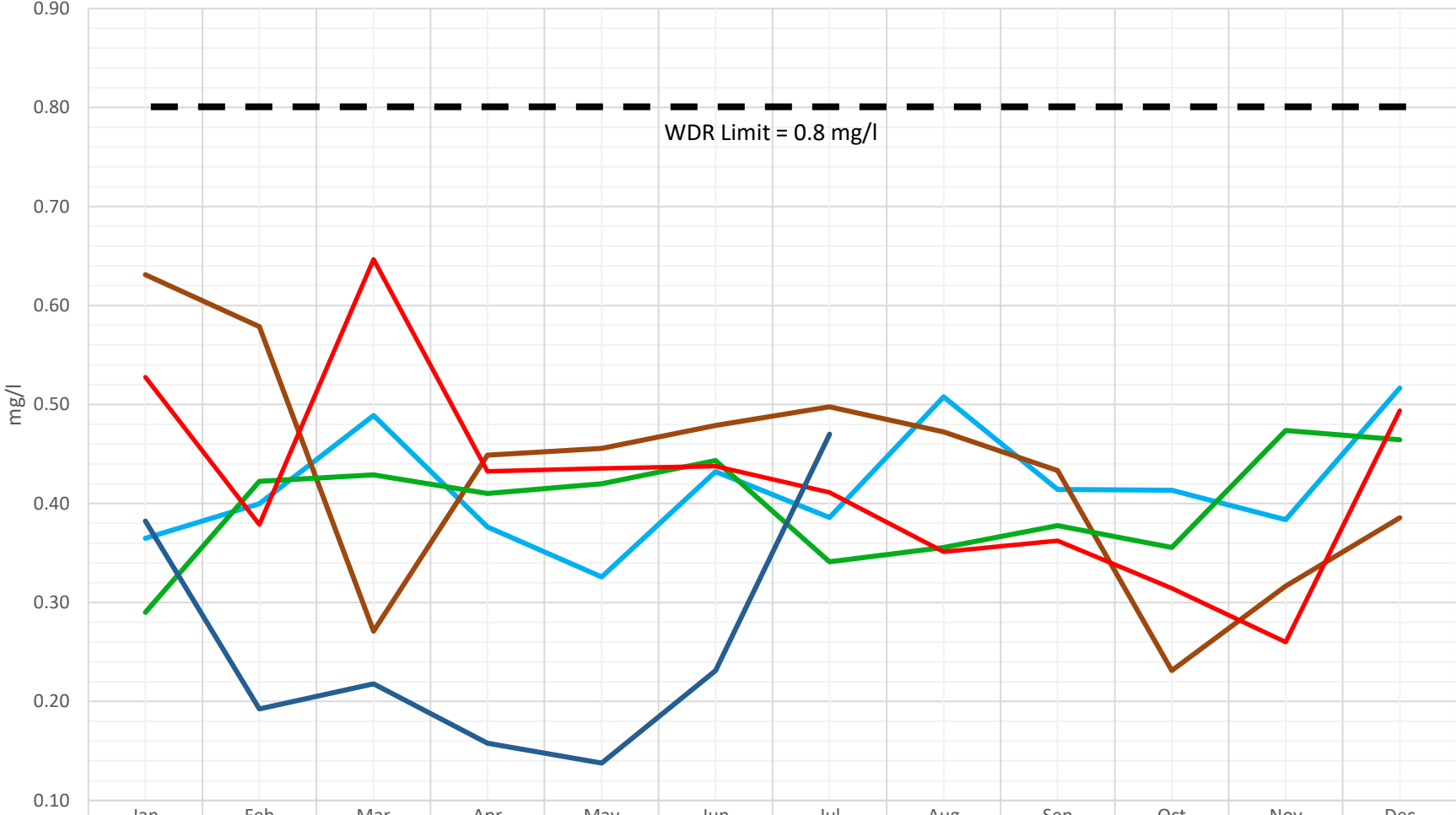
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2019	2.1	1.5	1.4	1.2	0.7	1.2	1.9	2.1	1.8	2.1	2.4	2.3
2020	2.2	1.1	1.1	1.1	1.2	1.6	2.9	2.3	1.8	1.2	1.0	1.4
2021	1.4	0.9	0.9	1.1	1.3	1.9	2.7	1.7	1.4	1.3	1.2	1.2
2022	1.2	1.5	2.0	1.6	1.1	1.6	2.0	2.4	1.6	1.3	1.1	1.4
2023	1.3	1.4	1.3	1.1	1.3	1.8	1.9					

Monthly Average Daily Suspended Solids (Effluent)



