

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
 MEETING OF AUGUST 18, 2022
 TIME OF MEETING: 7:00 P.M.
 DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

*****MINUTES*****

- I. Call To Order:** President Merrill called the meeting to order at 7:00 P.M.
- II. Roll Call:** Present: Christian-Smith*, Gilbert-Snyder*, Miller*,
 O’Keefe*, Merrill
 Absent: None
 Others Present: Rex Delizo, District Manager
 Kristopher Kokotaylo, District Counsel
 Linda Pham, Resident (for Item VII.D only)
**via video-conference*

Agenda Items: Directors and Officers of the Board did not announce any conflicts of interest posed by items on the meeting agenda.

- III. Public Comment:** There was no public comment.

Item VII.D was taken out of order by unanimous consent at this time in the meeting.

VII. Business

D. Consideration of Class III Easement Encroachment – 265 Arlington Avenue in Kensington, CA

The Board considered the request for a class III easement encroachment for an existing detached garage structure conversion into an accessory dwelling unit (ADU) that encroaches on District sewer main line easements.

MOTION: By O’Keefe, seconded by Miller, to reject the property owner’s request for a class III encroachment

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Miller, O’Keefe,
 Merrill
 NOES: None

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ABSTAIN: None

ABSENT: None

The Board resumed the order of the agenda at this time in the meeting.

IV. Approval of Minutes

A. Approval of July 21, 2022 Board Meeting Minutes

MOTION: By Gilbert-Snyder, seconded by Christian-Smith, to approve the minutes of the July 21, 2022 Board Meeting, as corrected

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Miller, O'Keefe,
Merrill

NOES: None

ABSTAIN: None

ABSENT: None

V. Communications

A. Oral Communications

1. Brief reports from Directors on matters related to the District, including attendance at city or community meetings

a. August 22-25, 2022 California Association of Sanitation Agencies (CASA) Annual Conference

In accordance with AB 1234, Director Merrill gave a report on his attendance at the CASA Conference.

b. City & Community Meetings

Miller gave a report on a recent Richmond Annex Senior Center Meeting and an El Cerrito City Council Meeting.

B. Written Communications

1. CalWARN Donations Letter

The Board received the letter requesting a monetary donation to support the California's Water/Wastewater Response Network that supports and

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promotes statewide emergency preparedness, disaster response, and mutual assistance programs for public and private water utilities. The Board asked staff to inquire about detailed plans for the expenditure of the donated funds and a copy of CalWARN's budget.

VI. Reports of Staff and Officers

A. Attorney's Report

Kokotaylo reported on the Zolly vs. Oakland case regarding the relationship between Prop. 218 and franchise fee agreements. Kokotaylo then reported on a lawsuit challenging two Alameda County public contracting programs that impose race-based preferences for minority-owned enterprises.

B. Manager's Report

1. Monthly Maintenance Summary Report

The Manager reported no significant issues with last month's maintenance activities.

2. Monthly Report of Sewer Replacements and Repairs

The Manager reported no sewer replacements and repairs invoices were paid in July.

3. Connection Charge Report per Gov. Code 66013

The Manager reported on the annual compliance report detailing the amount of charges received by the District and the public improvement on which the charges were solely expended. The report will be posted on the District's website for public review.

4. 2022 California Special Districts Association (CSDA) Conference

The Manager reported on the upcoming CSDA conference.

VII. Business

A. Diversity, Equity, and Inclusion (DEI) Policy

The Board discussed the draft policy, asked staff to make one addition, and to bring the item back for approval by resolution.

B. Environmentally Preferable Procurement Policy

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The Board discussed the draft policy and asked staff to bring the item back for approval by resolution.

- C. Resolution No. 2204-0822 Finding that there is a Proclaimed State of Emergency; Finding that Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency; and Authorizing Remote Teleconferenced Meetings of the Stege Sanitary District for the 30 Day Period Beginning August 18 Pursuant to AB 361

The Board approved the resolution to make necessary findings to continue to meet remotely pursuant to Assembly Bill 361.

