



Wastewater Public Advisory Committee
Meeting Agenda
Tuesday, February 9, 2010
6:30 p.m.*
***PLEASE NOTE START TIME**

55439 29 Palms Hwy, Yucca Valley, CA 92284

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES** – Special Meeting held January 19, 2010.
5. **PUBLIC COMMENT**
This is the opportunity for members of the public to address the committee on matters within the Committee's jurisdiction. Please limit comments to three (3) minutes or less. State law prohibits Committee members from discussing or taking action on items not included on the agenda.
6. **STAFF REPORTS**
7. **STEP/STEG WASTEWATER TREATMENT TECHNOLOGIES**
Staff to give a presentation on STEP/STEG wastewater treatment options.
8. **SUBCOMMITTEES BREAKOUT SESSION**
9. **SUBCOMMITTEE REPORTS**
10. **ROUND TABLE COMMENTS**
11. **AGENDA ITEMS FOR NEXT MEETING**
12. **ADJOURNMENT**

Posted February 4, 2010
Jennifer Cusack,
Public Information Officer- (HDWD)



**Wastewater Public Advisory Committee
Special Meeting Minutes
Tuesday, January 19, 2010
6:30 p.m.**

55439 29 Palms Hwy, Yucca Valley, CA 92284

COMMITTEE MEMBERS PRESENT:

Andrew Tuffley, Anne Sholtz, Art Miller, Jr, Bryan Heveron, Cynthia Kraemer, Debra Hidalgo, Don Elwood Amos, Doug Severns, James Petersen, Joanne Keiter, John Babrowski, Michael McBride, Michael Moon, Richard Harlan, Richard Quinlan

COMMITTEE MEMBERS ABSENT/EXCUSED:

Fred Chiappetta, Lois Johnson, Ronald Reitenauer, Philip Schaffer

DISTRICT STAFF PRESENT:

Jennifer Cusack, Ed Muzik, Joe Glowitz

CALL TO ORDER:

Cynthia Kraemer called the meeting to order at 6:33 p.m., immediately followed by the pledge of allegiance led by Art Miller Jr.

APPROVAL OF AGENDA:

John Babrowski motioned to accept the agenda and Richard Harlan seconded. Agenda unanimously approved.

APPROVAL OF 11-10-09 MINUTES:

John Babrowski motioned to approve the minutes as presented; Anne Sholtz seconded the motion. Motion carried.

Cynthia Kraemer commented that there was no meeting in December, therefore the 11-10-09 minutes had yet to be approved.

PUBLIC COMMENT

Bill Horne, of Yucca Valley, read a letter (dated 1/5/09) addressed to the District from Montgomery Watson.

STAFF REPORTS

Jennifer Cusack announced that Frank Luckino would not be able to attend this meeting; therefore, there would be no report on the Assessment District Formation this evening.

Jennifer presented a draft Frequently Asked Question pamphlet about Assessment District Formation and Prop 218 for the committee's input. A member of the audience, Paul Thompson, a potential consultant well versed in this subject, also provided feedback. She encouraged the members to add questions. *Cynthia Kraemer suggested that the FAQ be discussed during the breakout sessions so Jennifer could have a quicker response than waiting until next month's meeting.*

Joe Glowitz gave an overview of the various activities/events that are planned for 2010 such as the RFP submittals beginning in January and the LAFCO Board meeting on February 17th.

STEP/STEG WASTEWATER TREATMENT TECHNOLOGIES

Joe Glowitz gave a presentation of the current and alternative treatment proposals, including a discussion of the costs to construct, advantages and disadvantages of each type being considered.

The Committee questions:

- Constructing in phases – possible
- Satellite plants - possible
- Timelines for studies – won't vary much between types (permitting similar)
- Cost comparisons - 47% vs. 53%

Public Comments:

Bill Horne – small lot sizes create construction issues and asked about tank monitoring program.

Bill Warner commented that he believes there may be a significant capital cost savings with the STEP/STEG system (roughly 30 million) and noted failures often due to pump motor (modern technology improves reliability)

SUBCOMMITTEES BREAKOUT SESSION

15 Minutes

SUBCOMMITTEE REPORTS

Joint Technical and Finance – Jim Petersen

- Topics: one phase assessment, voting process (majority rules)

Public Relations – John Babrowski

- Topics: FAQ sheet (suggested one for STEP/STAG also)

Building / Land

- Nothing to report

ROUND TABLE COMMENTS

None

AGENDA ITEMS FOR NEXT MEETING

Next meeting date 2/9/10 @ 6:30 p.m.

