TUOLUMNE UTILITIES DISTRICT
18885 NUGGET BLVD ● SONORA, CA 95370
(209) 532-5536 ● Fax (209) 536-6485

DIRECTORS
Barbara Balen
David Boatright
Jeff Kerns
Lisa Murphy
Ron W. Ringen

Regular Board Meeting Agenda
Tuesday, September 14, 2021 - 9:00 a.m.
TUD Board Room

18885 Nugget Blvd., Sonora, California

In order to protect public health and the safety of our Tuolumne Utilities District ratepayers and members of the public against the COVID-19 pandemic, the TUD office and Board Meetings are physically closed to the public. Please see paragraphs below for additional information.

Notice: This meeting will be held in accordance with Executive Order N-29-20, issued by California Governor Gavin Newsom on March 17, 2020, the Ralph M. Brown Act (California Government Code Section 54950, et seq.), and the Federal Americans with Disabilities Act. No physical public meeting location will be provided for this meeting. Instead, the Board will hold this meeting telephonically using Zoom. All members of the public may observe and participate in the meeting:

- **Via video conferencing at:**
  https://us02web.zoom.us/j/88307692848?pwd=MEpCWVRWbjJDZXFWajN6SU1hL1dMQT09
- **Via teleconference by calling (253) 215-8782 or (301) 715-8592**
- **US Meeting ID: 883 0769 2848**
- **Password: 418082**
- **Public may also observe and listen to this meeting through the District's website at https://tudwater.com/board-of-directors/meeting-agenda-minutes-video/**
  Or on TUD's YouTube Channel at Tuolumne Utilities District - YouTube

Call to Order

Pledge of Allegiance

I. **Public Forum** - (5 minutes per item maximum) We would like to welcome the members of the public who have taken the time to attend this meeting and provide comments on matters related to District business. Any member of the public may address the Board relating to any matter within the Board's jurisdiction. This need not be related to any item on the agenda; however, the Board cannot act on an item unless it was noticed on the agenda. Persons speaking during the Public Comment will be limited to five (5) minutes or depending on the number of persons wishing to speak, it may be reduced to allow all members of the public the opportunity to address the Board.

II. **Consent Calendar**

1. Minutes of the Regular Board Meeting of August 24, 2021 and Special Board Meeting of August 25, 2021
2. Approval of Reimbursement Claims for Directors Statement of Meetings Attended and/or Travel Expenses and Claim Summary for August 2021

III. **Regular Business**

3. Consider Approval of Variance Agreement for Water and Sewer Service to Non-Adjacent Parcel - Carlson and Piche-Carlson
4. Consider Executing Agreement Regarding Construction and Transfer of Water and Sewer Main Line Extensions to Serve the Cuesta Heights Development - SV 110, LLC
5. Board Consideration and Resolution Authorizing the Submission of a Department of Water Resources Small Community Drought Relief Program Grant Application for the Mill Villa Well Replacement Project

IV. **Staff Reports**

V. **Directors Communication and Reports**

Adjournment

Note: *Agenda Material can be inspected at the District Office located at 18885 Nugget Blvd., Sonora, CA and on our website at www.tudwater.com.*

Board Policy limits Board meetings to a duration of three (3) hours; however, the Board may consider whether to extend the meeting beyond three (3) hours by majority vote.

In accordance with the Americans with Disabilities Act, if you need special assistance (i.e. auxiliary aids or services) in order to participate in this public meeting, please contact the Clerk of the Board, Melissa McMullen, and (209) 532-5536 ext. 510. Notifications 48 hours prior to the start of the meeting will enable the Clerk to make reasonable accommodations to ensure accessibility to this public meeting.

TUOLUMNE UTILITIES DISTRICT

Agenda Item No.II.1

MEMORANDUM

Board Meeting of September 14, 2021

To: Tuolumne Utilities District Board of Directors

From: Melissa McMullen, Executive Secretary/Board Clerk

Agenda Section: Consent Calendar

Subject: Minutes of the Regular Board Meeting of August 24, 2021, and Special Board Meeting of August 25, 2021

Summary

Recommendation:

Approve the minutes as presented.

Issue: N/A

Fiscal Impact: N/A

Previously Related Action: N/A

Committee Status: N/A

Adherence to Policy: N/A

Discussion

Attachments:

- August 24, 2021 Regular Board Meeting Minutes
- August 25, 2021 Special Board Meeting Minutes

Board Action:	Resolution No. _____	Motion by _____	Second by _____
	Ayes: _____	Noes: _____	
	Absent: _____	Abstained: _____	Recuse: _____

TUOLUMNE UTILITIES DISTRICT
REGULAR MEETING MINUTES
AUGUST 24, 2021

A regular meeting of the Board of Directors of Tuolumne Utilities District convened at 9:00 a.m. at the District Office, 18885 Nugget Blvd., Sonora, California.

This meeting was held in accordance with Executive Order N-29-20, issued by California Governor Gavin Newsom on March 17, 2020, the Ralph M. Brown Act (California Government Code Section 54950, et seq.), and the Federal Americans with Disabilities Act. No physical public meeting location was provided for this meeting. Instead, the Board held this meeting telephonically using Zoom. Members of the public were able to speak and provide oral comments during the meeting.

A verbal roll call was conducted by Melissa McMullen, Board Clerk.

Melissa McMullen, Board Clerk, conducted all voting by verbal roll call.

The following Directors and staff were present:

Director Balen, President
Director Ringen, Vice President
Director Boatright
Director Kerns
Director Murphy

Don Perkins, Interim General Manager
Erik Johnson, District Engineer
Glen Nunnelley, Senior Engineer
Steve Sheffield, Finance Director
Abby Parcon, Administrative Services Director
Melissa McMullen, Executive Secretary/Board Clerk
Jesse Barton, District Counsel

Call to Order
Pledge of Allegiance

I. Public Forum

No public comment was heard.

II. Consent Calendar

1. Minutes of the Regular Board Meeting of August 10, 2021, and Special Board Meeting of August 13, 2021

2. Operational Update on the Water and Wastewater Departments for July 2021

Director Ringen moved to approve the Consent Calendar. Director Boatright seconded the motion and it was approved unanimously.

III. Regular Business

3. Board to Discuss and Take Action to Recognize Les Dean on his retirement from Tuolumne Utilities District on August 2, 2021

Abby Parcon and Erik Johnson presented the Resolution recognizing Les Dean on his retirement from Tuolumne Utilities District on August 2, 2021.

The Board expressed their appreciation for Les Dean's service and dedication to the District and the community.

No public comment was heard.

Director Boatright moved to adopt Resolution No. 16-21 recognizing Les Dean on his retirement from Tuolumne Utilities District on August 2, 2021. Director Ringen, Vice President seconded the motion and it was approved unanimously.

4. Amendment to Agreement Regarding Establishment of Water Service to the Curtis Creek Elementary School

Erik Johnson presented a summarization of the request for an amendment to the agreement regarding establishment of water service to the Curtis Creek Elementary School and responded to questions.

No public comment was heard.

Director Kerns moved to authorize the Interim General Manager to execute an Amendment to the Agreement regarding Establishment of Water Service to the Curtis Creek Elementary School. Director Ringen, Vice President seconded the motion and it was approved unanimously.

5. Board to Discuss and Possibly Approve Converting from At-Large Elections to Elections by District

Don Perkins and Jesse Barton presented a summarization of converting from At-Large Elections to Elections by District and responded to questions.

No public comment was heard.

Director Murphy moved to table Approving Converting from At-Large Elections to Elections by District. Director Kerns seconded the motion and it was approved 3-2.
Yes: Director Boatright, Director Kerns and Director Murphy
No: Director Balen, President and Director Ringen, Vice President

IV. Staff Reports

The consensus of the Board was to hear the Operational Update on the Water and Wastewater Departments for July 2021 under Staff Reports.

Don Perkins and District staff presented the Operational Update on the Water and Wastewater Departments for July 2021 and responded to questions.

The consensus of the Board was to hear the monthly Operational Update on the Water and Wastewater Departments under Regular Business at all future Board meetings.

No public comment was heard.

Abby Parcon reported on the following items:
-Communications received by the District from public expressing appreciation for District staff
-Provided an update on the upgrades to the TUD website and possible future additions

V. Directors Communication and Reports

Director Ringen reported on the following items:
-August 9, 2021: Attended/participated in the Local Agency Formation Commission (LAFCO) meeting
-August 18, 2021: Attended/participated in the IRWMP WAC and JPA meeting

Adjournment

The meeting was adjourned at 11:54 a.m.

Date: September 14, 2021

ATTEST:

Barbara Balen, President
Board of Directors

Melissa McMullen,
Executive Secretary/Board Clerk

TUOLUMNE UTILITIES DISTRICT
SPECIAL MEETING MINUTES
AUGUST 25, 2021

A special meeting of the Board of Directors of Tuolumne Utilities District convened at 9:00 a.m. at the District Office, 18885 Nugget Blvd., Sonora, California.

This meeting was held in accordance with Executive Order N-29-20, issued by California Governor Gavin Newsom on March 17, 2020, the Ralph M. Brown Act (California Government Code Section 54950, et seq.), and the Federal Americans with Disabilities Act. No physical public meeting location was provided for this meeting. Instead, the Board held this meeting telephonically using Zoom. Members of the public were able to speak and provide oral comments during the meeting.

A verbal roll call was conducted by Melissa McMullen, Board Clerk.

The following Directors and staff were present:

Director Balen, President
Director Ringen, Vice President
Director Boatright
Director Kerns
Director Murphy

Don Perkins, Interim General Manager
Erik Johnson, District Engineer
Steve Sheffield, Finance Director
Abby Parcon, Administrative Services Director
Melissa McMullen, Executive Secretary/Board Clerk
Jesse Barton, District Counsel
Eric Hall, Water Master

Call to Order

Pledge of Allegiance

I. Public Forum

Michael Allen addressed the Board regarding water conservation incentives.

II. Closed Session

a. Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8 Property: APN # 085-050-001 et. Al Agency Negotiators: Don Perkins, Jesse Barton and Tom Johnson Other Party to Negotiations: Mike Schonherr, Pacific Gas and Electric Co. Under Negotiation: Price and Terms of Payment

No public comment was heard.

President Balen recessed the meeting to Closed Session at 9:07 a.m.

Director Murphy joined the Closed Session at 9:29 a.m.

III. Reconvene to Open Session

b. Closed Session Disclosure

President Balen reconvened the meeting to Open Session at 10:35 a.m. with no reportable action taken during Closed Session.

Adjournment

The meeting was adjourned at 10:35 a.m.

Date: September 14, 2021

ATTEST:

Barbara Balen, President
Board of Directors

Melissa McMullen,
Executive Secretary/Board Clerk

TUOLUMNE UTILITIES DISTRICT

Agenda Item No.II.2

MEMORANDUM

Board Meeting of September 14, 2021

To: Tuolumne Utilities Board of Directors

From: Stephen M. Sheffield, CPA, Finance Director

Agenda Section: Consent Calendar

Subject: Approval of Reimbursement Claims for Directors Statement of Meetings Attended and/or Travel Expenses and Claim Summary for August 2021

Summary

Recommendation: Approve reimbursement claims for Directors Statement of Meetings Attended and/or Travel Expenses and Claim Summary for August 2021.

Issue: Items and services are purchased pursuant to Board policy as they are contained in the budget. The Claim Summary is a list of all checks paid for the month of June for such items.

Fiscal Impact: The claim summary consists of 20 pages totaling $493,225.83.

Previously Related Action: not applicable.

Committee Status: not applicable.

