



TAHOE-TRUCKEE SANITATION AGENCY

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

Directors

Dale Cox: President
Dan Wilkins: Vice President
David Smelser
Blake Tresan
S. Lane Lewis

General Manager

LaRue Griffin

BOARD OF DIRECTORS REGULAR MEETING MINUTES

January 20, 2021

I. Call to Order:

This meeting was conducted via Zoom teleconferencing as described in the January 20, 2021 meeting agenda and the accompanying Guidelines for using Zoom for T-TSA January 20, 2021 Board of Directors Meeting. President Cox called the regular meeting of the Tahoe-Truckee Sanitation Agency Board of Directors to order at 9:01 AM. Roll call and Pledge of Allegiance followed.

Directors Present: Dale Cox, OVPSD (via teleconference)
Dan Wilkins, TCPUD (via teleconference)
S. Lane Lewis, NTPUD (via teleconference)
David Smelser, ASCWD (via teleconference)
Blake Tresan, TSD (via teleconference)

Staff Present: LaRue Griffin, General Manager (via teleconference)
Roshelle Chavez, Executive Assistant/Board Clerk (via teleconference)
Jay Parker, Engineering Manager (via teleconference)
Richard Pallante, Maintenance Manager (via teleconference)
Robert Gray, Information Technology Manager (via teleconference)
Vicky Lufrano, Human Resources Administrator (via teleconference)
Richard P. Shanahan, Agency Counsel (via teleconference)
Mike Smith, Engineering Department (via teleconference)
Aaron Carlsson, Engineering Department (via teleconference)
Scott Fleming, Engineering Department (via teleconference)
Michelle Mackey, Administrative Department (via teleconference)
Dawn Davis, Administrative Department (via teleconference)
Angelina Henson, Administrative Department (via teleconference)
Greg O'Hair, Operations Department (via teleconference)
Brandon Dimond, Operations Department (via teleconference)
Troy Kilgore, Operations Department (via teleconference)
Kristin Davis, Laboratory Department (via teleconference)
Paul Shouse, Maintenance Department (via teleconference)
Tanner McGinnis, Maintenance Department (via teleconference)
Jaime Garcia, Maintenance Department (via teleconference)

Public Present: Dane Wadlé, California Special Districts Association (CSDA)
Wesley Hansen, Wilderness Forestry, Inc.

Chuck Avery, Public
Stephanie Blume, Public
Mark Blume, Public
Susanna Brown, TTUSD
Sarah Coolidge, Public
Jane Davis, Public
Carla Embertson, Public
Frances Foy, Public
Steven Frisch, Public
Jerry Gilmore, Public
David Galson, Public
Steven Gortler, Public
Alex Hoeft, Moonshine Ink
Jennifer Howlett, Public
Josie Jarpur, Public
Pippin Mader, Public
Jackie Reifers, Public
Joanne Roubique, Public
Steve Smith, Public
Craig Strom, Public
Brooke Summers, Public
Eben Swain, Public
Luke Swann, Public
Dan Tester, Public
Barbara Wallace, Public

II. Public Comment.

Mrs. Chavez advised the Board of Directors there were public comment letters received which have been forwarded to them for their consideration.

Ms. Jane Davis provided public comment regarding Agency previous pH violations and ELAP investigation findings.

Mr. Pippin Mader provided public comment regarding overall Agency operations as well as ELAP investigation findings.

Mr. Carl Davis provided public comment regarding overall Agency operations, Agency personnel issues, violation of his First Amendment rights, and threats to pursue a legal action against the Agency.

No action was taken by the Board.

III. Consent Agenda

1. Approval of the minutes of the regular Board meeting on December 16, 2020.

MOTION by Director Lewis **SECOND** by Director Wilkins to approve the minutes of the regular Board meeting on December 16, 2020; motion approved.

The Board approved the motion by the following roll call vote:

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

Motion passed.

2. Approval of general fund warrants.
3. Approval of financial statements.
4. Approval of Progress Pay Estimate No. 4 for the 2020 Administration Building Remodel project.

MOTION by Director Lewis **SECOND** by Director Wilkins to approve the Consent Agenda items 2-4; motion approved.

The Board approved the motion by the following roll call vote:

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

Motion passed.

IV. Regular Agenda

1. Report from December 16, 2020 closed session meeting.

Mr. Griffin stated there was no action to report from the December 16, 2020 closed session meeting.

No action was taken by the Board.

2. Presentation from California Special District Association (CSDA).

Mr. Dane Wadlé, CSDA Senior Public Affairs Field Coordinator of the Sierra Network, provided a presentation to the Board of Directors and gave an update of the CSDA "Take Action Brief". He also provided information on additional resources available to staff through CSDA.

No action was taken by the Board.

3. Presentation from Wilderness Forestry, Inc.

Mr. Wesley Hansen, owner of Wilderness Forestry, Inc. provided a presentation to the Board of Directors explaining his company's interest in leasing Agency property located along Joerger Drive for a green waste facility. After discussion, the Board of Directors tabled the decision to lease property to Wilderness Forestry, Inc. and directed staff to return with more information on Agency owned properties for discussion of possible future uses.

Public comment was received from Mr. David Galson, Mrs. Stephanie Blume, Mr. Craig Strom, Mr. Steve Smith, and Mr. Pippin Mader.

4. Approval of updated Annual Performance Evaluation template

MOTION by Director Smelser **SECOND** by Director Wilkins to approve the updated Annual Performance Evaluation template; unanimously approved.

The Board approved the motion by the following roll call vote:

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

Motion passed.

5. Approval of the Emergency Family and Medical Leave Act (EFMLA) and Emergency Paid Sick Leave (EPSL) Policy

MOTION by Director Tresan **SECOND** by Director Lewis to omit the Emergency Family Medical Leave Act (EFMLA) portion of the staff-proposed policy and approve the Emergency Paid Sick Leave (EPSL) Policy; unanimously approved.

The Board approved the motion by the following roll call vote:

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

Motion passed.

6. Approval of Resolution No. 1-2021 amending Resolution No. 12-2020 concerning employee benefit changes.

MOTION by Director Lewis **SECOND** by Director Smelser to approve Resolution No. 1-2021 concerning employee benefit changes; unanimously approved.

The Board approved the motion by the following roll call vote:

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

Motion passed.

7. Approval to solicit bids for the 2021 Plant Painting project.

MOTION by Director Lewis **SECOND** by Director Wilkins to approve the solicitation of bids for the 2021 Plant Painting project; unanimously approved.

The Board approved the motion by the following roll call vote:

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

Motion passed.

8. Approval to solicit bids for the 2021 Chiller Replacement project.

MOTION by Director Smelser **SECOND** by Director Wilkins to approve the solicitation of bids for the 2021 Chiller Replacement project; unanimously approved.

The Board approved the motion by the following roll call vote:

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

Motion passed.

9. Approval of Engagement Letter Addendum to Damore, Hamric & Schneider, Inc. agreement

MOTION by Director Wilkins **SECOND** by Director Smelser to approve the Engagement Letter Addendum to the Damore, Hamric & Schneider, Inc. agreement; unanimously approved.

The Board approved the motion by the following roll call vote:

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

Motion passed.

V. Management Team Reports

1. Department Reports.

Mr. O'Hair provided an update on current and past projects for the operations department and reported that all waste discharge requirements were met for the month.

Mr. Pallante provided an update on current and past projects for the maintenance department.

Mr. Parker provided an update on current and past projects for the engineering department.

Mr. Gray provided an update on current and past projects for the information and technology department.

Mr. Griffin provided an update on current and past projects for the administration department.

No action was taken by the Board.

2. General Manager Report

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

Public comment was received by Ms. Jane Davis and Mr. Pippin Mader regarding department reports.

No action was taken by the Board.

VI. Board of Directors Comment

Director Lewis stated he would like the Board of Directors to discuss retiree health benefit tiered system for employees at a future meeting.

