

# ALTO SANITARY DISTRICT

## Meeting Minutes

The Regular Meeting of the Board of Directors, Wednesday, 26 May 2021

### 1. **Call to Order and Roll Call:**

President Janis Bosenko called the online meeting to order at 7:31 p.m.

Other board Members present: Secretary/Treasurer Tania Kennedy, Director Todd Gates, & Director Marc Nash

Board Members absent: Director Emily Elam

Staff present: Manager Bill Hansell

### 2. **Adoption of the Agenda:**

*Motion: To adopt the agenda as presented.*

*Moved: Kennedy, Seconded by Gates*

*Vote: Ayes: Bosenko, Kennedy, Gates, Nash*

*Nays: None*

*Absent: Elam*

### 3. **Visitors to the Meeting and Open Time for Public Expression:**

There were no comments from visitors to the meeting.

### 4. **Consent Calendar:**

a. Minutes of the Meeting of 04/28/2021.

b. Financial Report for April 2021 and May 2021 List of Payments to be approved.

*Motion: To adopt the Consent Calendar as presented.*

*Moved: Kennedy, Seconded by Nash.*

*Vote: Ayes: Bosenko, Kennedy, Gates, Nash*

*Nays: None*

*Absent: Elam*

### 5. **New Business:**

a. Public Hearing on Termination of Sewer Service for 51A Lomita Dr, Mill Valley, CA 94941, APN: 033-091-44 -

Hansell reviewed the notice history provided to the owner and recent communications with him. Numerous attempts to resolve the issue have failed but Hansell suggested a hold for one more month to see if the Owner would comply. The recommendation to postpone action until the June 2021 meeting was approved by consensus.

b. Public Hearing on Termination of Sewer Service for 57 Lomita Dr, Mill Valley, CA 94941, APN: 033-091-11 -

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Bosenko noted that a single resident owns 57 Lomita Dr, 59 Lomita Dr, and 61 Lomita Dr, and suggested that agenda items 5b, 5c, and 5d be considered together. Hansell said that the owner recently asked for an extension of time to fix the laterals but a very long extension has already been provided. Bosenko pointed out that the owner occupies 61 Lomita Dr while the other two are vacant and dilapidated. Bosenko asked if all three would be condemned if action was taken by the board on only one or two. Hansell read the options provided by the District's Ordinance 2015-01 Section 430 for non-compliance and said he assumes the Health Department would be notified and would provide its own condemnation if the District explained the deficient and unsafe laterals. Hansell confirmed that videos by the District's CIP contractor verified that the laterals are broken, and recommends a motion confirming that they are out of compliance and the matter should be forwarded to counsel in order to understand the correct legal process for resolution. Bosenko asked if we could take action on the two empty properties but not the third. Gates asked what the specific corrective measures would be and if all of the options would be pursued. Hansell needs to clarify that with the Counsel. Gates asked if actions like this had been taken before. Hansell described recent actions by Almonte Sanitary District, and that he would have to get the advice of Counsel.

*Motion: To declare that 57 Lomita Dr., 59 Lomita Dr., and 61 Lomita Dr. are in violation of Ordinance 2015-01, Section 430, and to have Counsel take the next necessary steps towards enforcement of the Ordinance.*

*Moved: Kennedy, Seconded by Gates.*

*Vote: Ayes: Bosenko, Kennedy, Gates, Nash*

*Nays: None*

*Absent: Elam*

Resident Amy Phelps joined the meeting and was recognized for comment. Phelps rents the house at 59 Lomita Dr and has been doing so for 20 years. She asked what she could do to help. The board discussed the situation extensively with Phelps and appreciates her offer to assist in contacting the owner. Hansell will keep her informed of any progress and/or further action by the District.

- c. Public Hearing on Termination of Sewer Service for 59 Lomita Dr, Mill Valley, CA 94941, APN: 033-091-10 -

The action taken under Item 5b affects this property so no separate discussion occurred.

- d. Public Hearing on Termination of Sewer Service for 61 Lomita Dr, Mill Valley, CA 94941, APN: 033-091-08 –

The action taken under Item 5b affects this property so no separate discussion occurred.

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e. MVRS Rate Increase Proposal -

Hansell notified the Board that the proposed MVRS Rate Increase hearing will be held at the June board meeting. He noted that the audit by R3 Consulting found some reductions in the overall billing amount. Draft info on R3's comparison study between the different agencies was provided and briefly discussed.

f. Closed Session Pursuant to Government Code Section 54957(b) -

The board adjourned to closed session for the District Manager's Performance Evaluation

g. Report from Closed Session –

President Bosenko stated that the cost of living adjustment for this year is 3% and the board decided to round that up to award a new annual salary of \$42,750 per year. Hansell thanked the board.

h. Draft FY2021-2022 Budget -

Hansell reviewed the most recent projections for the current year and described how those were used for the next fiscal year's budget. Bosenko asked about the revenue assumptions. Hansell said that the final budget would be presented in the June meeting.

i. FY2020-2021 CIP –

Hansell passed on Nute Engineering's report, which explained that a delay was caused by difficulties obtaining the DPW encroachment permit that have since been resolved. The work should proceed in the next couple of weeks and should be completed in a short time frame.

### 6. **Manager's Report:**

Bosenko asked about the connections on Birds Nest Court. Hansell explained that there are a number of houses with shared connections that need legal review to establish whose obligation it is to maintain the lines. He will be discussing these further with counsel.

### 7. **Reports on Outside Meetings:**

- a. SASM Board Meeting of 05/20/2021 – Gates said the SASM budget was discussed and approved. An additional \$700K was included for improvements around the plant and \$50K for lateral improvements.
- b. District Managers Meeting of 05/12/2021 – Hansell said the main issue discussed was the

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new set of water restrictions imposed by MMWD due to the drought. The sanitary districts are pushing back as we need potable water to respond to SSO's and cleaning. The use of recycled water is being explored although there are state water board restrictions and licenses that need to be addressed.

**8. Future Agenda Items:**

None

**9. Directors' Open Time:**

None

**10. Adjournment:**

*Motion: To adjourn the meeting at approximately 8:50pm.*

*Moved: Kennedy, seconded by Nash.*

*Vote: Ayes: Bosenko, Gates, Kennedy, Nash.*

*Nays: None*

*Absent: Elam*

Minutes respectfully submitted by Bill Hansell.

**THE NEXT REGULAR MEETING WILL BE HELD IN THE CONFERENCE ROOM OF  
THE SEWERAGE AGENCY OF SOUTHERN MARIN, 450 SYCAMORE AVENUE,  
MILL VALLEY AT 7:30 P.M., WEDNESDAY, JUNE 23, 2021**