



admin@mhcwd.org (530) 878-8096
16733 Placer Hills Road, PO Box 596, Meadow Vista, CA 95722

AGENDA

Regular Board Meeting, September 21, 2023, at 2:00 p.m.

- ❖ The following agenda has been prepared and posted at least 72 hours prior to the regular board meeting of the Midway Heights County Water District Board of Directors in accordance with the Ralph M. Brown Act.
 - ❖ The chronological order of agenda items does not necessarily mean that each item will be considered in that order. Any listed items may be considered at any time during the meeting, at the discretion of the Board President.
 - ❖ The public may address the Board on each agenda item during the Board's consideration of that item. Members of the public may be asked to state their name for the record but are not required to do so.
 - ❖ The Board is prohibited by law from acting on any matter not appearing on the posted agenda, except in certain cases provided for in the Brown Act.
 - ❖ Public documents relating to any open session item listed on this agenda that are distributed to all or a majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection at the District Office at the address listed above.
 - ❖ In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the District Office at (530) 878-8096. Requests must be made as early as possible, and at least one full business day before the start of the meeting.
 - ❖ In accordance with Government Code Sec. 54954.2(a), this notice and agenda were posted at the following locations: MHCWD Office; Meadow Vista Post Office; Meadow Vista Village Center; at the intersection of Placer Hills and Peaceful Valley Roads; and at the intersection of Oak Hill and Hillsdale Roads.
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AGENDA

Regular Board Meeting, September 21, 2023

I. CALL TO ORDER

II. ROLL CALL OF DIRECTORS

Establish a quorum and identify for the minutes any other persons attending. Members of the public may remain anonymous in the minutes unless they wish to participate in the Public Forum, below, or comment on other agenda items.

III. REVIEW AND APPROVAL OF MINUTES pages 4-9

The minutes from the July 20, 2023, Regular Meeting will be discussed and may be approved.

IV. PUBLIC FORUM

This time is scheduled for comments from members of the public concerning subjects that do not specifically appear as items elsewhere on the agenda. The total time allotted for the public forum session is generally limited to 20 minutes. Discussion on each particular issue is limited to 10 minutes. Individuals are limited to approximately 3 minutes of public comments.

Potential issues or action items raised during the Public Forum will be noted by the Secretary and offered for discussion during the Calendar Review later in the session.

V. GENERAL BUSINESS

A. DISCUSSION AND ACTION RE: ADOPTION OF ROSENBERG'S RULES OF ORDER pages 10-19

1. Receive training from District Counsel, Andrew J. Ramos, on Rosenberg's Rules of Order. Web link: <https://www.mhcwd.org/files/9ac072f0c/Rosenberg%27s-Rules-of-Order-Simple-Parliamentary-Procedures-for-the-21st-Century.pdf>
2. Consider approval of Resolution No. 2023-02 making updates to District Code section 2.2.12 regarding Rules of Proceeding.

B. DISCUSSION AND ACTION RE: NOTICE OF INSUFFICIENCY OF CLAIM TO CARI MCCORMICK AND CONSIDER ACTION ON THE CLAIM pages 20-75

Consider ratifying General Manager's Notice of Insufficiency of Claim by C. McCormick and rejection of the claim.

C. UPDATE BY AD-HOC COMMITTEE: EMPLOYEE COMPENSATION STUDY

D. FIELD REPORT page 76

Review of the Field Report as provided in the Board Packet.

E. GENERAL MANAGER'S REPORT page 77

1. Hillsdale Project.
2. Update on Water Supply Contract with PCWA.
3. Update on consolidation exploration with PCWA.
4. Management Continuity Report.

AGENDA

Regular Board Meeting, September 21, 2023

VI. FINANCIAL

TREASURER'S REPORT pages 78-91

The Treasurer's Reports of Fund Summaries, Transfers, and Checking Account Reconciliation Registers for July and August of 2023 as provided in the Board Packet, is offered for discussion and possible acceptance by the Board.

VII. GENERAL DISCUSSION AND CALENDAR REVIEW

The Board and staff may take this opportunity to ask questions; provide or receive information; make requests or provide direction regarding subsequent meeting agendas.

Current list of potential agenda items:

1. Document Retention Policy.
2. Scope of Public Information accessible via the Website.

VIII. ANNOUNCEMENT OF NEXT REGULAR MEETING DATE & TIME

The next meeting, unless otherwise decided in session, will be held October 19, 2023, at 2:00 p.m. at the District Office.

IX. ADJOURNMENT

MIDWAY HEIGHTS COUNTY WATER DISTRICT

Regular Board Meeting Minutes

July 20, 2023, 2:00 p.m.at District Office
16733 Placer Hills Road, Meadow Vista CA. 95722

I. CALL TO ORDER

President Nevins called the meeting to order at 2:00 p.m.

II. ROLL CALL

DIRECTORS PRESENT: Pauline Nevins, President
Richard Goodwin, Vice-President
Tom Kane, Board Treasurer
Ronald Tucker, Director & CSDA Rep.
Trisha Di Paola, Director & ACWA/JPIA Rep
Appointed under Section V, Item (A)

DIRECTORS ABSENT: None

OTHERS PRESENT: Jason Tiffany, GM and Board Secretary
Robert Brown, Field Manager, MHCWD

MEMBERS OF THE PUBLIC: None

III. REVIEW AND APPROVAL OF MINUTES

M/S Richard Goodwin/Tom Kane to accept the June 15, 2023, Regular Meeting minutes as written.

Pauline Nevins	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Richard Goodwin	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Tom Kane	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Ronald Tucker	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Vacant	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Board Totals:	Ayes	<input type="text" value="4"/>	Nays	<input type="text" value=""/>	Abstain	<input type="text" value=""/>	Absent	<input type="text" value="1"/>
Motion Result:	Passed	<input checked="" type="checkbox"/>	Failed	<input type="checkbox"/>				

IV. PUBLIC FORUM

None

V. GENERAL BUSINESS

A. DISCUSSION AND ACTION RE: APPOINTMENT OF NEW DIRECTOR

M/S Tom Kane/Pauline Nevins to appoint Trisha Di Paola as Director.

Pauline Nevins	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Richard Goodwin	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Tom Kane	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Ronald Tucker	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Vacant	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>

Board Totals: Ayes Nays Abstain Absent

Motion Result: Passed Failed

B. DISCUSSION AND ACTION RE: ELECTION OF BOARD OFFICERS

M/S Tom Kane/Ronald Tucker to adopt, via slate, the following motion: President Nevins, Vice President Goodwin, Treasurer Kane, and Directors CSDA rep Tucker and ACWA/JPIA rep Di Paola

Pauline Nevins	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Richard Goodwin	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Tom Kane	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Ronald Tucker	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Trisha Di Paola	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Board Totals: Ayes Nays Abstain Absent

Motion Result: Passed Failed

C. DISCUSSION AND ACTION RE. EMPLOYEE COMPENSATION STUDY

M/S Richard Goodwin/Ronald Tucker to approve an ad-hoc committee consisting of President Nevins, Vice President Goodwin, and customer Pene Todd, to review a Salary and Compensation Study by Bryce Consulting; services contracted at a cost of \$5,890.

Pauline Nevins	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Richard Goodwin	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Tom Kane	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Ronald Tucker	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Trisha Di Paola	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Board Totals: Ayes Nays Abstain Absent

Motion Result: Passed Failed

D. DISCUSSION AND ACTION RE: ADDITIONAL COMPENSATION, ON A ONE-TIME BASIS, FOR FIELD MANAGER ROBERT BROWN

M/S Tom Kane/Richard Goodwin to approve a one-time increase in compensation for Field Manager, Robert Brown, in the amount of \$4,116.42, for additional duties performed during the time period January 27, 2023, through June 8, 2023.