VII. Adjournment

There being no further business, the open session meeting was adjourned at 12:01 PM.

MOTION by Director Lewis **SECOND** by Director Wilkins to approve the adjournment of the Regular Board of Directors Meeting; unanimously approved.

The Board approved the motion by the following roll call vote:

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

Motion passed.

A handwritten signature in blue ink, appearing to read 'LaRue Griffin', is written over the printed name.

LaRue Griffin
Secretary to the Board

Approved: 2/17/21

Documentation as submitted for Public Comment

Dear members of the Board,

I am an employee of T-TSA and I enjoy working here for the most part. The management staff are friendly and approachable. Some of the staff here claim they are targeted, intimidated, and harassed by management, but they are the ones that do these actions to others that are not in their clique. And when they do not get their way and get themselves in trouble, they claim they are being targeted, harassed, and retaliated against for speaking out (See the PERB decision report for examples of this behavior).

Approximately 16 of the 46 employees (~ 35%) here are "disgruntled". I prefer, like most employees here, to be able to come to work, do a good job, have mutually respectful relationships with my co-workers, and go home without taking workplace drama home with me. The staff that are unhappy here are not connecting the dots that some of the management decisions/changes being made (that they do not like) are directly related to their inappropriate behavior. For example, the core values; if staff were not targeting, harassing, and intimidating others, these core values would be understood and not need to be spelled out.

I am amazed at the lengths they go to when trying to get their way at the Agency. I have heard of and have seen trespass and destruction of private property, character assassination through coordinated lies and gossip, intimidation by various means, etc.

Now we have ex-employees and a spouse of a current employee (along with current T-TSA employees) constantly trying to stir up trouble and ruin people's lives that work at the Agency for no reason other than retribution. They use half-truths, outright lies, friends and family, manipulation of data, exaggerations, titles, education, condescension, etc. to paint a false picture of what is going on here at T-TSA.

I prefer to submit this letter anonymously after seeing what happened to Aaron Carlsson after he spoke up against the misinformation that has been aimed at the Board of Directors, management, and anyone else they decide to target. Thank you for your patience and understanding during this time.

Please include In every Board Meeting until further notice.

From: [Steve Parsons](#)
To: [LaRue Griffin](#); [Roshelle Chavez](#); btresan@truckeesan.org; obgolf@gmail.com; dwilkins@townoftruckee.com; dsmelser@ttsa.net; dalecoxplumber@yahoo.com
Subject: Public Comment to TTSA Board of Directors, January 20, 2020
Date: Tuesday, January 19, 2021 1:35:13 PM

TTSA Board of Directors:

I am writing to let you know that the management of your agency has a serious problem with honesty, integrity, ethics, and basic competency. I have documented TTSA's many failings over the course of nearly 100 posts at <https://TTSATribune.blogspot.com>.

Your agency, under the management of LaRue Griffin, has been failing on many fronts, none so important as the repeated release of pollutants into the Truckee River in violation of their discharge permit. Not one time. Not two times. But a whopping 23 times during Mr. Griffin's tenure.

Under the leadership of the previous General Manager there was *one* permit violation in an eight-year period.

And what has Mr. Griffin done about this problem? He's made excuses. He's diminished the importance of permit compliance. And as he made excuses and tried to render compliance irrelevant, TTSA has continued to violate.

And what have you done about it? Nothing. You've credulously swallowed each and every excuse he's given you. Each more ridiculous than the last.

It would seem to this observer that you are far more invested in shielding Mr. Griffin and, perhaps more importantly, yourselves from legitimate criticism than you are in serving the community and the Truckee River. Perhaps it's cowardice, perhaps it's true that you really *don't* care. The effect is the same.

As long as Mr. Griffin continues in the role of General Manager at TTSA, there can be no resolution to the public distrust which has been created by the combination of Mr. Griffin's actions and your own inaction.

Please include in every Board Meeting until further notice.

From: [Celia Sutton-Pado](#)
To: rchavez@ttsa.net
Subject: Wilderness Forestry proposal
Date: Monday, January 18, 2021 2:19:59 PM

Dear Ms. Chavez,

A letter was left on our door indicating that T-TSA is considering a catastrophic expansion of industry just below the Glenshire ridge. We live on that ridge and have fought with Teichert for 20 years, trying to reduce the noise, dust, truck beepers, odors, air quality due to their asphalt production, light, pollutants in the water, and an overall poor rating as a "Neighbor".

We made some progress in them enclosing parts of the facility, especially the oil tanks. We don't know who posted the letter suggesting that 500 gallons of gas per day will be used to conduct chipping operation. There is a facility out by Loyalton that has caused the area great distress. The black soot produced covers cars and ends up in children's lungs. The letter suggested "asphalt tile production" and "other uses". Such a facility will face considerable backlash from the community.

If, what this letter proposes is even remotely true, this would be catastrophic to our way of life in Glenshire. It is difficult to believe that after years of fighting to get the land reclaimed below the cliff, TTSA would even consider use of that land for the sake of a few bucks.

Please take into consideration the fight that will be levied if any attempt is made to use that land. We have suffered enough and need reassurance that this will not happen.

Before we mount a campaign against TTSA and this project, utilizing the members that we put together to fight Teichert, we would like to hear more about what is going on in Martis Valley and why anyone would even entertain such a proposal. There is plenty of space far from populations, and where the direction of the wind won't impact hundreds, if not thousands, of families.

This issue has caused a great deal of stress during a pandemic and an economic hardship. This is that last thing we need is a battle for our air quality! I realize that we are emotionally charged at this moment, but I feel we need to reach out quickly to dissuade any effort to build anything on that property.

Thank you for your time. Please include me in any correspondence that may address this issue.

Sincerely,

Marc Pado and Dr. Celia Sutton-Pado, MD
530-386-1636

From: [Steven Smith](#)
To: rchavez@ttsa.net
Subject: Opposing Agenda Item #3 on 01/20/2021 TTSA Meeting
Date: Tuesday, January 19, 2021 2:26:32 PM

Dear Ms. Chavez,

I would like to formally oppose Agenda Item #3 for the TTSA meeting tomorrow 01/20/2021. I believe that any increased noise, dust, truck traffic and air pollution is not a good thing to have in the Martis Valley. This valley is a geographically closed bowl, and especially so during atmospheric inversions, and is surrounded by residential homes to the East, North and West. Please do not lease land to any operation that could potentially increase noise and pollution in this rather sensitive area.

Thanks for the consideration,

Steve Smith
Truckee, California

From: [Lori Tucker](#)
To: rchavez@ttsa.net
Cc: [Joan Sarlo](#); [Catherine White](#); [Julie Dill](#); [Georgia Smith Asst.](#)
Subject: Wildness Forestry, Inc.
Date: Tuesday, January 19, 2021 2:34:53 PM

Roshelle,

I am in the Glenshire area and strongly oppose the proposed Wildness Forestry Industrial Project on the reclaimed land used by Teichert, that was leased from T-TSA.

I have been active in working with Teichert to reduce noise; from processing, equipment and trucks, dust, odor from the asphalt plant to mention a few. In many of the Teichert meeting it was clearly pointed out that this land was reclaimed with new planted vegetation.

The Glenshire Residents are mostly the blue collar work force for Truckee, mostly all full time residents.

We don't need to be exposed to

an additional industrial platform. This location is not appropriate as we have already learned that the inversion layer that occurs

transfers noise, dust and odors to the extreme, in addition to all the negative environmental issues, air quality, river that will be impacted

from this project.

There is plenty of land for a green waste project, but in the back yard of the Glenshire Community and along the beautiful

Legacy Trail.

I hope that T-TSA does not really concern this harmful industrial project.

I am unable to join the very short announcement of the zoom call scheduled on 1/20/21 but want my voice to be heard.

I would appreciate my email added for future communications on this project.

Thank you.