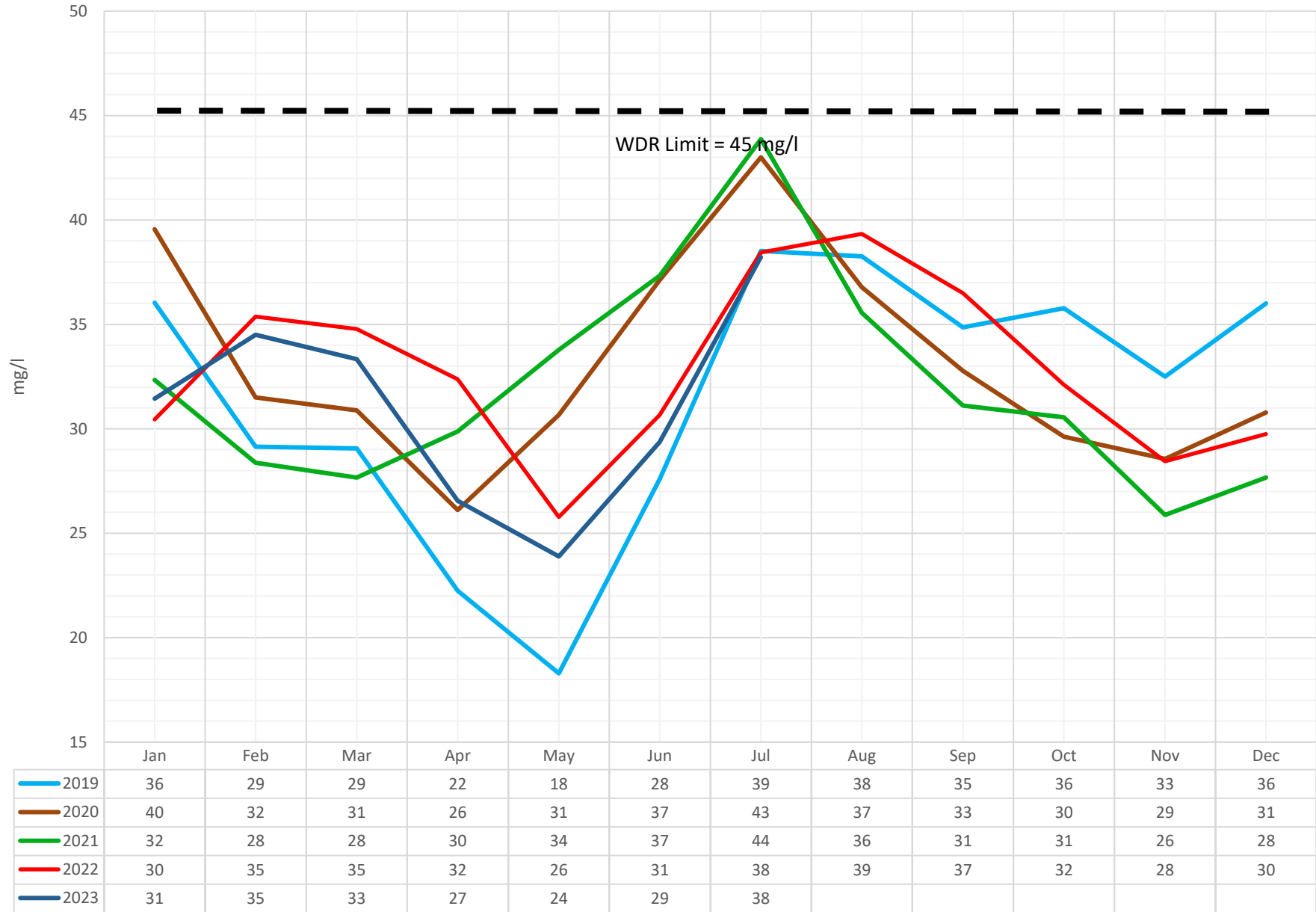
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2019	2.4	1.3	1.4	1.0	0.7	1.0	1.9	3.0	2.2	1.7	1.7	1.5
2020	2.9	0.8	0.9	0.9	1.4	2.1	3.5	2.3	1.7	1.5	1.0	1.5
2021	2.2	1.3	1.1	1.2	1.2	2.1	3.5	2.5	1.6	1.6	1.7	1.3
2022	1.7	1.9	3.4	2.2	1.4	2.1	2.4	3.4	2.0	1.6	1.5	1.4
2023	1.5	1.2	1.4	1.1	1.3	1.8	2.6					

Monthly Average Daily Total Phosphorus (Effluent)

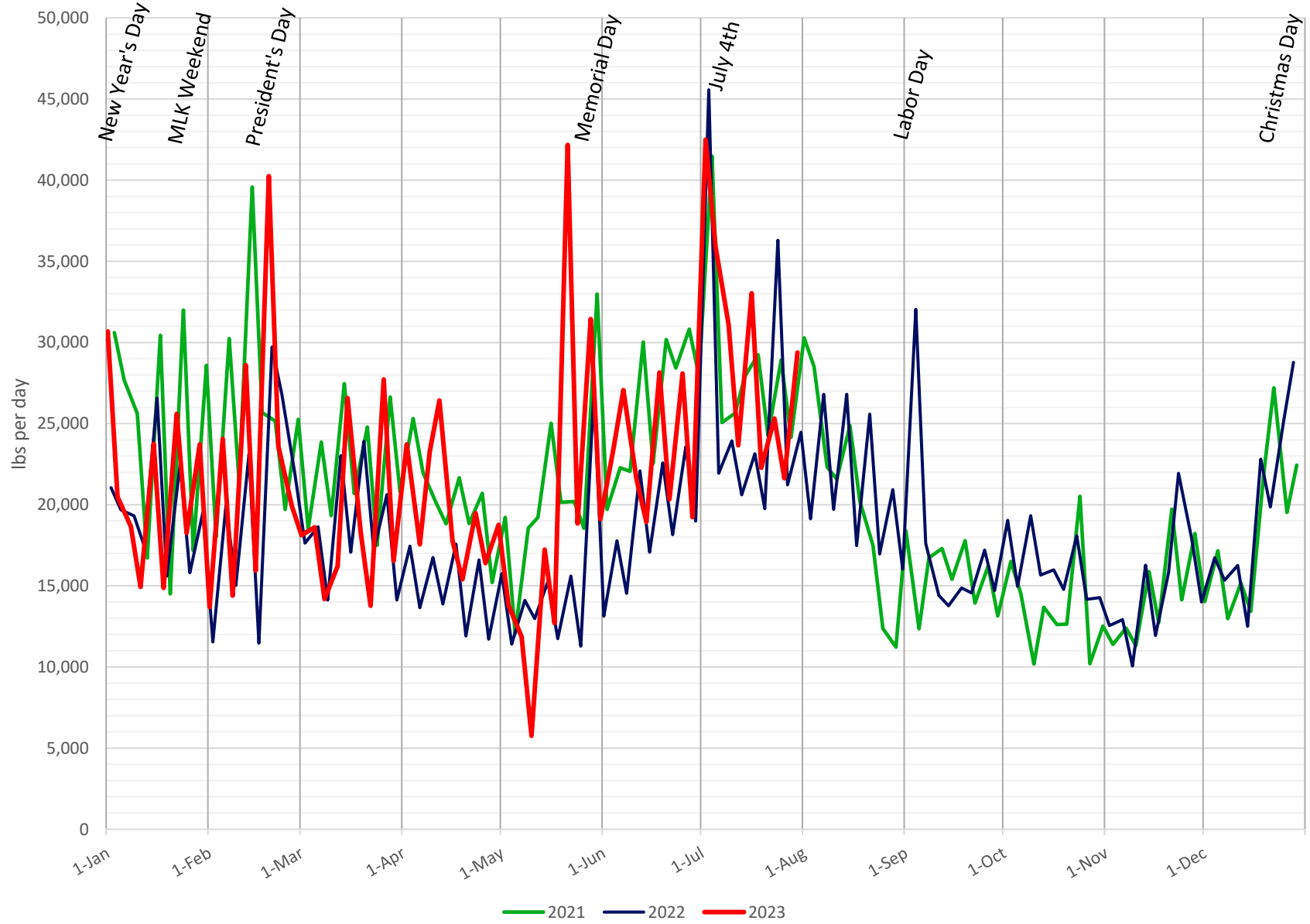


	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2019	0.36	0.40	0.49	0.38	0.33	0.43	0.39	0.51	0.41	0.41	0.38	0.52
2020	0.63	0.58	0.27	0.45	0.46	0.48	0.50	0.47	0.43	0.23	0.32	0.39
2021	0.29	0.42	0.43	0.41	0.42	0.44	0.34	0.36	0.38	0.36	0.47	0.46
2022	0.53	0.38	0.65	0.43	0.44	0.44	0.41	0.35	0.36	0.31	0.26	0.49
2023	0.38	0.19	0.22	0.16	0.14	0.23	0.47					

