

MINUTES

GARDEN GROVE SANITARY DISTRICT BOARD OF DIRECTORS

Regular Meeting

Tuesday, June 28, 2022

Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

CONVENE MEETING

At 6:54 p.m., President O'Neill convened the meeting.

ROLL CALL PRESENT: (6) Members Brietigam, Bui, Jones, K. Nguyen,
Vice President D. Nguyen, President O'Neill

ABSENT: (1) Member Klopfenstein

ORAL COMMUNICATIONS

Speakers: Kadi Kiisk-Mohr, Kyle Mason, Ana Parker, Tom Raber, Daniel Chao,
Brian Malley, audience member

RECESS

At 6:58 p.m., President O'Neill recessed the meeting.

RECONVENE

At 7:01 p.m., President O'Neill reconvened the meeting with members Brietigam, Bui, Jones, K. Nguyen, and D. Nguyen present.

APPROVAL OF QUITCLAIM DEEDS FOR SEWER EASEMENTS TO THE CITY OF STANTON FOR PROPERTIES LOCATED AT 12331 THROUGH 12435 BEACH BOULEVARD, STANTON (F: S-84.1)

It was moved by Member Brietigam seconded by Member Bui that:

Quitclaim Deeds for properties located at 12331 through 12435 Beach Boulevard, Stanton for the sewer easement, be approved;

The General Manager be authorized to execute the Quitclaim Deeds; and

The Secretary be authorized to record the Quitclaim Deeds with the County Recorder's Office.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, Jones, Bui, K. Nguyen, D. Nguyen,
O'Neill
Noes: (0) None
Absent: (1) Klopfenstein

RECEIVE AND FILE MINUTES FROM THE MEETINGS HELD ON APRIL 26, 2022 AND
MAY 24, 2022 (F: Vault)

It was moved by Member Brietigam seconded by Member Bui that:

The minutes from the meetings held on April 26, 2022 and May 24, 2022, be received and filed.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, Jones, Bui, K. Nguyen, D. Nguyen,
O'Neill
Noes: (0) None
Absent: (1) Klopfenstein

PUBLIC HEARING - ADOPTION OF A RESOLUTION TO AUTHORIZE THE IMPOSITION
OF LIENS ON PARCELS WITH DELINQUENT PAYMENTS FOR REFUSE COLLECTION
AND DISPOSAL SERVICE CHARGES (F: S-60.2)

Following staff's introduction, President O'Neill asked staff to clarify for the public that delinquent payments were for the billing period from the end of February 2022 and prior, to which staff confirmed in the affirmative.

Member Brietigam expressed concern with minimal delinquent balances listed on the tax roll and suggested future consideration for a threshold amount in order to determine whether a lien should be imposed.

President O'Neill requested that board members be provided an updated list of delinquent accounts.

Member Bui asked whether it is mandatory for property owners to have trash services even if they are not occupying the property. Additionally, Member Bui asked whether a resident that produces minimal amounts of trash could haul their own trash.

General Counsel Sandoval stated that trash service is required for public health and safety reasons noting that an accumulation of trash could create vermin issues for adjacent properties and affect the entire community; however, there is a provision in the Code of Regulations that allows residents that have a property that is vacant and thus not producing waste, to apply for an exemption. General Counsel Sandoval also stated that there is also a provision in the Code for residents to apply as a self-

hauler; however, the resident is required to keep detailed records in order for the City to be in compliance with state reporting requirements.

Member Bui expressed concern with liens being imposed on properties for minimal delinquent balances.

Vice President D. Nguyen asked whether account holders are contacted any other way than by mail.

Finance Director Song stated that City staff does not contact customers; Republic Services is responsible for the business relationship with customers. She also stated the City asked Republic Services to conduct more outreach notifying customers about impending lien impositions as requested by Board last year.

With no further questions from the Board, President O'Neill declared the public hearing open and asked if anyone wished to address the Board.

Speakers: Brian Malley

There being no further response from the audience, the public hearing was declared closed.

The Deputy Secretary announced that no protests were received; therefore, there was not a majority protest.

Member K. Nguyen thanked staff and Republic Services for addressing her request to have notices printed in multiple languages. She also inquired for clarification on the numbers of days past due an account must be to in order to have a lien imposed.

