

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
MEETING OF OCTOBER 6, 2022
TIME OF MEETING: 7:00 P.M.
DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

***** AGENDA *****

Items on the agenda may be taken out of order.

Public comment is limited to three (3) minutes for each individual speaker.

In accordance with California Government Code Section 54957.5, any writing that is a public record and relates to an open session agenda item which is distributed less than 72 hours prior to the meeting shall be available for public inspection at the District Office, 7500 Schmidt Lane, El Cerrito, during regular business hours. Copies of the agenda are posted on the District website at www.stegesand.org. Those disabled persons requiring auxiliary aids or services in attending or participating in this meeting should notify the District at least 48 hours prior to the meeting at 510/524-4668.

Members of the public can observe the live stream of the meeting by accessing <https://zoom.us/j/84090509848> or by calling (669) 900-9128 and entering the Meeting ID# 840 9050 9848 followed by the pound (#) key.

Public comment can be sent remotely by delivering to 7500 Schmidt Lane, El Cerrito, CA 94530 or via email to comments@stegesand.org with "Public Comment" in the subject line. To provide written comment on an item on the agenda or to address the Board during Public Comment, please note the agenda item number that you want to address or whether you intend for the comment to be included in Public Comment. Comments timely received 15 minutes before the starting time of the meeting will either be provided as written comment or be read into the record, with a maximum allowance of 3 minutes per individual comment read into the record, subject to the Board President's discretion. Copies of all timely received written comments will be provided to the Board and will be added to the official record.

Pursuant to Executive Order N-29-20, Board Members Christian-Smith, Gilbert-Snyder, Merrill, Miller, and O'Keefe may be attending this meeting via remote conferencing. In the event that any Board Member elects to attend remotely, all votes conducted during the remote conferencing session will be conducted by roll call vote.

I. Call To Order

II. Roll Call

Agenda Items: Directors and Officers of the Board will consider and announce if they have any conflicts of interest posed by items on the meeting agenda.

III. Public Comment:

(Members of the public are invited to address the Board concerning topics that are **not** on the agenda)

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
MEETING OF OCTOBER 6, 2022
TIME OF MEETING: 7:00 P.M.
DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

- Motion: **IV. Approval of Minutes**
- A. Approval of September 15, 2022 Special Board Meeting Minutes
(The Board will be asked to review and approve the minutes)
 - B. Approval of September 15, 2022 Regular Board Meeting Minutes
(The Board will be asked to review and approve the minutes)
- Info: **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
 - B. Written Communications
- Info: **VI. Reports of Staff and Officers**
- A. Manager’s Report
 - 1. EBMUD Memo – Regional Private Sewer Lateral (PSL) Program Update
 - 2. EBMUD Memo – Regional Fats, Oils, or Grease (FOG) Program Update
- Resolution/Motion: **VII. Business**
- A. Resolution No. 2210-1022 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 6 Pursuant to AB 361
(The Board will consider approval of the Resolution)
- Info/Motion: **VIII. Approval of Checks**
- A. Checks for October 6, 2022 - Fund No. 3418 & 3423
(The Board will be asked to approve the October 7, 2021 checks)
- Info: **X. Future Agenda Items**
October 20, 2022

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
MEETING OF OCTOBER 6, 2022
TIME OF MEETING: 7:00 P.M.
DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

CLOSED SESSION – Quarterly Claims Report
CLOSED SESSION – Manager Performance Evaluation
San Pablo Avenue Specific Plan Area Status Report
Quarterly Financial Statements
+AB 361 – 30 Day Virtual Meeting Extension
+Resolution Opposing Initiative #21-0042A1
+PSL Loans Amendment
+BPD Requirement Amendment

November 10, 2022

Proposed Meeting Calendar
Board Officer Succession Plan
CASA Conference
+AB 361 – 30 Day Virtual Meeting Extension

XI. Adjournment

(The next meeting of the Stege Sanitary District Board of Directors is scheduled to be held on October 20, 2022 at 7:00 P.M. at the District office, 7500 Schmidt Lane, El Cerrito, California.)

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
 SPECIAL MEETING OF SEPTEMBER 15, 2022
 TIME OF SPECIAL MEETING: 5:00 P.M.
 DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

*****MINUTES*****

I. Call To Order: President Merrill called the meeting to order at 5:00 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
 Erica Gonzalez, Office of District Counsel
 Tessa Beach, 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.

III. Public Comment: There was no public comment.

IV. Business

A. Meyers Nave AB 1234 Ethics Training and Education

Meyers Nave provided two hours of training and education as required by AB 1234.

V. Adjournment

The meeting was adjourned at 7:02 P.M. The next meeting of the District Board of Directors will be held immediately following this special meeting at the District Board Room, 7500 Schmidt Lane, El Cerrito, California.

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING OF SEPTEMBER 15, 2022
TIME OF SPECIAL MEETING: 5:00 P.M.
DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

Rex Delizo
STEGE SANITARY DISTRICT
Secretary

DRAFT

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
 MEETING OF SEPTEMBER 15, 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 7:03 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
**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.