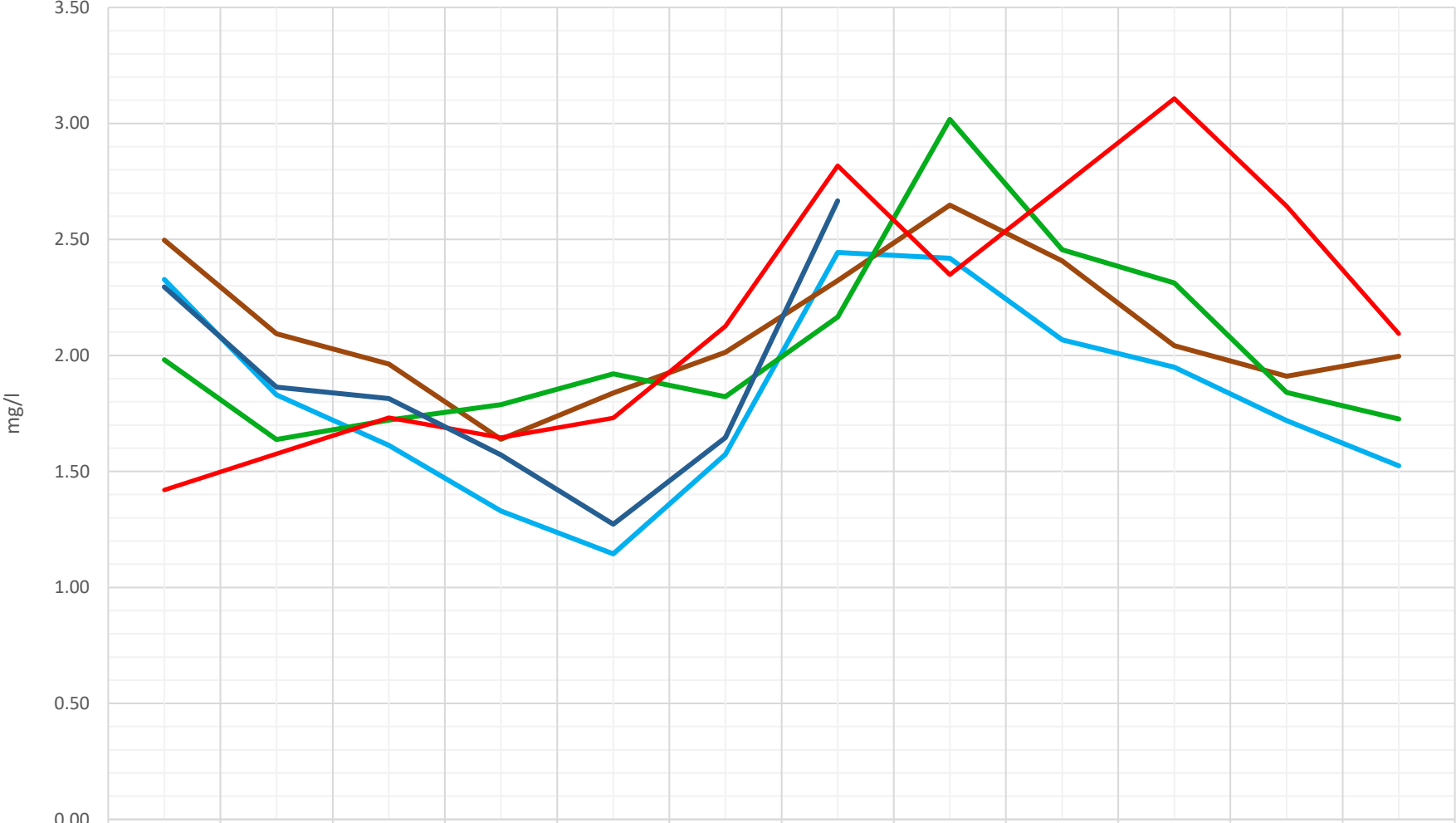
Monthly Average Daily Chemical Oxygen Demand (Effluent)



