

MINUTES

GARDEN GROVE SANITARY DISTRICT

A regular meeting of the Garden Grove Sanitary District Board of Directors was called to order in the Council Chamber, 11300 Stanford Avenue, on Tuesday, May 27, 2003, at 6:55 p.m.

ROLL CALL: PRESENT: (5) PRESIDENT BROADWATER, MEMBERS DALTON, LEYES, ROSEN, TRAN

ABSENT: (0) NONE

ALSO PRESENT: General Manager, George Tindall; Public Works Director, Les Jones; Legal Counsel, John Shaw; and Secretary, Ruth Smith.

ORAL COMMUNICATIONS – PUBLIC

There were no public oral communications relevant to the Sanitary District.

RECESS

At 7:20 p.m., the President declared a recess.

RECONVENE

At 11:00 p.m., the meeting was reconvened with President Broadwater and all members in attendance.

STATUS REPORT ON THE SANITARY DISTRICT OPERATIONS WITHIN THE CITY (F: S-128.3)

Staff report dated May 27, 2003, was introduced, reviewing the status of the Garden Grove Sanitary District activities for the month.

It was moved by Member Rosen, seconded by Member Dalton, and carried by unanimous vote, that the Status Report on the Sanitary District activities within the city from mid-April through mid-May 2003, be and hereby is received and ordered filed.

ADOPTION OF NEGATIVE DECLARATION FOR PROJECT NO. 7800, SEWER IMPROVEMENT PROJECTS AT BROOKHURST STREET AND WESTMINSTER AVENUE (F: 92.Proj.7800) (XR: S-92.1)

Staff report dated May 27, 2003, was introduced.

It was moved by Member Rosen, seconded by Member Dalton, and carried by unanimous vote, that the Negative Declaration for Project No. 7800, Sewer Improvement Projects at Brookhurst Street and Westminster Avenue, be and hereby is adopted.

PROJECT NO. 7800, SEWER IMPROVEMENT PROJECTS AT BROOKHURST STREET AND WESTMINSTER AVENUE - PLANS AND SPECIFICATIONS
(F: 92.Proj.7800) (XR: S-92.1)

Staff report dated May 27, 2003, was introduced.

It was moved by Member Rosen, seconded by Member Dalton, and carried by unanimous vote, that plans and specifications for the above-titled project be and hereby are approved, and the Secretary is authorized to advertise for bids.

AWARD OF CONTRACT ON PROJECT NO. 3800, - REHABILITATION OF FOUR WET WELLS AT TWO SEWER LIFT STATIONS (F: 92.Proj.3800) (XR: S-92.1)

Staff report dated May 27, 2003, was introduced.

It was moved by Member Rosen, seconded by Member Dalton, and carried by unanimous vote, that KM Industrial Inc. of Long Beach be and hereby is determined to be the lowest acceptable bidder in connection with Project No. 3800, Rehabilitation of Four Wet Wells at Two Sewer Lift Stations, and that contract for said project be and hereby is awarded to said company in the amount of \$55,000.00, in accordance with the terms of the City's plans and specifications and the bid submitted by said company; that all other bids be and hereby are rejected; and the President and Secretary are authorized to execute said contract.

AGREEMENT WITH THE ORANGE COUNTY SANITATION DISTRICT FOR GRANT FUNDING FOR A COOPERATIVE PROJECT FOR THE GARDEN GROVE SANITARY DISTRICT SEWER COLLECTION SYSTEM (F: S-55.9)

Staff report dated May 27, 2003.

It was moved by Member Rosen, seconded by Member Dalton, and carried by unanimous vote, that the Agreement by and between the Garden Grove Sanitary District and the Orange County Sanitation District for the Cooperative Projects Grant Programs for capacity evaluation, condition assessment by utilizing CCTV, and capital improvement program portions of the Phase 2 Master Plan, be and hereby is approved; and the President and Secretary are authorized to execute the agreement.

MINUTES (F: Vault)

It was moved by Member Rosen, seconded by Member Dalton, and carried by unanimous vote, that the minutes of the Regular Meeting of the Sanitary District held April 22, 2003, be and hereby are approved, as amended.

DISCUSSION REGARDING THE NEED AND PURPOSE FOR THE DISTRICT BOARD LIAISON COMMITTEE WITH THE CONTRACT TRASH HAULER, AS REQUESTED BY MEMBER LEYES (F: S-122.1)

Member Leyes referenced agendas received from the District Board Liaison Committee meetings from December 1998 up to April 29, 2003; however he noted that he had also requested minutes of these meetings. He commented that these meetings were a remnant of the old Sanitary District and initially had some items worthy of discussion; however, the Committee has outlived its purpose and should be disbanded, which would save the cost of dinner for five to eight people on a monthly basis and the payment of \$100 to any District board members who attended.

Member Leyes moved that the District Board Liaison Committee be dissolved. The motion died for lack of a second.

CONSIDERATION OF ADJUSTING SEWER RATES, AS REQUESTED BY MEMBER LEYES (F: S-60.1)

Member Leyes referenced minutes that were previously approved concerning a four to one vote in 1999 to establish a sewer rate of \$3.32 a month, which he voted against. He indicated that four members voted for a \$6.64 increase in sewer rates for every homeowner, and he voted for zero.

Member Leyes moved that the Garden Grove monthly sewer rate be adjusted to zero dollars and zero cents. The motion died for lack of a second.

Member Tran noted he was not on the Council in 1999 and is not privy to what decisions Member Leyes made back then. However, he does not believe it is fair or equitable to bring up this issue without any backup information and talk about choice theories, which have nothing to do with decisions that have already been made.

Member Leyes responded that there is a choice now to set the sewer rate at zero or leave it at \$3.32.

REPORT FROM ORANGE COUNTY SANITATION DISTRICT (OCSD) REPRESENTATIVE (F: S-128.4)

Member Dalton noted that Member Leyes attended the last meeting of the Sanitation District.

Member Leyes noted that the next meeting is tomorrow night. He further commented that as the former County Sanitation District representative he was leading the fight against a proposed 148 percent rate increase; however, he was rotated off the board and replaced with Member Dalton in the middle of that debate. Therefore, it is Member Dalton who will vote on this increase tomorrow evening. He noted he is curious as to what Member Dalton's strategy is to avoid that increase and what kind of alliances he has formed.

Member Dalton questioned the motive behind Member Leyes' comments, noting that Member Leyes did not suggest the District Liaison Committee be disbanded until he was replaced.

Member Tran indicated there were reasons why Member Leyes was removed from the Committee, and he suggested Member Leyes give Member Dalton the advice he needs to do a good job as the new Sanitation District representative.

Member Leyes suggested he be reinstated on the Sanitation Board so he can continue the debate and fight against this rate increase at least through the next budget year, noting the timing is suspect. He indicated that is why the Orange County Register saw fit to print that the motive of this Board was that he was too vocal against the rate increases, noting his agreement with that.

Mayor Broadwater asked whether anyone was called by the Register to comment on Member Leyes' removal.

Member Rosen indicated that the Register reported that Member Leyes said he was removed because of that vote.

Member Dalton noted that he had no problem with Member Leyes attending the last meeting in his absence since he was on a pre-planned vacation. However, he will be attending the meeting tomorrow evening and he will advise the Board of how he voted and whether he had to abstain from anything other than one warrant for Jay's Catering.

ADJOURNMENT

At 11:16 p.m., the meeting was declared adjourned.

RUTH E. SMITH
SECRETARY