Adherence to Policy: not applicable

Discussion

Attachments:

- Directors Statement of Meetings Attended and Travel Expenses
- Claim Summary

Board Action:	Resolution No. _____	Motion by _____ Second by _____
	Ayes: _____	Noes: _____
	Absent: _____	Abstained: _____ Recuse: _____

Directors Monthly Statement of Meetings Attended
and Travel Expenses Through August 31, 2021
FISCAL YEAR 2022

	BALEN	BOATRIGHT	KERNS	MURPHY	RINGEN	TOTAL
BEGINNING BALANCES	$ 1,800	$ 500	$ 500	$ -	$ 631	$ 3,431
AUGUST:						
Meetings	-	300	400	-	600	1,300
Miscellaneous:						
Mileage	-	-	-	-	-	-
AUGUST TOTALS	-	300	400	-	600	1,300
YEAR TO DATE BALANCES	$ 1,800	$ 800	$ 900	$ -	$ 1,231	$ 4,731

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TUOLUMNE UTILITIES DISTRICT

Board of Directors

Statement of Meetings Attended

For the Month of July **, 202 1**

Date	Meetings compensable pursuant to Water Code §30507	Payment Amount
7/13/21	Regular Board Meeting	$ 100.00
7/27/21	Regular Board Meeting	$ 100.00
7/28/21	Special Board Meeting	$ 100.00
		3

Date	Meetings Attended with No Compensation

David L Boatright Digitally signed by David L Boatright Date: 2021.08.10 08:20:44 -07'00'

Director Signature

PAID AUG 1 3 2021
Date Paid:

David Boatright

Printed Name

RECEIVED JUL 3 0 2021

TUOLUMNE UTILITIES DISTRICT

Board of Directors

Statement of Meetings Attended

For the Month of July **, 202** 1

Date	Meetings compensable pursuant to Water Code §30507	Payment Amount
7/13/21	Regular Board Meeting	$ 100.00
7/15/21	Finance Committee Meeting	$ 100.00
7/27/21	Regular Board Meeting	$ 100.00
7/28/21	Special Board Meeting	$ 100.00

4

Date	Meetings Attended with No Compensation
7/27/21	SWRCB Curtailment Webinar

7/29/2021

Director Signature

PAID Date Paid AUG 1 3 2021

Jeff Kerns

Printed Name

TRIAL MODE - Click here for more information

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TUOLUMNE UTILITIES DISTRICT

Board of Directors

Statement of Meetings Attended

For the Month of JULY **, 202** 1

Date	Meetings compensable pursuant to Water Code §30507	Payment Amount
7/13/2021	TUD BOARD MEETING	100.00
7/16/2021	TUD WATER COMMITTEE MEETING (RULES/REGS)	100.00
7/21/2021	ATTENT T-STAN IRWMP JOINT JPA & WAC MEET	100.00
7/26/2021	TUD WATER COMMITTEE MEETING	100.00
7/27/2021	TUD BOARD MEETING	100.00
7/28/2021	TUD SPECIAL CLOSED SESSION BOARD MEETING	100.00

6

Date	Meetings Attended with No Compensation
7/15/2021	TUD FINANCE COMMITTEE MEETING (AS OBSERVER)
7/14/2021	ATTEND/PARTICIPATE IN T/C NATURAL RESOURCE COMMITTEE
7/23/2021	ATTEND "NATURE-BASED RISK REDUCTION" STUDY MEETING
7/28/2021	CITY OF SONORA EAP MEETING
7/29/2021	TUD WATER COMMITTEE MEETING (RULES & REG'S REVISION

Ron W. Ringen
Director Signature

PAID
Date Paid: AUG 13 2021

RON W. RINGEN
Printed Name

Tuolumne Utilities District, CA

Claim Summary

By Vendor Name

Date Range: 08/01/2021 - 08/31/2021

Vendor Name	Payable Description	Payable Amount	Payment Amount
Aaron Pingree			556.94
	RHI	556.94	
ABC Supply Co. Inc.			8.05
	Supplies Phoenix lake sewer lift station	8.05	
ABC Supply Co. Inc.			8.33
	Phoenix Lake LS supplies	8.33	
ACWA/JPIA - Employee Benefits			12,035.11
	Dental/Vision/Life/EAP September 2021	12,035.11	
Ahearn's Towing			150.00
	#200 towing	150.00	
Aidan Whitmer			192.00
	Reimbursement - CWEA Membership Renewal	192.00	
Amazon Web Services, Inc.			238.69
	Off site data storage backup	238.69	
Angels Pest Control Corporation			850.00
	Puncturevine Weed Control	500.00	
	Ants & Spiders - Admin building	350.00	
AT&T Mobility			23.50
	7757 Balen Board iPad	23.50	
AT&T			69.55
	Acct# 297907803	69.55	
AT&T			35.37
	Rancho Poquito Circuit - 0699	35.37	
AT&T			1,739.95
	Managed VPN Fiber - WW	1,739.95	
AT&T			958.69
	Main Office Internet	958.69	
AT&T			185.74
	Phone Service	185.74	

Vendor Name	Payable Description	Payable Amount	Payment Amount
Augustine Planning Associates, Inc.			2,890.00
	Planning Services Augustine	170.00	
	Planning Services Amy - Matelot	850.00	
	Planning Services	1,020.00	
	Planning Services IRWM	850.00	
Bank of America			4,888.32
	4/1/21 -6/30/21 Sales Use Tax Return Payment	154.47	
	CWEA WWTP Operator Job Post-VISA Paid	355.00	
	All Staff Meeting	13.02	
	All Staff Meeting	8.14	
	Assistant Engineer Job Posting-VISA Paid	200.00	
	WWTP Operator Job Posting-VISA Paid	200.00	
	July 30 Staff Meeting	81.50	
	APC Computer Battery Backups	140.05	
	Office Supplies	65.16	
	Netgear 5-Port Ethernet Switch & Silver Sharpies	69.35	
	30" Minn Kota Trolling Motor	136.21	
	Boorum & Pease 66 Series Record Books	131.88	
	Brother DR-331CL Drum	153.89	
	Avery Waterproof Shipping Labels 2" X 4"	54.54	
	16pk All Purpose Funnels	16.08	
	Metal Binder With Storage (Robbie Bayers)	30.02	
	SSD Hard Drive	73.82	
	PH/TDS/Cond/Salinity Pen	171.59	
	Pressure Surge Tank	197.23	
	Distribution Review Course-Les Dean	129.95	
	Distribution Exam Prep Class	199.99	
	Mineral Oil 32oz & 16oz	160.45	
	Digital Subscription-Sacramento Bee	12.99	
	2021 CSDA Annual Conference	1,950.00	
	ACWA Webinar-CARB Rule July 20th-VISA Paid	35.00	
	FY 2022 Mail Chimp Subscription Plan-VISA Charge	87.99	
	Seasonal Ditch Temp - Job Posting VISA Paid	15.00	
	WWTP Operator Job Posting MML-Visa PAID	15.00	
	Assistant Engineer Job Post MML-Visa PAID	15.00	
	MyMotherLode.com Classified Ad-VISA Paid	15.00	
Bank of New York Mellon			16,226.43
	Columbia 91-02 Loan	16,226.43	
BC Laboratories, Inc			1,495.00
	Quartz Reservoir Sampling	1,008.00	
	Quartz Reservoir Sampling	487.00	
Behee Enterprises, Inc.			8,725.00
	Water Quality Testing	8,725.00	

Vendor Name	Payable Description	Payable Amount	Payment Amount
Blue Mountain Minerals			1,989.56
	Supplies Roadbase	102.83	
	Supplies Roadbase	170.39	
	Supplies Roadbase	125.12	
	Supplies Roadbase	168.06	
	Supplies roadbase	101.74	
	Roadbase #G154415	154.11	
	Supplies roadbase	84.34	
	Supplies roadbase	172.44	
	Supplies roadbase	162.45	
	Supplies roadbase	97.50	
	Supplies roadbase	161.50	
	Supplies roadbase	95.72	
	Supplies roadbase	195.62	
	Supplies roadbase	96.41	
	Supplies roadbase	101.33	
Blue Mountain Minerals			190.62
	Supplies Roadbase #G154522	96.68	
	Aggregate roadbase #G154625	93.94	
Blue Mountain Minerals			557.24
	Roadbase #G154736	164.78	
	Supplies Roadbase	117.33	
	Supplies Roadbase	104.88	
	Roadbase #G154736	170.25	
Bob Slater			556.94
	RHI	556.94	
Brad Keefe			1,728.68
	RHI	1,728.68	
Brenda Seldon			1,142.81
	RHI	1,142.81	
Brenntag Pacific, Inc.			4,536.34
	Brenntag Order 7/29/2021 DP	4,536.34	
BSK Associates			2,020.00
	Manganese CA DW ICP Water Testing	120.00	
	EPA 505/524.2, Nitrate-N, Perchlorate & Title 22	1,900.00	
BSK Associates			648.00
	Alkalinity/Iron/Manganese/Toc Water Testing	648.00	
Cal Sierra Transfer			8.00
	Universal Waste Gate Fee	4.00	
	Universal Waste Gate Fee	4.00	
Cal Sierra Transfer			25.83
	Construction trash	21.83	
	Universal Waste Gate Fee	4.00	
Cal Sierra Transfer			4.00

Vendor Name	Payable Description	Payable Amount	Payment Amount
	Gate Fee - light bulb disposal	4.00	
Cal.net Inc.			189.74
	Account# 30563 Big Hill WTP internet	94.87	
	Account# 30443 Monte Grande WTP internet	94.87	
Cal.net Inc.			94.87
	Account# 30445 Tuolumne WTP internet	94.87	
California Advocates, Inc.			5,000.00
	State Affairs Advocacy	5,000.00	
Carbon Copy, Inc.			106.03
	Copy Machines	78.79	
	Copy Machine	27.24	
Cary Westbrook			192.00
	CWEA membership reimbursement	192.00	
Cellco Partnership			93.59
	Verizon cell service	93.59	
Chappell Surveying Inc.			3,500.00
	Survey for Mono Lift Station	3,500.00	
Charles Hunter			1,728.68
	RHI	1,728.68	
Check Processors, Inc.			1,004.79
	Lockbox services	1,004.79	
Cheryl Scesa			206.97
	RHI	206.97	
Cintas Corporation #3			119.68
	Blue/Black TUD Logo Polo's & Long Sleeve Garments	119.68	
Cintas Corporation #3			8,195.42
	Uniform Laundry Service	147.15	
	Uniform Laundry Service	532.07	
	Uniform Laundry Service	147.15	
	Uniform Laundry Service	532.07	
	Uniform Laundry Service	147.15	
	Uniform Laundry Service	529.95	
	Uniform Laundry Service	137.69	
	Uniform Laundry Service	554.98	
	Uniform Laundry Service	137.69	
	Uniform Laundry Service	575.93	
	Uniform Laundry Service	152.26	
	Uniform Laundry Service	635.57	
	Uniform Laundry Service	153.00	
	Uniform Laundry Service	627.39	
	Uniform Laundry Service	153.00	
	Uniform Laundry Service	639.55	
	Uniform Laundry Service	156.28	

Vendor Name	Payable Description	Payable Amount	Payment Amount
	Uniform Laundry Service	639.55	
	Uniform Laundry Service	156.28	
	Uniform Laundry Service	639.55	
	Uniform Laundry Service	644.88	
	Uniform Laundry Service	156.28	
Clarke Broadcasting Corp.			475.00
	Top Banner Leaderboard Advertising - Link	475.00	
Coffee Break Service			275.69
	Coffee & Supplies Service	186.69	
	Coffee & Supplies Service	89.00	
Cole-Parmer Instrument Company			1,653.57
	Dispenser for Free Chlorine 10ml	554.57	
	WTW Sentix 41 pH probe	1,099.00	
Cole-Parmer Instrument Company			248.87
	Dispenser for Free Chlorine 10ml	248.87	
Cole-Parmer Instrument Company			366.29
	Masterflex L/S Precision Pump Tubing A-60-N 50ft	366.29	
Columbia Communications			480.00
	Radio Service	480.00	
Columbia Sky Mobile Estates			34.71
	Electric Utility	24.20	
	Electric Utility	10.51	
Comcast			1,478.46
	Monthly VOIP Phone System	1,478.46	
Comcast			368.86
	Monthly 1GB Internet Backup	368.86	
Comcast			171.21
	Billing fax line & SCADA line	171.21	
Contractor Compliance and Monitoring,			219.00
	CCMI for Phoenix Lake	219.00	
Cook Concrete Products, Inc			18,797.21
	2 Vaults for Cuesta/Redbud PRVs	18,797.21	
Craig Hallmeyer			206.97
	RHI	206.97	
CSK Auto, Inc.			45.20
	Gasket maker for Gold Springs	45.20	
David Boatright			1,142.81
	RHI	1,142.81	

Vendor Name	Payable Description	Payable Amount	Payment Amount
David Gracia			1,728.68
	RHI	1,728.68	
David Peterson			87.73
	Angle grinder	87.73	
Debco Automotive Supply			688.96
	Vacuum Trailer 169 air filter	38.80	
	Truck 200 water pump	65.13	
	John Deere 160 filter service	81.38	
	Oil, Fuel &Air Filters	295.86	
	Voltage Regulator	43.63	
	Rear Shocks	164.16	
Debco Automotive Supply			365.29
	#225 Brake job and service	296.17	
	Forklift #100 replacement filters	38.73	
	#206 parts	30.39	
Debco Automotive Supply			119.79
	#4 filters	16.48	
	Inventory shop supplies	97.49	
	Hot Tap Hydraulic pump filter	5.82	
Dell Business Credit			5,281.76
	Dell PC	1,580.28	
	Dell PC	3,701.48	
Dennis Artzer			556.94
	RHI	556.94	
Dennis Hart			1,728.68
	RHI	1,728.68	
Doherty Tire of Sonora, Inc.			712.62
	Truck 250 Flat Tire Repair	15.00	
	#143 Sewer backhoe front tires	657.62	
	Flat Tire Repair	25.00	
	Flat tire repair	15.00	
Doherty Tire of Sonora, Inc.			35.00
	#122 Flat tire repair	35.00	
Doherty Tire of Sonora, Inc.			982.78
	#121 KW dump truck front tires	982.78	
Don Nessl			1,142.81
	RHI	1,142.81	
Douglas Davis			556.94
	RHI	556.94	