COD Influent Loading

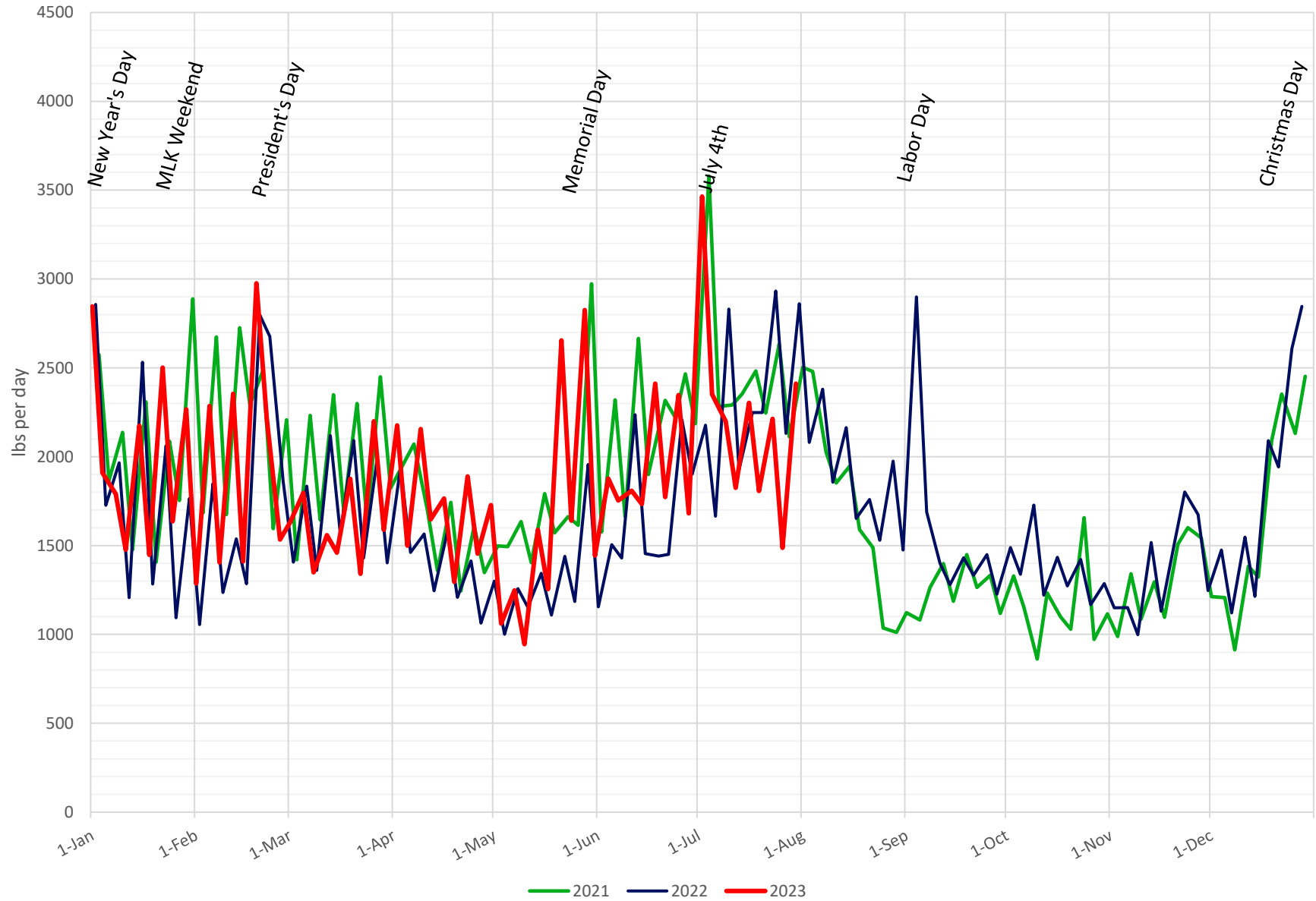


Monthly Average Daily Total Nitrogen (Effluent)

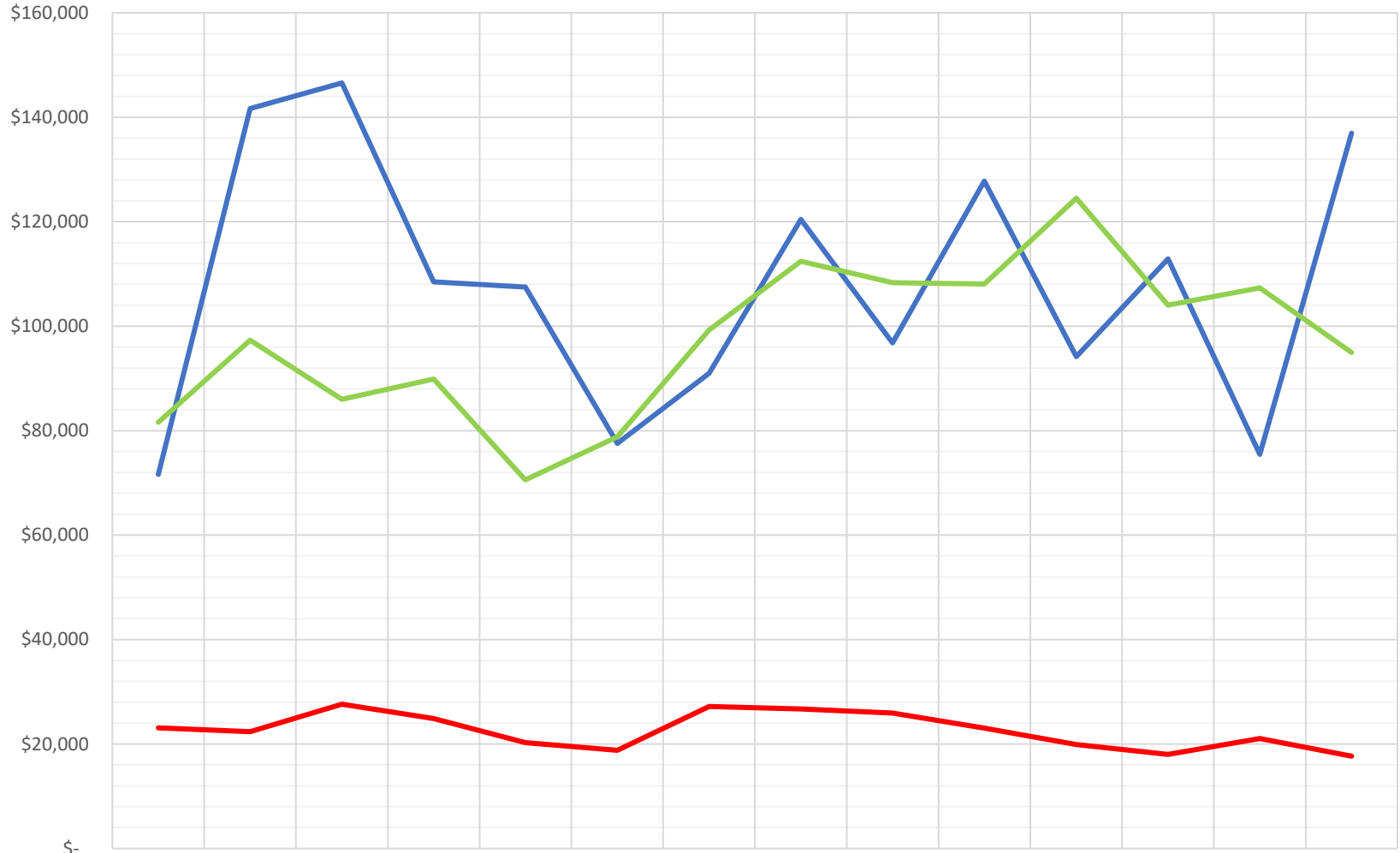


	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2019	2.33	1.83	1.61	1.33	1.14	1.57	2.44	2.42	2.07	1.95	1.72	1.52
2020	2.50	2.09	1.96	1.64	1.84	2.01	2.32	2.65	2.41	2.04	1.91	2.00
2021	1.98	1.64	1.72	1.79	1.92	1.82	2.17	3.02	2.46	2.31	1.84	1.73
2022	1.42	1.58	1.73	1.65	1.73	2.13	2.82	2.35	2.73	3.11	2.64	2.09
2023	2.30	1.86	1.81	1.57	1.27	1.65	2.67					