Lori Tucker

775-741-5190

From: [J Dill](#)
To: rchavez@ttsa.net
Cc: [Jim Dill](#)
Subject: January 20th Board Meeting Agenda, Item 3, Wilderness Forestry Proposal
Date: Tuesday, January 19, 2021 9:24:33 PM

Dear TTSA Board of Directors, General Manager, and Staff,

We are Truckee residents and are writing to protest the lease of agency property for development of any commercial industrial purpose such as is being proposed by Wilderness Forestry. It is time for this reclaimed land in the heart of our Town, along the river, to be returned to recreation use and not further developed for industrial or commercial gain. There are multiple locations owned by Teichert where this type of operation can be located which will not impact residents and the watershed negatively. Commercial chipping, grinding, and asphalt recycling will have a great deal of mechanical equipment, with burning and trucking pollution. In summary expanding an already undesirable asphalt plant that Teichert mining operations managed to get approved in our town when the mining use was subsiding, along Martis Creek and the Truckee River our legacy. It is time for TTSA to be a steward of the land and not allow any of this land to become industrial and commercial again. We may not be able to join the zoom call at 9 am on a work day but we do want our voices heard. Please add our emails for future communication on this proposal.

Thank you,

Jim and Julia Dill
j.dilltahoe@gmail.com
jldjrzin@yahoo.com

From: [janet.atkinson](#)
To: [Roshelle Chavez](#); comment@ttsa.net
Subject: Public Comment
Date: Wednesday, January 20, 2021 3:25:20 AM

Dear TTSA Board Members,

I am a Truckee resident, residing in Glenshire.

Regarding Item 3 on the January 20, 2021 TTSA Board Meeting Agenda:

I am very concerned about the proposed Wilderness Forestry industrial operation on TTSA land. With it's truck traffic, a wood mill, processing of asphalt shingles, and other activities, increased pollution to our land, water, and air could result.

Will there be an EIR and CEQA Reports? Will the Archeological Society be consulted?

Please inform the public through our local media. This is a facility with long term consequences.

Thank you,
Janet Atkinson

From: [Dan Tester](#)
To: rchavez@ttsa.net
Subject: Item V-3
Date: Wednesday, January 20, 2021 9:49:18 AM

Hi Rochelle,

I'm on the Zoom but have to exit due a meeting I cant miss at 10am.

Real quickly, I am a resident of Glenshire and concerned about proposed lease allowing Wilderness Forestry to operate an "industrial Scale green recycling center" on 20 acres adjacent to the Teichert Quarry.

T-TSA acknowledges notable environmental impacts.

The Glenshire and Olympic Heights neighborhoods are already heavily impacted by environmental impacts of the quarry and the T-TSA facilities.

I'm personally not opposed to the type of use being proposed, it's just too close and impactful to 2 major Truckee community neighborhoods.

I ask that the Board NOT approve this lease due to the noted environmental impacts. Thank you very much.

Sincerely,

Dan Tester

Sent from [Mail](#) for Windows 10

January 20, 2021

Carl Davis
Po box 691 Truckee, CA. 96160

Tahoe-Truckee Sanitation Agency Board of Directors 13720 Butterfield Drive
Truckee, CA. 96161

RE: Written Public Comment for TTSA Board Meeting 01-20-2021

I am here to address the issue that Mr. Griffin, Ms. Chavez, and Director Tresan (Director Tresan has been included in various email chains and letters and has chosen to remain silent) have violated my First Amendment Rights. I am requesting that this Board of Directors reverse this decision to censor and redact my public comments in a public forum opened up by TTSA, a public agency.

Three categories of public property for public forum exist¹:

First there is the traditional public forum – places such as streets and parks that have traditionally been used for public assembly and debate where the government may not prohibit all communicative activity and must justify content-neutral time, place, and manner restrictions as narrowly tailored to serve a legitimate interest.

Second, there is the designated public forum, where the government opens property for communicative activity and thereby creates a public forum.

Third, with respect to “public property which is not by tradition or designation a forum for public communication,” the government “may reserve the forum for its intended purposes, communicative or otherwise, as long as the regulation on speech is reasonable and not an effort to suppress expression merely because public officials oppose the speaker’s view.”

On December 14, 2020 I submitted a written letter to TTSA to be read during the “public comment” period of its monthly Board of Directors meeting. I specifically requested that my letter be read so it would be memorialized in audio and video format along with my written documentation; Ms. Chavez (Mr. Griffin and Director Tresan were included) denied my request to read my letter².

The first violation of my Rights occurred when the phrase “my wife” was redacted from my letter. It is publicly known who my wife is, Kristin Davis. Mrs. Robin Redmond was allowed to provide public comment on her husband, Mr. Jim Redmond without any censorship or redaction of her statement at the December 15, 2020 TTSA BOD meeting.

The second violation to my Rights occurred when the phrase [REDACTED]

[REDACTED] “³ How is this confidential information and deserves to be censored? This information was also exchanged in email between Mr. Griffin and myself. At the August 19, 2020 TTSA BOD meeting, I made these statements about TTSA Shift Supervisor, [REDACTED]. This statement is already public knowledge and is not confidential information. To further validate the proof of my statement, I possess the original “[REDACTED]” [REDACTED], TTSA Shift Supervisor, sent to [REDACTED] on her birthday to prove this encounter.

The third violation to my Rights occurred when the terms “Ms. Kristin Davis” and “Chemist II to Chemist III” were redacted. I possess this information as a result of permission from Ms. Davis. ⁴

¹ <https://www.law.cornell.edu/wex/forums>

² Email correspondence between Ms. Chavez, Mr. Griffin, and Director Tresan

³ TTSA August 19, 2020 Board of Directors meeting public comment period.

⁴ Email correspondence between Ms. Chavez, Mr. Griffin, and Director Tresan, 11-30-2020

The fourth violation to my Rights occurred when the phrase "[REDACTED]" I have received permission from Ms. Davis to possess this document.⁵

The fifth violation to my Rights occurred in the following paragraphs outlining Ms. Kristin Davis' [REDACTED], on November 2, 2020 provided by Michael Peak. I have received permission to use Ms. Davis' [REDACTED].⁶ Why is Ms. Davis' name redacted but Michael Peak's name is not? Why are the other names of working mothers who have received Written Disciplinary Action redacted and censored when these events are true? Why is the term "Written Disciplinary Action" redacted in a general statement referring to other males at TTSA?

The sixth violation to my Rights occurred when TTSA redacted and censored correspondence from Mr. Griffin and myself. On October 17, 2021 I wrote a letter to Mr. Griffin outlining various concerns I had of him and his actions. Again, TTSA chose to redact and censor information they do not find flattering. Why did TTSA redact the name "[REDACTED]" when I have already spoken about this subject at previous board meetings. Why did TTSA redact Mr. Griffin's statement, in his own words, "locking any employee in their office," from his email that Mr. Griffin sent to me, a member of the community? Ms. Marcia Beals absolutely made this statement when referring how to keep Shift Supervisor, [REDACTED] away from [REDACTED]. Why did you redact the names of the witnesses who were present at that meeting? I spoke about this exact subject at the August 19, 2020 Board of Directors meeting.

The seventh violation to my Rights occurred when references to [REDACTED] were redacted. Why did TTSA choose to redact the title [REDACTED] from my statement? Why did TTSA redact [REDACTED] information when I referenced his involvement at the OVPSD Board of Directors meeting on September 29, 2020.⁷ [REDACTED] introduced himself by name and title. This is public information in a public board meeting and this information must not be censored.

Lastly, I want to bring attention to the eighth violation to my Rights when TTSA redacted and removed my references. The references which were removed were the Personnel Action Form⁸ for Kristin Davis and [REDACTED]⁹ for Kristin Davis. My references are a critical part of proving my statements. They were obtained with permission from Kristin Davis.