- IV. Approval of August 18, 2022 Board Meeting Minutes**

MOTION: By O’Keefe, seconded by Christian-Smith, to approve the minutes of the August 18, 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. City & Community Meetings

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
MEETING OF SEPTEMBER 15, 2022
TIME OF MEETING: 7:00 P.M.
DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

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

B. Written Communications

1. CSDA TAKE ACTION: Initiative #21-0042A1 (CBRT Initiative)

The Board reviewed the request by CSDA to oppose Initiate #21-0042A1 that severely restricts state and local officials' ability to protect the environment, public health and safety, and neighborhoods against those who violate the law. Staff will bring back a resolution opposing the initiative for consideration at a future board meeting.

VI. **Reports of Staff and Officers**

A. Attorney's Report

Kokotaylo reported on SB 1100 which authorizes the presiding member of a legislative body conducting a meeting to remove an individual for disrupting a meeting, and SB 2449 which would allow local officials to hold remote public meetings without posting their location but only under certain restrictions.

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 a revised June 2022 report to complete last fiscal year, and that 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 2023 Health Care Premiums

The Manager reported on the upcoming 2023 health care premium increases.

5. Backflow Protective Device

The Manager reported on the current requirements for backflow protective devices. Staff will bring back an agenda item at a future board meeting to consider requiring BPDs for all properties.

STEGE SANITARY DISTRICT BOARD OF DIRECTORS

MEETING OF SEPTEMBER 15, 2022

TIME OF MEETING: 7:00 P.M.

DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

6. Private Sewer Lateral (PSL) Replacement Loan Program Quarterly Report

The Manager reported on the status of the PSL replacement loan program. Staff will bring back an agenda item at a future board meeting to consider excluding properties that trigger the regional PSL ordinance from participating in the program.

VII. Business

A. Resolution No. 2206-0922 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 September 15 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 Gilbert-Snyder, to approve Resolution No. 2206-0922 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 September 15 Pursuant to AB 361

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

B. Resolution No. 2207-0922 Adopting the Stege Sanitary District Diversity, Equity, and Inclusion (DEI) Policy

The Board approved the resolution.

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
 MEETING OF SEPTEMBER 15, 2022
 TIME OF MEETING: 7:00 P.M.
 DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

MOTION: By Miller, seconded by Christian-Smith, to approve Resolution 2207-0922 Adopting the Stege Sanitary District Diversity, Equity, and Inclusion (DEI) Policy

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

C. Resolution No. 2208-0922 Adopting the Stege Sanitary District Environmentally Preferable Procurement Policy

The Board approved the resolution.

MOTION: By Gilbert-Snyder, seconded by O'Keefe, to approve Resolution 2208-0922 Adopting the Stege Sanitary District Environmentally Preferable Procurement Policy

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

D. Resolution No. 2209-0922 Approving and Authorizing Disposal of Surplus Property

The Board approved the resolution.

MOTION: By Christian-Smith, seconded by Gilbert-Snyder, to approve Resolution 2209-0922 Approving and Authorizing Disposal of Surplus Property

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
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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

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

IX. Approval of Checks

A. Checks for September 15, 2021 - Fund No. 3418 & 3423

MOTION: By O’Keefe, seconded by Gilbert-Snyder, to pay the bills, Check Nos. 27800 through 27836 in the amount of \$139,749.88

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

X. Future Agenda Items

October 6, 2022

Regional PSL Program Update

Regional FOG Program Update

+AB 361 – 30 Day Virtual Meeting Extension

October 20, 2022

CLOSED SESSION – Quarterly Claims Report

CLOSED SESSION – Manager Performance Evaluation

STEGE SANITARY DISTRICT BOARD OF DIRECTORS

MEETING OF SEPTEMBER 15, 2022

TIME OF MEETING: 7:00 P.M.

DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

San Pablo Avenue Specific Plan Area Status Report

Quarterly Financial Statements

*+AB 361 – 30 Day Virtual Meeting Extension**+Resolution Opposing Initiative #21-0042A1**+PSL Loans Amendment**+BPD Requirement Amendment***XI. Adjournment**

The meeting was adjourned at 7:59 P.M. The next meeting of the District Board of Directors will be held on Thursday, October 6, 2022 at 7:00 P.M. at the District Board Room, 7500 Schmidt Lane, El Cerrito, California.

Rex Delizo
STEGE SANITARY DISTRICT
Secretary

MEMO

Date: September 14, 2022
 To: Paul Soo, Stege Sanitary District
 From: Christina Tai, EBMUD
 Cc: Rex Delizo, Stege Sanitary District

Subject: Regional Private Sewer Lateral Program Update - Stege Sanitary District

The Regional PSL Program requires property owners to obtain a Compliance Certificate from EBMUD which certifies that EBMUD inspectors witnessed a test that proves that their sewer lateral is free of leaks. The following Regional PSL Program highlights were pulled from the 2022 Annual Report (July 2021 – June 2022)

- Issued 4,945 PSL Compliance Certificates under the Regional PSL Program in FY22, and had a 94% compliance rate with the point-of-sale trigger.
- Compliance Certificate counts for all *other* Satellites (Alameda, Alameda, Piedmont, Emeryville, Oakland) from July 2011 – June 2022: 50,012 compliance certificates.
- Certified 61.8 miles of private sewer laterals from July 2021 – June 2022, and a total of 603.1 miles of private sewer laterals from July 2011 – June 2022.

