

ALMONTE SANITARY DISTRICT

P.O. BOX 698, MILL VALLEY, CALIFORNIA 94942-0698 (415) 388-8775

DIRECTORS

Kevin Reilly, Chair
Lew Kiou, Secretary-Treasurer
Loretta Figueroa
Frank Shirado
Mary Fraser

DISTRICT MANAGER

Bonner Beuhler
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NOTICE OF PUBLIC HEARING PROPOSED INCREASE OF SEWER SERVICE CHARGE

THE ALMONTE SANITARY DISTRICT WILL HOLD A PUBLIC HEARING ON THE NEED TO INCREASE THE ANNUAL SEWER SERVICE CHARGE LEVIED ON PROPERTIES WITHIN THE DISTRICT FOR THE PURPOSE OF PAYING FOR:

- THE ADMINISTRATION, OPERATION AND MAINTENANCE OF THE DISTRICT'S WASTEWATER COLLECTION SYSTEM
- THE COST OF WASTEWATER TREATMENT AND DISPOSAL
- THE PLANNED REPAIR AND REPLACEMENT OF THE DISTRICT'S COLLECTION SYSTEM
- PROVIDING SUFFICIENT RESERVES TO FUND UNFORESEEN EMERGENCIES AND
- TO PAY FOR OTHER LAWFUL OBLIGATIONS AND EXPENSES ASSOCIATED WITH THE NORMAL OPERATION OF THE DISTRICT

THE HEARING WILL BE HELD ON:

JULY 12, 2010 AT 7:00 P.M. IN THE CONFERENCE ROOM OF THE
SEWERAGE AGENCY OF SOUTHERN MARIN
450 SYCAMORE AVENUE MILL VALLEY, CA 94941

AT THIS HEARING THE BOARD OF DIRECTORS WILL CONSIDER THE PASSAGE OF AN ORDINANCE TO INCREASE THE ANNUAL SEWER SERVICE CHARGE LEVIED ON EACH RESIDENTIAL UNIT FROM \$250.00 TO A MAXIMUM OF \$500.00 IN FISCAL YEAR 2010-11. THIS RATE WILL REMAIN IN EFFECT UNTIL MODIFIED BY FUTURE BOARD ACTION. PERSONS DESIRING TO BE HEARD ON THE MATTER OF THIS INCREASE SHOULD ATTEND THE HEARING AND STATE THEIR CONCERNS.

This proposed increase is principally driven by two continuing District expenses – funding the Sanitary District's long-range project for the repair and replacement of deteriorating sewer pipes (the infrastructure that collects wastewater within the District) and the contractual costs associated with the treatment and disposal of this wastewater (scheduled to increase 50% over the next four years). The increase of the sewer service charge is supported by an estimate prepared by the district's consulting engineer, Nute Engineering, and may be viewed by appointment with Gary Robards of that firm (telephone: 415-453-4480) at their offices at 907 Mission Avenue, San Rafael, CA .

The majority of the District's infrastructure was constructed in the 1950s and 1960s using construction techniques of the era, chiefly short lengths of vitrified clay pipes with oakum and mortar joints. While the clay pipes themselves have an extended life, ground movement and root intrusion over the years

has caused the gradual deterioration of the collection system. Cracks, joint separation, tree root intrusion, differential settlement, etc. have led to problems with:

- Sewer blockages and spills which have the potential to adversely affect the public health and local environment and increase the need and cost of sewer cleaning and
- Dramatic increases in wet weather inflow and infiltration (I&I) which allows large amounts of ground water to enter the collection system dramatically increasing the hydraulic demands on the collection system and ultimately on capacity of the SASM wastewater treatment plant to treat and dispose of wastewater during winter storms.

Also adding to these two problems is the deterioration of individual sewer laterals, the privately-owned pipes that connect each parcel to the District's larger sewer pipes. The length of these privately-owned sewer laterals can be equal to or greater than the length of the District's system. Deterioration of the private laterals adds significantly to wet weather I&I and improper maintenance has contributed to blockages in District sewers when roots in private laterals are not properly trapped when cleaned by private contractors. Almonte, through its membership in SASM has made available grant funds to aid qualified residents in undertaking private sewer lateral rehabilitation. In addition, we are offering residents the opportunity to receive discounted pricing on replacing their private laterals in conjunction with the District's sewer rehabilitation projects.

