

## 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, June 22, 2004, at 7:08 p.m.

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

ABSENT: (0) NONE

ALSO PRESENT: General Manager, Matthew Fertal; Finance Director, Kingsley Okereke; Public Works Director, Keith Jones; Deputy Legal Counsel, Doug Holland; and Deputy Secretary, Priscilla Stierstorfer.

#### ORAL COMMUNICATIONS – PUBLIC

C. M. Bernardeau commented regarding the accuracy of the two bills he received for trash pickup. Both were quarterly bills for different amounts, and one was paid three weeks ago. President Broadwater directed staff to work with Mr. Bernardeau regarding the correct amount to be paid. (F: S-53.3)

Tony Flores commented regarding the sewer increases and questioned where the recyclable dollars are that were designated to offset the increases. (F: S-53.3)

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

Staff report dated June 22, 2004, was introduced, reviewing the status of the Garden Grove Sanitary District activities for the past two months.

It was moved by Member Tran, seconded by Member Rosen, and carried by unanimous vote, that the Status Report on the Sanitary District activities within the city from mid-April through mid-June 2004, be and hereby is received and ordered filed.

AMENDMENT NO. 1 TO THE WASTE DISPOSAL AGREEMENT WITH THE COUNTY OF ORANGE INTEGRATED MANAGEMENT DEPARTMENT  
(F: S-55.17)

Staff report dated June 22, 2004, was introduced.

It was moved by Member Rosen, seconded by Member Tran, and carried by unanimous vote, that Amendment No. 1 to the Waste Disposal Agreement by and between the Garden Grove Sanitary District and the County of Orange Integrated Waste Management Department, be and hereby is approved; and the President and Secretary are authorized to execute the amendment.

MINUTES (F: Vault)

It was moved by Member Rosen, seconded by Member Tran, and carried by unanimous vote, that the minutes of the Adjourned Regular Meeting of the Sanitary District held May 11, 2004, be and hereby are approved.

PUBLIC HEARING TO CONSIDER THE PLACEMENT OF DELINQUENT SOLID WASTE DISPOSAL FEES AS LIENS AGAINST THE RESPECTIVE PROPERTIES  
(F: S-60.2)

Staff report dated June 22, 2004, was introduced.

PUBLIC HEARING TO CONSIDER REPORT DETAILING CHARGES PROPOSED TO BE COLLECTED ON THE TAX ROLL FOR REFUSE COLLECTION SERVICES IN IMPROVEMENT DISTRICT NO. 1 (F: S-60.1) (XR: S-31.2)

Staff report dated June 22, 2004, was introduced.

PUBLIC HEARING TO CONSIDER REPORT DETAILING CHARGES PROPOSED TO BE COLLECTED ON THE TAX ROLL FOR SEWER SERVICES IN AREAS OF THE DISTRICT THAT EXTEND BEYOND THE CITY LIMITS AND DO NOT RECEIVE WATER SERVICES FROM THE CITY (F: S-60.2)

Staff report dated June 22, 2004, was introduced.

Member Leyes commented that the most recent trash and sewer bills might not reflect a past due amount. If these bills are not taken care of, they will be placed on the tax roll for those respective properties.

Member Rosen questioned what recourse a property owner has to challenge the amount of the bill. The Finance Director commented

that they can go to City Hall, and staff will look at the bill. If the bill is ignored, it will be forwarded to the County as a lien on the property.

Member Leyes questioned whether the Board had the authority to change the amount of the bill. The Deputy Legal Counsel commented that based upon evidence received at this hearing, the bill can be changed.

Member Leyes commented that the bill is confusing when the past due amount is not on the new bill.

Member Dalton commented that there is a phone number one can call on the letter that was sent, if they feel they have paid their bill and there is an error. There is a way to take care of it before it is placed as a lien on the property.

President Broadwater declared the public hearings opened and asked if anyone wished to address the Board on these matters.

Mr. Pham commented that he had ignored previous bills and had a balance due. He apologized for having an unpaid balance and has since paid every bill.

Ray Littrell commented that when the City took over the Sanitary District in 1996/97, the rates were raised from \$96 to \$238. He also commented that when the notice of the Public Hearing is in the newspaper, the report showing the assessments should be available for review.

Tom Raymond commented that he purchased a fixer-upper home in October 2003. He received a notice in the mail for trash service, and he called to say he didn't need it because they were not living at the house while they were fixing it up. He noted that he responded with a letter as staff requested but continued to receive bills.

President Broadwater directed staff to adjust the bill.

Tony Flores commented that after the sewer and trash rates were increased in 1999, the disposal company was going to give back \$40,000 to the city. He questioned whether that was done. He quoted from the city's web site that the Redevelopment Agency can help developers, while the citizens rates are increasing. He requested that the fees roll back to the \$96 rate.

There being no further comments from the audience or Board Members, the public hearings were declared closed.