Stege Sanitary District Compliance Certificate counts:

- FY17 (7/2016-6/2017) – 285 certificates issued
- FY18 (7/2017-6/2018) – 323 certificates issued
- FY19 (7/2018-6/2019) – 314 certificates issued
- FY20 (7/2019-6/2020) – 293 certificates issued
- FY21 (7/2020-6/2021) – 351 certificates issued
- FY22 (7/2021-6/2022) – 450 compliance certificates
- July 2011 – June 2022 – 3,801 compliance certificates

Table 1: Compliance Certificates by Satellite

	Alameda	Albany	Emeryville	Oakland	Piedmont	Stege	TOTAL ¹
Last Period, FY21 ²	608	91	618	4,099	119	351	5,886
This Period, FY22	518	588	86	3,177	126	450	4,945
Cumulative, FY12-FY22	3,488	1,181	1,054	38,866	1,622	3,801	50,012
% Increase or Decrease Last Period to This Period	-15%	546%	-86%	-22%	6%	28%	-16%

¹The totals reported here include certificates issued to parcels that were previously certified (“recertifications”). During the last period, FY21, 168 of the total 5,886 Compliance Certificates were recertifications. During this period, FY22, 198 of the total 4,945 Compliance Certificates were recertifications. Cumulatively, FY12-FY22, 581 of the total of 50,012 Compliance Certificates were recertifications.

² The total number of Compliance Certificates for FY21 reported here is 32 percent higher than the number reported in the FY21 Annual Report due to retroactive issuance of Compliance Certificates. Other Program Updates:

Other Program Updates:

The PSL software application, which maintains the inspection scheduling and manages PSL Program data, has been prioritized for upgrades to meet the current performance needs. The current PSL application is over ten years old and is not robust enough to handle the more complicated aspects of managing the PSL Program and parcel compliance. During this reporting period, EBMUD issued a Request for Information to solicit input on existing software applications that could meet the needs of the PSL Program. One vendor submitted a response and provided a demonstration of its software. Following the Request for Information, EBMUD prepared a draft Request for Proposals including technical and functional requirements, which is planned to be posted in the next reporting period.

Stege Sanitary District Construction and Remodel Permits:

Construction and Remodel Permits for FY22: See Table 2 below.

- Closed Permits: 31 permits
- Closed Permits with Certificate: 16 permits
- Compliance Rate: 48%
- EBMUD will continue to perform additional outreach and refresher training for City permit counters to help improve the compliance rates for construction and remodel projects.

Table 2: Construction/Remodel Permits Closed and Compliance Certificates Issued

	Number of Permits Closed	Number in Compliance	Number Noncompliant	Percent Noncompliant
Alameda				
FY17	12	10	2	17%
FY18	111	111	0	0%
FY19	64	61	3	5%
FY20	66	64	2	3%
FY21	86	83	3	3%
FY22	79	74	5	6%
Albany				
FY17	2	2	0	0%
FY18	18	17	1	6%
FY19	7	7	0	0%
FY20	22	19	3	14%
FY21	22	20	2	9%
FY22	27	22	5	19%
Emeryville				
FY17	35	34	1	3%
FY18	36	36	0	0%

	Number of Permits Closed	Number in Compliance	Number Noncompliant	Percent Noncompliant
FY19	16	16	0	0%
FY20	21	21	0	0%
FY21	28	27	1	4%
FY22	62	58	4	6
Oakland				
FY17	318	318	0	0%
FY18	373	373	0	0%
FY19	467	456	11	2%
FY20	390	390	0	0%
FY21	327	322	5	2%
FY22	237	236	1	0%
Piedmont				
FY17	25	25	0	0%
FY18	13	12	1	8%
FY19	16	16	0	0%
FY20	3	3	0	0%
FY21	8	8	0	0%
FY22	6	6	0	0%
Stege				
FY17	29	14	15	52%
FY18	17	7	10	59%
FY19	54	24	30	56%
FY20	13	7	6	46%
FY21	45	31	14	31%
FY22	31	16	15	48%
FY17 Total	421	403	18	4%
FY18 Total	568	556	12	2%
FY19 Total	624	580	44	7%
FY20 Total	515	504	11	2%
FY21 Total	516	491	25	5%
FY22 Total	442	412	30	7%

Enforcement Statistics and Efforts:

The “point-of-sale” trigger is responsible for approximately 93% of all triggering actions and generates the most Compliance Certificates. During this reporting period, EBMUD continued its enforcement process for non-compliant properties in accordance with the legal authority provided by the Regional Ordinance. The enforcement process includes the following steps:

- First Courtesy Notice of Non-Compliance;
- Second Courtesy Notice of Non-Compliance: sent approximately 30 days after the First Courtesy Notice; and
- Notice of Violation and Order: sent approximately 30 days after Second Courtesy Notice.