Pauline Nevins	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Richard Goodwin	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Tom Kane	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Ronald Tucker	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Trisha Di Paola	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Board Totals: Ayes Nays Abstain Absent

Motion Result: Passed Failed

E. DISCUSSION AND ACTION RE: CONSIDER APPROVAL OF A CONTRACT FOR PURCHASING TREATED WATER FROM PLACER COUNTY WATER AGENCY

M/S Richard Goodwin/Ronald Tucker to approve the contract for purchasing treated water from Placer County Water Agency.

Pauline Nevins	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Richard Goodwin	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Tom Kane	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Ronald Tucker	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Trisha Di Paola	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Board Totals: Ayes Nays Abstain Absent

Motion Result: Passed Failed

F. DISCUSSION AND ACTION RE: BOARD SECRETARY AD-HOC COMMITTEE UPDATE

M/S Pauline Nevins/Tom Kane to approve a contract with Robert Half to recruit for the position of Office Technician/Board Secretary.

Pauline Nevins	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Richard Goodwin	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Tom Kane	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Ronald Tucker	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Trisha Di Paola	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Board Totals: Ayes Nays Abstain Absent

Motion Result: Passed Failed

G. DISCUSSION AND ACTION RE: AMENDED BUDGET FOR FISCAL YEAR 2024

M/S Pauline Nevins/Tom Kane to approve the 2024 Fiscal Year budget as amended.

Pauline Nevins	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Richard Goodwin	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Tom Kane	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Ronald Tucker	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Trisha Di Paola	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Board Totals: Ayes Nays Abstain Absent

Motion Result: Passed Failed

H. FIELD REPORT

The Board reviewed the report provided in the Board packet and as presented by District Field Manager Robert Brown.

I. GENERAL MANAGERS REPORT

The GM discussed the following topics:

- Employee vacancies update - candidates for the office and field positions have been selected, both with starting dates the first week of August.
- Reimbursement issue - customer has agreed to a payment plan
- The Hillsdale Project has a tentative start date set for September 11, 2023
- The Management Continuity Report is in progress

VI. FINANCIAL

A. TREASURER'S REPORT - APPROVAL OF ACCOUNT TRANSFERS AND BILLS PAID

M/S Richard Goodwin/ Pauline Nevins to accept the report for June 2023.

Pauline Nevins	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Richard Goodwin	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Tom Kane	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Ron Tucker	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Trisha Di Paola	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Board Totals: Ayes Nays Abstain Absent

Motion Result: Passed Failed

VII. GENERAL DISCUSSION AND CALENDAR REVIEW

The Board and staff discussed future agenda items.

Updated list of potential agenda items:

1. Document Retention Policy.
2. Scope of Public Information accessible via the website.
3. Adoption of Rosenberg's Rules of Order.

VIII. ANNOUNCEMENT OF NEXT REGULAR MEETING DATE & TIME

The next regular meeting is set for September 21, 2023, at 2:00 p.m. at the District Office.

IX. ADJOURNMENT

President Nevins adjourned the meeting at 3:45 p.m.

Respectfully Submitted,

Approved,

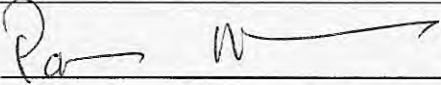
Jason Tiffany
Secretary to the Board

Pauline Nevins
President of the Board

Dated: _____

Midway Heights County Water District
All cited Attachments, Ordinances, Resolutions, and Policies are public information
and are on file with the District. Copies are available upon request at the District Office.

AD-HOC COMMITTEE SCOPE STATEMENT

Title	Employee Compensation Ad-Hoc Committee	
Purpose	Work with the consulting firm hired to review the Midway Heights staff compensation structure to assure that comparable water districts are being considered, that factors unique to Midway Heights receive proper weight, and that final recommendations to the Board support constructive actions.	
Estimated Completion Date: _____ Date of Board Action: 9/21/2023		Director Fees Authorized: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Number of Authorized Meetings: n/a Access to District Counsel: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Committee Members <small>No more than two Directors may serve together.</small>	Director 1, Richard Goodwin , Chair Director 2. Pauline Nevins Non-Director Participant: Pene Todd , customer and business owner	
Committee Scope	<ul style="list-style-type: none"> • Assist Consultant, as needed, with its review of factors related to staff compensation and benefits, staffing policy, and staff retention. • Assist Consultant, as needed, with identifying comparable districts to survey and with obtaining documentation from District staff (District compensation policies, payment records, etc.). • Assure that proper weight is given to unique factors in the MHCWD environment. • Review draft Consultant work products prior to Consultant's concluding presentation to the Board and identify actions for Board consideration. 	
What is Out of Scope	Matters unrelated to employee compensation policy.	
Deliverables	<ul style="list-style-type: none"> • On the date for Board action, Consultant will present its Draft Compensation Study Report. • Ad-hoc committee will present its recommendations for Board action based on the Study results. 	
Approval	<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">  _____ Pauline Nevins, President </div> <div style="text-align: center;"> 7/20/23 Date </div> </div>	

RESOLUTION NO. 2023- 02

**OF THE BOARD OF DIRECTORS OF THE
MIDWAY HEIGHTS COUNTY WATER DISTRICT
AMENDING THE DISTRICT CODE**

WHEREAS, on August 12, 2004, the Board of Directors of the Midway Heights County Water District enacted Ordinance No. 14, which provided for the codification of the District Code (the “Code”), including Rules of Proceeding for the Board of Directors;

WHEREAS, the Board of Directors finds that it is necessary to revise Section 2.2.12 of the Code to adopt Rosenberg’s Rules of Order as the rules of proceeding for the Board of Directors and to make confirming changes to the Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Midway Heights County Water District as follows:

1. All of the above recitals are true and correct and this Board so finds and determines.
2. A copy of the revised Section 2.2.12 of the Code is attached to and made a part of this Resolution as Exhibit A.
3. The Board hereby approves the amendments set forth in Exhibit A.
4. The Board authorizes and directs the General Manager and staff to take all actions necessary to enforce the Code as amended in accordance with this Resolution.
5. Except as amended by this Resolution, the Code shall remain in full force and effect, and any provisions in the existing Code that conflict with the amendments described herein are deemed superseded and of no further effect.
6. This Resolution shall take effect immediately.

PASSED AND ADOPTED by the Board of Directors of the Midway Heights County Water District at a duly noticed regular meeting held on September __, 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

MIDWAY HEIGHTS COUNTY WATER DISTRICT

Pauline Nevins
President, Board of Directors

ATTEST:

Secretary of the Board

Attachment A

Section 2.2.12. Rules of Order.

(a) General. The Board has adopted Rosenberg’s Rules of Order as its Rules of Proceeding. Action items shall be brought before and considered by the Board by motion in accordance with the following rules of order. These rules of order are intended to be informal and applied flexibly.

(b) Points of order. If a director believes order is not being maintained or procedures are not adequate, then he or she may interrupt the President and raise a point of order. Upon being interrupted, the President may ask the interrupter to “state your point.” The President will rule on the point of order.

(c) Obtaining the floor. Any director desiring to speak should address the President and upon recognition by the President may address the subject under discussion.

(d) Motions. Any director, including the President, may make or second a motion. A motion shall be brought and considered as follows: (1) the President shall invite a director to make a motion and announce the name of the director who makes the motion; (2) the President shall determine if any director wishes to second the motion and announce the name of the director who seconds the motion; (3) the President shall make sure everyone understands the motion by repeating the motion, asking the maker of the motion to repeat the motion, or asking the secretary or clerk of the Board to repeat the motion; (4) the President shall then invite discussion of the motion by the Board. Upon the closing of discussion, the President shall take a vote by first asking for the “ayes” and then the “nays” and will then announce the result of the vote and what action, if any, that the Board has taken based on a majority vote. In announcing the result of the vote, the President shall indicate the names of the directors, if any, that voted in the minority or abstained.

