

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
 MEETING OF JULY 21, 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
 Peter Luft, Resident* (for Item VII.D only)
 Thomas Troy, Resident

**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.

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 – 24 San Carlos Avenue, El Cerrito, CA

The Board considered the request for an easement encroachment for an existing detached garage structure that encroaches on a District sewer main line easement in order to convert the garage into a new accessory dwelling unit (ADU).

MOTION: By O’Keefe, seconded by Gilbert-Snyder, to reject the property owner’s request for a class three encroachment

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

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NOES: None
 ABSTAIN: None
 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 stating his concerns about the claims process. There was no other public comment.

PUBLIC HEARING – ORDINANCE NO. 2200-0722 ORDINANCE APPROVING INCREASE IN DIRECTORS’ FEES

The Manager announced the public hearing was noticed in the local newspaper once a week for two successive weeks, on July 6 and July 13, 2022, in accordance with Government Code Section 6066. The Manager then gave a summary of the proposed maximum percentage increase per calendar year of 5.0% for Directors’ fees that is less than the 6.53% cost-of-living increase for the past year (April CPI-W). President Merrill opened the public hearing at 7:54 P.M. The one resident in attendance, Thomas Troy, gave a comment regarding extra compensation for the Board President’s role. There were no other members of the public in attendance nor any comments or objections received by mail or email. President Merrill closed the public hearing at 7:57 P.M. The Board then began consideration of Ordinance No. 2200-0722 that would change the Directors’ compensation rate from \$233.12 to \$244.78 per meeting day.

MOTION: By O’Keefe, seconded by Christian-Smith, to approve
 Ordinance No. 2200-0722 Approving Increase in Directors’ Fees

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

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**PUBLIC HEARING – RESOLUTION NO. 2201-0722 ACCEPTING REPORT ON
 SEWER SERVICE CHARGES AND ELECTING TO COLLECT SEWER
 SERVICE CHARGES ON THE TAX ROLL**

The Manager announced the public hearing was noticed in the local newspaper once a week for two successive weeks, on July 6 and July 13, 2022, in accordance with Government Code Section 6066. The Manager then presented the Board with the written report containing a description of each parcel of real property receiving sewer service, together with the amount of the charge for each parcel for the fiscal year 2022-2023 to be collected on the tax roll of Contra Costa County. President Merrill opened the public hearing at 7:59 P.M. There were no comments by members of the public in attendance nor any comments or objections received by mail or email. President Merrill closed the public hearing at 8:00 P.M. The Board made final comments and began consideration of Ordinance No. 2201-0722.

MOTION: By Christian-Smith, seconded by Gilbert-Snyder, to approve Resolution No. 2201-0722 Accepting Report on Sewer Service Charges and Electing to Collect Sewer Service Charges on the Tax Roll, subject to correction

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

IV. Approval of Minutes

A. Approval of July 7, 2022 Board Meeting Minutes

MOTION: By O’Keefe, seconded by Gilbert-Snyder, to approve the minutes of the July 7, 2022 Board Meeting

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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. City & Community Meetings

Miller gave a report on a recent El Cerrito City Council Meeting.

B. Written Communications

1. July 20, 2022 East Bay Times article: East Bay MUD to pay \$816,000 penalty for releasing 16 million gallons of partially treated sewage into San Francisco Bay

The Board received the article.

VI. Reports of Staff and Officers

A. Attorney’s Report

Kokotaylo reported on the ability for the District Manager to waive candidate statement fees for District elections and updated the Board on two proposed bills, AB 1944 and AB 2449, that would update the Brown Act to allow continued remote conferencing under specified conditions.

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 on invoices paid in June.

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3. San Pablo Avenue Specific Plan Status Report
The Manager reported on the status of the impact fee.
4. Reimbursement Report per Government Code 53065.5
The Manager reported on reimbursements paid within the preceding fiscal year by the District of at least one hundred dollars (\$100) for each individual charge for services or product received as required by California Government Code Section 53065.5. The information will be made available on the District website for public inspection.
5. Form 460/470 - Officeholder and Candidate Campaign Statement
The Manager reminded the Board to file their individual forms electronically online.
6. Candidate Filing Period
The Manager reported on the candidate filing period for the November 8, 2022 General Election.
7. 2022 California Association of Sanitation Agencies (CASA) Conferences
The Manager reported on the upcoming CASA conference.
8. 2022 California Special Districts Association (CSDA) Conference
The Manager reported on the upcoming CSDA conference.

VII. Business

- A. District Investment Policy
The Board conducted its annual review of the District's investment policies and agreed that no changes were necessary.
- B. Resolution No. 2202-0722 Accepting Completion of Work and Filing Notice of Completion for the Standard Sewer Rehabilitation Project No. 21201
The Board reviewed and approved the resolution to file the Notice of Completion for Project No. 21201.

MOTION: By Gilbert-Snyder, seconded by Christian-Smith, to approve Resolution No 2202-0722 Accepting Completion of Work and Filing

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Notice of Completion for the Standard Sewer Rehabilitation Project No. 21201

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

- C. Resolution No. 2203-0722 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 July 21 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 Gilbert-Snyder, seconded by O'Keefe, to approve Resolution No. 2203-0722 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 July 21 Pursuant to AB 361

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

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D. Consideration of Class III Easement Encroachment – 24 San Carlos Avenue, El Cerrito, CA

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

VIII. Monthly Financial Statements – June 2021

- A. Monthly Investment, Cash, Receivables Report
- B. Monthly Operating Statement
- C. Local Agency Investment Fund (LAIF) Quarterly Statement

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

IX. Approval of Checks

- A. Checks for July 21, 2022 - Fund No. 3418 & 3423

MOTION: By Miller, seconded by Gilbert-Snyder, to pay the bills, Check Nos. 27724 through 27744 in the amount of \$203,055.05

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

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: 4

Jones – Government Tort Claim filed: 12/16/2020

Mosher – Government Tort Claim filed: 8/11/2021

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

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

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The Board entered into the closed session at 8:45 P.M. and returned to open session at 8:53 P.M. President Merrill announced the Board had taken no reportable actions.

X. Future Agenda Items

August 18, 2022

Quarterly (FY End) Financial Statements

Connection Charge Report per Gov. Code 66013

CASA Conference – Attendee Reports

CSDA Conference

+AB 361 – 30 Day Virtual Meeting Extension

September 1, 2022

CSDA Conference Attendee Reports

Diversity, Equity, and Inclusion

XI. Adjournment

The meeting was adjourned at 8:55 P.M. The next meeting of the District Board of Directors will be held on Thursday, August 18, 2022 at 7:00 P.M. at the District Board Room, 7500 Schmidt Lane, El Cerrito, California

Rex Delizo
STEGE SANITARY DISTRICT
Secretary