- Notice of Continuing Non-Compliance: sent approximately 30 days after Notice of Violation and Order and every month thereafter until compliance is achieved.

Table 3 shows property sales and compliance rate data for the PSL Program during this reporting period and the preceding six months. From January 2021 through December 2021, the most recent available sales months for which at least 6 months have passed, the compliance rate is 94 percent. Enforcement activities for title transfers occurring during this period improved compliance by 8 percentage points from an initial compliance rate of 86 percent.

Table 3: Sales and Compliance Rates by Month

Month	Total Property Sales Not Including HOAs (Subject to Ordinance)	Noncompliant properties	Noncompliance rate
Jan 2021	335	15	4%
Feb 2021	326	10	3%
Mar 2021	472	18	4%
Apr 2021	461	16	3%
May 2021	531	23	4%
June 2021	592	20	3%
Jul 2021	566	14	2%
Aug 2021	503	29	6%
Sep 2021	489	36	7%
Oct 2021	473	38	8%
Nov 2021	538	50	9%
Dec 2021	495	54	11%
Jan 2022	292	n/a	n/a
Feb 2022	282	n/a	n/a
Mar 2022	520	n/a	n/a
Apr 2022	483	n/a	n/a
May 2022	271	n/a	n/a
June 2022	476	n/a	n/a
Total (Calendar Year 2021)	5,781	323	6% ¹
Total (FY22)	5,398	n/a	n/a

¹ Calculation of noncompliance rate is calculated for parcels for which 6 months or more have passed since the sales date as of the end of this reporting period.

Outreach to Homeowner Associations (HOAs):

The Regional Ordinance recognizes the right of an HOA and its property owner members to allocate responsibility for the maintenance of shared infrastructure, including PSLs, in any manner they choose.

HOAs that are responsible to maintain PSLs within a Common Interest Development are not subject to trigger-based compliance but instead were required to obtain Compliance Certificate(s) for such PSLs by July 12, 2021, which occurred during this reporting period. The Regional Ordinance was amended in May 2019 to better address the unique circumstances and enforcement challenges for HOAs. The amendments included a requirement for HOAs to submit a Statement of Responsibility describing the maintenance allocation of PSLs.

During the current reporting period, EBMUD continued to review all submitted Statements of Responsibility documentation and follow up with the HOAs and Property Management Groups (PMGs) to obtain additional information, as needed. The July compliance deadline required all PSL under the responsibility of the HOA to be certified as leak-free. Of the 594 HOAs in the PSL Program service area, 60 have declared they are not responsible for any PSL within the Common Interest Development, making all compliance requirements trigger-based. The remaining 534 HOAs were required to comply with the July 12, 2021, deadline and certify the portion of PSL under their maintenance responsibility within the Common Interest Development. At the end of the reporting period 402 HOAs were compliant (75 percent), and this number is continuing to climb as HOAs are seeking certification. EBMUD's inspection team has experienced the anticipated significant increase in inspection requests in Common Interest Developments. EBMUD has reallocated resources to accommodate the growing demand of PSL inspections in response to the July 12, 2021, deadline. An additional 50 HOAs have PSLs exceeding 1,000 feet and have a later deadline as described below.

Parcel or Parcel Groups with PSLs Exceeding 1,000 Feet

The requirements set forth in Section 12 of the Regional Ordinance require property owners of parcels or parcel groups with greater than 1,000 feet of PSLs to submit a Condition Assessment Plan (CAP) by July 12, 2016 and a Corrective Action Work Plan (CAWP) by July 12, 2021. The amended Regional Ordinance establishes firm deadlines for these property owners to complete the work identified in their CAWP and ensure that laterals are leak-free. For most properties with PSLs greater than 1,000 feet, all laterals must be certified by July 12, 2026. For those parcels or parcel groups with either greater than 5,000 feet of PSLs or more than 50 percent of their PSLs requiring replacement, laterals must be certified by July 12, 2029. EBMUD may consider extensions on a case-by-case basis for the most complex situations, based on criteria specified in the Regional Ordinance. Property owners may comply with PSL Program requirements any time prior to the deadlines. Table 4 summarizes the status of known parcels or parcel groups subject to the requirements described in this section.

Table 4: Status of Parcels or Parcel Groups with PSLs Exceeding 1,000 Feet

Description	Qty of Parcels or Parcel Groups
Total Parcels or Parcel Groups Identified ¹	93
Parcels or Parcel Groups with Compliance Certificates	25
CAP Only Submitted	12
CAP and CAWP Submitted ²	42

¹The total number of parcels or parcel groups reported is higher than the number reported in the FY21 Annual Report because this number increases as EBMUD receives Statement of Responsibility documents from HOAs and identifies additional properties in this category.

²Includes only those parcels or parcel groups without Compliance Certificates.