(e) Secondary motions. Secondary motions are alternatives to the primary motion and are considered before voting on the primary motion. A secondary motion passes when seconded by a director and then approved by the Board. There can be up to three motions (including primary and secondary) on the floor at one time. The President may reject a fourth motion until the Board has resolved the three motions on the floor.

(i) Motion to amend. If a director wishes to amend a basic motion that is before the Board, the director must move to amend the motion. Upon a motion to amend, the Board will discuss and debate the motion before the President calls for a vote on the matter. If the motion to amend fails to attain a majority vote, the Board will consider the main motion in its original format. “Friendly” amendments are

authorized without a vote on the motion if the maker and seconder of the original motion consent to the friendly amendment.

(ii) Substitute Motion. A substitute motion occurs when a director wants to do away with the primary motion and replace it with a new motion before the Board. After the substitute motion is introduced, the Board will discuss and debate the motion before the President calls for a vote on the matter. If the substitute motion passes, the motion that was subject to substitution is moot.

(iii) Motion to table. A motion to table requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” After approving a motion to table by a simple majority vote, the primary motion will not be considered further at that meeting and will remain tabled until it is placed on the agenda of a subsequent meeting.

(iv) Motion to limit debate. A director may state “I move the previous question” or “I move the question” or “I call the question” for a motion to limit debate. Upon a second of the motion, the President will stop debate and hold a vote on the motion. If a two-thirds vote is achieved, the Board must vote on the pending motion on the floor.

(v) Motion to adjourn. A meeting may be adjourned before voting on a main motion by a simple majority vote of the Board. After approving a motion to adjourn, the meeting then immediately adjourns without further consideration of the primary motion.

(vi) Motion to fix the time to adjourn. A meeting may be adjourned at a certain time specified in the motion. A motion to fix the time to adjourn requires a simple majority vote of the Board.

(vii) Motion to recess. A meeting may take a recess upon a simple majority vote. The President may determine the length of the recess.

(f) Public comments. Prior to inviting a motion, the President should open the public meeting for public input. If there are numerous members of the public wishing to speak on the subject, the President may limit the time of any public speakers. At the end of the public comment period, the President should announce that the public comment period has concluded.

(g) Majority rule; motion to reconsider. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is considered untimely and would require a two-thirds majority vote to allow the motion to be

reconsidered. Only a director, who voted in the majority on the original motion, may motion to reconsider. If a director, who voted in the minority on the original motion, motions to reconsider, the President must rule the motion out of order. If the motion to reconsider passes, the original matter shall be brought back before the Board for reconsideration.

(h) Decorum. Each director, staff person, and member of the general public who addresses the Board shall do so in an orderly manner. No person shall make personal, impertinent, slanderous, or profane remarks to any director, staff, or a member of the general public. No person shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet, clapping, or other acts that unreasonably disturb, disrupt, delay or otherwise impede the orderly conduct of any Board meeting. A director or staff person shall not by conversation or other means delay the Board proceedings or disturb any other director, staff person or member of the general public who is addressing the Board, unless they are asserting a point of privilege, point of order, are appealing a ruling, calling for the order of the day, or withdrawing a motion.

Attachment A

Section 2.2.12. Rules of Order.

~~(a) General.~~

(a) General. The Board has adopted Rosenberg's Rules of Order as its Rules of Proceeding.

Action items shall be brought before and considered by the Board by motion in accordance with the following rules of order. These rules of order are intended to be informal and applied flexibly.

(b) Points of order. If a director believes order is not being maintained or procedures are not adequate, then he or she ~~should~~may interrupt the President and raise a point of order. Upon being interrupted, the President may ask the interrupter to the "state your point." ~~The President. (A will rule on the point of order, does not require a second.) If the ruling of the President on the point of order is not satisfactory, then it may be appealed by motion (which does require a second) to the full Board. A majority vote of the Board will govern and determine the point of order.~~

(c) Obtaining the floor. Any director desiring to speak should address the President and upon recognition by the President may address the subject under discussion.

(d) Motions. Any director, including the President, may make or second a motion. A motion shall be brought and considered as follows: (1) the President shall invite a director make to make a motion; and announce the name of the director who makes the motion; (2) ~~another director~~the President shall determine if any director wishes to second the motion and announce the name of the director who seconds the motion; and (3) the President ~~states the motion. Once the President has stated the motion, it is open to discussion and debate. In order to facilitate the meeting, the President may limit the total amount of time allocated for each individual director (five minutes shall normally be standard). Before voting on any shall make sure everyone understands the motion, by repeating the motion, asking the maker of the motion to repeat the motion, or asking the secretary or clerk of the Board to repeat the motion;~~ (4) the President ~~should also ask for any comments from the public audience, the time allocated for public comment also being limited if deemed necessary. After the matter has been fully debated (subject to a motion to close debate and vote immediately, discussed below),~~ shall then invite discussion of the motion by the Board. Upon the closing of discussion, the President shall take a vote by first asking for the "ayes" and then the "nays" and will ~~call forth~~ then announce the result of the vote, and what action, if any, that the Board has taken based on a majority vote. In announcing the result of the vote, the President shall indicate the names of the directors, if any, that voted in the minority or abstained.

(e) Secondary motions. ~~Ordinarily, only one motion may be considered at a time, and a pending motion must be voted on before the Board considers any other motions or business.~~

Secondary motions are exceptions/alternatives to this general rule/the primary motion and they are considered before voting on the primary motion. A secondary motion passes when seconded by a Board member/director and then approved by the Board. There can be up to three motions (including primary and secondary) on the floor at one time. The President may reject a fourth motion until the Board has resolved the three motions on the floor.

(i) Motion to amend. ~~A primary motion is amended before it is voted on, either by the consent of the directors who moved and seconded the primary. If a director wishes to amend a basic motion, or by a that is before the Board, the director must move to amend the motion to amend. After approving an amendment by consent or by. Upon~~ a motion to amend, the Board ~~then proceeds to consider the will~~ discuss and debate ~~the motion before the President calls for a vote on the matter. If the motion to amend fails to attain a majority vote, the Board will consider the main motion in its original format. “Friendly” amendments are authorized without a vote on the motion if the maker and seconder of the original motion consent to the friendly amendment.~~

(ii) Substitute Motion. A substitute motion occurs when a director wants to do away with the primary motion as amended and replace it with a new motion before the Board. After the substitute motion is introduced, the Board will discuss and debate the motion before the President calls for a vote on the matter. If the substitute motion passes, the motion that was subject to substitution is moot.

(iii) Motion to table. ~~A primary motion is indefinitely tabled prior to a vote by a~~ motion to table. requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” After approving a motion to table by a simple majority vote, the primary motion is will not be considered further at that meeting and will remain tabled until it remains tabled until is placed on the agenda of a subsequent meeting.

(iii) Motion to postpone. ~~A primary motion is postponed to a specified date and time by a motion to postpone. After approving a motion to postpone, the primary motion is then reconsidered at the date and time specified in the motion to postpone.~~

(iv) Motion to refer to committee. ~~A primary motion is referred to a Board or Staff committee for further study, recommendation, and report back to the Board.~~

(iv) Motion to limit debate. A director may state “I move the previous question” or “I move the question” or “I call the question” for a motion to limit debate. Upon a second of the motion, the President will stop debate and hold a vote on the motion. If a two-thirds vote is achieved, the Board must vote on the pending motion on the floor.

~~(v) Motion to close debate and vote immediately.~~ Debate on a primary motion is closed by a motion to close debate and vote immediately.

~~(vi) Motion to adjourn.~~ A meeting may be adjourned before voting on a main motion by a ~~motion to adjourn~~ simple majority vote of the Board. After approving a motion to adjourn, the meeting then immediately adjourns without further consideration of the primary motion.