TTSA has taken a bold step to inhibit information which is unflattering for them. I have spoken to members of the community who are perplexed at the actions of censoring and redacting written public comment from a member of the community by a public agency. I am asking this Board of Directors to properly remove the redactions and restore my First Amendment Rights. If this Board of Directors chooses to take no action, I will seek legal action against TTSA. This is your first opportunity to do the right thing.

Regards,
Carl Davis

References to follow

⁵ Email correspondence from Kristin Davis giving permission to release Personnel Action Form

⁶ Email correspondence from Kristin Davis giving permission to release Written Disciplinary Action Form

⁷ OVPSD BOD meeting September 29, 2020

⁸ October 1, 2020 Personnel Action Form

⁹ November 2, 2020 [REDACTED] Form

References

1. Cornell Law School website
2. Email correspondence between Ms. Chavez, Mr. Griffin, and Director Tresan

From: Roshelle Chavez <rchavez@ttsa.net>
Subject: RE: Written public comment for BOD Meeting 12-16-2020
Date: December 15, 2020 at 5:04:06 PM PST
To: Carl Davis <scrapmail66@yahoo.com>
Cc: LaRue Griffin <lgriffin@ttsa.net>, btresan@truckeesan.org

Mr. Davis,
I will provide your memo to the Board of Directors and it will also be made available to the public for their review. However, confidential personnel information has been redacted from the document.

Thank you,

Roshelle Chavez

Administrative Department Manager
Tahoe-Truckee Sanitation Agency
13720 Butterfield Drive | Truckee, CA 96161
O: (530) 587-2525 x 112 | F: (530) 587-5840
E: rchavez@ttsa.net | W: www.ttsa.net

From: Carl Davis <scrapmail66@yahoo.com>
Subject: Re: Written public comment for BOD Meeting 12-16-2020
Date: December 15, 2020 at 9:41:23 PM PST
To: Roshelle Chavez <rchavez@ttsa.net>, Sarah Coolidge <scoolidge@ntpud.org>, Jessica Asher <jasher@ovpsd.org>
Cc: LaRue Griffin <lgriffin@ttsa.net>, btresan@truckeesan.org

Ms. Asher, Please forward to all OVPSD Board Members for their education. Thank You.

Ms. Chavez, you will not silence my First Amendment Right to Free Speech. My written public comment will not be redacted or censored in any form, by you or anyone else until you prove under law your ability to do so. My letter has been submitted as public comment in a public meeting to a public agency. There is nothing personal or confidential in my letter. All information is the direct result of records I received through PRA's or the expressed consent of

the owner; therefore all of the information in my public comment letter is public information and knowledge.

I am requesting if you insist on censoring my letter, you must first prove your legal right under United States Law and California Law that enables you to censor my written public comment statement in a public meeting for a public agency.

Ms. Chavez it is my understanding, from the tone of your email, that you will not be reading my written public comment as I have requested of TTSA Administration? Could you please explain why you will not read my letter as I have requested? I would read the letter myself, but I am unable to attend the BOD meeting at this time. I want my written public comment to also go on video / audio record as well as the written record in the TTSA Board Meeting minutes.

Ms. Chavez you stated, "I will provide your memo to the Board of Directors and it will also be made available to the public for their review." Under this logic, my written public statement will not be available to members of the community until the following month when the meeting minutes are approved. By not reading my statement, as I have requested, you are initially withholding my statement from the community for a whole month before it is released.

Please explain to me why you are choosing not to read my public comment, at my request, which would result in withholding my statement from the community for 30 days until the December Meeting Minutes are approved?

Regards,
Carl Davis

From: Roshelle Chavez <rchavez@ttsa.net>

Subject: RE: Written public comment for BOD Meeting 12-16-2020

Date: December 17, 2020 at 3:27:34 PM PST

To: Carl Davis <scrapmail66@yahoo.com>, Sarah Coolidge <scoolidge@ntpud.org>, Jessica Asher <jasher@ovpsd.org>

Cc: LaRue Griffin <lgriffin@ttsa.net>, btresan@truckeesan.org

Mr. Davis,

Agency practice is to forward correspondence received from the public concerning a Board meeting agenda item to the Agency directors and to attach the correspondence to the minutes of the subject meeting, with the minutes then posted to the Agency website. When doing so, the correspondence and any related documents submitted with the correspondence become public records. In order to protect the privacy of Agency employees (as allowed by California Government Code section 6254(c)), Agency staff will not forward to the directors or attach to the minutes any confidential personnel-related documents that may have been submitted by a member of the public.

A member of the public may speak to the directors on any agenda item subject to a five minute limit. During that time, a speaker may read any correspondence that he or she may wish to read. However, there is no requirement that an Agency staff person read correspondence to the directors on behalf of a member of the public.

Thank you,

Roshelle Chavez

Administrative Department Manager

Tahoe-Truckee Sanitation Agency

13720 Butterfield Drive | Truckee, CA 96161

O: (530) 587-2525 x 112 | F: (530) 587-5840

E: rchavez@ttsa.net | W: www.ttsa.net

From: Carl Davis <scrapmail66@yahoo.com>

Subject: Re: Written public comment for BOD Meeting 12-16-2020

Date: December 18, 2020 at 6:07:20 AM PST

To: Roshelle Chavez <rchavez@ttsa.net>

Cc: Sarah Coolidge <scoolidge@ntpud.org>, Jessica Asher <jasher@ovpsd.org>, LaRue Griffin <lgriffin@ttsa.net>, btresan@truckeesan.org

Ms. Chavez,

California Government Code Section 6254(c) exempts from disclosure "personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy."

On February 10, 2020, Assembly bill NO. 2138

An act to add and repeal Article 3 (commencing with Section 6276.50) of Chapter 3.5 of Division 7 of, and to add Division 10 (commencing with Section 7920.000) to, Title 1 of the Government Code, relating to public records.

Article 4. Personal Information of Agency Employee, 7928.300(a) states:

"The home address, home telephone numbers, personal cellular telephone numbers, and birth dates of all employees of a public agency shall not be deemed to be public records and shall not be open to public inspection, except that disclosure of that information may be made as follows:

(1) to an agent, or a family member of the individual to whom the information pertains.

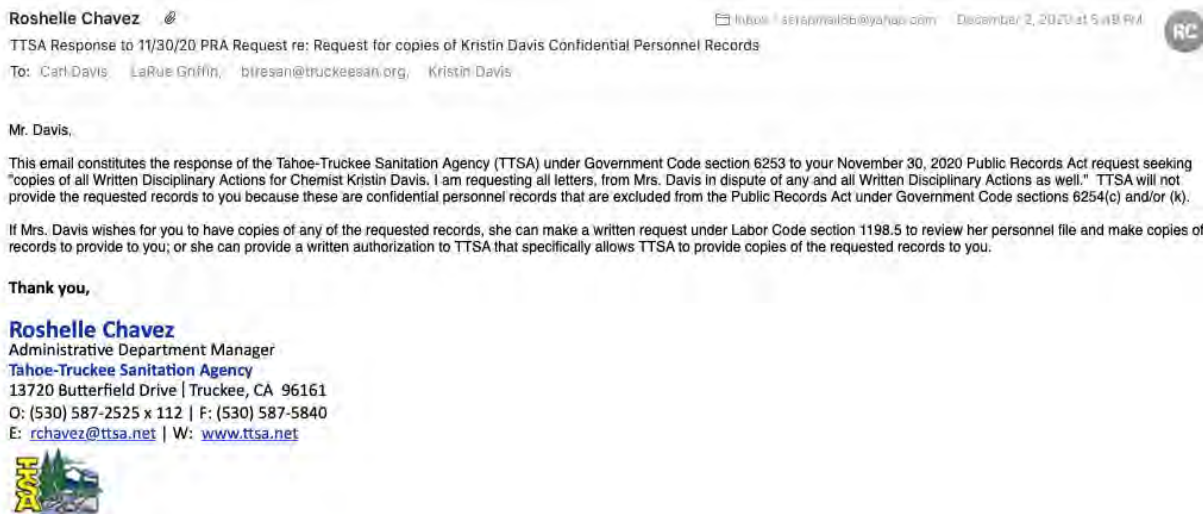
Ms. Chavez, you have failed to adequately explain your reason to censor and redact my public comment. Therefore, you will be in violation of my First Amendment Right to Free Speech if you censor and redact any portions of my public comment. Please explain to me completely, and with legal authority and right, to censor and redact my public comment.