Currently, 67 properties in this category are in compliance by having obtained a Compliance Certificate (25 properties) or by having submitted the required CAWP (42 properties). Since the last reporting period, eight additional properties were determined to have over 1,000 feet of PSLs and were therefore added to the total number identified.

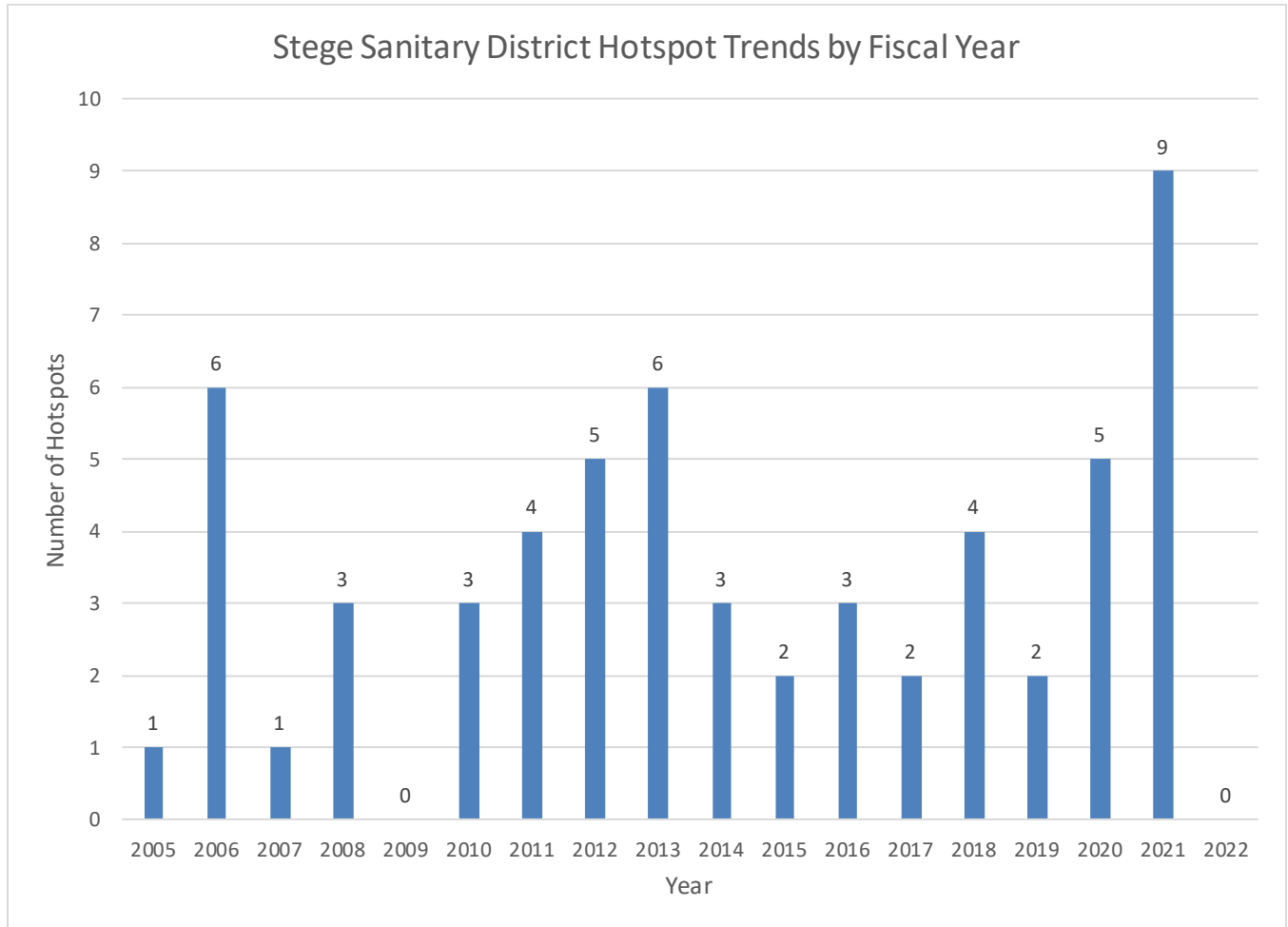
Twenty-six identified properties in this category have not submitted a CAWP or obtained a Compliance Certificate and are noncompliant. Of these 26, 12 have submitted a CAP. Several property owners have reported to EBMUD that they are struggling to find contractors to perform the assessment work on their PSLs for completion of the CAWP due to limited contractor availability, resulting in failure to meet their compliance deadlines. EBMUD is currently in contact and working with all property owners to increase the rates of compliance.

FOG CONTROL PROGRAM – STEGE ANNUAL SUMMARY
JULY 2021 – JUNE 2022
STEGE SANITARY DISTRICT

Hotspot Investigation Summary

No hotspots were reported during FY2022. Chart 1 demonstrates hotspot trends from FY2005 – FY2022 for Stege Sanitary District.

Chart 1



Reported Hotspots During FY 2022

No hotspots were reported during FY2022.

