

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
 MEETING OF OCTOBER 20, 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: Miller*, O’Keefe*, Merrill
 Absent: Christian-Smith (gave prior notice), Gilbert-Snyder
 (gave prior notice)
 Others Present: Rex Delizo, District Manager
 Kristopher Kokotaylo, District Counsel
**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: Miller commented that since he volunteers at the Christ Lutheran Senior Center farmer’s market on Mondays, he arranged for the District Manager to give a talk regarding laterals at a concurrent meeting for the Christ Lutheran Senior Center. There was no other public comment.

IV. Approval of Minutes

A. Approval of October 6, 2022 Board Meeting Minutes

MOTION: By O’Keefe, seconded by Miller, to approve the minutes of the October 6, 2022 Board Meeting

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

V. Communications

A. Oral Communications

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1. Brief reports from Directors on matters related to the District, including attendance at city or community meetings
 - a. City & Community Meetings

Director Miller gave a report of his review of the agenda of a recent El Cerrito City Council Meeting.

B. Written Communications

There were no written communication items to consider.

VI. Reports of Staff and Officers

A. Attorney's Report

Kokotaylo reported that Governor Newsom announced the COVID-19-related state of emergency would come to an end on February 28, 2023. With the state of emergency ending, initiatives relying on the active state of emergency would cease to remain in effect including remote meetings that use the framework enacted by the passage of Assembly Bill 361 (R. Rivas, 2021). Kokotaylo then reported on Senate Bill 1439 that amends California Government Code Section 84308 to no longer exclude local government agencies whose members are directly elected by the voters from accepting campaign contributions of over \$250 from contractors.

B. Manager's Report

1. Monthly Maintenance Summary Report

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

2. Monthly Report of Sewer Replacements and Repairs

The Manager reported on the invoices paid in September.

3. San Pablo Avenue Specific Plan Area (SPASPA) Status Report

The Manager reported on the status of the SPASPA impact fee.

4. Draft Endeavor Newsletter

The Manager reported on the draft of the upcoming newsletter.

5. 2023 California Association of Sanitation Agencies (CASA) Conferences

The Manager reported on the upcoming CASA conferences dates for 2023.

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6. 2023 California Special Districts Association (CSDA) Conference
The Manager reported on the upcoming CSDA annual conference date for 2023.

VII. Business

A. Resolution No. 2211-1022 to Oppose Initiative 21-0042A1

The Board considered a resolution opposing Initiative 21-0042A1 which limits the ability of voters and state and local governments to raise revenue for government services.

MOTION: By Miller, seconded by O’Keefe, to approve Resolution No. 2211-1022 to Oppose Initiative 21-0042A1

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

B. Resolution No. 2212-1022 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 October 20 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 Miller, to approve Resolution No. 2212-1022 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 October 20 Pursuant to AB 361

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

NOTE: Per the Stege Sanitary District Ordinance Code, basic approval of a Board action, unless otherwise stated in relevant federal or state laws, rules or regulations, is by “majority vote” defined as more than half of the Board Members present at the meeting.

C. Ordinance No. 2213-1022 Amending the Stege Sanitary District Ordinance Code, Section 4.8.2.2 - Lateral Replacement Loan Program

The Board considered an ordinance that would exclude properties that trigger the regional PSL ordinance from participating in the program, but tabled the discussion, by unanimous consent, to the following Board meeting.

D. Ordinance No. 2214-1022 Amending the Stege Sanitary District Ordinance Code, Section 4.4.5 – Backflow Protective Device

The Board considered an ordinance that would require BPDs for all properties regardless of the elevation difference of the next upstream manhole, but tabled the discussion, by unanimous consent, to the following Board meeting.

VIII. Monthly Financial Statements - September 2022

- A. Monthly Investment, Cash, Receivables Report
- B. Monthly Operating Statement
- C. Cash on Hand vs. Target Reserves
- D. Local Agency Investment Fund (LAIF) Quarterly Statement
- E. California Employer’s 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 October 20, 2022 - Fund No. 3418 & 3423

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MOTION: By O’Keefe, seconded by Miller, to pay the bills, Check Nos. 27869 through 27893 in the amount of \$124,525.89

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

X. Future Agenda Items

November 10, 2022

Proposed Meeting Calendar

Board Officer Succession Plan

CASA Conference

+AB 361 – 30 Day Virtual Meeting Extension

December 8, 2022 – 2:00PM

Fiscal Year Financial Audit

Connection Charge Review

Emergency Contact Update

Meeting Calendar

Consent Decree Quarterly Report

CASA Conference

Pension + OPEB UAL Reports

Nomination & Election of Officers

+AB 361 – 30 Day Virtual Meeting Extension

CLOSED SESSION

Conference with Legal Counsel—Anticipated Litigation

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

Number of Potential Cases: 2

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Shimoni – Government Tort Claim filed: 10/25/2021

Troy – Government Tort Claim filed: 5/2/2022

Public Employment Performance Evaluation

Gov. Code § 54957

Title: District Manager

The Board entered into closed session at 8:03 P.M. and returned to open session at 8:07 P.M. The Public Employment Performance Evaluation was deferred to the next Board Meeting. President Merrill announced the Board had taken no reportable actions.

XI. Adjournment

The meeting was adjourned at 8:07 P.M. The next meeting of the District Board of Directors will be held on Thursday, November 10, 2022 at 7:00 P.M. at the District Board Room, 7500 Schmidt Lane, El Cerrito, California

Rex Delizo
STEGE SANITARY DISTRICT
Secretary