~~(vi) Motion to fix the time to adjourn.~~ A meeting may be adjourned at a certain time specified in the motion. A motion to fix the time to adjourn requires a simple majority vote of the Board.

~~(vii) Motion to recess.~~ A meeting may take a recess upon a simple majority vote. The President may determine the length of the recess.

~~(f) Public comments.~~ Any person shall have the right Prior to address the Board as provided ~~in~~ these rules upon attaining recognition of ~~inviting a motion,~~ the President. ~~A member of should open~~ the public may address the Board on any matter within the jurisdiction of the Board. ~~Except~~ meeting for public hearings, comments from the public on agenda items shall not be received until after completion input. If there are numerous members of the Board discussion and deliberation, and just before final action or completion of public wishing to speak on the agenda item. If subject, the matter relates to a non-agenda item, comments from President may limit the time of any public shall be received during speakers. At the end of the public comment portion of period, the agenda. The President may limit or restrict should announce that the public comment that is irrelevant to the particular agenda item, outside the jurisdiction of the District, or unduly repetitive of comments already received. period has concluded.

~~(g) Majority rule; motion to reconsider.~~ Motions to reconsider matters previously resolved by the Board should be limited to those items that will allow a reversal, and should be warranted by the presentation of new evidence or information. A motion to reconsider must be listed on a posted agenda in order for the Board to discuss it or act upon it, except as noted in section 2.2.6(e).

~~(g) Majority rule; motion to reconsider.~~ A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is considered untimely and would require a two-thirds majority vote to allow the motion to be reconsidered. Only a director, who voted in the majority on the original motion, may motion to reconsider. If a director, who voted in the minority on the original motion, motions to

reconsider, the President must rule the motion out of order. If the motion to reconsider passes, the original matter shall be brought back before the Board for reconsideration.

(h) Decorum. Each director, staff person, and member of the general public who addresses the Board shall do so in an orderly manner. No person shall make personal, impertinent, slanderous, or profane remarks to any director, staff, or a member of the ~~Board, staff, or~~ general public. No person shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet, clapping, or other acts that unreasonably disturb, disrupt, delay or otherwise impede the orderly conduct of any Board meeting. ~~Except as allowed by these rules of order, a~~ director or staff person shall not by conversation or other means delay the Board proceedings or disturb any other director, staff person or member of the general public who is addressing the Board-
, unless they are asserting a point of privilege, point of order, are appealing a ruling, calling for the order of the day, or withdrawing a motion.

ROSENBERG'S RULES OF ORDER CHEAT SHEET

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn" (Only needed prior to the end of the agenda)	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question" or "Call the question"	No	Yes	No	No	2/3
Postpone consideration of	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Introduce a motion	"I move that..." or "I move to..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..." (You can also ask for a friendly amendment, which is less formal; if mover and second concur, no vote needed)	No	Yes	Yes	Yes	Majority
Refer to a Committee	"I move that the question be referred to a committee for more study"	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Object to considering some undiplomatic or improper matter	"I object to consideration of this question" (This would generally just be used if something is not on the agenda)	Yes	No	No	No	2/3
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..." (Only a member of the prevailing side can make a motion to reconsider)	Yes	Yes	Only if original motion	No	Majority
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

Meeting: September 21, 2023 Regular Meeting

Category: Action Items

Subject: Ratify Notice of Insufficiency of Claim to Cari McCormick and Consider Action on the Claim

Type: Action

Recommended Action:

Ratify the General Manager's action to send the Notice of Insufficiency of Claim and deny the claim.

Discussion:

On August 15, 2023, the District received the attached claim from an attorney representing Cari McCormick. McCormick is a former Lake County employee. McCormick seeks to file a class action lawsuit against CalPERS and its contracting agencies concerning the formula used by CalPERS for disability retirement benefits. As a precursor to filing the lawsuit, she has filed Government Claims Act claims with many California agencies, including MHCWD.

McCormick was never a District employee and alleges no wrongdoing by the District.

District general counsel has concluded that the claim should be returned as insufficient and be subsequently denied. Consistent with this direction, the District's general manager returned the claim as insufficient on August 21, 2023. District general counsel now recommends the Board take action to formally deny the claim.

Attachments:

1. Claim by Cari McCormick
2. Notice of Insufficiency of Claim by MHCWD dated August 21, 2023

Attachment A



June 28, 2023

To Whom It May Concern:

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

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

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

For more information, please see the enclosed charge.

Regards,

The logo for Aiman-Smith Marcy Professional Corporation, identical to the one at the top of the page.

/s/ Brent A. Robinson

Counsel for Plaintiff Cari McCormick
bar@asmlawyers.com

Enclosures



Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-799-2320 (TTY) | California Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 8, 2023

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

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

Dear Brent Robinson:

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

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

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

Sincerely,

Civil Rights Department



Civil Rights Department

2216 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
ca.civilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 8, 2023

RE: Notice of Filing of Discrimination Complaint

CRD Matter Number: 202306-20925508

Right to Sue: McCormick / California Public Employees' Retirement System et al.

To All Respondent(s):

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

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

No response to CRD is requested or required.

Sincerely,

Civil Rights Department



Civil Rights Department

2216 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1664 (voice) | 800-760-2320 (TTY) | California's Relay Service at 711
calivrights.ca.gov | contact.center@calivrights.ca.gov

June 8, 2023

Cari McCormick

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

Dear Cari McCormick:

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

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

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

Sincerely,

Civil Rights Department

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

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

7 Carl McCormick

CRD No. 202306-20925508

8 Complainant,

9 vs.

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

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

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

20 Respondents

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

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

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

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

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

-1-

Complaint – CRD No. 202306-20925508

Date Filed: June 8, 2023

CRD-ENF 80 RS (Revised 12/22)

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

1 VERIFICATION

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

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

7 **San Francisco, CA**

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EXHIBIT A

Exhibit A – Claim Narrative

Plaintiff Cari McCormick is an individual.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EXHIBIT B

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

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

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

EXHIBIT C

Exhibit C – List of Potential Defendants

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

Exhibit C

Page 2

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

Exhibit C

Page 3

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

Exhibit C
Page 4

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

Exhibit C

Page 5

171. Cupertino
172. Cypress
173. Daly City
174. Dana Point
175. Davis
176. Del Mar
177. Del Rey Oaks
178. Delano
179. Desert Hot Springs
180. Diamond Bar
181. Dinuba
182. Dixon
183. Dos Palos
184. Downey
185. Duarte
186. Dublin
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- 992. Los Angeles Regionalized Insurance Services Authority
- 993. Los Gatos-Saratoga Department of Community Education and Recreation
- 994. Los Osos Community Services District
- 995. Lower Lake Cemetery District
- 996. Lower Lake County Waterworks District No. 1
- 997. Lower Tule River Irrigation District
- 998. Madera Cemetery District
- 999. Madera County Mosquito and Vector Control District
- 1000. Main San Gabriel Basin Watermaster
- 1001. Majestic Pines Community Services District
- 1002. Mammoth Lakes Fire District
- 1003. Mammoth Lakes Mosquito Abatement District
- 1004. Management of Emeryville Services Authority
- 1005. March Joint Powers Authority
- 1006. Marin Children and Families Commission
- 1007. Marin Community College District
- 1008. Marin County Housing Authority
- 1009. Marin County In-Home Supportive Services Public Authority
- 1010. Marin Municipal Water District
- 1011. Marina Coast Water District
- 1012. Marinwood Community Services District
- 1013. Mariposa Public Utility District
- 1014. Maxwell Public Utility District
- 1015. McCloud Community Services District
- 1016. McFarland Recreation and Park District
- 1017. McKinleyville Community Services District
- 1018. Meeks Bay Fire Protection District
- 1019. Meiners Oaks County Water District
- 1020. Mendocino City Community Services District
- 1021. Mendocino County Russian River Flood Control & Water Conservation Improvement District
- 1022. Mendocino Transit Authority
- 1023. Menlo Park Fire Protection District
- 1024. Merced County Housing Authority
- 1025. Merced County Mosquito Abatement District
- 1026. Merced Irrigation District
- 1027. Mesa Water District
- 1028. Metropolitan Transportation Commission
- 1029. Metropolitan Water District of Southern California

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

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

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

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

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

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

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

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

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

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

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

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

Midway Heights

County Water District



admin@mhcwd.org (530) 878-8096
16733 Placer Hills Road, P.O. Box 596, Meadow Vista, CA 95722

September 22, 2023

By U.S. Mail

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

NOTICE OF REJECTION OF CLAIM

Ms. McCormick:

Notice is hereby given that the claim which you presented to the Midway Heights County Water District on August 15, 2023, was rejected on September 21, 2023, by the Board of Directors of the District.

