

July 12, 2010

A public hearing of the Board of Directors of the Novato Sanitary District was held at 12:00 p.m., Monday, July 12, 2010, at the District Office, 500 Davidson Street, Novato.

BOARD MEMBERS PRESENT: President William C. Long, Members Michael Di Giorgio, James D. Fritz, George C. Quesada and Dennis Welsh.

BOARD MEMBERS ABSENT: None.

STAFF PRESENT: Manager-Engineer-Secretary Beverly B. James, Deputy Manager-Engineer Sandeep Karkal, Administrative Secretary Julie Borda and District Counsel Kent Alm.

ALSO PRESENT: Brant Miller, Novato resident
Norman Stone, Novato resident
Jo Heffelfinger, Novato resident
Todd Smith, Novato resident
Richard Di Marco, former District employee and Novato resident

PLEDGE OF ALLEGIANCE:

AGENDA APPROVAL:

On motion of Member Quesada, seconded by Member Fritz, and carried unanimously, the agenda was approved as mailed.

PUBLIC COMMENT: None.

PUBLIC HEARING PURSUANT TO ARTICLE 13(D) OF THE CALIFORNIA CONSTITUTION-INCREASED SEWER SERVICE CHARGES:

President Long opened the Public Hearing at 12:03 p.m.

Staff Report:

The Manager noted that the Board authorized and the District published the Proposition 218 Notice and subsequently mailed the notice to all District property owners within the required 45 day advance notice. She stated that this notice alerted property owners of the potential rate increase. She stated that due to the approval of the referendum election reinstating the contract between the District and Veolia Water, no rate increase would be necessary. She stated that the financial information confirming that the rate increase was unnecessary was contained in the preliminary budget and would be discussed at the regular board meeting at 6:30 p.m.

The Manager discussed the written protests that were received.

District Counsel Kent Alm discussed the hearing procedures and noted it was not necessary for the District to issue a Proposition 218 hearing because no rate increase was going to be requested. He noted, however, the District had determined a rate increase would have been necessary if the referendum election had failed but at the time of beginning the Proposition 218 process, the outcome of the election was unknown.

Public Comment:

Richard Di Marco, Novato resident, commented on the Manager and Deputy Manager's ability to manage the District. He questioned why the District had not trained the current employees to operate the upgraded treatment facility.

Member Quesada rebutted Mr. Di Marco's comments regarding the employee training.

Receive and tally written protests.

The Manager stated that a total of 70 protest letters were received by the District with 28 from single family dwelling property owners, 1 from a commercial property owner and 41 from apartment tenants. She stated that the 70 letters received constituted less than 1% of the 21,000 total connections serviced by the District.

President Long closed the public hearing at 12:25 p.m.

PUBLIC HEARING – 2010-11 SEWER SERVICE CHARGE REPORT:

President Long opened the public hearing at 12:25 p.m.

The Manager noted that this hearing was to provide for the collection of sewer service charges on the Marin County Property tax rolls. District Counsel clarified the process of the public hearing in this matter.

There was no public comment and President Long closed the public hearing at 12:27 p.m.

RECOMMENDED SEWER SERVICE CHARGE ORDINANCE NO. 113:

Consider adoption of Ordinance No. 113 establishing sewer service charge rate. The Manager explained to the Board that a new ordinance was necessary even though the sanitary sewer rates will remain the same because the previous ordinance addressed only the fiscal years 2005/06 through 2009/10.

Member Welsh questioned the sewer service charge schedule for non-residential properties, particularly supermarkets. The Manager explained the method used to determine the non-residential rate.

President Long stated that he would like to examine further the three tier rating system the District utilizes to determine the residential sewer service charges. He questioned if the District could adjust the rate jump between the tier two and tier three water users.

On motion of Member Di Giorgio, seconded by Member Quesada, and carried unanimously, Ordinance No. 113 was adopted.

RESOLUTION CONFIRMING REPORT ON SEWER SERVICE CHARGES:

Consider adoption of Resolution No. 3025: A Resolution Prescribing and Providing for the Collection of Sewer Service Charges for Novato Sanitary District on the Tax Rolls of the County of Marin for the Fiscal Year 2010-2011. Member Quesada questioned alternative methods for sewer service charge collection. District Counsel Kent Alm explained alternative collection methods and costs to Member Quesada.

On motion of Member Di Giorgio, seconded by Member Fritz and carried unanimously, the Board adopted Resolution No. 3025: A Resolution Prescribing and Providing for the Collection of Sewer Service Charges for Novato Sanitary District on the Tax Rolls of the County of Marin for the Fiscal Year 2010-2011.

ADJOURNMENT: There being no further business to come before the Board, President Long adjourned the meeting at 12:36 p.m.

Respectfully submitted,

Beverly B. James
Secretary

Julie Borda, Recording