TKN Influent Loading



Chemical, Power and Sludge Disposal Costs



	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23
— Chemicals	\$71,623	\$141,666	\$146,572	\$108,468	\$107,489	\$77,582	\$91,000	\$120,444	\$96,819	\$127,789	\$94,188	\$112,871	\$75,453	\$136,937
— Power	\$81,617	\$97,324	\$86,012	\$89,878	\$70,580	\$78,822	\$99,246	\$112,421	\$108,330	\$108,071	\$124,505	\$104,022	\$107,321	\$94,973
— Sludge Disposal	\$23,098	\$22,347	\$27,626	\$24,891	\$20,280	\$18,808	\$27,209	\$26,725	\$25,917	\$23,068	\$19,905	\$18,018	\$21,060	\$17,679



TAHOE-TRUCKEE SANITATION AGENCY MAINTENANCE DEPARTMENT REPORT


Date: August 16, 2023
To: Board of Directors
From: Paul Shouse, Maintenance Manager
Subject: Maintenance Report


- ◆ **Project support:** During the month of June, Maintenance staff provided support for the following projects:
 - Digestion Improvements.
 - Sodium Hypochlorite Project.
 - SCADA/IT Master Plan implementation.
 - Lucity CMMS Project.
 - Landscape Project.
 - 2023 Roof Repair Project.
 - Warehouse Inventory Project.

- ◆ **Plant Maintenance activities:** Maintenance staff performed tasks on the following items:
 - Completed annual TRI above ground inspection.
 - Modified and adjusted secondary 3 rake arm and replaced scrapers.
 - Repaired manhole 59.
 - Repaired broken 2-water lines in Headworks and AWT.
 - Began plumbing modifications to connect Hurst boiler to Digesters 29 & 30 heat exchangers.
 - Began TWAS pump upgrade.
 - Replaced and programmed centrifuge feed pump VFD.
 - Multiple staff attended Siemens advanced PLC training.
 - Began multi-purpose pump station VFD upgrade.
 - Completed email migration for all staff.

- ◆ **Work Orders**
 - Completed: Mechanical-30, Fleet-8, Electrical & Instrumentation-12, IT-7.
 - Pending: Mechanical-134, Fleet-50, Electrical & Instrumentation-20, IT-58.

Review Tracking:

Submitted By: 
Paul Shouse
Maintenance Manager

Approved By: 
Richard Pallante
General Manager



Hurst Boiler to Digester Plumbing Modifications



Siemens Advanced PLC Training



Manhole #59 Repair



Multi-Purpose Pump Station VFD Upgrade



pH Probe Replacement




TAHOE-TRUCKEE SANITATION AGENCY ENGINEERING DEPARTMENT REPORT


Date: August 16, 2023
To: Board of Directors
From: Aaron Carlsson, Senior Engineer
Subject: Engineering Report

- ◆ **Projects:** In the month of July, Engineering staff continued working on the following projects:
 - 2021 Chlorine Scrubber Improvements Project
 - 2023 Roof Repair Project
 - 2023 TRI Digital Scanning Project
 - Boiler Replacement Project
 - 2022 Filter Influent Condition Assessment Project
 - 2022 Sodium Hypochlorite Disinfection Pilot Project
 - 2022 Sodium Hypochlorite Disinfection Full Scale Project
 - 2022 TRI Alpine Meadows to Olympic Valley Rehabilitation Project
 - 2024 Front Parking & Landscaping Improvements Project

- ◆ **Work Orders:**
 - Engineering:
 - Completed this month: 0
 - Pending: 0
 - Safety:
 - Completed this month: 0
 - Pending: 0

Review Tracking:

Submitted By: 
Aaron Carlsson
Senior Engineer

Approved By: 
Richard Pallante
General Manager



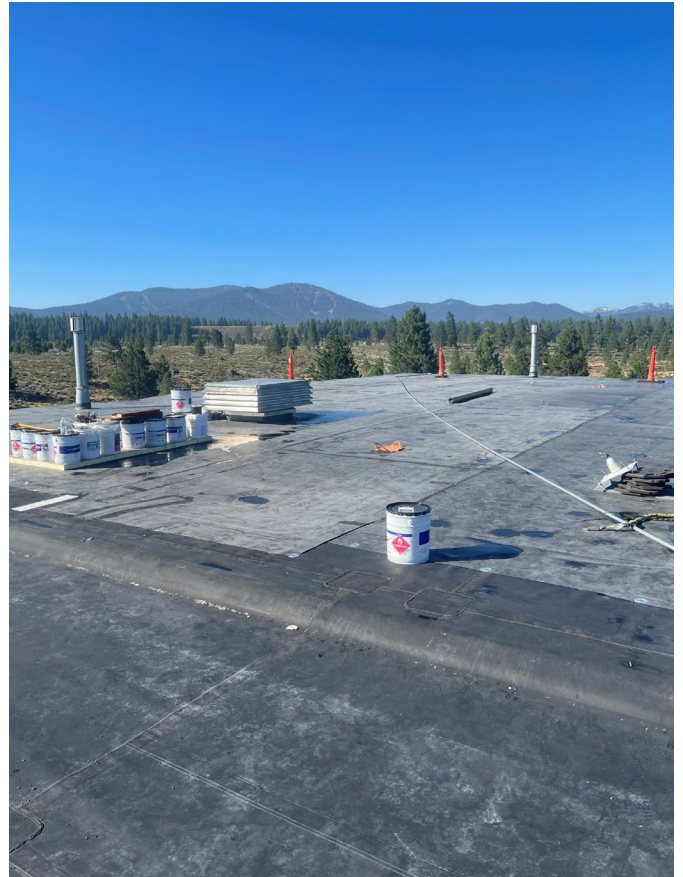
2023 Roof Repair Project
Delivery of Materials



2023 Roof Repair Project
Delivery of Materials



2023 Roof Repair Project
Roof Removal and Staging on the upper AWT Roof



2023 Roof Repair Project
New Roof Installed on the upper AWT Roof



TAHOE-TRUCKEE SANITATION AGENCY ADMINISTRATIVE DEPARTMENT REPORT

Date: August 16, 2023
To: Board of Directors
From: Crystal Sublet, Finance and Administrative Manager
Subject: Administrative Report

- Finance
 - Completed monthly A/P, A/R, payroll, general ledger processes, and bank reconciliations.
 - Participated in Finance Committee Meeting and Special Finance Committee meeting.
 - Researching P-cards.
 - Preparing for Interim Audit.
 - Opened CalCLASS account.
 - Continued work with Ken Dieker regarding Proforma.
- Billing/Customer Service
 - General assistance with customer accounts, utility demands, adjustments, and plan review.
 - Activated new account permits and prepared letters, reports and invoices.
 - Connection Fee kick-off
 - Performed annual tax roll billing and submitted to the three counties.
 - Performed the delinquent tax roll billing.
 - Performed regular 6-month billing.
- Purchasing/Administration
 - General purchasing responsibilities for monthly requisitions, purchase orders and ordering.
 - General responsibilities to customer service, front gate and front desk.
 - Worked on new Procurement Policy.
- General Administration
 - Performed various administrative duties to assist Interim General Manager and Board of Directors.
 - Participated in Special Finance Committee Meeting.
 - Worked on new Procurement Policy.
 - Worked with Kenneth Dieker, Del Rio Advisors, LLC on Plan of Finance and Policies.
 - Participated in web event “How Your Financing Gets Priced in the Capital Marketplace”.
 - Quarterly one-on-ones with Finance and Administration staff.
 - Interim audit planning and preparation.