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6. Your time for filing an action in federal court may be less than this six months.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Sincerely,



Jason Tiffany

**MIDWAY HEIGHTS COUNTY WATER DISTRICT
NOTICE OF INSUFFICIENCY OF CLAIM
AND RETURN WITHOUT ACTION**

Date: 8/21/2023

Date of Claim: 8/15/2023

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

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

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

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

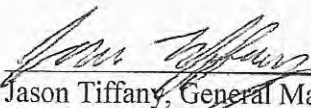
WARNING:

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

PROOF OF SERVICE

On 8/21/2023, I served the within NOTICE OF INSUFFICIENCY OF CLAIM on the claimant by placing a true copy thereof enclosed in a sealed envelope for overnight delivery by an established courier service addressed as requested by the claimant.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Meadow Vista, California on 8/21/2023.




Jason Tiffany, General Manager

{00302443.1}

PROOF OF SERVICE

On 9/21/2023, I served the within NOTICE OF REJECTION OF CLAIM on the claimant by placing a true copy thereof enclosed in a sealed envelope for overnight delivery by an established courier service addressed as requested by the claimant.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Meadow Vista, California on 9/21/2023.



Jason Tiffany, General Manager



MEADOW VISTA
 16930 PLACER HILLS RD
 MEADOW VISTA, CA 95722-9998
 (800)275-8777

08/21/2023 02:41 PM

Product	Qty	Unit Price	Price
PM Express 1-Day Flat Rate Env	1		\$28.75
Oakland, CA 94621			
Flat Rate			
Signature Waiver			
Scheduled Delivery Date			
Tue 08/22/2023 06:00 PM			
Money Back Guarantee			
Tracking #:			
EI268365999US			
Insurance			\$0.00
Up to \$100.00 included			
Total			\$28.75

Grand Total: \$28.75

Credit Card Remit \$28.75

Card Name: VISA
 Account #: XXXXXXXXXXXX8109
 Approval #: 091517
 Transaction #: 369
 AID: A00000003101001 Chip
 AL: VISA CREDIT
 PIN: Not Required

Save this receipt as evidence of insurance. For information on filing an insurance claim go to <https://www.usps.com/help/claims.htm> or call 1-800-222-1811

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

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 or scan this code with your mobile device,



or call 1-800-410-7420.

UFN: 054839-0722
 Receipt #: 840-59560187-3-2740638-2
 Clerk: 50

MHCWD

Monthly Field Report
for the months of July and August 2023

FLOW RECORDS

Treated Water purchased:

July: 3.64 million gallons for an average service connection use of 269 gallons per day (based on 450 active service connections).

August: 3.81 million gallons for an average service connection use of 282 gallons per day (based on 450 active service connections).

Irrigation Water purchased:

July: 40.5 million gallons with an estimated usage of 3,554 gallons per day per customer (based on 355 active service connections).

August: 40.5 million gallons with an estimated usage of 3,554 gallons per day per customer (based on 355 active service connections).

FIELD ACTIVITIES

56 Service Calls:

5 After Hours Calls:

4 Main Line/System Repairs:

0 Service Disconnections:

1 New Service Connections:

2 Service Installations: treated

102 Double Check Valves Tested:

47 Underground service alerts:

Miscellaneous: Monthly Bac-T samples, TTHM & Haa5 samples, 2 Irr. Main breaks, and 1 Irr. Hydrant repair, truck services, Interviews and hiring of 2 new employees, routine maintenance at all facilities.

**MHCWD
MEMO**

**9/21/23
BOARD MEETING AGENDA
ITEM V-E**

TO: MHCWD BOARD OF DIRECTORS
FROM: JASON TIFFANY, GENERAL MANAGER
RE: GENERAL MANAGER'S REPORT

Updates:

1. Hillsdale Project-under construction.
2. Update on Water Supply Contract with PCWA-approved by PCWA Board on September 7, 2023.
3. Update on consolidation exploration with PCWA- PCWA Board approved an expenditure of \$50,000 to study the potential consolidation.

Link to news release: <https://www.pcwa.net/newsroom/news-releases/2023-09-07>

4. Management Continuity Report-format revised and in progress. Additionally, office procedures are being updated as the new office assistant learns the tasks.

MIDWAY HEIGHTS COUNTY WATER DISTRICT
FUNDS SUMMARY

JULY 2023

REGULAR BOARD MEETING
SEPTEMBER 2023

OPERATING FUNDS:

Placer County-MHCWD Investment Trust Fund (32005):

Balance as of: (7/31/23) \$484,799.68

*(Includes: Current Fiscal Year Operation Fund, Capital Facilities Funds, Emergency Fund, Rehabilitation and Replacement Reserve Funds and Rate Stabilization Funds)

Wells Fargo Bank:

Adjusted Bank Statement Balance (7/31/23-Reconciled to Checking Account #1670 General) ** \$244,254.66

CALIFORNIA BANK & Trust:

Adjusted Bank Statement Balance (7/31/23- Reconciled Money Market Account #6809 Tank loan) ** \$54,602.25

**See the attached Reconciliation Summary and Check Register for detail.

LOAN BALANCES

STATE REVOLVING FUND (0.33 MG tank and improvements, 2014, 20 year loan)

Balance (06/30/23) \$529,679.86

WEST AMERICA BANK (loan for three new service trucks, 2018. five year loan)

Balance (12/31/22) \$26,726.04

APPROVAL OF ACCOUNT TRANSFERS & BILLS PAID FOR THE MONTH OF JULY 2023


Treasurer of the Board

* * * * *

Balances shown for the MHCWD funds on deposit with the Placer County Treasurer were obtained from the most current reports provided to MHCWD by the Placer County Auditor's Office.