Vendor Name	Payable Description	Payable Amount	Payment Amount
Edwin Pattison			7,445.52
	Reimbursement - CalPERS premium Jun-Aug 2021 (ARP)	7,445.52	
El Dorado Septic Service			2,391.28
	Sludge Hauling	187.50	
	Sludge Hauling	2,000.00	
	Portable Toilet Rental	101.89	
	Portable Toilet Rental	101.89	
El Dorado Septic Service			718.75
	Sludge Hauling	115.00	
	Sludge Hauling	603.75	
El Dorado Septic Service			201.25
	Sludge Hauling	201.25	
Elaine Wolfgang			206.97
	RHI	206.97	
Environmental Science Associates			7,957.75
	Sierra Pines Environmental Services	4,400.00	
	ESA for Matelot	3,557.75	
Erik Johnson			571.38
	Reimburse Engineer license renewal	180.00	
	FSA reimbursement - Medical	391.38	
Fastenal Company			2,231.69
	Vending Supplies	195.62	
	Vending Supplies	543.30	
	Vending Supplies	278.95	
	Supplies Hole saw bits	225.12	
	Ear Plugs	437.19	
	14" Metal Cut Off Wheels	23.51	
	Gold Room Stock	47.07	
	Vending Supplies	90.82	
	Gold Room Stock	304.28	
	6"x48" 60 Grit Sanding Belts	85.83	
Fastenal Company			100.29
	Vending Supplies	100.29	
Fastenal Company			433.63
	Sewer Collection Bolts & Nuts	56.27	
	Vending Supplies	107.20	
	Vending Supplies	50.98	
	Vending Supplies	42.23	
	Vending Supplies	24.75	
	Vending Supplies	152.20	
Fastenal Company			107.74
	Gold Room Stock	107.74	

Vendor Name	Payable Description	Payable Amount	Payment Amount
Ferguson Enterprises			8,065.20
	Meter Order 6/28/2021 DP	8,065.20	
Five Claw Maintenance			3,252.66
	Janitorial Services	3,252.66	
Fleetpride, Inc			201.63
	Air Dryer Filter Cartridges	127.09	
	Hood Alignment Pins	74.54	
Fleetpride, Inc			31.50
	Oil hub kit for equipment trailers	31.50	
Frank Perry			556.94
	RHI	556.94	
Frontier Technology LLC,			3,476.34
	Meraki Switches	3,476.34	
Frontier Technology LLC,			312.00
	Adobe Std	312.00	
Frontier Technology LLC,			42.18
	Access Point Power Cord	42.18	
Gaddiel DeMattei			270.00
	Reimburse PE license renewal	270.00	
Gallery & Barton			15,013.62
	Legal Fees	14,181.62	
	Legal Fees- Regional Wastewater Recycling Facility	832.00	
Gary Egger			556.94
	RHI	556.94	
Gelco Supply Inc.			7,832.81
	Root Treatment for Main Sewer Lines	7,832.81	
General Plumbing Supply			594.94
	Parts Twain Harte WWTP	426.64	
	Parts Cuesta Job	168.30	
General Plumbing Supply			103.51
	Supplies Sonora bypass project	103.51	
General Plumbing Supply			46.97
	Phoenix lake LS supplies & Pipe Fitting Reamer	120.04	
	Returned pipe reamer	(108.28)	
	Parts for Cedar Rock pump station	35.21	

Vendor Name	Payable Description	Payable Amount	Payment Amount
General Supply			5,949.78
	Sonora Water Treatment Chemical Building	166.10	
	Twain Harte WWTP Generator	126.79	
	Twain Harte WWTP Electrical Supplies	63.11	
	Sewer Collections Conduit Fittings	98.65	
	Monte Grande Electrical Power Supplies	8.73	
	CIP Phoenix Sewer	849.40	
	CIP Phoenix lake	358.99	
	CIP Phoenix Sewer Lift Station	1,917.35	
	Phoenix Lake Transfer Switch Install	312.68	
	Sewer Pump Electrical wire	1,707.60	
	Phoenix Lake Sewer Control	186.99	
	Caylor Well Fuse Repair	58.23	
	Sewer supplies	95.16	
George Hill			967.14
	RHI	967.14	
George Reed, Inc.			1,252.55
	Supplies cut back	1,252.55	
Glenda McWhinney			206.97
	RHI	206.97	
Green Rubber-Kennedy Ag LP			397.37
	Red Rubber Gasket Material 36"x50' 19SBR012	397.37	
Green Vista Landscape			1,550.00
	Refund hydrant meter deposit - Phoenix Lake	1,550.00	
Greg Day			1,728.68
	RHI	1,728.68	
Gregg Baumann			2,415.00
	Lake Dr.- Westside Reservoir 2021	860.00	
	Lake Dr.- Matelot Reservoir 2021	785.00	
	Lake Doctor- Lower Pondo lake, 1 month treatment	770.00	
Hach Company			2,085.96
	Stablcal Turbidity standards Calibration Kit	339.15	
	Buffer Solution, pH 10.01 Blue	313.19	
	Free Chlorine Reagent Set for CL17	1,433.62	
Hach Company			1,652.63
	CL17 Chlorine Analyzer Maintenance Kit	747.48	
	Formazin Turbidity Standard, 4000 NTU 100ml	905.15	
Hach Company			782.19
	SpecCheck Secondary Gel Standards Set, DPD Cl2	712.09	
	10ML DPD Total Chlorine Reagent	70.10	
Harriet Whitmer			206.97
	RHI	206.97	

Vendor Name	Payable Description	Payable Amount	Payment Amount
Hunt & Sons, Inc.			5,376.08
	Bulk Diesel Exhaust Fluid	153.70	
	Fuel	3,478.96	
	ISO 100 GST Oil	84.57	
	Fuel	1,658.85	
Hunt & Sons, Inc.			5,023.51
	Fuel	5,023.51	
Hunt & Sons, Inc.			7,934.64
	Fuel	2,017.25	
	Fuel	3,040.46	
	Tractor Hydraulic Fluid	829.04	
	Fuel	2,047.89	
Hunt & Sons, Inc.			394.82
	Oil for Blower and Super Shredder maintenance	394.82	
Inception Topco, Inc.			1,416.00
	Office 365 & Email Hosting	1,416.00	
Industrial Electrical Company			3,609.99
	14Kw Kohler Generator for Eden Pump Station	1,200.00	
	Sylva Lane 20HP 240V NEMA 4X VFD replacement	2,409.99	
Industrial Scientific Corporation			425.86
	Gas Monitoring Subscription	425.86	
Infosend, Inc.			4,384.54
	Monthly billing charges	4,384.54	
Innovyze, Inc.			2,230.00
	H2ONet	2,230.00	
J.S. West Propane			806.63
	Service for Twain Harte WWTP new generator	425.05	
	Bulk Propane	381.58	
J.S. West Propane			679.90
	Propane Fuel	520.85	
	Propane Fuel	159.05	
J.S. West Propane			1,903.09
	Eden pump station propane supply	1,903.09	
Jack Wilson			1,479.08
	Refund deposit - 18217 9th Ave	1,479.08	
Jakin Laxague			285.00
	Annual Safety Toed Boot Allowance	285.00	
James Castle			556.94
	RHI	556.94	

Vendor Name	Payable Description	Payable Amount	Payment Amount
James Lemaster			792.84
	RHI	792.84	
Jamestown Motor Corp			83.60
	Truck 8 tire pressure sensor	83.60	
Jamestown Motor Corp			203.83
	#228 replace lost key	68.83	
	Re-program lost key #228	135.00	
Jason Smith			750.00
	Landscaping Services	750.00	
Jeannine Bolter			206.97
	RHI	206.97	
Jeff Meyer			1,142.81
	RHI	1,142.81	
Jennifer Batt			325.00
	Reimbursement - FSA DDC	325.00	
Jeremy Heister			192.00
	Reimbursement - CWEA Membership	192.00	
Jerry Whitehead			1,142.81
	RHI	1,142.81	
Jimmy Hockett			1,728.68
	RHI	1,728.68	
Jonathan H. Sterling			570.06
	District Lighting Replacement Project	570.06	
Julie Perkins			161.54
	Garnishment	161.54	
Julie Perkins			161.54
	Garnishment	161.54	
Karla Hoback			206.97
	RHI	206.97	
Kathleen Kochel			1,142.81
	RHI	1,142.81	
Keith Hockett			100.00
	Reimburse T3 exam	100.00	
Kelly Klyn			1,142.81
	RHI	1,142.81	

Vendor Name	Payable Description	Payable Amount	Payment Amount
Kimball Midwest			85.79
	Low voltage circuit tester	85.79	
Kurt Lagarbo			268.07
	Annual Safety Toed Boot Allowance	268.07	
Laborer's Local #1130			2,210.00
	Union Dues	2,160.00	
	Union Initiation Fee	50.00	
Larry Davis			556.94
	RHI	556.94	
Larry Kram			206.97
	RHI	206.97	
Leonard Mauro			556.94
	RHI	556.94	
Lowe's HIW Inc.			1,099.49
	Phoenix Lake Conduit Connectors	34.24	
	WTP Supplies and Meeting Supplies	33.02	
	4" Single row cup blade	40.93	
	Sonora Soda Ash Building Sink Basin	118.21	
	72" Heavy Duty Steel Shelving Units	540.47	
	Matelot Project Supplies and Ditch Screens	14.32	
	Eden Pump Station Paint Supplies	57.84	
	Kitchen Water Filter	17.39	
	Tuolumne Sed Basin Plumbing	39.37	
	3.3 CU FT mini fridge with freezer	203.70	
Lucas Castle			285.00
	Annual Safety Toed Boot Allowance	285.00	
Mark Alderson Enterprises, Inc			80.00
	Temp. Fence Panel Rentals - Parrots Ferry	80.00	
Mark Alderson Enterprises, Inc			168.00
	Phoenix Lake SLS Temp. Fence Panel Rentals	40.00	
	Temp fence panel rental - Gibbs Dr/Red Bud	48.00	
	Temp. Fence Panel Rentals - Parrots Ferry	80.00	
Melody Bixler			241.15
	Annual Safety Boots Stevie Meyers	241.15	
Michael Duck			556.94
	RHI	556.94	
Michael Martin			556.94
	RHI	556.94	
Michael Nicholls			206.97
	RHI	206.97	

Vendor Name	Payable Description	Payable Amount	Payment Amount
Michael Thalman			1,142.81
	RHI	1,142.81	
Michelle Perkins			60.00
	Reimbursement - T2 Renewal	60.00	
Mike Talley			556.94
	RHI	556.94	
Mitchell Repair Information Company, Ll			1,728.00
	Repair manual subscription renewal	1,728.00	
Mi-Wuk Mutual Water			1,429.19
	Water Service	1,429.19	
Modesto Steel Co., Inc.			336.15
	Steel for Pump Stand Fittings Cedar Rock	336.15	
Mother Lode Answering Service			960.90
	Answering Service	960.90	
Mountain Oasis Purified Water LLC			69.25
	Bottled water for regional lab	39.25	
	Bottled water for collections	30.00	
Mountain Oasis Purified Water LLC			34.75
	Bottled water for Regional plant	34.75	
Mountain Oasis Purified Water LLC			24.75
	Bottled water for Regional plant	24.75	
MSDSonline Inc.			415.00
	Annual DOT Emergency Response	415.00	
MuniQuip, Inc.			7,737.80
	Pulsar Equipment	7,737.80	
New Age Aerial			15,575.30
	DTG3 ROV Drone Water Treat/Dist. & Raw Water FY22	15,575.30	
Nhu Bergstrom			250.00
	Monthly Website Maintenance	250.00	
Olin Corp.			4,583.12
	Sodium Hypochlorite Location 15306	4,583.12	
Olin Corp.			2,677.56
	Bulk cl2- Sonora WTP's	2,677.56	
PACE Supply Corp.			1,085.86
	PRV parts	990.61	
	Trailer Order 7/19/2021 DP	95.25	

Vendor Name	Payable Description	Payable Amount	Payment Amount
PACE Supply Corp.			11,764.75
	Inventory Order 6/11/2021 DP	114.04	
	Inventory Order 6/28/2021 DP	166.17	
	Inventory Order 7/14/2021 DP	252.29	
	Inventory Order 7/14/2021 DP	4.00	
	Trailer Order 7/19/2021 DP	90.60	
	Trailer Order 7/19/2021 DP	60.14	
	Cedar Ridge Springs Tank PRV Vault and Lid	1,354.75	
	Cedar Rock Pump Station New Pumps Plumbing	4,948.79	
	Cedar Rock Pump Station New Pumps Plumbing	470.16	
	Cedar Rock Pump Station New Pumps Plumbing	420.42	
	Cedar Ridge Springs Tank PRV Parts	3,540.08	
	Cedar Ridge Springs Tank PRV Parts	343.31	
PACE Supply Corp.			10,456.38
	Supplies for Cuesta Heights CIP Project	1,963.36	
	6" Clow & Kennedy swing check	1,991.74	
	Inventory Order 6/11/2021 DP	71.89	
	Inventory Order 6/11/2021 DP	183.92	
	Inventory Order 6/28/2021 DP	35.95	
	Inventory Order 6/28/2021 DP	133.38	
	Inventory Order 6/28/2021 DP	88.39	
	Inventory Order 7/14/2021 DP	899.49	
	Cedar Rock Pump Station New Pumps Plumbing	737.84	
	Cedar Rock Pump Station New Pumps Plumbing	724.24	
	Cedar Ridge Springs Tank PRV Parts	333.60	
	Inventory Order 08/04/2021 DP	3,292.58	
PACE Supply Corp.			14,976.77
	Inventory Order 6/11/2021 DP	35.95	
	Inventory Order 6/28/2021 DP	88.92	
	Inventory Order 6/28/2021 DP	26.96	
	Inventory Order 7/14/2021 DP	63.07	
	Inventory Order 7/14/2021 DP	178.72	
	Inventory Order 7/14/2021 DP	253.25	
	Cedar Rock Pump Station New Pumps Plumbing	13.53	
	Cedar Ridge Springs Tank PRV Parts	8,524.13	
	Cedar Ridge Springs Tank PRV Parts	327.01	
	Inventory Order 08/04/2021 DP	13.05	
	Inventory Order 08/04/2021 DP	103.02	
	Inventory Order 08/04/2021 DP	412.71	
	Inventory Order 08/04/2021 DP	59.57	
	Inventory Order 08/04/2021 DP	2.53	
	Inventory Order 8/19/2021 DP	4,874.35	
Pacific Advanced Civil Engineering, Inc.			22,855.00
	SRWWTF Project Pace	16,820.00	
	SRWWTF Pace	6,035.00	
Pacific Gas & Electric			7,062.50
	Electricity	7,062.50	
Pacific Mobile Structures, Inc.			668.17
	Monthly Rental Modular Bldg	668.17	