Review Tracking

Submitted By: *Crystal A Sublet*
Crystal Sublet
Finance and Administrative Manager

Approved By: _____
Richard Pallante
General Manager

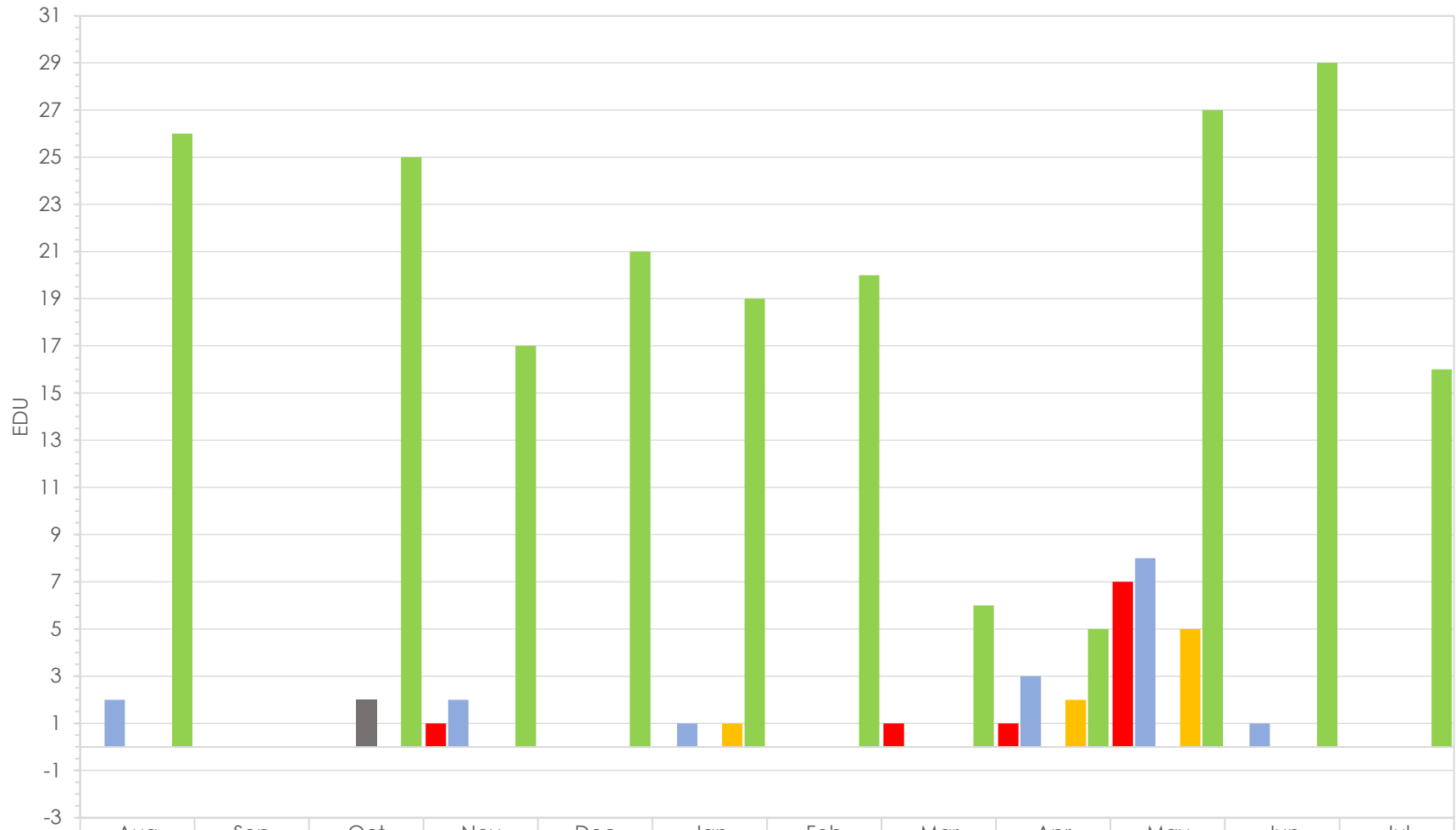
CONNECTION FEES - JULY 2023

Connection Fee Type	MTD Count (#)	MTD Total Ft ²	MTD Total \$	YTD Count (#)	YTD Total Ft ²	YTD Total \$
Residential	33	87,922	\$ 203,363.50	101	292,468	\$ 648,950.13
Residential Ft ² Additions	4	9,222	\$ 16,138.50	24	53,678	\$ 93,936.50
Residential Ft ² Additions - Exempt	0	0	N/A	1	378	N/A
Accessory Dwelling Unit (ADU)	0	0	\$ -	6	4,121	\$ 16,211.75
Accessory Dwelling Unit (ADU) - Exempt	0	0	N/A	2	862	N/A
Commercial	2	N/A	\$ 90,700.00	4	N/A	\$ 169,800.00
Industrial	0	N/A	\$ -	0	N/A	\$ -
Grand Total	39	97,144	\$ 310,202.00	138	351,507	\$ 928,898.38