Food Service Establishments (FSEs)

At time of this report, EBMUD has records of approximately 182 food FSEs present in Stege Sanitary District.

Inspections Completed for Current and Previous Year

	Annual Inspection Totals
This Year (July 2021 – June 2022)	4
Previous Year (July 2020– June 2021)	0*

* Due to Covid restrictions, EBMUD temporarily halted FSE inspections during FY2021.

Inspection List

FSE Name	FSE Address	Date of Inspection	Inspection Type
Brazil Bistro Restaurant	11866 San Pablo Ave El Cerrito	9/15/2021	Hot Spot
Richmond Saigon Seafood Harbor Restaurant	3150 Pierce St Richmond	11/5/2021	Hot Spot
Ancient Szechuan	10675 San Pablo Ave El Cerrito	11/8/2021	Hot Spot
Sawooei Thai Cuisine	10621 San Pablo Ave El Cerrito	11/8/2021	Hot Spot

Grease Control Devices Summary

No FSEs received installation requirement notices during this reporting year.

Residential Outreach Summary

Annual Holiday Campaign participants:

Costco Richmond

4801 Central Ave, Richmond, CA 94804

*1 posters, 10 grease scrapers, stickers, tear-off pads

El Cerrito Natural Grocery

10367 San Pablo Ave, El Cerrito, CA 94530

*1 poster, 3 grease scrapers

Grocery Outlet

1210 San Pablo Ave, Richmond, CA 94805

*1 poster, 10 grease scrapers, stickers, tear-off pads

Pastime Hardware

10057 San Pablo Ave, El Cerrito, CA 94530

*20 posters, stickers, tear-off pads

Kensington Home and Hardware

303 Arlington Ave, Kensington, CA 94707

*3 posters, 10 grease scrapers, stickers, tear-off pads

Community Events

Baykeeper – Clean Bay Challenge: April 2022

EBMUD was a sponsor for Baykeeper’s Clean Bay Challenge working toward 1,000 hours cleaning up the San Francisco Bay.

California Coastal Cleanup Day: September 18, 2021

EBMUD staff participated in the California Coastal Cleanup Day event to help remove trash and plastic pollution at beaches and waterways throughout the state.

FOG Collection Totals

Location	Date	Amount Collected
El Cerrito Recycling Center	July 2021 – June 2022	3,376 gallons

RESOLUTION NO. 2210-1022 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 6 PURSUANT TO AB 361

ISSUE:

The Board will consider a resolution making necessary findings to continue to meet remotely for another 30-day period pursuant to Assembly Bill 361 (AB 361).

FISCAL IMPACT:

The fiscal impact to continue to meet remotely is minimal.

STRATEGIC PLAN:

GOAL 4: Provide a Safe and Rewarding Work Environment that Recognizes the Worth and Value of Employees

BACKGROUND:

On September 16, 2021, Governor Gavin Newsom signed AB 361 which allows public agencies to continue to meet remotely when there is a declared State of Emergency and pursuant to certain procedural requirements. AB 361 essentially allows the District to continue to meet remotely under similar circumstances as under the Governor's Executive Order N-29-20, allowing local agencies to meet remotely. The teleconferencing provisions of Executive Order N-29-20 expired on September 30.

AB 361 allows the following:

- While maintaining transparency and public access, local agencies would be able to meet remotely during a declared state of emergency
- While agencies would still be required to post agendas and meeting information, agencies would not be required to post meeting notices and/or agendas at all teleconference locations when remotely meeting during an emergency
- While the public must continue to have access to the remote meeting and provided the ability to make public comment, agencies would not be required to make all remote meeting sites accessible to the public, nor include the remote location details in the meeting notice or agenda during a declared state of emergency
- Additionally, agency board members would not be required to be at remote sites within the territorial bounds of the agency during a declared state of emergency

Since September 23, 2021, pursuant to AB 361, the Board has approved recurring resolutions authorizing remote teleconferenced meetings for a 30-day period.

Pursuant to AB 361, a draft resolution to extend remote teleconferenced meetings for another 30-day period is attached for the Board's consideration.

RECOMMENDATION:

Approve the resolution.

ALTERNATIVES:

1. Take no action.
2. Amend the resolution and approve, as amended.

ATTACHMENTS:

- Resolution No. 2210-1022

RESOLUTION NO. 2210-1022

RESOLUTION 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 6 PURSUANT TO AB 361

The Directors of the Stege Sanitary District (District) find and determine as follows:

- A. All meetings of the District are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District conduct its business; and.
- B. On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of the novel coronavirus disease 2019 (COVID-19).
- C. On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means.
- D. As a result of Executive Order N-29-20, staff set up virtual meetings for all Board meetings.
- E. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, ends the provisions of Executive Order N-29-20 that allows local legislative bodies to conduct meetings telephonically or by other means.
- F. On September 16, 2021, the Governor signed AB 361 (2021) which allows for local legislative bodies and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the Board make specified findings. AB 361 (2021) took effect immediately.