General Counsel Sandoval stated that state law allows liens to be imposed only if an account is 60 days or more past due.

Member Bui expressed his reluctance to approve the imposition of liens on minimal balances and inquired whether a threshold amount could be established.

Member Jones noted that Republic Services sends out multiple notices before parcels are listed on the tax roll for imposition of liens. He cautioned that establishing a threshold might create an increase of delinquent accounts with that threshold amount.

Vice President D. Nguyen stated that establishing a threshold could create more confusion and complications in managing the accounts.

Member K. Nguyen noted that procedures are currently in place that provide ample time for customers to resolve any delinquent amounts. She cautioned making any changes that could affect Republic Services' ability to collect on past due amounts.

Following closing comments, it was moved by Member Brietigam, seconded by Member Jones that:

Resolution No. 3806-22 entitled: A Resolution of the Board of Directors of the Garden Grove Sanitary District of Orange County, California, adopting a report and certifying a statement of delinquent and unpaid charges for refuse collection and disposal services to be collected on the property tax roll, be adopted; and

Staff be directed to file necessary documentation with the County for the collection of the delinquent charges on the property tax bills.

The motion carried by a 5-1-1 vote as follows:

Ayes: (5) Brietigam, Jones, K. Nguyen, D. Nguyen, O'Neill
Noes: (1) Bui
Absent: (1) Klopfenstein

PUBLIC HEARING - ADOPTION OF A RESOLUTION TO COLLECT REFUSE COLLECTION AND DISPOSAL SERVICE CHARGES ON TAX ROLL FOR PROPERTIES LOCATED IN IMPROVEMENT DISTRICT NO. 1 (F: S-60.2)

Following staff's introduction, President O'Neill declared the public hearing open and asked if anyone wished to address the Board.

Speakers: None.

There being no further response from the audience, the public hearing was declared closed.

The Deputy Secretary announced that no protests were received; therefore, there was not a majority protest.

It was moved by Member Jones, seconded by Member Brietigam that:

Resolution No. 3807-22 entitled: A Resolution of the Board of Directors of the Garden Grove Sanitary District authorizing refuse collection and disposal charges for improvement District No. 1 to be collected on the tax roll, be adopted; and

Staff be directed to file the necessary documentation with the County for the collection of the fees on the property tax bills.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, Jones, Bui, K. Nguyen, D. Nguyen, O'Neill
Noes: (0) None
Absent: (1) Klopfenstein

PUBLIC HEARING - ADOPTION OF A RESOLUTION TO COLLECT SEWER SERVICE FEES ON TAX ROLL FOR PROPERTIES LOCATED OUTSIDE THE CITY LIMITS
(F: S-60.2)

Following staff's introduction, President O'Neill declared the public hearing open and asked if anyone wished to address the Board.

Speakers: None.

There being no further response from the audience, the public hearing was declared closed.

The Deputy Secretary announced that no protests were received; therefore, there was not a majority protest.

It was moved by Member Brietigam, seconded by Member K. Nguyen that:

Resolution No. 3802-22 entitled: A Resolution 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 adopted; and

Staff be directed to file the necessary documentation with the County for the collection of the fees on the property tax bills.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, Jones, Bui, K. Nguyen, D. Nguyen,
O'Neill
Noes: (0) None
Absent: (1) Klopfenstein

ADOPTION OF RESOLUTIONS AMENDING THE GARDEN GROVE SANITARY DISTRICT BUDGET AND SETTING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2022-23
(S-34.1-FY2022-23)

Following staff's introduction, it was moved by Member K. Nguyen, seconded by Vice President D. Nguyen that:

Resolution No. 3809-22 entitled: A Resolution of the Board of Directors of the Garden Grove Sanitary District amending the Fiscal Year 2022-23 Budget, be adopted;

Resolution No. 3810-22 entitled: A Resolution of the Board of Directors of the Garden Grove Sanitary District establishing the amount of increase in appropriations in accordance with Article XIII B of the California Constitution as amended by Proposition 111, be adopted; and