Please explain to me what portions of my public comment fall under California Government Code section 6254(c).

Regards,
Carl Davis

3. TTSA August 19, 2020 Board of Directors meeting public comment period.
<http://video.ttsa.us/video/BOD08-19-2020.mp4>

4. Email Correspondence between Ms. Chavez, Mr. Griffin, and Director Tresan.



5. Email correspondence from Kristin Davis giving permission to release Personnel Action Form, 10-20-2020

Kristin Davis

Re: PRA Request

To: Carl Davis, Cc: Roshelle Chavez, LaRue Griffin

October 20, 2020 at 2:25 PM

[Details](#)



I, Kristin Davis, give TTSA permission to give a copy of my TTSA Personnel Action Forms for the year 2020 for Kristin Davis, Chemist III' only to Mr. Carl Davis.

Thank you.

Kristin Davis
Chemist
Tahoe Truckee Sanitation Agency
(530)587-2525

Found in Sent - scrapmail08@yahoo.com Mailbox

Carl Davis

Re: PRA Request

To: Roshelle Chavez, Kristin Davis, Cc: LaRue Griffin

October 20, 2020 at 1:16 PM

[Details](#)



October 20, 2020

Carl Davis
Po Box 691
Truckee, CA. 96160

Kristin Davis
Tahoe Truckee Sanitation Agency
13270 Butterfield Drive
Truckee, CA. 96161

Re: Personnel Action Form Request

Mrs. Davis, I am writing you to ask permission to receive the mentioned documents:
All TTSA Personnel Action Forms for the year 2020 for Kristin Davis, Chemist III

Thank you Mrs. Davis for you attention to this matter.

Regards,
Carl Davis

6. Email correspondence from Kristin Davis giving permission to release Written Disciplinary Action Form

----- Forwarded message -----

From: Kristin Davis <kdavis@ttsa.net>

Date: Tue, Dec 15, 2020 at 9:09 AM

Subject: Re: TTSA Response to 11/30/20 PRA Request re: Request for copies of Kristin Davis Confidential Personnel Records

To: Roshelle Chavez <rchavez@ttsa.net>

Roshelle,

As my pervious email stated, I am giving permission for only Mr. Carl Davis to receive a copy of all written disciplinary actions that I have received and all letters that I have written in response to the disciplinary action(s).

Thank you.

Kristin Davis

[See More from Roshelle Chavez](#)

Kristin Davis
Chemist
Tahoe Truckee Sanitation Agency
(530)587-2525

Kristin Davis
Chemist
Tahoe Truckee Sanitation Agency
(530)587-2525

Roshelle Chavez

TTSA Response to 11/30/20 PRA Request re: Request for copies of Kristin Davis Confidential Personnel Records

To: Carl Davis, LaRue Griffin, btresan@truckeesan.org, Kristin Davis

December 21, 2020 at 5:48 PM



Mr. Davis,

This email constitutes the response of the Tahoe-Truckee Sanitation Agency (TTSA) under Government Code section 6253 to your November 30, 2020 Public Records Act request seeking "copies of all Written Disciplinary Actions for Chemist Kristin Davis. I am requesting all letters, from Mrs. Davis in dispute of any and all Written Disciplinary Actions as well." TTSA will not provide the requested records to you because these are confidential personnel records that are excluded from the Public Records Act under Government Code sections 6254(c) and/or (k).

If Mrs. Davis wishes for you to have copies of any of the requested records, she can make a written request under Labor Code section 1198.5 to review her personnel file and make copies of records to provide to you; or she can provide a written authorization to TTSA that specifically allows TTSA to provide copies of the requested records to you.

Thank you,

Roshelle Chavez

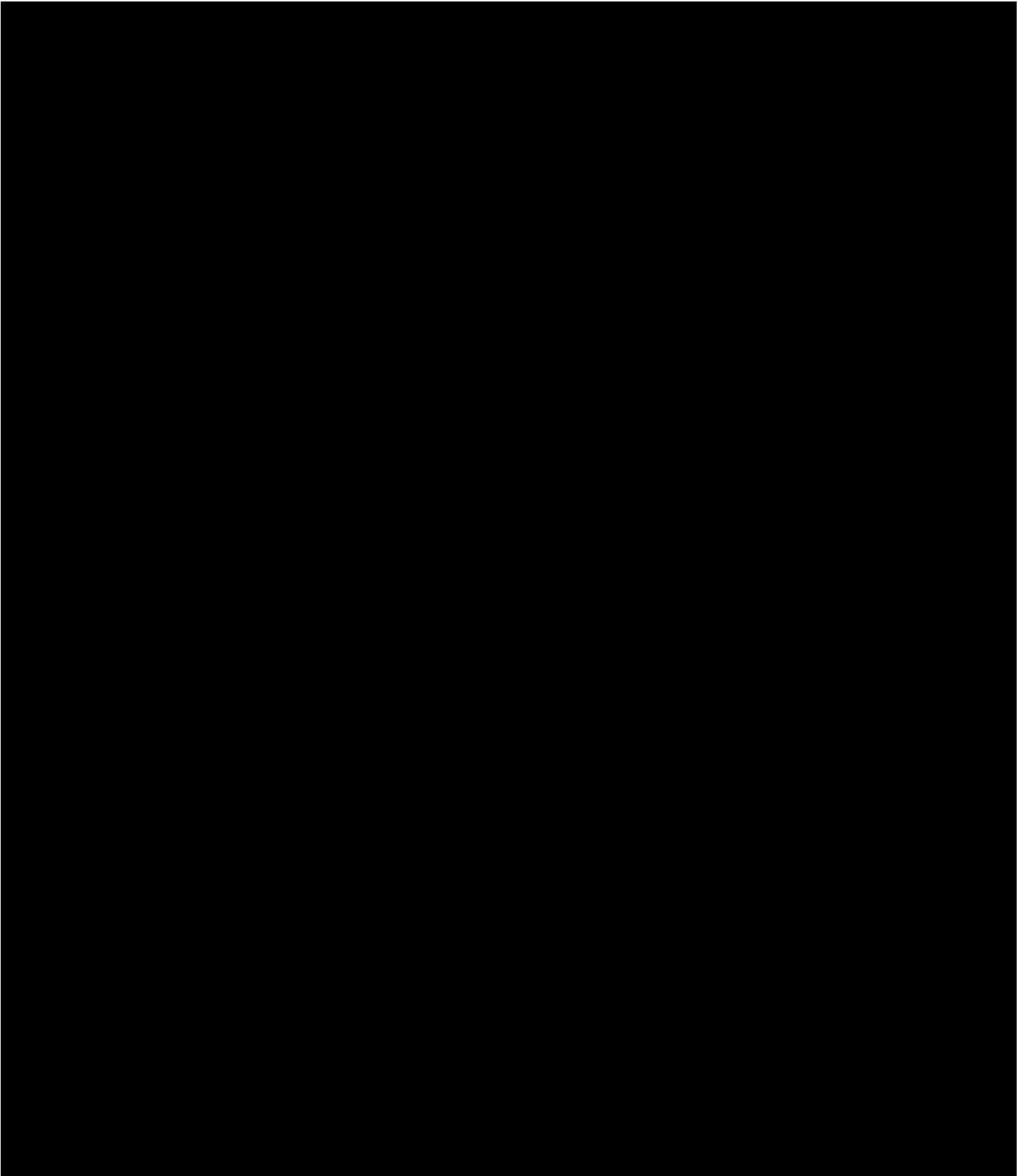
Administrative Department Manager
Tahoe-Truckee Sanitation Agency
13720 Butterfield Drive | Truckee, CA 96161
O: (530) 587-2525 x 112 | F: (530) 587-5840
E: rchavez@ttsa.net | W: www.ttsa.net