- G. AB 361 (2021) requires that the Governor declare a State of Emergency pursuant to Government Code section 8625.
- H. AB 361 (2021) further requires that state or local officials have imposed or recommended measures to promote social distancing, or, requires that the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees.
- I. Such conditions now exist in the District, specifically, Governor Newsom has declared a State of Emergency due to COVID-19.
- J. Since issuing Executive Order N-08-21, the highly contagious Delta and Omicron variants of COVID-19 have emerged, causing an increase in COVID-19 cases throughout the State and Contra Costa County.
- K. On August 2, 2021, in response to the Delta variant of COVID-19, the Contra Costa County Health Officer issued an order for nearly all individuals to wear masks when inside public spaces and on September 14, 2021, issued an order requiring operators of specified dining establishments, entertainment venues and fitness facilities to restrict entry based on COVID-19 vaccination status or testing.
- L. The Centers for Disease Control and Prevention (“CDC”) continues to recommend physical distancing of at least 6 feet from others outside of the household and the Contra Costa County Health Officer strongly recommends online meetings and distancing.
- M. The highly contagious Omicron variant and sub-variants have resulted in the greatest nationwide infection rate since the beginning of the COVID-19 pandemic; and
- N. Because of the rise in cases due to the Omicron variant and sub-variant of COVID-19, the District is concerned about the health and safety of all individuals who intend to attend Board meetings.
- O. On September 23, 2021, the Board found that the presence of COVID-19 and the increase of cases due to the Delta variant would present imminent risks to the health or safety of attendees, including the Board and staff, should the Board hold in person meetings; and

- P. The Board hereby finds that the presence of COVID-19 and the increase of cases due to the Omicron variant and sub-variants would present imminent risks to the health or safety of attendees, including the Board and staff, should the Board hold in person meetings.
- Q. The District shall ensure that its meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings.

In consideration of the foregoing findings and determinations, it is resolved:

1. The foregoing recitals are true and correct and are hereby incorporated by reference
2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the usual teleconference meeting requirements of the Brown Act, the Board makes the following continued findings:
 - a) The Board has considered the circumstances of the state of emergency; and
 - b) The state of emergency, as declared by the Governor, continues to directly impact the ability of the Board, as well as staff and members of the public, from meeting safely in person; and
 - c) The CDC continues to recommend physical distancing of at least six feet due to COVID-19 and the Contra Costa County Health Officer strongly recommends online meetings and distancing. As a result of the presence of COVID-19 and the increase of cases due to the Omicron variant and sub-variants, meeting in person would present imminent risks to the health or safety of attendees, the Board, and staff.
3. The Board may continue to meet remotely in compliance with AB 361, in order to better ensure the health and safety of the public.
4. The Board will revisit the need to conduct meetings remotely within 30 days of the adoption of this resolution.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA)

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly adopted by the Directors of the Stege Sanitary District, at a regular meeting thereof, held on the 6th day of October 2022 by a X-X vote as follows:

AYES: BOARD MEMBERS:
NOES: BOARD MEMBERS:
ABSENT: BOARD MEMBERS:
ABSTAIN: BOARD MEMBERS:

DWIGHT MERRILL, President
Stege Sanitary District
Contra Costa County, California

ATTEST:

