



OJAI VALLEY SANITARY DISTRICT

A Public Agency

1072 Tico Road, Ojai, California 93023

(805) 646-5548

FAX (805) 640-0842

www.ojaisan.org

MINUTES OF THE ILLEGAL SEWER CONNECTION COMMITTEE

The Illegal Sewer Connection Committee held a meeting at the District Office, 1072 Tico Road on April 15, 2011, beginning at 8:34 a.m.

COMMITTEE MEMBERS PRESENT: Russ Baggerly
Peter M. Kaiser
John R. Burg, Chairman

STAFF PRESENT: John K. Correa, General Manager
Brenda Krout, Administrative Officer
Ronald E. Sheets, Operations Superintendent
Laurie Johnson, Customer Service Representative

OTHERS PRESENT: Mark Zirbel, District Legal Counsel
Robert Krimmer, District Legal Counsel

1. **Select Chairman For The Committee**

Director Burg was selected to serve as Chairman of the Committee.

2. **Public Comment - (Items not on the agenda - 3 minute limit)**

None

3. **Review of Documents For The Implementation Of Ordinance No. 60 - Unpermitted Connections**

The Committee reviewed documents prepared by District Legal Counsel to be used for the implementation of Ordinance No. 60, unpermitted connections. It was agreed that these documents would also be provided to the Board as an information item.

Staff presented to the Committee a request from a property owner with an unpermitted connection about being allowed to pay the connection related fees in effect at the time of his connection, plus all past sewer service charges since the beginning of the connection. Staff explained that the Ordinance requires the current connection related fees, plus up to three years sewer service charges be paid by all property owners legalizing unpermitted connections; the Ordinance would need to be amended to provide another option.

Bob Daddi, resident of the City of Ojai and local State Farm Insurance agent, addressed the Committee stating that he has received a letter from the local Board of Realtors regarding how costly it is for their clients to legalize an unpermitted connection in order to be allowed to keep renting the unit; this financial burden will cause the loss of low income housing. Mr. Daddi suggested the District provide a payment plan for these people to help them comply with the District's Ordinance.

The Committee discussed the possibility of providing such a financing plan. District Legal Counsel stated that the Government Code does allow the District to finance connection fees but not sewer service fees. How this financing would work and the level of security that would be provided to the District was discussed.

It was agreed that District Legal Counsel would research the options available to the District to provide financing to property owners legalizing their unpermitted connections. District Legal Counsel will also investigate the viability of such financing being secured by a property lien equal in security to a tax lien.

It was agreed that following their research, District Legal Counsel would draft proposed revisions to the Ordinance providing a financing mechanism with security to the District equal to a tax lien. The Committee unanimously supported such financing would be for a maximum of five years. These drafts will be brought back to the Committee for their review.

4. **Review of Draft Letter To Suspected Unpermitted Connections**

A draft letter to be used to send to properties suspected of having an unpermitted connection was reviewed. Minor changes were made to the draft. The Committee unanimously supported utilizing the revised draft to send to properties suspected of having an unpermitted connection.

5. **Review of Ordinance No. 60 – Unpermitted Connections - Implementation Procedure**

Staff shared some of the questions they have been receiving from property owners with potential unpermitted connections regarding the interpretation of the definitions in the Ordinance regarding the alternate uses of food preparation facilities. The Committee unanimous supported sticking with a literal interpretation of the definitions, noting that the District cannot monitor actual usage.

The next Committee Meeting was set for Monday May 2, 2011 at noon.

6. **Discussion**

a. Audience

None

c. Committee Members

None

c. General Manager

None

The Illegal Sewer Connection Committee Meeting adjourned at 10:38 a.m.

Minutes submitted by Brenda Krout, Clerk of the Board