7. OVPSD BOD meeting September 29, 2020

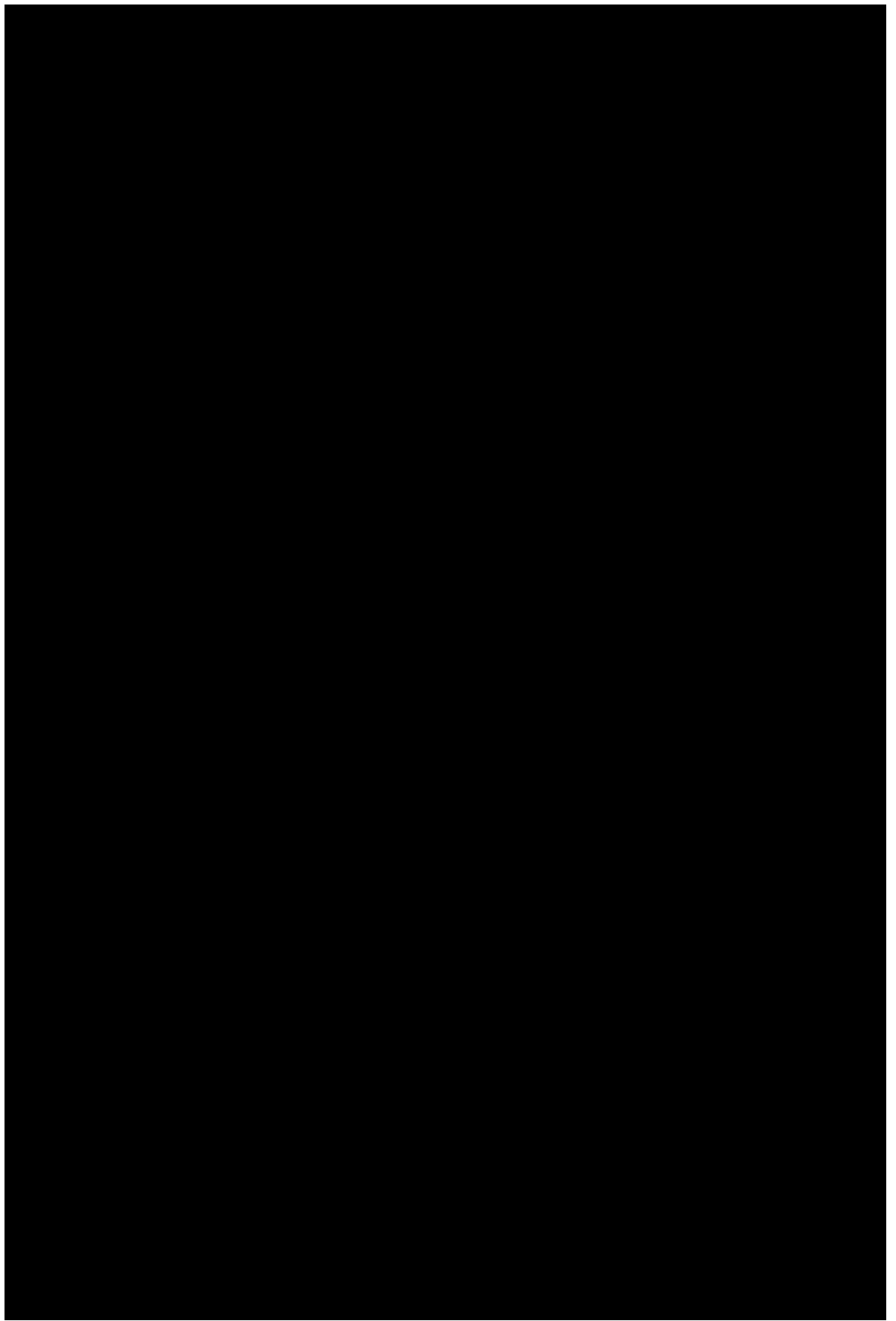
<https://www.youtube.com/watch?v=7mWpeIn1juY>

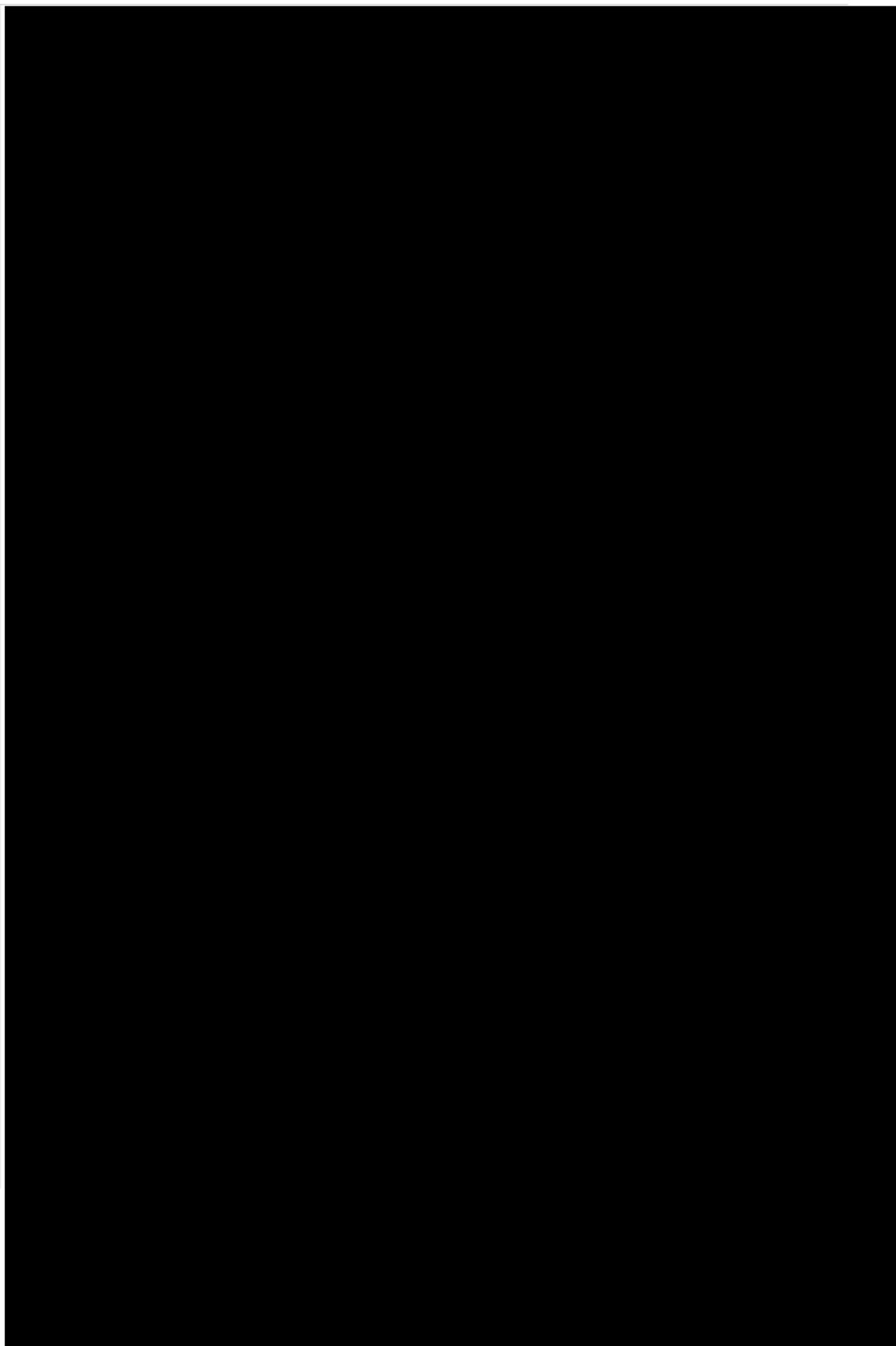
<https://www.youtube.com/watch?v=ILQVRCCbOh8>