MOTION: By O’Keefe, seconded by Christian-Smith, to approve Resolution No. 2204-0822 Finding that there is a Proclaimed State of Emergency; Finding that Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency; and Authorizing Remote Teleconferenced Meetings of the Stege Sanitary District for the 30 Day Period Beginning August 18 Pursuant to AB 361

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Miller, O’Keefe
 NOES: Merrill
 ABSTAIN: None
 ABSENT: None

- D. Consideration of Class III Easement Encroachment – 265 Arlington Avenue in Kensington, CA

This item was taken out of order earlier in the meeting (see above).

- E. Consideration to Refund Sewer Service Charge – 11600 San Pablo Avenue in El Cerrito, CA

The Board approved the refund for last fiscal year’s sewer service charge due to the new development being physically disconnected from the sanitary sewer main due to continuing utility conflicts by AT&T and PG&E along San Pablo Avenue.

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MOTION: By O’Keefe, seconded by Gilbert-Snyder, to approve a refund of last fiscal year’s sewer service charge (2021-22) of \$42,744 to HD RELIANT MAYFAIR LLC, property owner of 11600 San Pablo Avenue in El Cerrito, CA, by settlement agreement, approved as to form by District Counsel

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Miller, O’Keefe,
 Merrill
 NOES: None
 ABSTAIN: None
 ABSENT: None

F. Resolution No. 2205-0822 Approving a Contract with Thomas & Associates for a Gorman-Rupp Centrifugal Pump in the Amount not to Exceed \$81,767 and Amending Annual Budget for Fiscal Year 2022-2023

The Board approved the resolution.

MOTION: By O’Keefe, seconded by Gilbert-Snyder, to approve Resolution No. 2205-0822 Approving a Contract with Thomas & Associates for a Gorman-Rupp Centrifugal Pump in the Amount not to Exceed \$81,767 and Amending the Annual Budget for Fiscal Year 2022-2023

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Miller, O’Keefe,
 Merrill
 NOES: None
 ABSTAIN: None
 ABSENT: None

G. Cancellation of the September 1, 2022 Board Meeting

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The Board agreed to cancel the upcoming Board meeting on September 1, 2022 since there are no timely agenda items to consider.

MOTION: By Gilbert-Snyder, seconded by Christian-Smith, to approve the cancellation of the September 1, 2022 regular Board Meeting and have staff post a Notice of Meeting Cancellation on the District website and bulletin board outside the District office

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Miller, O’Keefe,
 Merrill
 NOES: None
 ABSTAIN: None
 ABSENT: None

VIII. Monthly Financial Statements

- A. Monthly Investment, Cash, Receivables Report
- B. Monthly Operating Statement
- C. California Employers’ Retiree Benefit Trust (CERBT) Quarterly Statement

The financial items were reviewed by the Board with no significant issues.

IX. Approval of Checks

- A. Checks for August 18, 2022 - Fund No. 3418 & 3423

MOTION: By Gilbert-Snyder, seconded by Christian-Smith, to pay the bills, Check Nos. 27745 through 27799 in the amount of \$195,389.69

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Miller, O’Keefe,
 Merrill
 NOES: None
 ABSTAIN: None
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X. Future Agenda Items

September 1, 2022

~~CSDA Conference Attendee Reports~~

*** MEETING CANCELLED ***

September 15, 2022

Health Care Benefits Review

Consent Decree Quarterly Report

+AB 1234 Training @5pm (Special Meeting)

XI. Adjournment

The meeting was adjourned at 8:49 P.M. The next meeting of the District Board of Directors will be held on Thursday, September 15, 2022 at 7:00 P.M. at the District Board Room, 7500 Schmidt Lane, El Cerrito, California

Rex Delizo
STEGE SANITARY DISTRICT
Secretary