RESOLUTION NO. 3667

It was moved by Member Tran, seconded by Member Dalton, and carried by unanimous vote, that full reading of Resolution No. 3667 be waived, and said Resolution entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, OVERRULING PROTESTS TO THE PROPOSED CHARGE FOR DELINQUENT TRASH DISPOSAL ACCOUNTS AND ADOPTING SAID REPORT, be and hereby is adopted.

RESOLUTION NO. 3668

It was moved by Member Rosen, seconded by Member Dalton, and carried by unanimous vote, that full reading of Resolution No. 3668 be waived, and said Resolution entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT AUTHORIZING CHARGES FOR IMPROVEMENT DISTRICT NO. 1 TO BE COLLECTED ON THE TAX ROLL, be and hereby is adopted.

RESOLUTION NO. 3669

It was moved by Member Rosen, seconded by Member Tran, and carried by unanimous vote, that full reading of Resolution No. 3669 be waived, and said Resolution entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT AUTHORIZING CHARGES FOR SEWER SERVICES IN THE AREAS OF THE DISTRICT THAT EXTEND BEYOND THE GARDEN GROVE CITY LIMITS AND DO NOT RECEIVE WATER SERVICES FROM THE CITY OF GARDEN GROVE TO BE COLLECTED ON THE TAX ROLL, be and hereby is adopted.

PUBLIC HEARING TO CONSIDER PROPOSED BUDGET FOR FISCAL YEAR 2004-05 (F: S-34.1)

Staff report dated June 22, 2004, was introduced, presenting the proposed budget.

President Broadwater declared the public hearing opened and asked if anyone wished to address the Board on this matter.

There being no comments from the audience or Board Members, the public hearing was declared closed.

Member Leyes commented that he did not support a sewer rate increase and will not vote to approve the budget.

RESOLUTION NO. 3670

Member Tran moved, seconded by Member Rosen, that full reading of Resolution No. 3670 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE SANITARY DISTRICT ADOPTING AN ANNUAL BUDGET FOR FISCAL YEAR 2004-05 be and hereby is adopted upon the following vote:

AYES: MEMBERS: (4) DALTON, ROSEN, TRAN, BROADWATER  
NOES: MEMBERS: (1) LEYES  
ABSENT: MEMBERS: (0) NONE

RESOLUTION NO. 3671

It was moved by Member Leyes, seconded by Member Tran, and carried by unanimous vote, that full reading of Resolution No. 3671 be waived, and said Resolution entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT ESTABLISHING THE AMOUNT OF INCREASE IN APPROPRIATIONS IN ACCORDANCE WITH XIII B OF THE CALIFORNIA CONSTITUTION AS AMENDED BY PROPOSITION 111, be and hereby is adopted.

RESOLUTION NO. 3672

It was moved by Member Leyes, seconded by Member Tran, and carried by unanimous vote, that full reading of Resolution No. 3672 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE SANITARY DISTRICT REAPPROPRIATING CERTAIN FY 2003-04 PROJECT BALANCES AND ENCUMBRANCES FOR THE FISCAL YEAR 2004-05, be and hereby is adopted.

AGREEMENT WITH HILTON FARNKOPF & HOBSON TO PROVIDE SOLID WASTE PROPOSAL ANALYSIS AND ASSISTANCE (F: S-55.15)

Staff report dated June 22, 2004, was introduced. At the May 11, 2004, meeting, staff provided an analysis regarding the Garden Grove Disposal proposal submitted by Diehl, Evans & Company. At that meeting staff was requested to prepare a timeline and identify the types of services that would be provided. Staff was also

requested to bring back a proposal from Hilton Farnkopf and Hobson to evaluate the terms proposed by Garden Grove Disposal.

President Broadwater moved, seconded by Member Leyes, and carried by unanimous vote, that the Agreement by and between the Garden Grove Sanitary District and Hilton Farnkopf & Hobson to provide solid waste proposal analysis and assistance, be and hereby is approved; and the President and Secretary are authorized to execute the Agreement. Staff, however, is directed to contact the trash hauler to ascertain if the current proposal is still on the table. The Agreement will become null and void if there is no valid proposal from the trash hauler.

AMENDMENT TO SECTION 38 OF GENERAL REGULATION ORDINANCE  
RESOLUTION NO. 3592 PERTAINING TO ILLEGAL BINS  
(F: S-31.1) (XR: 60.1)

Staff report dated June 22, 2004, was introduced.

In response to Member Leyes, the Public Works Director commented that the language in Section 38 was not strong enough, and this amendment will give staff the authority to resolve the issue of illegal bins.

RESOLUTION NO. 3673

It was moved by Member Leyes, seconded by Member Dalton, and carried by unanimous vote, that full reading of Resolution No. 3673 be waived, and said Resolution entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, AMENDING SECTION 38 OF RESOLUTION NO. 3592 PERTAINING TO ILLEGAL BINS, be and hereby is adopted.

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

Member Dalton commented that the Orange County Sanitation District Board will be meeting on June 23, 2004, and he will provide a report at the next meeting.

ADJOURNMENT

At 8:20 p.m., the meeting was declared adjourned.

PRISCILLA STIERSTORFER  
DEPUTY SECRETARY