Resolution No. 3811-22 entitled: A Resolution of the Board of Directors of the Garden Grove Sanitary District reappropriating certain Fiscal Year 2021-22 project balances and encumbrances for the Fiscal Year 2022-23, be adopted.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, Jones, Bui, K. Nguyen, D. Nguyen,
O'Neill
Noes: (0) None
Absent: (1) Klopfenstein

AWARD A CONTRACT TO ARDURRA GROUP, INC., FOR PROFESSIONAL ENGINEERING DESIGN AND CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE SEWER SYSTEM REHABILITATION PLAN PHASE I SEWER MAIN LINING AND SPOT REPAIR PROJECT NO. 5 & 6 (F: S-55 – ARDURRA GROUP, INC.)

Following staff's introduction, it was moved by Member K. Nguyen, seconded by Vice President D. Nguyen that:

A contract be awarded to Ardurra Group, Inc., in the amount of \$493,077, for professional engineering services including civil engineering design and construction management/inspection for the Sewer System Rehabilitation Plan Phase 1 Sewer Main Lining and Spot Repair Project No. 5 & 6; and

The General Manager be authorized to execute the agreement on behalf of the Garden Grove Sanitary District Board, and make minor modifications as appropriate thereto.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, Jones, Bui, K. Nguyen, D. Nguyen,
O'Neill
Noes: (0) None
Absent: (1) Klopfenstein

ADOPTION OF RESOLUTIONS APPROVING THE AMENDED AND RESTATED EXCLUSIVE FRANCHISE AGREEMENT WITH REPUBLIC WASTE SERVICES OF SOUTHERN CALIFORNIA, LLC DBA GARDEN GROVE DISPOSAL
(*Joint Action Item with the City Council.*) (F: S-55.1 – REPUBLIC WASTE SERVICES)
(XR: 121.2)

SANITARY DISTRICT ACTION

Following staff's presentation, President O'Neill highlighted the increased services incorporated into the new contract and also highlighted the reduction in residential rates.

Member Brietigam expressed appreciation for the new alley monitoring service and expressed overall satisfaction with Republic Services' response to City needs.

Vice President D. Nguyen concurred with Member Brietigam's comments and expressed satisfaction with the community clean-up events.

Member K. Nguyen asked for clarification on the 2-year timeframe for reporting out on the Organic Waste Recycling Program compliance status.

General Counsel Sandoval stated that the program is starting mid-year and will require some time for residents to begin complying with the new Organic Waste Recycling mandate. Two years provides sufficient time to compile information to provide a substantive report.

Member K. Nguyen requested an update from Republic Services in a year that provides the overall progress or identifies issues encountered in implementing the Organic Waste Recycling program. Additionally, she requested that additional outreach be done on the Discount for Disabled and Low Income Seniors program, specifically for areas with known low income seniors like those in mobile home parks. Lastly, she expressed satisfaction with the additional services covered in the new contract and Republic Services' overall performance in providing this service.

It was moved by Member K. Nguyen, and seconded by Member Bui that:

Resolution No. 3812-22 entitled: A Resolution of the Board of Directors of the Garden Grove Sanitary District approving the Amended and Restated Exclusive Franchise Agreement with Republic Waste Services of Southern California, LLC dba Garden Grove Disposal, be adopted.

The motion carried by a 6-0-1 vote as follows:

Ayes:	(6)	Brietigam, Jones, Bui, K. Nguyen, D. Nguyen, O'Neill
Noes:	(0)	None
Absent:	(1)	Klopfenstein

CITY COUNCIL ACTION

Following staff's presentation, it was moved by Council Member O'Neill, and seconded by Council Member K. Nguyen that:

Resolution No. 9761-22 entitled: A Resolution of the Board of Directors of the Garden Grove Sanitary District approving the Amended and Restated Exclusive Franchise Agreement with Republic Waste Services of Southern California, LLC dba Garden Grove Disposal, be adopted.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, Jones, Bui, K. Nguyen, D. Nguyen,
O'Neill
Noes: (0) None
Absent: (1) Klopfenstein

ADJOURNMENT

At 8:10 p.m., President O'Neill adjourned the meeting. The next Regular Sanitary District Meeting will be on Tuesday, July 26, 2022, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Lizabeth Vasquez
Deputy Secretary