Vendor Name	Payable Description	Payable Amount	Payment Amount
Pamela Haydnmyer			180.00
	Refund deposit - 1180 Highway 49	180.00	
Par Electrical Contractors, Inc.			781.10
	Refund hydrant meter deposit - Stricker Ct	781.10	
Patricia Haefer			1,142.81
	RHI	1,142.81	
Paul Fairfield			556.94
	RHI	556.94	
Paul Prunchak			206.97
	RHI	206.97	
PTS Rentals, Inc.			6,171.42
	PSPS Generator Rentals	6,171.42	
PTS Rentals, Inc.			7,928.72
	65KW Towable Generator Rental	2,937.05	
	PSPS Generator Rentals	4,991.67	
Quadient Leasing USA, Inc.			710.50
	Mail Machine Lease Payment	710.50	
Quest California News Media Inc.			1,088.98
	WWTP Operator Classified Ad	323.78	
	Seasonal Ditch Crew-Classified Ad	312.65	
	Classified Ad-Customer Service Rep	132.48	
	Assistant Engineer Classified	320.07	
R. F. MacDonald Co.			5,259.81
	2- 7.5hp Pumps and Drives	5,259.81	
Raftelis Financial Consultants, Inc.			3,897.50
	Financial Plan & Public Hearing Assistance	3,897.50	
Randik Paper			477.44
	Janitorial Supplies	477.44	
Regan Pirtz			198.40
	Annual Safety Toed Boot Allowance	198.40	
Richard Dean			206.97
	RHI	206.97	
Robert Betzler			140.00
	Reimburse Distribution 4 cert	140.00	
Robert Bowers			619.50
	RHI	619.50	

Vendor Name	Payable Description	Payable Amount	Payment Amount
Robert Hatcher			556.94
	RHI	556.94	
Ron Johnson Construction			1,403.55
	Refund hydrant meter - Sawmill Flat Rd	1,403.55	
Ron Palhegyi			1,575.00
	Refund deposit - 1160 S. Washington St	1,575.00	
RYAN PROCESS, INC.			981.31
	Sonora WTP- Soda Ash Project- mixer impellers (2)	981.31	
Sandi Gillespie			556.94
	RHI	556.94	
Sharon Norris			1,142.81
	RHI	1,142.81	
Shelly Borla			1,142.81
	RHI	1,142.81	
Sheri Fleming			1,728.68
	RHI	1,728.68	
Sierra Heavy Duty Parts & Service			238.77
	Flush truck #155 parts	238.77	
Signal Service			736.77
	Proximity fob	193.95	
	Repairs at Tuolumne WTP	542.82	
Slakey Brothers Inc.			74.00
	Swamp cooler motor - OPS building	74.00	
Slakey Brothers Inc.			8.85
	Swamp cooler bearings - OPS building	8.85	
Sonora Ford			12.87
	#206 exhaust studs	12.87	
Sonora Lumber Company			730.87
	Leak repair parts in reclamations	38.02	
	Leak repair parts in reclamations	31.41	
	Collection system maintenance supplies	161.68	
	2x4-1x4 lift handle hasp	336.20	
	Phoenix Lake LS supplies	22.95	
	Brass plumbing parts	38.76	
	Sonora WTP improvements	50.71	
	Forklift Propane	51.14	
Sonora Lumber Company			189.79
	Ditch supplies	30.13	
	Supplies	43.27	
	Swamp cooler parts - OPS building	10.76	

Vendor Name	Payable Description	Payable Amount	Payment Amount
	PH generator supplies	6.94	
	TK# 238 supplies	22.81	
	Phoenix Lake LS supplies	54.35	
	Water treatment supplies	21.53	
Sonora Lumber Company			552.04
	T-Post for sidelines	201.76	
	Collection supplies	61.36	
	Warehouse Stock	276.01	
	Upper Basin supplies	12.91	
Sonora Lumber Company			175.49
	Truck stock #247	45.20	
	Drill bits	43.08	
	Supplies for painting	17.22	
	Ditch supplies	69.99	
Sonora Water Company			39.65
	Utilities	39.65	
Standard Insurance			2,234.22
	STD/LTD September 2021	2,234.22	
Stantec Consulting Services Inc.			4,703.26
	Legislative Priorities - Board Workshop Facilitation	4,703.26	
State of California			1,530.66
	Refund deposit - 19596 Mono Way water service	1,530.66	
Stephen Gray			556.94
	RHI	556.94	
Tamara Alexander			556.94
	RHI	556.94	
Terresa Hoots			238.25
	RHI	238.25	
Terry Hiler			792.84
	RHI	792.84	
Thane Allen			792.84
	RHI	792.84	
The Pape' Group Inc.			6,113.28
	PSPS Generator Rentals	1,018.88	
	PSPS Generator Rentals	1,018.88	
	PSPS Generator Rentals	1,018.88	
	PSPS Generator Rentals	1,018.88	
	PSPS Generator Rentals	1,018.88	
	PSPS Generator Rentals	1,018.88	

Vendor Name	Payable Description	Payable Amount	Payment Amount
The Radiator Doctor Inc.			522.85
	#519 South Sonora radiator	513.71	
	Radiator Cap	9.14	
The Wardens Office, Inc.			151.44
	Office Supply Stock	151.44	
The Wardens Office, Inc.			52.55
	Office Supply Stock	52.55	
The Wardens Office, Inc.			182.30
	Office Supply Stock	182.30	
The Westervelt Company			3,400.00
	Credits Bullock Bend Mitigation Bank - .02	3,400.00	
Thomas Phillips			1,728.68
	RHI	1,728.68	
Timothy McCullough			206.97
	RHI	206.97	
Tom Scesa			206.97
	RHI	206.97	
TPPA			35,676.34
	Electricity	35,676.34	
Travis Emerald			90.00
	Reimbursement - FSA URM	90.00	
Tuolumne County Assessor			132.25
	Monthly Map Updates	132.25	
Tuolumne County False Alarm Reduction			184.50
	False burglar alarm - Big Hill	184.50	
Tuolumne County Recorder			100.00
	Release of Liens	40.00	
	Release of Liens	60.00	
Tuolumne County Recorder			220.00
	Release of Lien	200.00	
	Release of Lien	20.00	
Twain Harte Lumber			64.63
	Ditch supplies	30.01	
	Ditch supplies	34.62	
Underground Service Alert			2,561.21
	California State fee for regulatory costs	2,561.21	

Vendor Name	Payable Description	Payable Amount	Payment Amount
United Rentals, Inc.			2,301.07
	50KW Portable Generator for PSPS	2,301.07	
UPS			209.74
	Freight	209.74	
US Bank Equipment Finance			191.21
	Plotter Lease Payment	191.21	
USA Bluebook			622.36
	Red, Green & Blue Dye Tablets	622.36	
Verlia Teves			206.97
	RHI	206.97	
Virginia Ayers			206.97
	RHI	206.97	
VNF Solutions, LLC			9,000.00
	Federal Affairs Advocacy	9,000.00	
W. W. Grainger, Inc.			211.54
	Supplies Backdraft damper	211.54	
W. W. Grainger, Inc.			486.16
	3/16"X500' coated stainless steel cable	486.16	
Watch Resources, Inc.			680.00
	RWWTP Landscaping	680.00	
Wells Fargo Equipment Finance			5,218.65
	Vac Con Loan Payment	5,218.65	
Wells Fargo Financial Leasing			1,190.64
	Copier Lease Payment	960.05	
	Copier Lease Payment	117.45	
	Copier Lease Payment	113.14	
William Gerber			556.94
	RHI	556.94	
William Pattinson			556.94
	RHI	556.94	

Vendor Name	Payable Description	Payable Amount	Payment Amount
World Oil Environmental Services			95.00
	Waste Oil, Antifreeze & Oil Filter Recycling Pickup	95.00	

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	382.00	169.00	0.00	374,620.06
Manual Checks	-	-	0.00	0.00
Voided Checks	-	-	0.00	0.00
Bank Drafts	-	-	0.00	0.00
EFT's	103.00	83.00	0.00	118,605.77
	485.00	**252.00**	**0.00**	**493,225.83**

TUOLUMNE UTILITIES DISTRICT

Agenda Item No.III.3

MEMORANDUM

Board Meeting of September 14, 2021

To: Tuolumne Utilities District Board of Directors

From: Antonio Ramirez, Engineering Services Technician

Agenda Section: Regular Business

Subject: Consider Approval of Variance Agreement for Water and Sewer Service to Non-Adjacent Parcel - Carlson and Piche-Carlson

Summary

Recommendation:

It is recommended that the Board of Directors, by motion, approve a variance from Water Rules and Regulations Section 6.02 and Wastewater Section 3.01 Regarding Service to a Non-Adjacent Parcel-Carlson and Piche-Carlson.

Issue:

Mr. Carlson and Mrs. Piche-Carlson own a vacant property (APN: 002-201-019) upon which they intend to build a single-family residence. The property is approximately 485' from the nearest District water and sewer mains. City Ordinance requires new construction projects connect to public water and sewer systems. To serve the property, Mr. Carlson and Mrs. Piche-Carlson are requesting a variance from Water Rules and Regulation 6.02 and Wastewater Ordinance Section 3.01 which require a public main be adjacent to the property in order to be served by the District.

Approval of the variance would allow the owners to install a public water service lateral with water meter and public sewer service lateral with cleanout at the District's nearest existing water and sewer mains in the Barretta Street right-of-way and approximately 485' of private water and sewer lines across the intervening parcel APN: 002-201-049 would be installed. The District's operation and maintenance responsibilities would end at the water meter and cleanout at the public water/sewer mains. Mr. Carlson and Mrs. Piche-Carlson would be responsible for the operation and maintenance of the private water and sewer lines from the water meter and cleanout to their residence. The owners are in communication with the intervening property owner and have secured permission to construct the private service laterals. A letter from the property owner is attached.

District staff see no advantage at this time in extending water or sewer mains to the Carlson/ Piche-Carlson parcel and staff are therefore supporting the request for the following reasons:

1. No additional parcels are currently requesting service from the proposed water and sewer mains to the Carlson and Piche-Carlson parcel.
2. Extending a water and sewer main(s) to serve one additional customer increases District operation and maintenance responsibility.
3. The Variance includes a requirement to execute and record the attached agreement obligating the property owner to participate in the costs to extend a future sewer main should such a project be undertaken in the future.

Board Action:	Resolution No. _____	Motion by _____	Second by _____
	Ayes: _____	Noes: _____	
	Absent: _____	Abstained: _____	Recuse: _____

Fiscal Impact:

If approved, the District would receive $8,191 in water capacity fees and $6,076 in wastewater capacity fees.

Previously Related Action: None

Committee Status:

In the interest of time, this item has moved directly to the full Board for consideration.