INSPECTIONS - JULY 2023

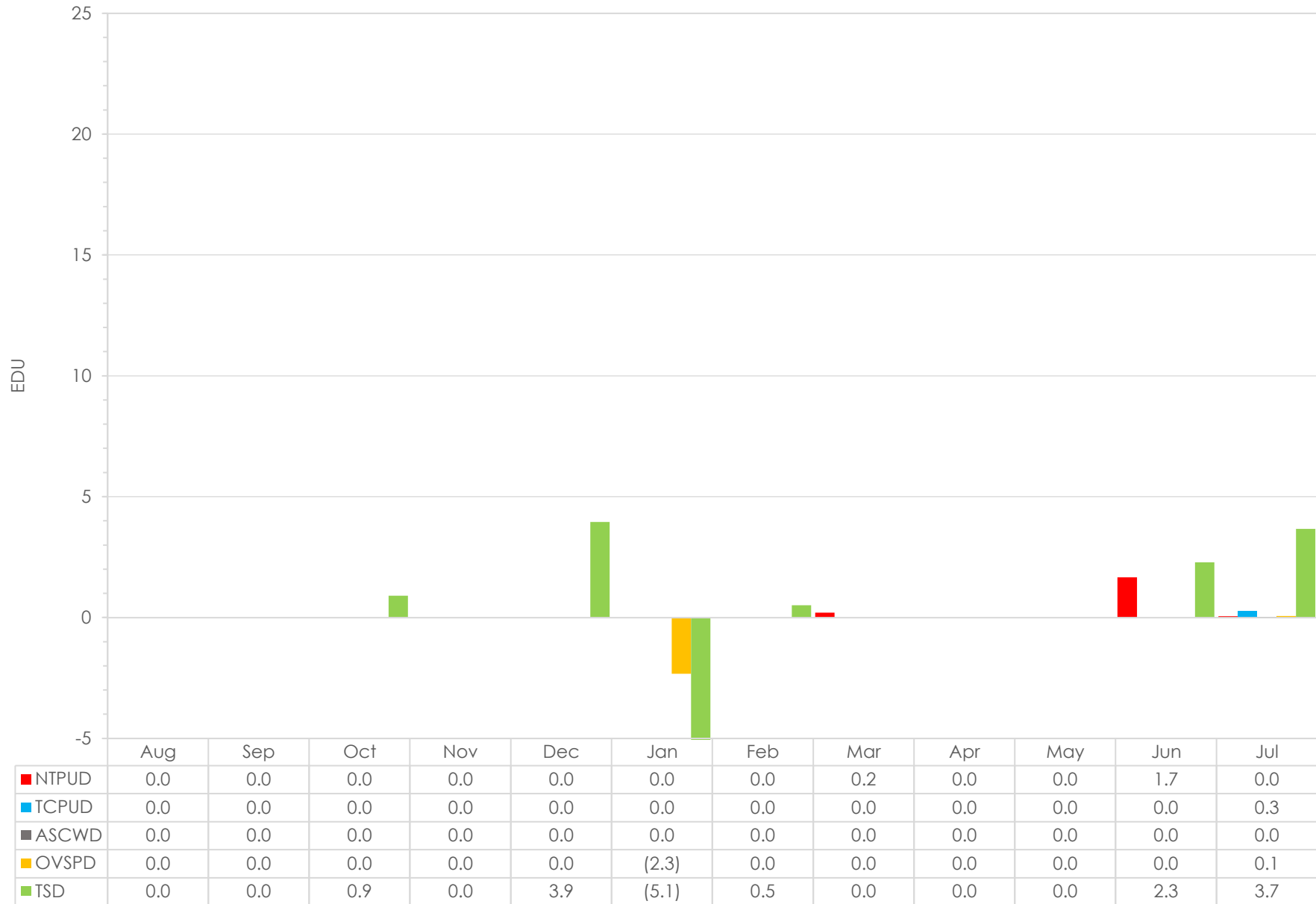
Inspection Type	MTD Count #	MTD Total	YTD Count #	YTD Total
Commercial	1	1	5	5
Residential (Drive-by of Suspended Accounts)	0		0	