Revisions to FAQ Sheet

STEP/STEG system update.

ADJOURNMENT – 8:04 p.m.

Prepared by: Joanne L. Keiter, WPAC Secretary

WASTEWATER TREATMENT & WATER RECLAMATION PROJECT

Frequently Asked Questions - Assessment District Formation and Proposition 218

Q: Is the Prop. 218 funding proposed as a special tax or an assessment?

A: This will not be special tax as defined by the law, but instead an assessment. The difference is there is a direct or "special benefit" to the assessed property. AB 2701 (Blakeslee) authorizes the District to propose "assessments."

Q: What is an Assessment?

A: An assessment becomes a lien on parcels of real property to pay for "special benefits" the parcels receive from a project. The lien may be paid off by property owners in a lump sum or paid annually with property taxes over a period of 20-30 years.

Q: What properties will be assessed?

A: Any property determined to have a "special benefit" from the collection, treatment, and disposal of wastewater will be assessed.

Q: Who determines if my property receives "special benefit"?

A: All assessments shall be supported by a detailed engineer's report prepared by a registered professional engineer certified in California. (California Constitution, Article XIID, §4 (b).)

Q: How does Proposition 218 define "special benefit"?

A: Proposition 218 provides the following definition of "special benefit": "Special benefit" means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value or improved aesthetics do not constitute a "special benefit." (Cal. Const. article XIID, § 2 (i).)

Q: Where should a local agency document the distinction between general and special benefit?

A: In the engineer's report discussed above it will distinguish the properties that will receive special benefit.

Q: Will property owned by a public agency, State of California or the United States be assessed?

A: Yes, unless there is evidence that the publicly-owned parcels receive no special benefit.

Q: What are the procedures and substantive requirements for assessments established by Proposition 218?

A:

1. Identify the parcels (by phase) receiving special benefit.
2. Determine the proportionate special benefit to each property
3. Give the property owners a 45 day (minimum) notice of proposed assessment & ballot prior to vote deadline.
4. Receive and property owner ballots
5. Conduct a public hearing
6. Determine if a "majority protest" exists (if greater than 50% of weighted votes received are opposed).

WASTEWATER TREATMENT & WATER RECLAMATION PROJECT



Q: Who gets to submit ballots?

A: Property Owners whose property is included in the project assessment District.

Q: How are the ballots weighted?

A: This is not a "one ballot, one vote" election. The ballots are weighted according to the proposed amount of the assessment on the affected property (i.e. the higher the assessment, the greater the weight of the vote).

Q: How does the agency identify the property owner for the purposes of sending notice and a ballot?

A: Article XIII D, § 4(c) says the notice and ballot must be sent to "the record owner of each parcel." "Record owner" means the owner of a parcel whose name and address appears on the last equalized secured real property tax assessment roll, or in the case of any public entity, the State of California, or the United States, means the representative of that public entity at the address of the entity known to the agency. (Cal. Gov't Code § 53750 (j).) Mobile home parks typically will receive one assessment to the landowner; the mobile homes are not assessed separately.

Q: May property owners submit ballots at the public hearing?

A: Yes. An assessment ballot may be submitted, changed, or withdrawn prior to the conclusion of the public testimony on the proposed assessment at the hearing.

Q: How will I know the results of the vote/who counts the ballots?

A: The Secretary of the Board is authorized to tabulate the ballots and will report the results at a public hearing.

Q: How will the District collect assessments?

A: The assessment will be collect through property taxes. The District can also collect the assessment up front in one lump sum, if the property owner wishes to pay cash instead. The capital costs of the project do not include the monthly sewer bill.

Q: When will the amount of the proposed assessments be available to the public?

A: Once the Assessment District report is complete, information about the proposed assessment will be mailed to each property owner and available to other stakeholders though local media, bill inserts, websites, public meetings, etc.

For more information call Chief Financial Officer Frank Luckino at (760) 228-6282 or Public Information Officer Jennifer Cusack at (760) 228-6267.

Learn more about the
Wastewater Treatment and Water Reclamation Project
online at <http://www.hdwd.com>.



www.hdwd.com

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