Adherence to Policy:

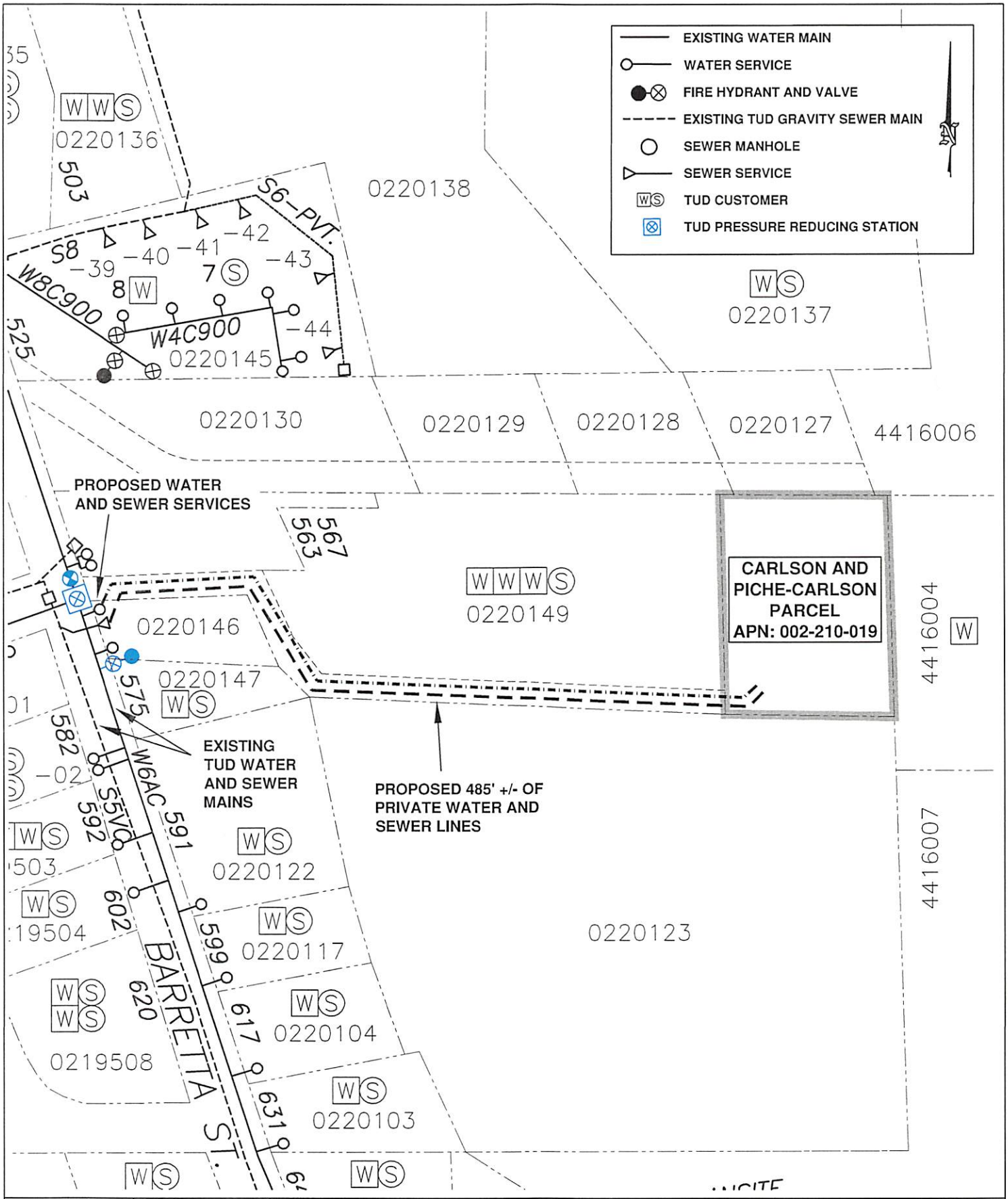
The Variance Request complies with TUD's Water Rules and Regulations and Wastewater Ordinance

Discussion

The District's Water Rules and Regulations Section 6.02 and Wastewater Ordinance Section 3.01 requires that in order to establish service to a private property a public water and/or sewer main must be immediately adjacent to the property. The water meter and sewer cleanout mark the transition between District owned and operated facilities and private pipelines and facilities that are maintained by the property owner on private property. The District's requirement serves to ensure that properties benefitting from the construction and use of the public infrastructure contribute fair share costs of construction; ensures that infrastructure related to the transmission of water and/or wastewater is properly maintained; ensures District access to distribution and/or transmission facilities; and provides for the efficient design and construction to serve the collective whole of the community in a cost effective manner.

Attachments:

Exhibit Map, Mainline Participation Agreement, Letter from Intervening Property Owner



DATE: 9/1/2021 SCALE: NOT TO SCALE DRAWN BY: AJR	**EXHIBIT MAP** **CARLSON/PICHE-CARLSON** VARIANCE REQUEST FROM WATER RULES AND REGULATIONS SECTION 6.02 AND WASTEWATER ORDINANCE SECTION 3.01	TUOLUMNE UTILITIES DISTRICT 18885 NUGGET BLVD. SONORA, CALIFORNIA 95370 (209) 532-5536

Assessor's Parcel No.: 002-201-019

Recorded at the request of
and when recorded return to:
TUOLUMNE UTILITIES DISTRICT
18885 Nugget Blvd.
Sonora, CA 95370

AGREEMENT REGARDING WATER AND SEWER SERVICE TO A NON-ADJACENT PARCEL
IN THE CITY OF SONORA – CARLSON AND PICHE-CARLSON.

This AGREEMENT is made and entered into as of _____, by and between TUOLUMNE UTILITIES DISTRICT, a county water district formed under the California Water Code in Tuolumne County, hereinafter referred to as "DISTRICT", and James Robert Carlson and Michelle Piche-Carlson, hereinafter referred to as "OWNERS".

WITNESSETH:

WHEREAS, OWNERS, own 0.53 acres of land, with Assessor Parcel Number: 002-201-019, located in the City of Sonora, (hereinafter referred to as "Parcel"); and

WHEREAS, a legal description describing said Parcel is attached hereto as Exhibit A; and

WHEREAS, a map showing said Parcel is attached hereto as Exhibit B; and

WHEREAS, OWNERS' Parcel is currently vacant and the OWNERS intend to build a single family residence the property; and

WHEREAS, OWNERS have requested water and sewer service from the DISTRICT; and

WHEREAS, the DISTRICT owns and operates water and sewer mains in the Barretta St. right-of-way that are not adjacent to OWNERS' Parcel, but are approximately 485' West of said Parcel; and

WHEREAS, the DISTRICT'S Water Rules and Regulations Section 6.02 require a DISTRICT water main and meter to be adjacent to a parcel in order to establish service; and

WHEREAS, the DISTRICT'S Wastewater Ordinance Sections 3.01 requires a DISTRICT sewer main to be adjacent to a parcel in order to establish service; and

WHEREAS, OWNERS have requested a variance from DISTRICT'S Water Rules and Regulations Section 6.02 to obtain water service through a private water line in lieu of extending the public water main; and

WHEREAS, OWNERS have requested a variance from DISTRICT'S Wastewater Ordinance Section 3.01 to obtain sewer service through a private sewer line in lieu of extending the public sewer main, and

WHEREAS, the DISTRICT does not foresee an eminent extension of a public water or sewer main to the area but does find other parcels could be served by same.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, it is hereby agreed that treated water service and sewer service shall be provided by DISTRICT to OWNERS' Parcel subject to the following terms and conditions:

1. OWNERS acknowledge and agree that DISTRICT'S Water Rules and Regulations and Wastewater Ordinance require, without limitation, that in order to connect to DISTRICT'S public water and sewer system, DISTRICT water and sewer mains must be located adjacent to the Applicant's property and opposite the proposed location of the Applicant's service. The DISTRICT'S Water Rules and Regulations and Wastewater Ordinance further require that where a public water main does not exist adjacent to an Applicant's property the public water and sewer mains shall be extended at Applicant's cost in order to establish service consistent with the provision of the Water Rules and Regulations and

Wastewater Ordinance. DISTRICT has determined that in order to provide service to OWNERS' Parcel a public water and sewer main extensions from Baretta St. to a point most immediately adjacent to Parcel's access location is required.

2. Notwithstanding (1) above, in lieu of extending the public water and sewer mains the DISTRICT will authorize use by OWNERS of private water and sewer lines crossing APN 002-201-049 to DISTRICT'S public water and sewer systems. Water and sewer service through said private water and sewer lines is subject to the following conditions:

   a. Easements and Pipeline Fitness. OWNERS, and their successors, assigns or heirs will be solely responsible for creating, obtaining and/or verifying adequate easements on private property that may be required for construction, operation, and maintenance of the private water and lines from the DISTRICT'S facilities to OWNERS' Parcel. OWNERS, and their successors and assigns, will be solely responsible to ensure the private water and lines and related facilities are located within their intended and existing easements, function properly, and are capable of reliably and responsibly providing water and sewer service to and from OWNERS' Parcel. DISTRICT shall not be liable for any inadequacies or failures of the private water and sewer lines, related facilities, or any easements.

   b. Meter and cleanout. Upon providing satisfactory proof to the DISTRICT that OWNERS has the necessary easements to establish water and sewer services from DISTRICT, and that said private water and sewer lines function properly, reliably, and responsibly, the DISTRICT will install a water meter and related appurtenances to provide water service to OWNERS' Parcel at a point on the DISTRICT'S existing facilities located with the Barretta St. right-of-way approximately 485' West of OWNERS' Parcel, after OWNERS applies for service and pays all applicable connection fees and capacity charges.

   c. Maintenance. OWNERS, and their successors and assigns, will be solely responsible for the operation, maintenance, repairs, replacement, and liability related to the private water and sewer lines and related facilities from the water meter and cleanout at the Barretta St. right-of-way to OWNERS' Parcel.

   d. Participation in Future Water and Sewer Main Projects Required. If, subsequent to the effective date of this Agreement, a public water or sewer main is extended to a point adjacent to the frontage of OWNERS' Parcel, OWNERS, or their successors and assigns, shall participate in sharing the costs of construction of the water and/or sewer main extension ("Fair Share Cost"). If the future water and/or sewer main is extended by neighboring property owners, OWNERS' Fair Share Cost shall be calculated per DISTRICT'S reimbursement policies specified in Section 8.14 of DISTRICT'S Water Rules and Regulations and/or Section 3.01.10 of the DISTRT'S Wastewater Ordinance, as may be amended from time to time, or as otherwise agreed to by DISTRICT, OWNERS', and neighboring property owners.

      If the future public water and/or sewer main is extended by the DISTRICT, OWNERS' Fair Share Cost shall be determined by the DISTRICT Engineer and adopted by the DISTRICT Board of Directors. In such an event, DISTRICT shall disconnect the private water and/or sewer line and relocate the water meter and or cleanout to the new main at the frontage of the Parcel. The cost of such relocation shall be borne by OWNERS.

      Failure of OWNERS, or their successors, assigns or heirs to willfully participate in construction of a future water and/or sewer main project shall result in DISTRICT filing a Lien against the Parcel for the water and/or sewer main participation costs. In such case the DISTRICT Engineer shall determine the cost share amount and file the Lien.

   e. OWNERS agrees to abide by each of the provisions of the DISTRICT'S Water Rules and Regulations and Wastewater Ordinance as amended from time to time.

3. Back-flow Prevention. In order to protect the public water supply from the possibility of contamination by OWNERS' sewer pump system and in accordance with State Health Code Title 17, OWNERS is required by the DISTRICT to install, maintain and annually test an approved reduced pressure back-flow device just downstream of the water meter. Annual testing of the back-flow device must be performed by a certified tester approved by the DISTRICT and the test results shall be submitted to the DISTRICT no later than October 31st annually.

4. Failure to Perform. The failure of either party hereto to insist, in any one or more instances, upon performance of any of the terms, covenants or conditions of this Agreement, shall not be construed as a waiver or a relinquishment of the right or duty of future performance of any such terms, covenants or conditions of the other party, but the obligation of such party with respect to such future performance shall continue in full force and effect.

5. Indemnification. OWNERS and any successors, assigns, or heirs shall defend, indemnify and hold the DISTRICT harmless against any and all claims, including payment of reasonable attorney's fees and costs, for loss, legal challenges, personal injury, death, or property damage resulting from, related to, or arising out of the DISTRICT'S approval of this Agreement.

   OWNERS and any successors, assigns, or heirs shall also defend, indemnify and hold the DISTRICT harmless against any and all claims, including payment of reasonable attorney's fees and costs, for loss, personal injury, death, or property damage resulting from and/or related to, the private water line, its related facilities, and water line easements as generally shown in Exhibit "B". This indemnification shall survive the termination of this agreement.

6. Successors and Assigns. This Agreement, and all of the rights and obligations herein contained, shall bind and inure to the benefit of the respective successors and assigns of the parties hereto.

7. Term of Agreement. The term of this Agreement shall remain permanent after the date hereof, until such time that both parties mutually agree to its termination.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective officers, duly authorized, and their respective seals to be here unto affixed, as of the day and year first above mentioned.

By: _____
James Robert Carlson
Owner

By: _____
Michelle Piche-Carlson
Owner

By: _____
Don Perkins
Interim General Manager
TUOLUMNE UTILITIES DISTRICT

Attest:

By: _____
Melissa McMullen
Executive Secretary/Board Clerk

EXHIBIT A
Land Description

A.P.N.: 002-201-019

That certain 0.53± acre parcel of land with the City of Sonora, designated with Tuolumne County Assessor's Parcel Number 002-201-019 and described by Document #2016001573 recorded in the Official Records of Tuolumne County on February 5, 2016, and said parcel being situated in the Southerly ½ of Section 36, T.2N., R.14 E., M.D.B.& M., Tuolumne County, California.

Antonio Ramirez

To: Antonio Ramirez
Subject: FW: Carlson project

From: Michelle Carlson [redacted]
Sent: Friday, August 27, 2021 3:20 PM
To: Antonio Ramirez <ARamirez@tudwater.com>; Tyler Piche <tylerpiche@gmail.com>; shamariahwilk@gmail.com
Subject: Re: Carlson project

Antonio,

We are requesting water service and sewer service from TUD and variance from requirement to extend public water/sewer mains to our property. This is for assessor parcel number: 002-201-019.

Thank you for help with this!

Jim and Michelle Carlson

Antonio Ramirez

Subject: FW: Approval for water and/or sewer for Carlson project

From: tyler piche [redacted]
Sent: Thursday, September 2, 2021 5:45 PM
To: Antonio Ramirez <ARamirez@tudwater.com>
Subject: Re: Approval for water and/or sewer for Carlson project

To whom it may concern,

I am confirming that James and Michelle Carlson can utilize the driveway for installation of water and/or sewer for APN 002-201-019-000. In addition, I am willing to grant a private water/sewer easement if one does not exist.