Residential EDU Summary

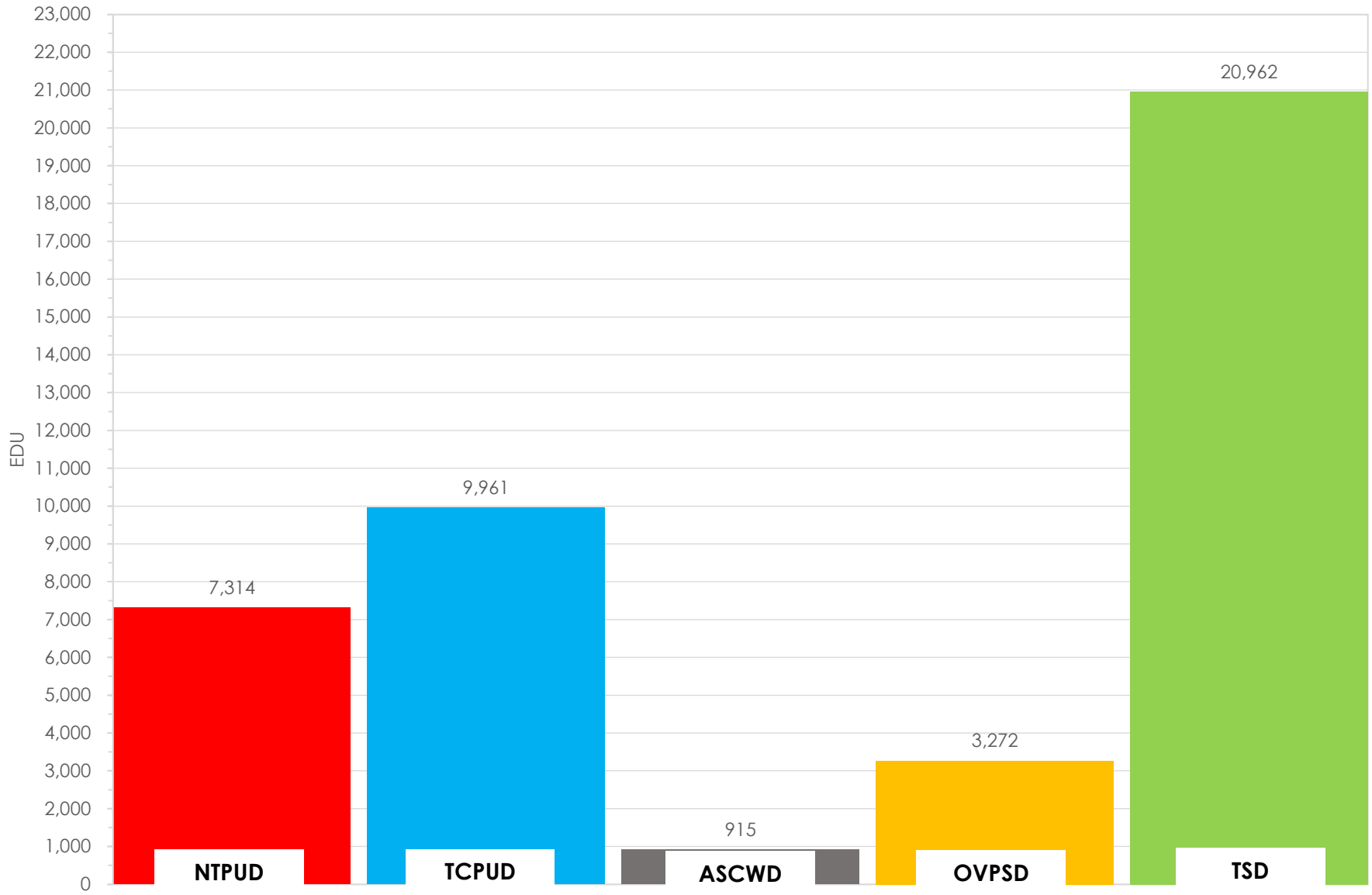


	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
■ NTPUD	0	0	0	1	0	0	0	1	1	7	0	0
■ TCPUD	2	0	0	2	0	1	0	0	3	8	1	0
■ ASCWD	0	0	2	0	0	0	0	0	0	0	0	0
■ OVSPD	0	0	0	0	0	1	0	0	2	5	0	0
■ TSD	26	0	25	17	21	19	20	6	5	27	29	16

Other EDU Summary

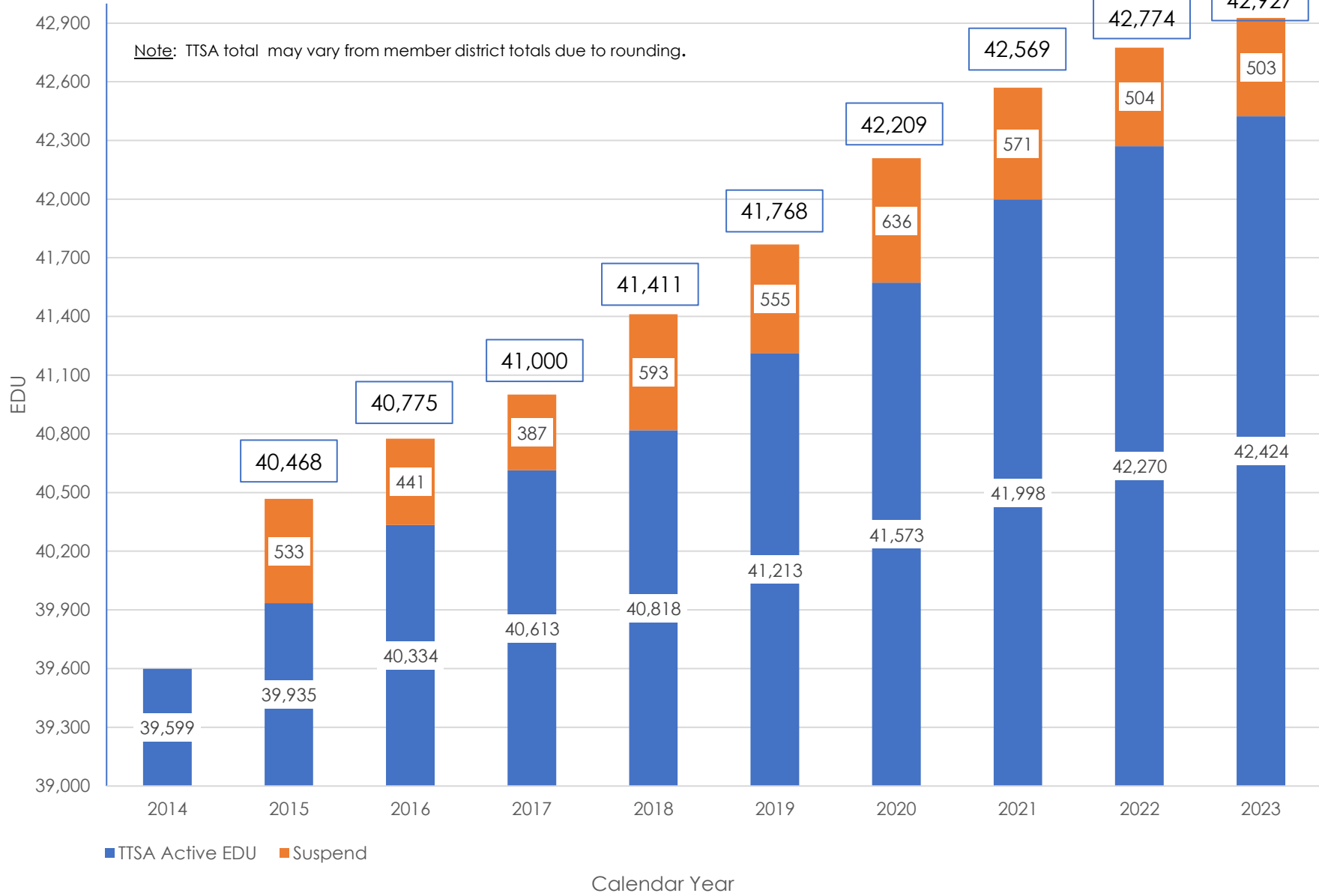


Current EDU Summary By Member District



Historical TTSA EDU Summary

Note: TTSA total may vary from member district totals due to rounding.





TAHOE-TRUCKEE SANITATION AGENCY MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: VII-2
Subject: General Manager Report.


Task Updates

- Management and staff continued to work with consultant on Connection Fee Study.
- Management and staff continued implementation of the new software programs.
- Management and staff continued work on CIP projects.
- Land exchange with TTAD.
- River Revitalization Steering Committee.
- Staff Ice Cream Social 7/24/2023.
- Agency Safety Luncheon 7/26/2023, catered by Golden Rotisserie.

Past Month Task Focus

- HR Consultant working with select Agency staff on leadership skill building and overall work group team building.
- Continue to evaluate the effects of using sodium hypochlorite and complete work scope for a permanent dosing facility.
- All Staff meeting.

Review Tracking

Submitted By: 
Richard Pallante
General Manager



TAHOE-TRUCKEE SANITATION AGENCY MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: VIII
Subject: Board of Director Comment.

Background

Opportunity for directors to ask questions for clarification, make brief announcements and reports, provide information to staff, request staff to report back on a matter, or direct staff to place a matter on a subsequent agenda.



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: IX
Subject: Closed Session

1. Closed session for public employee performance evaluation of the General Manager position (Government Code §54957).



TAHOE-TRUCKEE SANITATION AGENCY
MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: X
Subject: Closed Session Report.

1. Closed session report. If there is any information to report from Closed Session the Board of Directors will report.



TAHOE-TRUCKEE SANITATION AGENCY

MEMORANDUM

Date: August 16, 2023
To: Board of Directors
From: Richard Pallante, General Manager
Item: XI
Subject: Adjournment