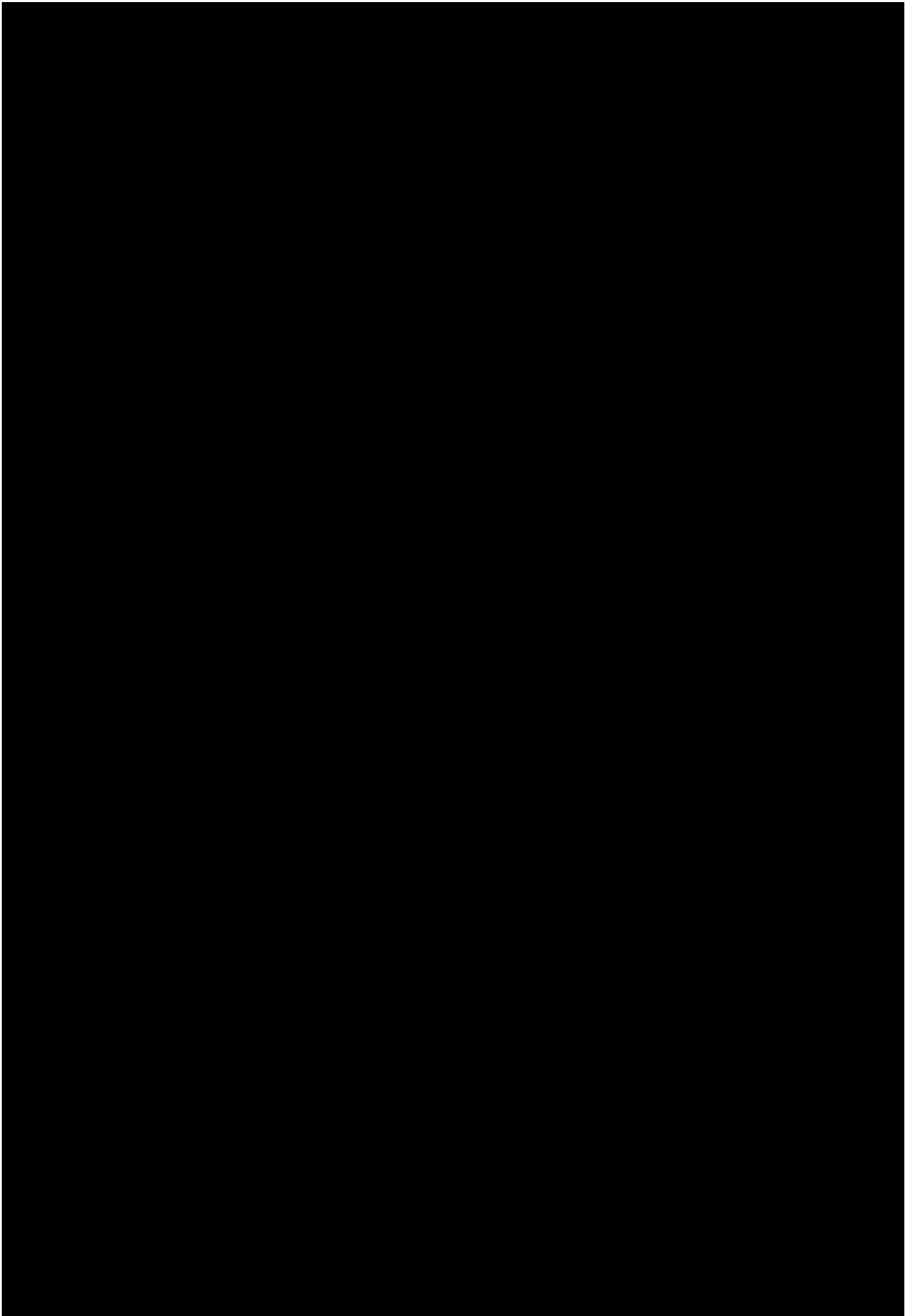
8. October 1, 2020 Personnel Action Form