-Tyler Piche

TUOLUMNE UTILITIES DISTRICT

Agenda Item No.III.4

MEMORANDUM

Board Meeting of September 14, 2021

To: Tuolumne Utilities District Board of Directors

From: Antonio Ramirez, Engineering Services Technician

Agenda Section: Regular Business

Subject: Consider Executing Agreement Regarding Construction and Transfer of Water and Sewer Main Line Extensions to Serve the Cuesta Heights Development - SV 110, LLC

Summary

Recommendation:

It is recommended that the Board of Directors, by motion, authorize the General Manager to execute the agreement with SV 110, LLC for water and sewer service to the proposed Cuesta Heights Development.

Issue:

SV 110, LLC is proposing to construct water and sewer facilities to serve the proposed Cuesta Heights Development which will be comprised of 46 residential lots. Water and sewer service to the proposed parcels will require construction of approximately 1,645 linear feet of 8-inch diameter water pipeline, 2,380 liner feet of 4-inch diameter water pipeline and 2,771 linear feet of 6-inch sewer pipeline (see Exhibit B of the attached agreement).

Domestic water service pressure for half of the proposed 46 lots will be by way of gravity pressure from the District's recently constructed Shaws Flat tank located adjacent to the development; however, approximately 23 lots are too high in elevation to be served by this tank or the District's existing water distribution system. To serve these lots the Developer is proposing to construct a constant pressure water distribution system. This system will include installation of two pumps and controls within the District's existing Shaws Flat pump station and a dedicated 4-inch water line from the pump station to the 23 lots. Once constructed, the pump system, controls and dedicated waterline will be transferred to the District for operation and maintenance along with the proposed water and sewer mains. The constant pressure system is intended for domestic use only and is not intended to meet the fire flow demands of the development. Fire flow demands of the project will be met by hydrants located along the existing 10-inch main and/or proposed water 8-inch mains. The exact locations of the new hydrants are yet to be determined.

The City of Sonora, as Lead Agency, approved the Cuesta Heights Tentative Subdivision Map and adopted a CEQA Mitigated Negative Declaration for the project. The subdivision map received several extensions from the City with the most recent occurring February 16, 2021 which included an amendment to the map reducing the number of lots from 49 to 46. The City's adopted Negative Declaration is attached and a copy of the City's Initial Study and conditions are available upon request.

TUD has confirmed that SV 110, LLC is a registered business entity in the State of California. Documentation from the Secretary of State with proof of registration is attached.

Fiscal Impact:

If approved, the District would receive water and sewer fees in the amount of $8,191 and $6,076 respectively for each residential lot at the time service is requested.

Previously Related Action: None

Board Action:	Resolution No. _____	Motion by _____	Second by _____
	Ayes: _____	Noes: _____	
	Absent: _____	Abstained: _____	Recuse: _____

Committee Status:

In the interest of time, this item has moved directly to the full Board for consideration.

Adherence to Policy:

The Developer Agreement complies with TUD's Water Rules and Regulations and Wastewater Ordinance

Discussion

When a project requires extension or improvement of District facilities in order to provide service to the development, the District requires an agreement between the District and the Developer. Agreements are designed to protect the District and the Developer and to make clear the conditions under which the District will provide service. The standard provisions of an agreement stipulate that any facilities to be transferred to District will be constructed to District standards by a properly licensed and insured contractor with District inspection.

The special provisions contained in the agreement are specific to the particular project. Typically, the special provisions will include the water and sewer connection fee amounts for the project and include an estimated deposit amount to be collected for costs associated with the District's plan review and inspection. Special provisions can also include requirements to dedicate easements, install backflow prevention and/or establish monthly billing accounts.

Attachments:

Development Agreement with Exhibits, Secretary of State Certification, City Approved CEQA Mitigated Negative Declaration.

Assessor's Parcel No.: 035-070-053
035-070-055

Recorded at the Request of and when recorded return to:

TUOLUMNE UTILITIES DISTRICT
18885 Nugget Blvd.
Sonora, CA 95370

AGREEMENT REGARDING CONSTRUCTION AND TRANSFER OF WATER AND SEWER MAIN LINE EXTENSIONS TO SERVE THE CUESTA HEIGHTS DEVELOPMENT

This Agreement entered into this _____ day of _____ , 2021, by and between the TUOLUMNE UTILITIES DISTRICT hereinafter referred to as "District" and SV 110, LLC hereinafter referred to as "Developer".

WITNESSETH

WHEREAS, the Developer is proposing to develop a 20.76 ± acre parcel of land generally located at the intersection of Shaws Flat Road and Roble Road in the City of Sonora, identified as assessor's parcel number 035-070-053 & 055, in Tuolumne County, California, which is proposed to include 46 Residential Lots , (all hereinafter referred to as the "Development"); and

WHEREAS, a description of the Development boundaries is attached hereto as Exhibit A, and a map showing the planned Development is attached hereto as Exhibit B; and

WHEREAS, Developer is proposing to construct 1,645 linear feet of 8-inch diameter water pipeline, 2,380 liner feet of 4-inch diameter water pipeline and 2,771 linear feet of 6-inch sewer pipeline , and related facilities, in public utility easements and rights of way, to serve the Development and desires to transfer the same to the District upon completion of construction; and

WHEREAS, the District's Shaws Flat water pump station is adjacent to the Development; and

WHEREAS, due to elevation, approximately 23 lots within the Development are unable to receive adequate water pressure from the District's existing distribution system or the Shaws Flat tank;

WHEREAS, in order to serve the 23 lots the Developer is proposing to construct, to District standards, a constant pressure water distribution system consisting of two pumps with controls within the District's existing Shaws Flat pump station and desires to transfers the same to the District upon completion of construction; and

WHEREAS, District is agreeable to accepting the transfer, operation, and maintenance of the pipeline facilities located in public right-of-way and the pump station improvements and to provide service therefrom, on the terms provided herein and their performance by Developer; and

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

STANDARD PROVISIONS FOR WATER AND SEWER

1. General and Construction Requirements. The water and sewer facilities shall be designed, constructed and be operable to District's satisfaction, which shall be a condition precedent to District's obligation to accept the same under this Agreement. District requirements shall include, but not be limited to the following:

    a. Developer shall design and construct the water and sewer facilities to District's standards and any other applicable State Regulatory Agency requirements, whichever are most stringent. All plans and specifications shall be prepared by a licensed civil engineer registered in the State of California and approved by the District.

    b. Three complete sets of plans and specifications and two sets of submittals for the water and sewer facilities shall be submitted to the District for review and consideration of approval prior to construction. Construction shall not proceed until all plans and specifications are stamped with evidence of District approval and a preconstruction meeting is held between representatives of District and Developer. District review of plans and specifications shall commence after receipt of the initial deposit (see Paragraph #3).

    c. All facilities in the system shall be tested to meet District requirements. No facilities or portion thereof will be accepted without meeting District testing requirements. The District shall have the right at any time or from time to time to inspect work in progress in the construction of the water and sewer facilities. Use of said facilities shall be subject to approval by the District's General Manager.

2. District to Serve Development. Provided that Developer complies with the provisions of this Agreement, District will, from and after completion of the facilities in accordance with this Agreement and after District's acceptance of the Deed and payment of applicable connection and/or capacity fees, render and provide water and sewer service to the Development as shown on Exhibit B and will bill the property owner in accordance with all rules and regulations of the District, as those rules and regulations may change from time to time.

3. Initial and Additional Deposits. Upon the execution of this Agreement by both parties, the Developer shall deposit with the District the applicable inspection, administration, and engineering fees as specified in Special Provisions, Paragraph #19, which deposit will be used by the District to pay for costs incurred. Additional deposits may be required from time to time if District costs exceed or will exceed the deposits made and developer agrees to make those additional deposits if required by District. If Developer fails to make timely additional deposits, District in its sole and absolute discretion may terminate this agreement, including without limitation, the revocation of water and sewer service to the development.

4. Licensed Contractor. The Developer, or its authorized representative (contractor) to perform the work, shall be licensed under the provisions of the Business and Professions Code of the State of California to do the type of work called for in the proposed project. District reserves the right to waive this requirement at its discretion where permitted under state statute. The Developer, or its contractor, shall be skilled and regularly engaged in the installation of water and sewer facilities. The District may request evidence that the constructing party has satisfactorily installed other projects of like magnitude or comparable difficulty. It is the intent of the District that the work be performed by a contractor who furnishes satisfactory evidence of qualifications to do the work, and District reserves the right to deny any contractor that does not meet the necessary qualifications.

5. Permits, Easements, and Related Costs. The Developer shall obtain all necessary federal, local, county, and state permits (including encroachment permits) and conform to requirements thereof and shall arrange for inspection and pay any necessary fees and deposits. Developer shall obtain all permanent and temporary easements necessary for ingress and egress to and from the facilities for the purpose of installation, operation, maintenance and removal of said facilities, and said easements shall be in a form approved by the District and shall be

submitted and/or conveyed to the District for approval and acceptance prior to commencement of construction of the facilities. Permanent easements shall be in a recordable form and shall be 15 feet in minimum width. Easements shall be delivered by the Developer and shall be accepted by the District prior to transferring ownership of water and sewer facilities to the District. Developer and Developer's successors and assigns shall not construct, over, under or in any way encroach upon the permanent easements granted to District under this agreement except as approved in writing by the District and then only in a manner consistent with the provision of any easement granted District hereunder. This provision shall survive the termination of this Agreement.

6. Final Inspection and Reimbursement of District Costs. The Developer shall be responsible for all costs incurred by the District that are associated with interim and final inspection, completion, additional construction, and testing of the facilities as needed or required for the approval of the facilities by the District and any other regulatory agency having jurisdiction, including, but not limited to the State Water Resources Control Board. Upon completion of all Developer constructed facilities, Developer shall request a final inspection of those facilities by District. District is not obligated to accept any facilities until those facilities receive a final inspection and are approved as completed, by the District, which final inspection and approval shall be affected only with the written concurrence of the District's General Manager. Prior to District acceptance and final approval of any facilities constructed by Developer, Developer shall pay all reimbursable costs incurred by the District for inspection, testing, and engineering over and above the initial fees as specified in Paragraph #19. Upon acceptance and final approval, the Developer shall transfer all interests in the facilities and real property as provided for in Paragraph #11.

7. Underground Obstructions. The District does not assume any responsibility or liability whatsoever during the construction of the water and sewer facilities. Any locations of underground utility lines or surface obstructions given to the Developer or placed on the project drawing by District are for the Developer's convenience, and must be verified by Developer in the field. The District assumes no responsibility for the sufficiency or accuracy of such information, lines or obstructions.

8. Record Drawings, Specifications, Values, Etc. Developer shall, as a condition precedent to District's acceptance of the water and sewer facilities and its obligations under this agreement, provide to the District:

    a. A complete and final set of as-built (Record Drawings) plans for the water and sewer facilities, satisfactory to the District's General Manager, together with a copy of the specifications and any contract documents used for the construction of the water and sewer facilities. Said as-built plans shall also show any other utilities within the easements for the water and sewer facilities. District also requests, when available, an electronic copy of Record Drawings in an AutoCad or equivalent format.

    b. A complete detailed statement of account, satisfactory to the District's Finance Director, of the amounts expended for the installation and construction of the facilities, with values applicable to the various components thereof, together with a list of any other materials and equipment (and their values) being transferred.

9. Indemnification - The Developer and any successors, assigns, or heirs shall defend, indemnify and hold the District harmless against any and all claims, including payment of reasonable attorney's fees and costs, for loss, personal injury, death, or property damage resulting from, related to, or arising out of: (a) the District's approval of this agreement, (b) the CEQA process, approvals, and any environmental issues, (c) the construction of the facilities, including without limitation the means, methods, materials, or products used or employed by Developer in the construction of those facilities constructed solely by Developer. These indemnifications shall survive the termination of this agreement.

10. Insurance - Developer or its authorized representative to do the work (contractor) shall, at its sole cost, obtain and

maintain, in force and effect for the duration of the Contract, including the Guarantee and Warranty periods, insurance of the following types with limits not less than those set forth below, in a company or companies with a Best's rating of no less than A:VII and admitted to issue insurance in the jurisdiction(s) in which all work is to be performed, where the site is located and where any waste is transported or deposited. The Contractor shall require compliance with these Insurance Requirements by its lower tier subcontractors:

a. Commercial General Liability Insurance (Occurrence Form) ISO Form CG 20 10 07 04 & CG 20 37 07 04 with a full defense and indemnity, and unless modified in the Supplementary Conditions, shall include:
    i. a minimum combined single limit of liability of $3,000,000 or the limits required by law, whichever is greater for each occurrence for bodily injury and property damage;
    ii. a minimum limit of liability of $3,000,000 each person for personal and advertising injury liability;
    iii. a minimum limit of liability of $3,000,000 each occurrence for products/completed operations liability. The products completed operations liability shall be maintained in full force and effect for not less than 10 years following completion of any of the Contractor's work;
    iv. a general aggregate limit of not less than $3,000,000, which shall be provided on a per project basis by means of ISO Endorsement CG 25 03 11 85; or both (CG 20 10 07 04 & CG 20 37 07 04).
    v. an endorsement that names the Tuolumne Utilities District and each of its officers, employees, agents and consultants as additional insureds. Such endorsement shall be made upon an ISO Endorsement CG 20 10 11 85, or both (CG 20 10 07 04 & CG 20 37 07 04). Additional Insured - Tuolumne Utilities District and shall state "insurance is primary and all other insurance shall be noncontributory" and shall waive all rights of subrogation against the additional insureds;
    vi. XCU coverage for claims arising from explosion, collapse and underground damage;
    vii. Accidental spillage, cleanup and other related costs;
    viii. Contractual liability coverage for all oral and written contracts including the indemnity provisions contained herein
b. Automobile Liability Insurance covering use of all owned, non-owned and hired automobiles with a minimum combined single limit of liability for bodily injury and property damage of $3,000,000 per occurrence, and shall include:
    i. An endorsement that names the Tuolumne Utilities District and each of its officers, employees, agents and consultants as additional insureds, states such "insurance is primary and all other insurance shall be noncontributory", and waives all rights of subrogation against the additional insureds;
    ii. Coverage for Cross Liability and coverage for Severability of Interest.