REX DELIZO, Secretary
Stege Sanitary District

STEGE SANITARY DISTRICT BOARD OF DIRECTORS MEETING AGENDA CALENDAR

JANUARY 2022	FEBRUARY 2022	MARCH 2022	APRIL 2022	MAY 2022	JUNE 2022
1/3 & 1/17 HOLIDAY CASA Winter Conf. Jan 19-21, Palm Springs	2/21 HOLIDAY CASA Policy Forum Feb 28-Mar. 1, Wash, DC			5/30 HOLIDAY	6/8 Safety and Recognition Awards Luncheon
1/6/2022 – 7:00 P.M.	2/17/2022 – 7:00 P.M.	3/5/2022 – 9:00 A.M.	4/7/2022 – 7:00 P.M.	5/5/2022 – 7:00 P.M.	6/2/2022 – 7:00 P.M.
<ul style="list-style-type: none"> • Board Governance Manual Review • Long Range Planning Workshop Agenda • Service Rate Discussion • District of Distinction (even years) • Director’s Contact Info • Board Training Summ. • CASA Conference • Diversity, Equity, and Inclusion 	<ul style="list-style-type: none"> • Actuarial Analysis of Retiree Health Benefits Report (even years) • Long Range Planning Workshop Agenda • Service Rate Discussion • Performance Report • Board Training Summ. • CASA Conference • Form 700 	<p><u>9AM MEETING TIME</u></p> <ul style="list-style-type: none"> • Long Range Planning Workshop <ul style="list-style-type: none"> – Past 5 yrs. Expenditures Review – Self-Assessment of Governance – Strategic Plan Review 	<ul style="list-style-type: none"> • Service Rate Discussion/ Approval (& 30-day Notice) • Board Training Summ. • Diversity, Equity, and Inclusion 	<ul style="list-style-type: none"> • Appoint Labor Negot. • CLOSED SESSION – Conf. Labor Negot. • Draft Budget • Board Training Summ. • July 4th Fair Discussion • Review of Comparable Agencies 	<ul style="list-style-type: none"> • Draft Budget • Review Directors’ Meeting Compensation • District Working Capital and Reserve Policy • Approve Project Plans and Specs (+CEQA) • July 4th Fair Discussion • CASA Conference • Diversity, Equity, and Inclusion
1/27/2022 – 7:00 P.M.		3/17/2022 – 7:00 P.M.	4/21/2022 – 7:00 P.M.	5/19/2022 – 7:00 P.M.	6/16/2022 – 7:00 P.M.
<ul style="list-style-type: none"> • CLOSED SESSION – Quarterly Claims Rpt – Manager Perf. Eval. • Board Governance Manual Approval • Long Range Planning Workshop Agenda • Service Rate Discussion • Quarterly Financial Statements • SPASPA Status Report • CSDA Conference Attendee Reports 		<ul style="list-style-type: none"> • Auditor – RFP • California Employer’s Retiree Benefit Trust (CERBT) • Service Rate Discussion • Action Plan • Consent Decree Quarterly Report • Board Training Summ. • CASA Conference Attendee Reports • Form 700 	<ul style="list-style-type: none"> • CLOSED SESSION – Quarterly Claims Rpt • Draft Budget • Employee Benefit Package Review • Service Rate Discussion/Approval (+ 30-day Notice) • July 4th Fair Discussion • Quarterly Financial Statements • SPASPA Status Report 	<ul style="list-style-type: none"> • CLOSED SESSION – Manager Perf. Eval. – Conf. Labor Negot. • Resolution Ordering Board Election (even years) • Draft Budget • July 4th Fair Discussion • Service Rate Discussion/Approval (+ 30-day Notice) 	<ul style="list-style-type: none"> • CLOSED SESSION – Counsel Perf. Eval. • Resolution Salary of District Manager • Resolution Employee Salary Ranges • Resolution Approve/Adopt Budget • Review and Approve Incentive Award • Adopt Incentive Award Goals & Objectives • July 4th Fair Discussion • CD Quarterly Report • CASA Conference

STEGE SANITARY DISTRICT

BOARD OF DIRECTORS MEETING AGENDA CALENDAR

JULY 2022	AUGUST 2022	SEPTEMBER 2022	OCTOBER 2022	NOVEMBER 2022	DECEMBER 2022
7/4 HOLIDAY 4 th of July Fair Booth	CASA Annual Conf. Aug 10-12, Squaw Creek CSDA Annual Conf. Aug 22-25, Palm Springs	9/5 HOLIDAY Board Training AB 1234 (even years) AB 1661 (odd years)		11/24-25 HOLIDAY	12/8 HOLIDAY LUNCHEON 12/26 HOLIDAY
7/7/2022 – 7:00 P.M.	8/18/2022 – 7:00 P.M.	9/1/2022 – 7:00 P.M.	10/6/2022 – 7:00 P.M.	11/10/2022 – 7:00 P.M.	12/8/2022 – 2:00 P.M.
<ul style="list-style-type: none"> • July 4th Fair Debrief • CASA/CSDA Conf. • Diversity, Equity, and Inclusion 	<ul style="list-style-type: none"> • Select Actuary for Analysis of Retiree Health Benefits (odd years) • Quarterly (FY End) Financial Statements • Conn. Charge Report per Gov. Code 66013 • CASA/CSDA Conf. 	<ul style="list-style-type: none"> • CASA/CSDA Conf. Attendee Reports • Diversity, Equity, and Inclusion 	<ul style="list-style-type: none"> • Regional PSL Program Update • Regional FOG Program Update 	<ul style="list-style-type: none"> • Proposed Meeting Calendar • Board Officer Succession Plan • CASA Conference • Diversity, Equity, and Inclusion 	<p><u>2PM MEETING TIME</u></p> <ul style="list-style-type: none"> • Fiscal Year Financial Audit • Resolution Certifying Election Results (even years) • Connection Charge Review • Emergency Contact Update • Meeting Calendar • Consent Decree Quarterly Report • CASA Conference • Pension + OPEB UAL Reports • Nomination & Election of Officers
7/21/2022 – 7:00 P.M.		9/15/2022 – 7:00 P.M.	10/20/2022 – 7:00 P.M.		
<ul style="list-style-type: none"> • CLOSED SESSION – Quarterly Claims Rpt • Hearing +Res./Ord. – Establish and Collect Sewer Service Charges – Director Meeting Compensation • Resolution Filing Notice of Completion • District Investment Policy • Reimb. Report per Gov. Code 53065.5 • Quarterly Financial Statements • Candidate filing period (even years) • SPASPA Status Report • CASA/CSDA Conf. • Form 470 		<ul style="list-style-type: none"> • Health Care Benefits Review • Consent Decree Quarterly Report 	<ul style="list-style-type: none"> • CLOSED SESSION – Quarterly Claims Rpt – Manager Perf. Eval. • SPASPA Status Report • Quarterly Financial Statements 		