

STEGE SANITARY DISTRICT BOARD OF DIRECTORS  
 MEETING OF SEPTEMBER 7, 2023  
 TIME OF MEETING: 7:00 P.M.  
 DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

\*\*\*\*\*MINUTES\*\*\*\*\*

**I. Call To Order:** President Christian-Smith called the meeting to order at 7:09 P.M.

**II. Roll Call:** Present: Beach, Gilbert-Snyder, Merrill, O’Keefe, Christian-Smith  
 Absent: None  
 Others Present: Rex Delizo, District Manager  
 Kristopher Kokotaylo, District Counsel  
 Frederick Siu, Resident  
 Thomas Troy, Resident

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

Item VII.B was taken out of order at this time in the meeting.

**VII. Business**

B. Consideration of Variance to District Standards – 906 Galvin Dr., El Cerrito, CA

The Board considered the request for a variance from the District’s Standard Specifications requirement of a minimum of 4” pipe for sewer laterals.

MOTION: By O’Keefe, seconded by Gilbert-Snyder, to reject the property owner’s request for a variance, instruct property owner to replace all non-compliant pipe with 4” clay or cast iron pipe (open trench) or 4” HDPE (pipe burst only), and have the property owner consider use of the District’s PSL Loan Program

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

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ABSENT: None

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

**III. Public Comment:** Resident Thomas Troy gave public comment on a past closed session item regarding his Government Tort Claim filed on 5/2/2022. The Board advised Mr. Troy that it could not discuss his government tort claim as it related to a legal matter and directed him to communicate with the District Manager. Resident Frederick Siu gave public comment regarding lack of care for storm sewers and storm drainage by the City and County. There was no other public comment.

**IV. Approval of Minutes**

A. Approval of August 17, 2023 Regular Board Meeting Minutes

MOTION: By Merrill, seconded by Gilbert-Snyder, to approve the minutes of the August 17, 2023 Regular Board Meeting, as amended

VOTE: AYES: Beach, Gilbert-Snyder, Merrill, O’Keefe, Christian-Smith

NOES: None

ABSTAIN: None

ABSENT: None

**V. Communications**

A. Oral/Written Communications

1. Brief reports from Directors on matters related to the District, including attendance at city or community meetings
  - a. August 28-31, 2023 California Special Districts Association (CSDA) Annual Conference

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In accordance with AB 1234, Directors Beach and Gilbert-Snyder each reported on their attendance for governance training provided before the CSDA conference.

b. CSDA Call to Action – Support ACA 13 (Ward)

The Board discussed the request and approved submittal of a letter of support for ACA 13.

MOTION: By Merrill, seconded by Beach, to provide a letter of support for ACA 13 (Ward)

VOTE: AYES: Beach, Gilbert-Snyder, Merrill, O’Keefe,  
 Christian-Smith

NOES: None

ABSTAIN: None

ABSENT: None

**VI. Reports of Staff and Officers**

A. Attorney’s Report

Kokotaylo reported on ACA 1 that would lower the voter threshold from a two-thirds majority to a 55% majority to approve local bonds and certain special taxes for affordable housing, public infrastructure, downpayment assistance, and permanent supportive housing projects. He then reported on the California Supreme Court overturning a lower court’s California Voting Rights Act (CVRA) ruling in the Pico Neighborhood Association et al. v. City of Santa Monica case due to the failure of the lower court to evaluate the dilution claim appropriately.

B. Committee Reports

The PSL Loan Public Outreach Committee reported on their evaluation of the sub basin information provided by staff and received input from the Board on the committee’s planned approach to choosing a sub basin to target for outreach. Staff will provide more information for consideration at a future

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Board meeting before the committee chooses a sub basin for targeted outreach.

C. 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 invoices were paid last month.

3. Consent Decree Quarterly Report

The Manager reported on the status of the Consent Decree annual requirements.

4. CalPERS 2024 Health Care Premiums

The Manager reported on the upcoming 2024 health care premium increases.

**VII. Business**

A. Cancellation of the September 21, 2023 Board Meeting

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

MOTION: By O'Keefe, seconded by Beach, to approve the cancellation of the September 21, 2023 Board Meeting and have staff post a Notice of Meeting Cancellation on the District website and bulletin board outside the District office

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

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B. Consideration of Variance to District Standards – 906 Galvin Dr., El Cerrito, CA

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

**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 September 1, 2022 - Fund No. 3418 & 3423

MOTION: By O'Keefe, seconded by Gilbert-Snyder, to pay the bills, Check Nos. 28316 through 28339 in the amount of \$74,957.95

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

**X. Future Agenda Items**

**September 21, 2023**

\*\*\* MEETING CANCELLED \*\*\*

**October 5, 2023**

Regional PSL Program Update

Regional FOG Program Update

**CLOSED SESSION**

**Conference with Legal Counsel—Anticipated Litigation**

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Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9

Number of Potential Cases: 1

Guzman De Leon – Government Tort Claim filed: 8/21/2023

The Board entered into closed session at 8:48 P.M. and returned to open session at 9:06 P.M. President Christian-Smith announced the Board had taken no reportable actions.

**XI. Adjournment**

The meeting was adjourned at 9:07 P.M. The next meeting of the District Board of Directors will be held on Thursday, October 5, 2023 at 7:00 P.M. at the District Board Room, 7500 Schmidt Lane, El Cerrito, California

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Rex Delizo  
STEGE SANITARY DISTRICT  
Secretary