Certificates of Insurance - Prior to beginning any Work, the Developer, its authorized representative or Contractor shall file with the District, Certificates of Insurance in a form satisfactory to District (ACCORD form) along with a copy of all endorsements as required. The certificates shall name each additional insured required under this agreement, shall state "insurance is primary and all other insurance shall be noncontributory", shall waive all rights of subrogation against the additional insureds; and shall also contain a provision that the Tuolumne Utilities District shall be notified in writing 30 days before the policies may be canceled or allowed to expire or any reduction in coverage.

11. Transfer of Facilities to District after Completion. For any facilities constructed by the Developer, the Developer will execute and obtain all signatures of any other parties having any interest (including any Deeds of Trust), and deliver a deed satisfactory in form and content to District, transferring absolute and unencumbered ownership of the completed facilities to the District. The deed shall include the transfer of all real property, interest in real

property, easements and rights-of-ways, and all overlying rights that are a part of, appurtenant to, or belonging to any parcels now or hereafter served by the water and sewer facilities that are necessary or appropriate in the opinion of the District for the ownership and operation of the facilities. Title to the facilities and the interests in real property transferred shall be good, clear, and free and clear of all encumbrances, liens or charges. Developer shall not execute and deliver the deed to District until all costs of construction of the facilities shall have been paid for by the Developer and the time for filing mechanics liens shall have expired. The Developer shall pay any costs of title insurance thereon deemed necessary by the District. All construction, including final inspection punch list items must be completed prior to transfer and the transfer shall not be completed until the facilities have been accepted by the District. After transfer, the District shall own and be free in every respect to operate and manage the facilities and to expand or improve, or interconnect with adjacent facilities, as it deems appropriate.

12. Developer Assistance. Developer shall both before and after the transfer, secure and provide any information or data reasonably needed by District to take over the ownership, operation, and maintenance of the facilities, and obtain, execute, and provide any and all documents needed to expeditiously complete or implement the takeover of the facilities.

13. Warranties. The Developer hereby warrants that as of the time the District accepts the transfer of all facilities and interests required by Paragraph #10 (or when Developer thereafter complete the installation of any works or components subsequently installed, repaired, or replaced) that the facilities and all components thereof, will be in satisfactory working order and quality, have been constructed and installed in compliance with specifications and as-built plans being provided to District and in accordance with applicable requirements of any governmental agency having jurisdiction, and that the same will operate in good and sufficient manner for the purpose intended for not less than two (2) years after said date; and Developer shall indemnify District for any costs or expenses (including District's own labor costs) incurred by reason of failure, malfunction, replacements, repairs or any other expenses incurred by District for such event occurring within said warranty period.

14. No Water and sewer Service Prior to Completion and Transfer. The Developer shall not allow any occupant or person to commence operations or use of any part of the proposed water and sewer facilities prior to the transfer and acceptance by the District of the water and sewer facilities, without the express written consent of the District. Such consent will normally not be given. Without limiting in any way District's right to refuse such consent, District may allow service prior to acceptance of the facilities provided adequate surety is posted to assure the completion and transfer of the water and sewer facilities within a period of time specified by the District. In addition, other conditions or restrictions may also be imposed by the District upon such prior service.

15. Performance. In consideration hereof, Developer agrees to promptly design and construct the water and sewer facilities and to transfer the same to the District in accordance with the terms hereof. The term and expiration of this Agreement shall coincide with the Tentative Subdivision Map for the Development which has an expiration date of March 3, 2024. If construction of the water and sewer facilities has not been completed by March 3, 2024the District shall have the option to terminate this Agreement.

16. Assignment. Neither this agreement nor any of the Developer's rights under it shall be transferable or assignable without the express written consent of the District, but in the event of any assignment, all terms, conditions and obligations herein shall be binding upon the assignee.

17. Waiver. The waiver by either Party hereto of a breach or default of any of the provisions of this Agreement by the other party shall not be construed as a waiver of any succeeding breach of the same or other provisions; nor shall any delay or omission on the part of either party to exercise or avail itself of any right, power, or privilege that it has or may have hereunder operate as a waiver of any breach or default by the other party.

18. District Rules. Developer agrees to abide by each of the provisions of the DISTRICT'S Water Rules and

Regulations and Wastewater Ordinance as amended from time to time.

19. Entire Agreement. This Agreement constitutes the entire agreement between the Parties relating to the subject of this Agreement. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force or effect. Any amendment to this Agreement shall be of no force or effect unless it is in writing and signed by the Parties.

SPECIAL PROVISIONS

20. Administration, Engineering and Inspection Fees. The Developer shall submit full payment of the following charges prior to the District's review of the required construction plans and easements:

Administration Charge	$ 600.00
Engineering Labor Deposit	$ 1,800.00
Inspection Labor Deposit	$ 4,200.00
	$ 6,600.00 Deposit Total (PAID)
Labor Rates	
a. Engineering Labor	$ 130.00 per hour
b. Inspection Labor	$ 105.00 per hour
c. Construction Labor	$ 100.00 per hour

The Administration Charge is a one-time charge that covers District staff time involving assistance to the Developer regarding agreement preparation, agenda scheduling, and bookkeeping. The engineering labor and inspection charges are for time expended for review of CEQA requirements, plan review, easement review, project management, and construction site facility inspections. The District reserves the right to contract out construction inspection and project management services and to bill the Developer for those costs. Any funds collected but not used shall be refunded and any charges in excess of the deposit will be billed monthly. Engineering or inspection time for work other than normal working hours will be billed at one and one half times the labor rate specified above.

21. Water and Sewer Fees. The current water fee per equivalent single-family residence (ESFR) located in this development is $8,191.00 for a 1-inch meter. The current sewer connection fee per ESFR located in this development is $6,076.00. These water and sewer fees are collected to mitigate impacts to the District's water supply, treatment, storage and related facilities and the District's wastewater collection, treatment, disposal and related facilities. The fees for water and sewer shall be paid by the Developer or the individual service applicant prior to the activation of individual service by the District. The Developer and/or applicant shall be charged the current connection fee per District regulations in effect at the time of application for service. The individual service applicant will be required to pay all connection fees not previously paid for or capacity not previously constructed by the Developer.

The actual fee amounts will be determined at the time service is applied for using the appropriate demand factor classifications from Exhibit B of the District's Water Rules and Regulations and Wastewater Ordinance.

	ESFR	GPD	Admin Fee $240	Meter Set Fee	Capital Res. 1,133	Supply 975	Treatment 1839	Storage $3,419	
Water Service	1	264	$240	$510	$1,133	$975	$1,839	$3,494	$8,191
							CURRENT TOTAL WATER FEE PER ESFR		**$8,191**

	ESFR	GPD	Admin Fee $320	Collection 2168	Treatment 2468	Disposal 1120	Lift Station 284	
Sewer Service	1	160	$320	$2,168	$2,468	$1,120	$0	$6,076
						CURRENT TOTAL SEWER FEE PER ESFR		**$6,076**

22. Shaws Flat Pump Station Improvements. Developer agrees to construct, at the Developer's expense, a constant pressure water distribution system to serve the 23 lots identified in the attached Exhibit B. The current identified improvements include installation of two water pumps and associated controls to be located within the District's Shaws Flat pump station and a dedicated water pipeline from the pump station to the 23 lots. The actual required improvements will be determined upon the District's review and approval of the engineered plans submitted by the Developer. Upon completion of construction Developer shall grant the facilities to the District for ownership and operation.

23. Private Sewer Lines. As generally depicted in the attached Exhibit B, sewer service through a private sewer pipeline shall be allowed to approximately 9 lots, which due to topography, may not be able gravity to the adjacent public sewer main. Private sewer line easements shall be recorded against the affected lots.

SV 110, LLC
Greg Popovich
Managing Member

Don Perkins
Interim General Manager
TUOLUMNE UTILITIES DISTRICT

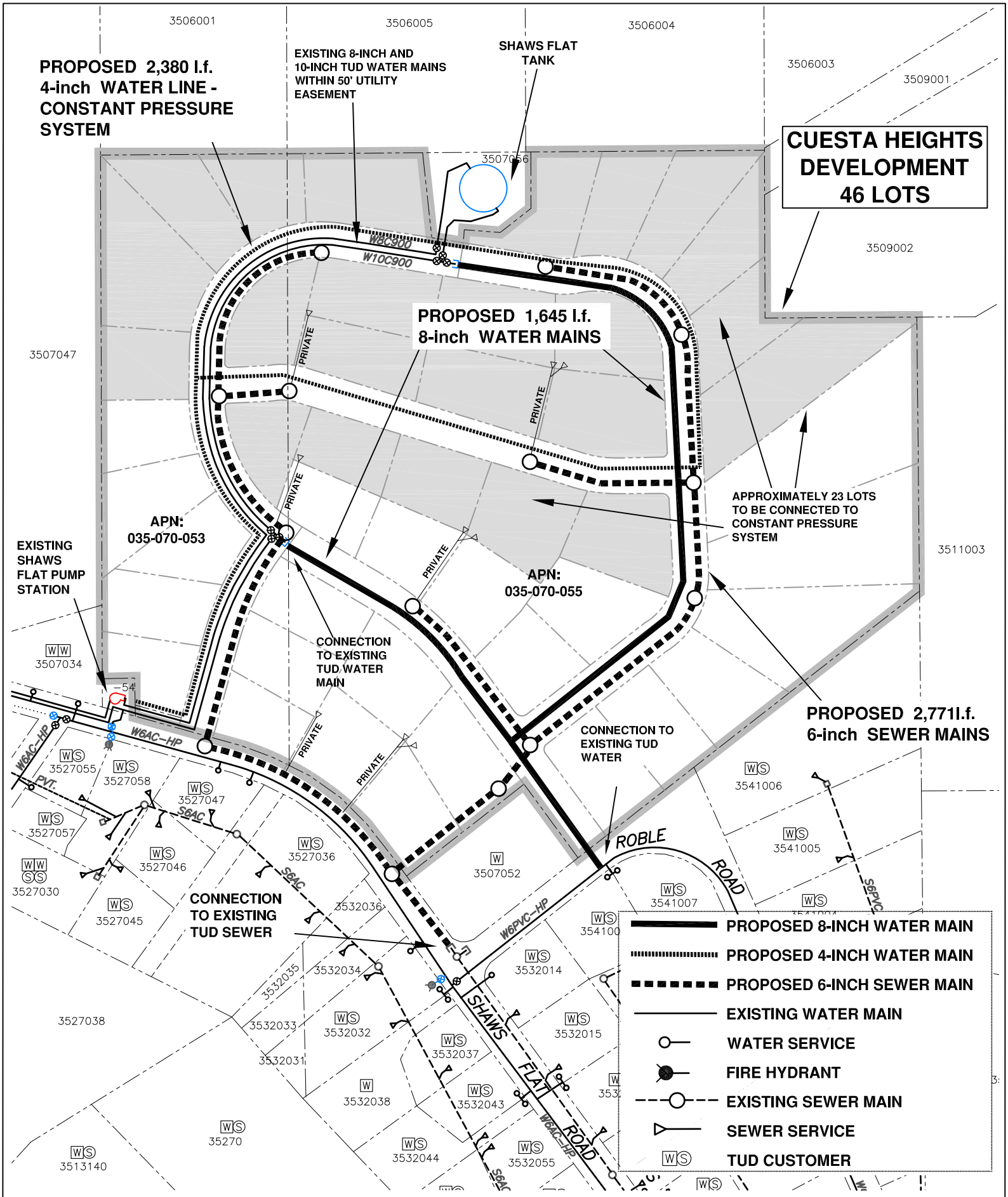
ATTEST:

Melissa McMullen
Executive Secretary/Board Clerk

EXHIBIT A
Land Description

A.P.N.: 035-070-053, 035-070-055

That certain 20.76 ± acre parcel of land, located in the City of Sonora, designated as Parcel 2-A, as shown on the Official Map thereof, filed for record on December 10th, 2010, in Book 53 of Parcel Maps at Page 62, Tuolumne County Records.



DATE: 8/29/2021	**EXHIBIT B**	TUOLUMNE UTILITIES DISTRICT
SCALE: NOT TO SCALE	**CUESTA HEIGHTS DEVELOPMENT**	18885 NUGGET BLVD.
DRAWN BY: AJR	**SV 110, LLC**	SONORA, CALIFORNIA 95370
	WATER AND SEWER MAIN EXTENSIONS	(209) 532-5536

16-491088

Secretary of State
Statement of Information
(Limited Liability Company)

47

LLC-12

FILED
Secretary of State
State of California
OCT 27 2016

IMPORTANT — Read instructions before completing this form.