4:59 PM
08/22/23

Midway Heights CWD
Reconciliation Summary

10005 · Cash in Checking-1670, Period Ending 07/31/2023

	<u>Jul 31, 23</u>	
Beginning Balance		32,868.36
Cleared Transactions		
Checks and Payments - 34 items	-80,087.95	
Deposits and Credits - 35 items	292,977.14	
Total Cleared Transactions	<u>212,889.19</u>	
Cleared Balance		<u><u>245,757.55</u></u>
Uncleared Transactions		
Checks and Payments - 5 items	-1,502.89	
Total Uncleared Transactions	<u>-1,502.89</u>	
Register Balance as of 07/31/2023		<u><u>244,254.66</u></u> ←
New Transactions		
Checks and Payments - 17 items	-39,609.62	
Deposits and Credits - 19 items	42,110.79	
Total New Transactions	<u>2,501.17</u>	
Ending Balance		<u><u>246,755.83</u></u>

4:59 PM
08/22/23

Midway Heights CWD
Reconciliation Detail

10005 · Cash in Checking-1670, Period Ending 07/31/2023

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						32,868.36
Cleared Transactions						
Checks and Payments - 34 items						
Bill Pmt -Check	06/27/2023	9335	US Bank	X	-2,028.22	-2,028.22
Bill Pmt -Check	06/27/2023	9331	Omega Commerci...	X	-695.00	-2,723.22
Bill Pmt -Check	06/27/2023	9333	PG&E	X	-257.15	-2,980.37
Bill Pmt -Check	06/30/2023	9337	Ferguson Waterw...	X	-1,185.26	-4,165.63
Bill Pmt -Check	06/30/2023	9336	AT&T U-verse	X	-135.60	-4,301.23
Bill Pmt -Check	07/03/2023	EFT	Paychex, Inc.	X	-16,177.59	-20,478.82
Bill Pmt -Check	07/05/2023	EFT	Paychex, Inc.	X	-3,597.75	-24,076.57
Bill Pmt -Check	07/07/2023	9345	PCWA	X	-5,931.70	-30,008.27
Bill Pmt -Check	07/07/2023	9339	California Bank & ...	X	-5,039.38	-35,047.65
Bill Pmt -Check	07/07/2023	9343	Hansen Bros. Ent...	X	-2,761.39	-37,809.04
Bill Pmt -Check	07/07/2023	9344	LAFCO/Placer Cnt...	X	-760.12	-38,569.16
Bill Pmt -Check	07/07/2023	9348	AT & T	X	-457.21	-39,026.37
Bill Pmt -Check	07/07/2023	9341	Dawson Oil Comp...	X	-366.17	-39,392.54
Bill Pmt -Check	07/07/2023	9338	Beam Security Sy...	X	-250.00	-39,642.54
Bill Pmt -Check	07/07/2023	9346	PG&E	X	-167.67	-39,810.21
Bill Pmt -Check	07/07/2023	9342	Frontier Communi...	X	-113.62	-39,923.83
Bill Pmt -Check	07/07/2023	9347	Tel-Com	X	-96.50	-40,020.33
Bill Pmt -Check	07/10/2023	ACH	Paychex, Inc.	X	-202.50	-40,222.83
Check	07/11/2023			X	-71.27	-40,294.10
Bill Pmt -Check	07/19/2023	9357	Weimar Water Co...	X	-13,770.97	-54,065.07
Bill Pmt -Check	07/19/2023	9349	ACWA Joint Powe...	X	-4,601.41	-58,666.48
Bill Pmt -Check	07/19/2023	9351	Bartkiewicz, Kroni...	X	-300.00	-58,966.48
Bill Pmt -Check	07/19/2023	9350	Anderson's Sierra ...	X	-244.29	-59,210.77
Bill Pmt -Check	07/19/2023	9355	Staples Credit Plan	X	-87.11	-59,297.88
Bill Pmt -Check	07/21/2023	ACH	CalPERS Retire P...	X	-9,109.00	-68,406.88
Bill Pmt -Check	07/21/2023	ACH	CalPERS Health B...	X	-3,081.24	-71,488.12
Bill Pmt -Check	07/21/2023	ACH	CalPERS Retirem...	X	-200.00	-71,688.12
Bill Pmt -Check	07/24/2023	9360	Triton Constructio...	X	-1,882.56	-73,570.68
Bill Pmt -Check	07/24/2023	9358	ACWA Joint Powe...	X	-1,576.11	-75,146.79
Bill Pmt -Check	07/25/2023	ACH	CalPERS Retire P...	X	-2,780.60	-77,927.39
Bill Pmt -Check	07/25/2023	ACH	CalPERS Retire P...	X	-60.56	-77,987.95
Bill Pmt -Check	07/26/2023	ACH	CalPERS 457 Pro...	X	-700.00	-78,687.95
Bill Pmt -Check	07/26/2023	ACH	CalPERS 457 Pro...	X	-700.00	-79,387.95
Bill Pmt -Check	07/26/2023	ACH	CalPERS 457 Pro...	X	-700.00	-80,087.95
Total Checks and Payments					-80,087.95	-80,087.95

4:59 PM
08/22/23

Midway Heights CWD
Reconciliation Detail

10005 · Cash in Checking-1670, Period Ending 07/31/2023

Type	Date	Num	Name	Clr	Amount	Balance
Deposits and Credits - 35 items						
Deposit	07/07/2022			X	4,064.08	4,064.08
Bill Pmt -Check	06/27/2023	9330	Cranmer Analytica...	X	0.00	4,064.08
Deposit	07/05/2023			X	706.64	4,770.72
Deposit	07/05/2023			X	1,053.22	5,823.94
Deposit	07/05/2023			X	5,662.74	11,486.68
Deposit	07/06/2023			X	30,375.20	41,861.88
Deposit	07/06/2023			X	30,375.20	72,237.08
Deposit	07/07/2023			X	1,888.26	74,125.34
Deposit	07/10/2023			X	171.73	74,297.07
Deposit	07/10/2023			X	263.34	74,560.41
Deposit	07/11/2023			X	133.80	74,694.21
Deposit	07/11/2023			X	7,731.08	82,425.29
Deposit	07/11/2023			X	169,106.08	251,531.37
Deposit	07/13/2023			X	192.23	251,723.60
Deposit	07/17/2023			X	339.65	252,063.25
Deposit	07/17/2023			X	650.10	252,713.35
Deposit	07/17/2023			X	728.35	253,441.70
Deposit	07/17/2023			X	9,492.81	262,934.51
Deposit	07/18/2023			X	7,073.80	270,008.31
Bill Pmt -Check	07/19/2023	9352	Cranmer Analytica...	X	0.00	270,008.31
Bill Pmt -Check	07/19/2023	9354	PCWA	X	0.00	270,008.31
Deposit	07/19/2023			X	7,081.08	277,089.39
Deposit	07/20/2023			X	4,205.66	281,295.05
Deposit	07/21/2023			X	250.00	281,545.05
Deposit	07/21/2023			X	686.92	282,231.97
Deposit	07/24/2023			X	240.07	282,472.04
Deposit	07/24/2023			X	240.54	282,712.58
Deposit	07/24/2023			X	528.04	283,240.62
Deposit	07/26/2023			X	4,737.78	287,978.40
Deposit	07/27/2023			X	289.49	288,267.89
Deposit	07/28/2023			X	425.99	288,693.88
Deposit	07/28/2023			X	3,387.54	292,081.42
Deposit	07/31/2023			X	240.27	292,321.69
Deposit	07/31/2023			X	301.54	292,623.23
Deposit	07/31/2023			X	353.91	292,977.14
Total Deposits and Credits					292,977.14	292,977.14
Total Cleared Transactions					212,889.19	212,889.19
Cleared Balance					212,889.19	245,757.55