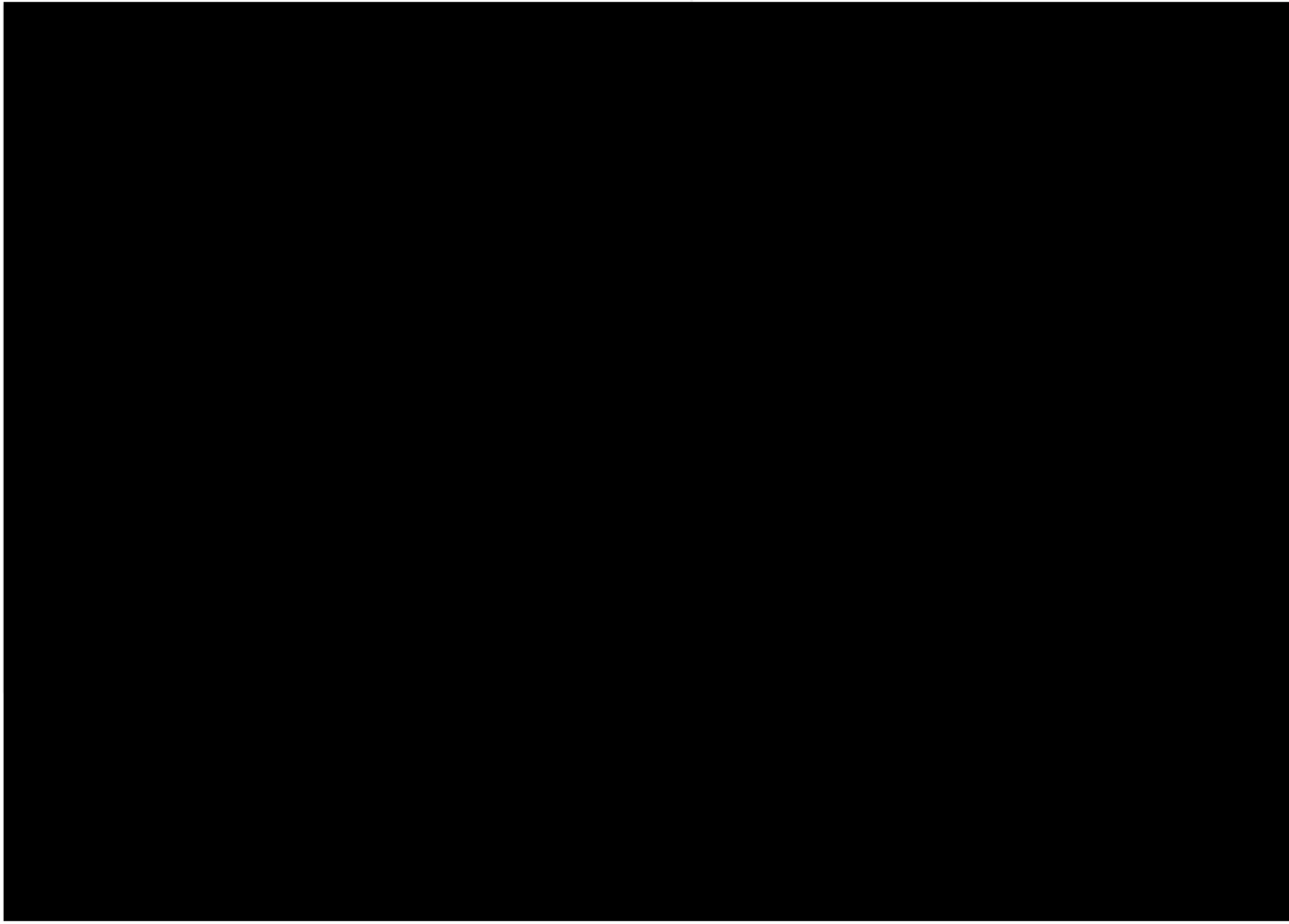


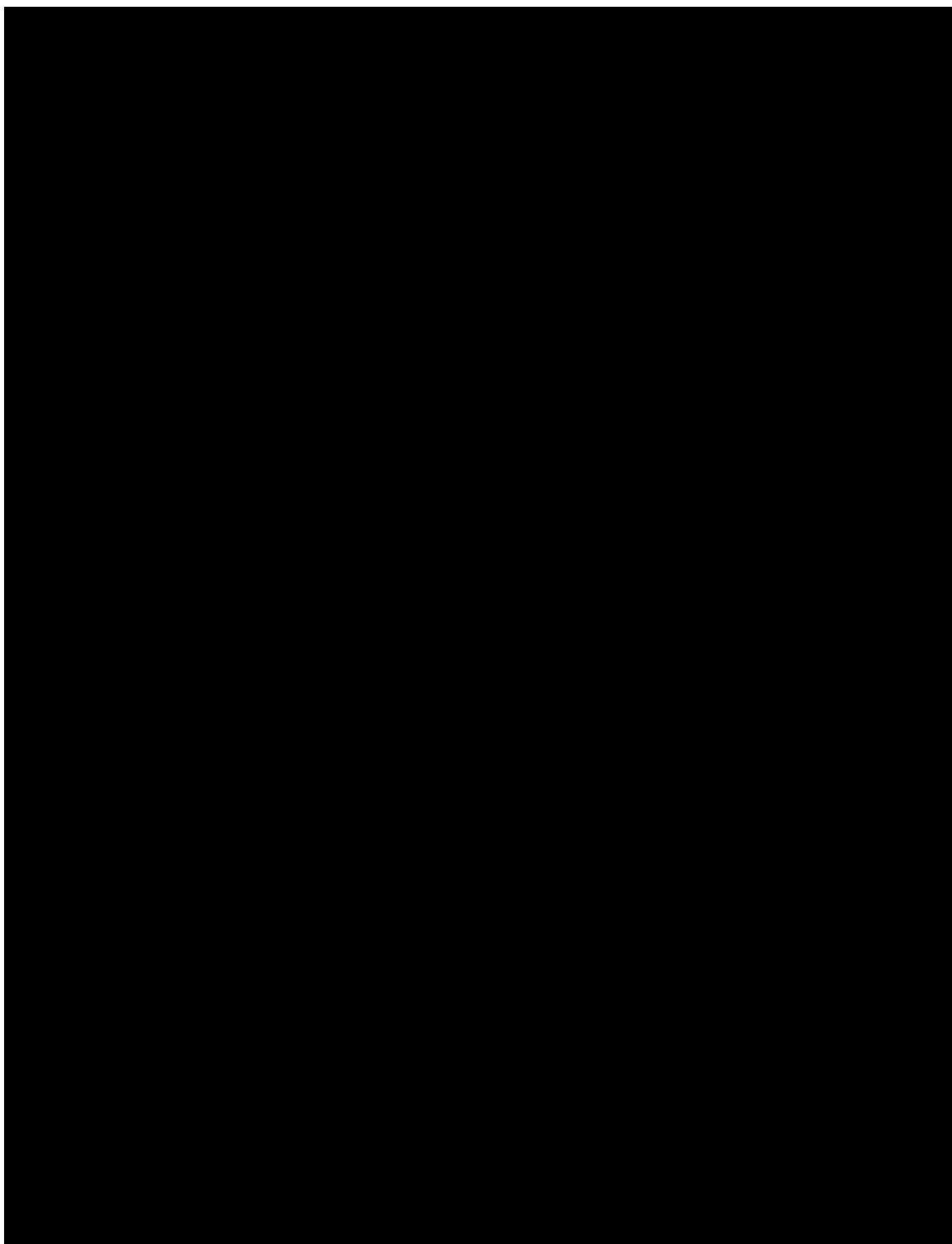
9. November 2, 2020 

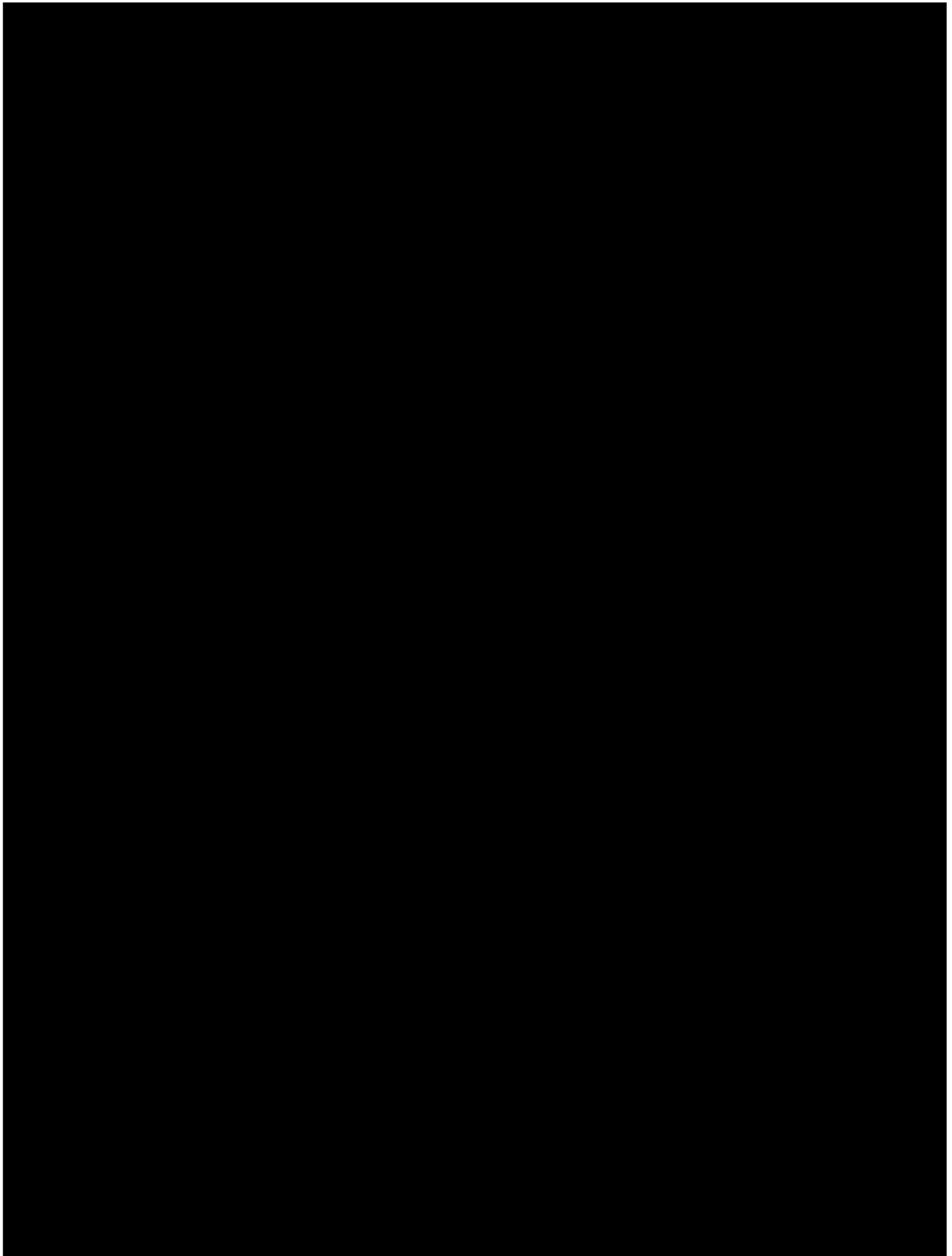














End of references