Filing Fee - $20.00

Copy Fees – Face Page $1.00 & .50 for each attachment page;
Certification Fee - $5.00

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1. Limited Liability Company Name
SV110, LLC

2. 12-Digit Secretary of State File Number	**3. State or Place of Organization** (only if formed outside of California)
201626610052	

4. Business Addresses

	City (no abbreviations)	State	Zip Code
a. Street Address of Principal Office - Do not list a P.O. Box 14489 SUMMERS LANE	SONORA	CA	95370
b. Mailing Address of LLC, if **different than item 4a**			
c. Street Address of **California** Office, if Item 4a is not in California - Do not list a P.O. Box		State CA	

5. Manager(s) or Member(s)

If no ***managers*** have been appointed or elected, provide the name and address of each ***member***. At least one name and address must be listed. If the manager/member is an individual, complete Items 5a and 5c (leave Item 5b blank). If the manager/member is an entity, complete Items 5b and 5c (leave Item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and addresses on Form LLC-12A (**see instructions**).

a. First Name, if an individual - Do not complete Item 5b	Middle Name	Last Name	Suffix
GREG		POPOVICH	
b. Entity Name - Do not complete Item 5a			
c. Address 14489 SUMMERS LANE	City (no abbreviations) SONORA	State CA	Zip Code 95370

6. Agent for Service of Process

Item 6a and 6b: If the agent is **an individual**, the agent must reside in California and Item 6a and 6b must be completed with the agent's name and California address. **Item 6c:** If the agent is a California Registered **Corporate Agent**, a current agent registration certificate must be on file with the California Secretary of State and Item 6c must be completed (leave Item 6a-6b blank).

a. California Agent's First Name (if agent is **not** a corporation)	Middle Name	Last Name	Suffix
GREG		POPOVICH	
b. Street Address (if agent is **not** a corporation) - **Do not list a P.O. Box** 14489 SUMMERS LANE	City (no abbreviations) SONORA	State CA	Zip Code 95370
c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete item 6a or 6b			

7. Type of Business

a. Describe the type of business or services of the Limited Liability Company
REAL ESTATE HOLDING

8. Chief Executive Officer, if elected or appointed

a. First Name	Middle Name	Last Name	Suffix
b. Address	City (no abbreviations)	State	Zip Code

9. The Information contained herein, including any attachments, is true and correct.

10-19-16	GREG POPOVICH	MANAGER	
Date	Type or Print Name of Person Completing the Form	Title	Signature

Return Address (Optional) (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document enter the name of a person or company and the mailing address. This information will become public when filed. SEE INSTRUCTIONS BEFORE COMPLETING.)

Name:
Company:
Address:
City/State/Zip:

LLC-1	**Articles of Organization of a Limited Liability Company (LLC)**

201626610052

To form a limited liability company in California, you can fill out this form, and submit for filing along with:

- A **$70** filing fee.
- A separate, non-refundable **$15** service fee also must be included, if you **drop off** the completed form.

Important! LLCs in California may have to pay a minimum $800 yearly tax to the California Franchise Tax Board. For more information, go to https://www.ftb.ca.gov.

LLCs may not provide "professional services," as defined by California Corporations Code sections 13401(a) and 13401.3.

Note: *Before submitting the completed form*, you should consult with a private attorney for advice about your specific business needs.

FILED
Secretary of State
State of California
SEP 15 2016

IPC This Space For Office Use Only

For questions about this form, go to *www.sos.ca.gov/business/be/filing-tips.htm.*

LLC Name (List the proposed LLC name exactly as it is to appear on the records of the California Secretary of State.)

① SV110, LLC

Proposed LLC Name

The name **must** include: LLC, L.L.C., Limited Liability Company, Limited Liability Co., Ltd. Liability Co. or Ltd. Liability Company; and **may not** include; bank, trust, trustee, incorporated, inc., corporation, or corp., insurer, or insurance company. For general entity name requirements and restrictions, go to www.sos.ca.gov/business/be/name-availability.htm.

Purpose

② The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the California Revised Uniform Limited Liability Company Act.

LLC Addresses

③ a. 14489 Summers Lane | Sonora | CA | 95370
Initial Street Address of Designated Office in CA - Do not list a P.O. Box | *City (no abbreviations)* | *State* | *Zip*

b. _____
Initial Mailing Address of LLC, if different from 3a | *City (no abbreviations)* | *State* | *Zip*

Service of Process (List a California resident or a California registered corporate agent that agrees to be your initial agent to accept service of process in case your LLC is sued. You may list any adult who lives in California. You may **not** list an LLC as the agent. **Do not** list an address if the agent is a California registered corporate agent as the address for service of process is already on file.)

④ a. Greg Popovich
Agent's Name

b. 14489 Summers Lane | Sonora | CA | 95370
*Agent's Street Address (if agent is **not** a corporation) - Do not list a P.O. Box* | *City (no abbreviations)* | *State* | *Zip*

Management (Check only one.)

⑤ The LLC will be managed by:

☑ One Manager ☐ More Than One Manager ☐ All Limited Liability Company Member(s)

This form must be signed by each organizer. If you need more space, attach extra pages that are 1-sided and on standard letter-sized paper (8 1/2" x 11"). All attachments are made part of these articles of organization.

▶ _____ Kylene Sisler
Organizer - Sign here *Print your name here*

Make check/money order payable to: **Secretary of State**
Upon filing, we will return one (1) uncertified copy of your filed document for free, and will certify the copy upon request and payment of a $5 certification fee.

By Mail
Secretary of State
Business Entities, P.O. Box 944228
Sacramento, CA 94244-2280

Drop-Off
Secretary of State
1500 11th Street., 3rd Floor
Sacramento, CA 95814

Secretary of State
Statement of No Change
(Limited Liability Company)

LLC-12NC

20-D43365

FILED

In the office of the Secretary of State
of the State of California

AUG 27, 2020

This Space For Office Use Only

IMPORTANT — Read instructions before completing this form. This form may be used only if a complete Statement of Information has been filed previously and there has been no change.

Filing Fee – $20.00

Copy Fee – $1.00;
Certification Fee - $5.00 plus copy fee

1. **Limited Liability Company Name** (Enter the **exact** name of the LLC as it is recorded with the California Secretary of State. Note: If you registered in California using an alternate name, see instructions.)

SV110, LLC

2. **12-Digit Secretary of State File Number**	3. **State, Foreign Country or Place of Organization** (only if formed outside of California)
201626610052	CALIFORNIA

4. **No Change Statement** (Do not alter the No Change Statement. If there has been any change, please complete a Statement of Information (Form LLC-12).)

There has been no change in any of the information contained in the previous complete Statement of Information filed with the California Secretary of State.

5. The information contained herein is true and correct.

08/27/2020	Greg Popovich	Member/Manager	
Date	Type or Print Name of Person Completing the Form	Title	Signature

Return Address (Optional) (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document, enter the name of a person or company and the mailing address. This information will become public when filed. (SEE INSTRUCTIONS BEFORE COMPLETING.)

Name:
Company:
Address:
City/State/Zip:

City of Sonora
"Queen of the Southern Mines"
94 North Washington Street
Sonora, California 95370

Area Code 209
Administrator..... 532-6115
Administration..... 532-4541
Finance..... 532-4541
Building/Planning .. 532-3508
Police 532-8143
Fire 532-7432
Public Works..... 532-2922
Cemetery 532-4492
Opera Hall..... 532-7725
Special Programs .. 532-7725
Redevelopment.... 532-7725
www.sonoraca.com

PROPOSED MITIGATED NEGATIVE DECLARATION

PROJECT: Cuesta Heights Subdivision

LOCATION: AP# 35-070-014 and 035, presently in unincorporated area of Tuolumne County, zoned RE-5 under Tuolumne County Code Title 17, with a County General Plan land use designation of HR and RR.

DESCRIPTION: Application by Robert Ozbirn for the Cuesta Heights Subdivision, a proposed single family residential subdivision to be located on 21.92 acres north of the intersection of Shaws Flat Road and Roble Road. Application includes adoption of a General Plan land use designation of SFR, Single Family Residential; prezoning the property to R-1, Single Family Residential consistent with the City's land use designation; and preapproval of a Tentative Subdivision Map for Cuesta Heights, creating forty-nine (49) single family lots and one (1) Tank Lot. All actions are in anticipation of annexation into the City.

PROPOSED ENVIRONMENTAL REVIEW FINDING: It is proposed, based upon preliminary review conducted pursuant to Section 15060 of the State CEQA Guidelines, including consultation with advisory agencies; and through preparation of an initial study pursuant to Section 15063 of the Guidelines, that although the project could have a significant effect on the environment, there will not be significant effects in this case because mitigation measures are available which will avoid the effects, or mitigate them to a point where clearly no environmental impacts will occur. Under this finding, a mitigated negative declaration is the appropriate environment document.

MITIGATION MEASURES AND MONITORING: Pursuant to provisions contained in the California Public Resources Code, the City of Sonora has established policy (Resolution No. 4-2-90-G), related to the adequate monitoring of mitigation measures required to mitigate the potential impacts of development projects. As required by that policy, the draft mitigation monitoring plan for a project is to accompany the proposed mitigated negative declaration for a project, if one is recommended by staff.

The draft mitigation monitoring plan for the Cuesta Heights Subdivision has been prepared, and is attached as part of this proposed mitigated negative declaration.

TUOLUMNE UTILITIES DISTRICT

Agenda Item No. III.5

MEMORANDUM

Board Meeting of September 14, 2021

To: Board of Directors

From: Lisa Westbrook, Community Affairs Specialist

Agenda Section: Regular Business

Subject: Board Consideration and Resolution Authorizing the Submission of a Department of Water Resources Small Community Drought Relief Program Grant Application for the Mill Villa Well Replacement Project

Summary

Recommendation:

Consider authorizing staff to submit a grant application for the Small Community Drought Relief Program funded through the Department of Water Resources for the Mill Villa Well Replacement Project and adopt the attached Board Resolution.

Issue:

The Department of Water Resources has announced that $200 million dollars of General Fund monies have been appropriated for the Small Community Drought Relief Program in response to the 2021 drought. Funds will be available for encumbrance or expenditure until June 30, 2024. Due to recent drought conditions, the Mill Villa well located in Jamestown, experienced an equipment failure in August 2021. The Mill Villa Well was constructed in February of 1991, is approximately 300' in depth and produces a safe yield of almost 200 gallons per minute (gpm). It functions as a supplemental water supply for 1,150 service connections in the Jamestown area and is a critical piece of infrastructure during drought conditions where our surface water supply has been impacted. During a preliminary assessment and recent pump test, there was a complete equipment failure leaving the well non-operational.

Fiscal Impact: The District will apply for a grant in the amount of $ 204,354.56 to cover the replacement expenses, including hydropneumatic pump system, meter, generator, well components, and installation. TUD staff will complete the project, and the force account labor cost will be shown as a cost-share match for the grant.

Previously Related Action: N/A

Committee Status:

This item was not presented to the Water Committee due to the urgency of applying for this grant opportunity.

Adherence to Policy: N/A

Discussion:

The Sonora Water Treatment Plant (SWTP), the District's largest conventional treatment plant, is the primary source of water for the Mill Villa area. During times of extreme drought and or curtailment orders, this well is used to reduce our surface water demand. The District has the opportunity to apply for grant funding to replace the well and related components to improve water reliability for the residents of Jamestown.

Attachments:

Resolution

Board Action:	Resolution No. _____	Motion by _____	Second by _____
	Ayes: _____	Noes: _____	
	Absent: _____	Abstained: _____	Recuse: _____

Resolution No. _____

RESOLUTION OF THE TUOLUMNE UTILITIES DISTRICT
TO AUTHORIZE THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION
FOR THE MILL VILLA WELL REPLACEMENT PROJECT

WHEREAS, Tuolumne Utilities District proposes to implement the Mill Villa Well Replacement Project;

WHEREAS, the Mill Villa Well Replacement Project is being implemented in response to a drought scenario, as defined by Water Code section 13198(a) and is intended to: (1) address immediate impacts on human health and safety; (2) address immediate impacts on fish and wildlife resources; or, (3) provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies;

WHEREAS, Tuolumne Utilities District has the legal authority and is authorized to enter into a funding agreement with the State of California; and

WHEREAS, Tuolumne Utilities District intends to apply for grant funding from the California Department of Water Resources for the Mill Villa Well Replacement Project;

THEREFORE, BE IT RESOLVED by the Board of Directors of the Tuolumne Utilities District as follows:

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats. 2021, ch. 69, § 112), the Tuolumne Utilities District Board of Directors, or designee is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources and take such other actions as necessary or appropriate to obtain grant funding.

2. The Tuolumne Utilities District Board of Directors, or designee is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto.

3. The Tuolumne Utilities District Board of Directors, or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

CERTIFICATION I hereby certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the Tuolumne Utilities District at the meeting held on September 14, 2021, motion passed by the following vote:

AYES:

NOES:

ABSENT:

RECUSE:

ABSTAINED:

ATTEST

_____
Barbara J. Balen, President
Board of Directors

_____
Melissa McMullen
Executive Secretary/Board Clerk