In response to two wet-weather spills from the SASM wastewater treatment plant in 2008 and what the Environmental Protection Agency (EPA) considered a large number of sewer system overflows (SSOs) experienced by some SASM member agencies, the EPA issued an administrative order covering all of SASM's member agencies. Compliance with that order has resulted in significant increases in the District's costs for administration, O&M and infrastructure replacement activities. Over the past two years the District has televised all of its sewer lines and intensified the ongoing program of repairing and replacing the District's worst sewers. This year Almonte replaced approximately 4% of the District's lines.

At the public hearing the Board of Directors will consider all protests against the proposed increase before voting on it. Should a majority of the property owners make written protest of the increase; the Board will not impose the increase.

If there is no majority protest and should a majority of the Board agree to impose the increase, it will be implemented and will be included in your tax bills beginning in the fiscal year 2010-2011.

AT THE PUBLIC HEARING THE BOARD OF DIRECTORS WILL ALSO CONSIDER THE FOLLOWING ISSUES RELATIVE TO THE SEWER SERVICE CHARGE INCREASE:

1. Whether revenues derived from the increase shall not exceed the funds required to provide the property related service.
2. Whether revenues derived from the increase shall not be used for any purpose other than for which the increase is imposed.
3. Whether the amount of the increase imposed upon any parcel or person as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel.

4. No charge shall be imposed for a service unless the service is actually used by, or available to the owner of the property in question; and
5. No charge may be imposed for general governmental services including but not limited to police, fire, ambulance or library services where the service is available to the public at large in substantially the same manner as it is to the property owners.

Kevin Reilly, Chair, Almonte Sanitary District

DECLARATION OF SERVICE BY MAIL

I am a citizen of the United States, over 18 years of age, and am not a party to the above action. My business mailing address is P.O. Box 698, Mill Valley, CA 94942. On the date specified below I served the above document entitled "NOTICE OF PUBLIC HEARING, PROPOSED INCREASE OF SEWER SERVICE CHARGE" on the owners of record of all properties situated within the Almonte Sanitary District, Marin County, California, by placing a true copy thereof, with postage thereon fully prepaid, in the United States Mail at Mill Valley, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

F. Bonner Beuhler, District Manager
Executed on May 27, 2010

GUIDELINES FOR THE SUBMISSION AND TABULATION OF PROTESTS

Submittal of Protests

1. Any property owner may submit a written protest to the Secretary/Treasurer of the Almonte Sanitary District, either by mail to Almonte Sanitary District, P.O. 698 Mill Valley, CA 94942 or by submitting the protest at the public hearing. Protests must be received by the end of the public hearing. No postmarks will be accepted.
2. Each protest must identify the affected property (by assessor's parcel number or street address) and include the signature of the record property owner. Email protests cannot be accepted. Although oral comments at the public hearing will not qualify as a formal protest unless accompanied by a written protest, the Board welcomes input from the community during the public hearing on the proposed charges.

3. If a parcel served by the District is owned by more than a single record owner, each owner may submit a protest, but only one protest will be counted per parcel and any one protest submitted in accordance with these rules will be sufficient to count as a protest for that property.
4. In order to be valid a protest must bear the original signature of the record owner with respect to
5. The property identified on the protest and may not have been altered. Protests not bearing the original signature of a record owner shall not be counted.
6. Any person who submits a protest may withdraw it by submitting to the Secretary/Treasurer a written request that the protest be withdrawn. The withdrawal of a protest shall contain sufficient information to identify the affected parcel and the name of the record owner or record customer who submitted both the protest and there request that it be withdrawn.
7. A charge protest proceeding is not an election.
8. To ensure transparency and accountability in the charge protest tabulation, protests shall constitute disclosable public records from and after the time they are received, but shall be maintained in confidence from their receipt until that time.

Tabulation of Protests

- 1) The Secretary/Treasurer shall determine the validity of all protest. The Secretary/Treasurer shall not accept as valid any protest if the Secretary/Treasurer determines that any of the following conditions exist:
 - a. The protest does not identify a property served by the District
 - b. The protest does not bear an original signature of a record owner of a parcel identified on the protest.
 - c. The protest does not state its opposition to the proposed charges.
 - d. The protest was not received by the Secretary/Treasurer before the close of the public hearing on the proposed charges.
 - e. A request to withdraw the protest is received prior to the close of the public hearing on the proposed charges.
 - f. The protest was altered by one other than the record owner who signed it.