4:59 PM
08/22/23

Midway Heights CWD
Reconciliation Detail

10005 · Cash in Checking-1670, Period Ending 07/31/2023

Type	Date	Num	Name	Clr	Amount	Balance
Uncleared Transactions						
Checks and Payments - 5 items						
Bill Pmt -Check	07/07/2023	9340	Cooks Portable To...		-161.08	-161.08
Bill Pmt -Check	07/19/2023	9353	Omega Commerci...		-695.00	-856.08
Bill Pmt -Check	07/19/2023	9356	Verizon Wireless		-154.50	-1,010.58
Bill Pmt -Check	07/24/2023	9361	Underground Serv...		-398.31	-1,408.89
Bill Pmt -Check	07/24/2023	9359	Tel-Com		-94.00	-1,502.89
Total Checks and Payments					-1,502.89	-1,502.89
Total Uncleared Transactions					-1,502.89	-1,502.89
Register Balance as of 07/31/2023					211,386.30	244,254.66
New Transactions						
Checks and Payments - 17 items						
Bill Pmt -Check	08/01/2023	9364	PCWA		-5,733.98	-5,733.98
Bill Pmt -Check	08/01/2023	9366	US Bank		-3,330.76	-9,064.74
Bill Pmt -Check	08/01/2023	9363	Cranmer Analytica...		-860.00	-9,924.74
Bill Pmt -Check	08/01/2023	9365	PG&E		-659.64	-10,584.38
Bill Pmt -Check	08/01/2023	9362	AT&T U-verse		-135.66	-10,720.04
Bill Pmt -Check	08/02/2023	9367	Frontier Communi...		-113.64	-10,833.68
Bill Pmt -Check	08/03/2023	9368	AT & T		-135.50	-10,969.18
Bill Pmt -Check	08/16/2023	9377	Weimar Water Co...		-13,352.93	-24,322.11
Bill Pmt -Check	08/16/2023	9374	PCWA		-6,381.15	-30,703.26
Bill Pmt -Check	08/16/2023	9369	California Bank & ...		-5,039.38	-35,742.64
Bill Pmt -Check	08/16/2023	9372	Ferguson Waterw...		-1,904.87	-37,647.51
Bill Pmt -Check	08/16/2023	9373	Hills Flat Lumber ...		-601.82	-38,249.33
Bill Pmt -Check	08/16/2023	9375	PG&E		-422.86	-38,672.19
Bill Pmt -Check	08/16/2023	9371	Dawson Oil Comp...		-417.32	-39,089.51
Bill Pmt -Check	08/16/2023	9376	Verizon Wireless		-309.03	-39,398.54
Bill Pmt -Check	08/16/2023	9370	Cooks Portable To...		-161.08	-39,559.62
Bill Pmt -Check	08/16/2023	9378	CDPH-OPERATO...		-50.00	-39,609.62
Total Checks and Payments					-39,609.62	-39,609.62
Deposits and Credits - 19 items						
Deposit	08/01/2023				328.50	328.50
Deposit	08/01/2023				5,059.92	5,388.42
Deposit	08/02/2023				138.72	5,527.14
Deposit	08/03/2023				1,384.42	6,911.56
Deposit	08/07/2023				138.72	7,050.28
Deposit	08/07/2023				228.28	7,278.56
Deposit	08/08/2023				888.41	8,166.97
Deposit	08/08/2023				7,228.32	15,395.29
Deposit	08/09/2023				7,902.66	23,297.95
Deposit	08/10/2023				5,516.83	28,814.78
Deposit	08/15/2023				1,154.41	29,969.19
Deposit	08/15/2023				1,737.45	31,706.64
Deposit	08/15/2023				4,000.00	35,706.64

4:59 PM
08/22/23

Midway Heights CWD
Reconciliation Detail


10005 · Cash in Checking-1670, Period Ending 07/31/2023

Type	Date	Num	Name	Clr	Amount	Balance
Deposit	08/16/2023				138.72	35,845.36
Deposit	08/16/2023				463.48	36,308.84
Deposit	08/21/2023				501.15	36,809.99
Deposit	08/21/2023				750.86	37,560.85
Deposit	08/22/2023				1,993.06	39,553.91
Deposit	08/22/2023				2,556.88	42,110.79
Total Deposits and Credits					42,110.79	42,110.79
Total New Transactions					2,501.17	2,501.17
Ending Balance					213,887.47	246,755.83

11:15 AM
08/23/23

Midway Heights CWD
Reconciliation Summary

10009 · Cal Bank and Trust-6809, Period Ending 07/31/2023

	<u>Jul 31, 23</u>	
Beginning Balance	49,529.14	
Cleared Transactions		
Deposits and Credits - 2 items	<u>5,073.11</u>	
Total Cleared Transactions	<u>5,073.11</u>	
Cleared Balance	<u>54,602.25</u>	
Register Balance as of 07/31/2023	54,602.25	
New Transactions		
Deposits and Credits - 1 item	<u>5,039.38</u>	
Total New Transactions	<u>5,039.38</u>	
Ending Balance	<u>59,641.63</u>	

11:15 AM
08/23/23

Midway Heights CWD
Reconciliation Detail

10009 · Cal Bank and Trust-6809, Period Ending 07/31/2023

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						49,529.14
Cleared Transactions						
Deposits and Credits - 2 items						
Bill	07/05/2023	July ...	California Bank & ...	X	5,039.38	5,039.38
Deposit	07/31/2023			X	33.73	5,073.11
Total Deposits and Credits					5,073.11	5,073.11
Total Cleared Transactions					5,073.11	5,073.11
Cleared Balance					5,073.11	54,602.25
Register Balance as of 07/31/2023					5,073.11	54,602.25
New Transactions						
Deposits and Credits - 1 item						
Bill	08/11/2023	July ...	California Bank & ...		5,039.38	5,039.38
Total Deposits and Credits					5,039.38	5,039.38
Total New Transactions					5,039.38	5,039.38
Ending Balance					10,112.49	59,641.63

MIDWAY HEIGHTS COUNTY WATER DISTRICT
FUNDS SUMMARY

AUGUST 2023

REGULAR BOARD MEETING
SEPTEMBER 2023

OPERATING FUNDS:

Placer County-MHCWD Investment Trust Fund (32005):

Balance as of: (7/31/23) **\$484,799.68**

*(Includes: Current Fiscal Year Operation Fund, Capital Facilities Funds, Emergency Fund, Rehabilitation and Replacement Reserve Funds and Rate Stabilization Funds)

Wells Fargo Bank:

Adjusted Bank Statement Balance (8/31/23-Reconciled to Checking Account #1670 General) ** **\$195,597.27**

CALIFORNIA BANK & Trust:

Adjusted Bank Statement Balance (8/31/23- Reconciled Money Market Account #6809 Tank Loan) ** **\$59,677.25**

**See the attached Reconciliation Summary and Check Register for detail.

LOAN BALANCES

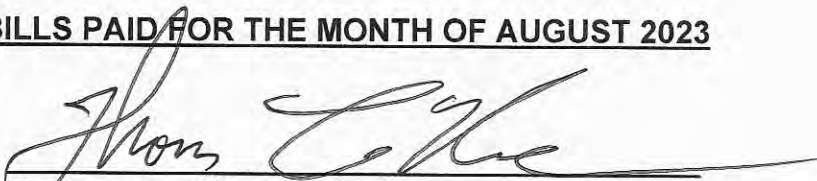
STATE REVOLVING FUND (0.33 MG tank and improvements, 2014, 20 year loan)

Balance (06/30/23) **\$529,679.86**

WEST AMERICA BANK (loan for three new service trucks, 2018, five year loan)

Balance (8/31/23) **\$ -0-**

APPROVAL OF ACCOUNT TRANSFERS & BILLS PAID FOR THE MONTH OF AUGUST 2023


Treasurer of the Board

Balances shown for the MHCWD funds on deposit with the Placer County Treasurer were obtained from the most current reports provided to MHCWD by the Placer County Auditor's Office.

1:42 PM
09/05/23

Midway Heights CWD
Reconciliation Summary

10005 · Cash in Checking-1670, Period Ending 08/31/2023

	<u>Aug 31, 23</u>
Beginning Balance	245,757.55
Cleared Transactions	
Checks and Payments - 30 items	-96,702.31
Deposits and Credits - 28 items	47,371.53
	<u>-49,330.78</u>
Total Cleared Transactions	<u>-49,330.78</u>
Cleared Balance	<u><u>196,426.77</u></u>
Uncleared Transactions	
Checks and Payments - 2 items	-829.50
	<u>-829.50</u>
Total Uncleared Transactions	<u>-829.50</u>
Register Balance as of 08/31/2023	<u><u>195,597.27</u></u> ←
New Transactions	
Deposits and Credits - 2 items	1,199.54
	<u>1,199.54</u>
Total New Transactions	<u>1,199.54</u>
Ending Balance	<u><u>196,796.81</u></u>

1:42 PM
09/05/23

Midway Heights CWD
Reconciliation Detail

10005 · Cash in Checking-1670, Period Ending 08/31/2023

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						245,757.55
Cleared Transactions						
Checks and Payments - 30 items						
Bill Pmt -Check	07/07/2023	9340	Cooks Portable To...	X	-161.08	-161.08
Bill Pmt -Check	07/19/2023	9353	Omega Commerci...	X	-695.00	-856.08
Bill Pmt -Check	07/19/2023	9356	Verizon Wireless	X	-154.50	-1,010.58
Bill Pmt -Check	07/24/2023	9361	Underground Serv...	X	-398.31	-1,408.89
Bill Pmt -Check	07/24/2023	9359	Tel-Com	X	-94.00	-1,502.89
Bill Pmt -Check	08/01/2023	9364	PCWA	X	-5,733.98	-7,236.87
Bill Pmt -Check	08/01/2023	9366	US Bank	X	-3,330.76	-10,567.63
Bill Pmt -Check	08/01/2023	9363	Cranmer Analytica...	X	-860.00	-11,427.63
Bill Pmt -Check	08/01/2023	9365	PG&E	X	-659.64	-12,087.27
Bill Pmt -Check	08/01/2023	9362	AT&T U-verse	X	-135.66	-12,222.93
Bill Pmt -Check	08/02/2023	9367	Frontier Communi...	X	-113.64	-12,336.57
Bill Pmt -Check	08/03/2023	ACH	Paychex, Inc.	X	-17,664.63	-30,001.20
Bill Pmt -Check	08/03/2023	ACH	Paychex, Inc.	X	-5,123.46	-35,124.66
Bill Pmt -Check	08/03/2023	9368	AT & T	X	-135.50	-35,260.16
Bill Pmt -Check	08/07/2023	ACH	CalPERS Retire P...	X	-3,147.65	-38,407.81
Bill Pmt -Check	08/07/2023	ACH	CalPERS Retirem...	X	-200.00	-38,607.81
Bill Pmt -Check	08/10/2023	ACH	Paychex, Inc.	X	-15.00	-38,622.81
Bill Pmt -Check	08/16/2023	9377	Weimar Water Co...	X	-13,352.93	-51,975.74
Bill Pmt -Check	08/16/2023	9374	PCWA	X	-6,381.15	-58,356.89
Bill Pmt -Check	08/16/2023	9369	California Bank & ...	X	-5,039.38	-63,396.27
Bill Pmt -Check	08/16/2023	9372	Ferguson Waterw...	X	-1,904.87	-65,301.14
Bill Pmt -Check	08/16/2023	9373	Hills Flat Lumber ...	X	-601.82	-65,902.96
Bill Pmt -Check	08/16/2023	9375	PG&E	X	-422.86	-66,325.82
Bill Pmt -Check	08/16/2023	9371	Dawson Oil Comp...	X	-417.32	-66,743.14
Bill Pmt -Check	08/16/2023	9376	Verizon Wireless	X	-309.03	-67,052.17
Bill Pmt -Check	08/16/2023	9370	Cooks Portable To...	X	-161.08	-67,213.25
Bill Pmt -Check	08/16/2023	9378	CDPH-OPERATO...	X	-50.00	-67,263.25
Bill Pmt -Check	08/23/2023	9383	West America Ba...	X	-27,353.01	-94,616.26
Bill Pmt -Check	08/23/2023	9381	Robert Half	X	-1,976.05	-96,592.31
Bill Pmt -Check	08/23/2023	9379	Cranmer Analytica...	X	-110.00	-96,702.31
Total Checks and Payments					-96,702.31	-96,702.31
Deposits and Credits - 28 items						
Deposit	08/01/2023			X	328.50	328.50
Deposit	08/01/2023			X	5,059.92	5,388.42
Deposit	08/02/2023			X	138.72	5,527.14
Deposit	08/03/2023			X	1,384.42	6,911.56
Deposit	08/07/2023			X	138.72	7,050.28
Deposit	08/07/2023			X	228.28	7,278.56
Deposit	08/08/2023			X	888.41	8,166.97
Deposit	08/08/2023			X	7,228.32	15,395.29
Deposit	08/09/2023			X	7,902.66	23,297.95
Deposit	08/10/2023			X	5,516.83	28,814.78
Deposit	08/15/2023			X	1,154.41	29,969.19
Deposit	08/15/2023			X	1,737.45	31,706.64

1:42 PM
09/05/23

Midway Heights CWD
Reconciliation Detail

10005 · Cash in Checking-1670, Period Ending 08/31/2023

Type	Date	Num	Name	Clr	Amount	Balance
Deposit	08/15/2023			X	4,000.00	35,706.64
Deposit	08/16/2023			X	138.72	35,845.36
Deposit	08/16/2023			X	463.48	36,308.84
Deposit	08/21/2023			X	501.15	36,809.99
Deposit	08/21/2023			X	750.86	37,560.85
Deposit	08/22/2023			X	1,993.06	39,553.91
Deposit	08/22/2023			X	2,556.88	42,110.79
Deposit	08/24/2023			X	345.80	42,456.59
Deposit	08/24/2023			X	400.00	42,856.59
Deposit	08/24/2023			X	611.16	43,467.75
Deposit	08/24/2023			X	1,010.84	44,478.59
Deposit	08/28/2023			X	360.00	44,838.59
Deposit	08/29/2023			X	212.38	45,050.97
Deposit	08/29/2023			X	1,090.02	46,140.99
Deposit	08/30/2023			X	593.75	46,734.74
Deposit	08/30/2023			X	636.79	47,371.53
Total Deposits and Credits					47,371.53	47,371.53
Total Cleared Transactions					-49,330.78	-49,330.78
Cleared Balance					-49,330.78	196,426.77
Uncleared Transactions						
Checks and Payments - 2 items						
Bill Pmt -Check	08/23/2023	9380	Omega Commerci...		-732.00	-732.00
Bill Pmt -Check	08/23/2023	9382	Tel-Com		-97.50	-829.50
Total Checks and Payments					-829.50	-829.50
Total Uncleared Transactions					-829.50	-829.50
Register Balance as of 08/31/2023					-50,160.28	195,597.27
New Transactions						
Deposits and Credits - 2 items						
Deposit	09/05/2023				502.73	502.73
Deposit	09/05/2023				696.81	1,199.54
Total Deposits and Credits					1,199.54	1,199.54
Total New Transactions					1,199.54	1,199.54
Ending Balance					-48,960.74	196,796.81

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09/06/23

Midway Heights CWD
Reconciliation Summary

10009 · Cal Bank and Trust-6809, Period Ending 08/31/2023

	<u>Aug 31, 23</u>
Beginning Balance	54,602.25
Cleared Transactions	
Deposits and Credits - 2 items	<u>5,075.00</u>
Total Cleared Transactions	<u>5,075.00</u>
Cleared Balance	<u><u>59,677.25</u></u> ←
Register Balance as of 08/31/2023	59,677.25
Ending Balance	59,677.25

1:26 PM
09/06/23

Midway Heights CWD
Reconciliation Detail

10009 · Cal Bank and Trust-6809, Period Ending 08/31/2023

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						54,602.25
Cleared Transactions						
Deposits and Credits - 2 items						
Bill	08/11/2023	July ...	California Bank & ...	X	5,039.38	5,039.38
Deposit	08/31/2023			X	35.62	5,075.00
Total Deposits and Credits					5,075.00	5,075.00
Total Cleared Transactions					5,075.00	5,075.00
Cleared Balance					5,075.00	59,677.25
Register Balance as of 08/31/2023					5,075.00	59,677.25
Ending Balance					5,075.00	59,677.25