

STEGE SANITARY DISTRICT BOARD OF DIRECTORS  
 MEETING OF APRIL 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

*\*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 Minutes**

A. Approval of April 7, 2022 Board Meeting Minutes

MOTION: By Christian-Smith, seconded by Gilbert-Snyder, to approve the minutes of the April 7, 2022 Board Meeting

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

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a. City & Community Meetings

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

B. Written Communications

There were no items to consider.

**VI. Reports of Staff and Officers**

A. Attorney's Report:

Kokotaylo gave a report 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 payments made in March.

3. San Pablo Avenue Specific Plan Area Status Report

The Manager reported on the construction work along San Pablo Avenue and the status of the impact fee.

4. Draft Budget

The Manager reported on the first draft of the budget.

5. 4<sup>th</sup> of July Fair

The Manager reported on the planning for the upcoming fair. The Board chose timeslots to staff the District booth and agreed to downsize from two booths to one this year.

6. Disposal of Property Procedure

The Manager reported on the current procedure and will work with Counsel to prepare an updated policy for the Board's approval.

7. Draft Endeavor Newsletter

The Manager reported on the first draft of the newsletter.

**VII. Business**

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- A. Resolution No. 2187-0422 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 April 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 O’Keefe, seconded by Miller, to approve Resolution No. 2187-0422 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 April 21 Pursuant to AB 361

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

- B. Resolution No. 2188-0422 Electing to Become Subject to the Uniform Public Construction Cost Accounting Act

The Board approved the resolution.

MOTION: By O’Keefe, seconded by Gilbert-Snyder, to approve Resolution No. 2188-0422 Electing to Become Subject to the Uniform Public Construction Cost Accounting Act

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

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ABSENT: None

- C. Ordinance No. 2189-0422 Adding Section 2.11, Public Projects – Informal Bidding Procedures to the Stege Sanitary District Ordinance Code to Provide Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act

The Board approved the ordinance.

MOTION: By Gilbert-Snyder, seconded by O’Keefe, to approve Ordinance No. 2189-0422 Adding Section 2.11, Public Projects – Informal Bidding Procedures to the Stege Sanitary District Ordinance Code to Provide Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act

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

- D. Resolution No. 2190-0422 Adopting the Stege Sanitary District Procurement Policy

The Board reviewed the resolution. A motion to approve was initially made but after further discussion was withdrawn. Staff will work District Counsel to consider updating the policy to include a reference to District environmental policies and diversity, equity, and inclusion (DEI) policies and an update to the purchase order procedure before bringing the item back to the Board for consideration.

### VIII. Financial Statements

- A. Monthly Investment, Cash, Receivables Report  
 B. Monthly Operating Statement

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- C. Monthly Cash on Hand vs. Target Reserves
  - D. California Employers' Retiree Benefit Trust (CERBT) Quarterly Statement
  - E. Local Agency Investment Fund (LAIF) Quarterly Statement
- The financial items were reviewed by the Board.

**IX. Approval of Checks**

- A. Checks for April 21, 2021 - Fund No. 3418 & 3423

MOTION: By Gilbert-Snyder, seconded by Miller, to pay the bills, Check Nos. 27565 through 27588 in the amount of \$109,090.17

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

**X. Future Agenda Items**

**May 5, 2022**

Appointment of Labor Negotiator  
 CLOSED SESSION – Conference with Labor Negotiator  
 Draft Budget  
 July 4th Fair Discussion  
 Review of Comparable Agencies

**May 19, 2022**

CLOSED SESSION – Manager Performance Evaluation  
 CLOSED SESSION – Conference with Labor Negotiator  
 Draft Budget  
 +AB 361 – 30 Day Virtual Meeting Extension  
 +RESOLUTION – Procurement Policy  
 +ORDINANCE – Juneteenth Holiday

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**CLOSED SESSION**

**Conference with Labor Negotiator**

Gov. Code § 54957.6

Agency Designated Representative: District Manager Delizo

Unrepresented Employees: All District Employees

**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: 5

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

Eng – Government Tort Claim filed: 8/19/2021

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

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

Schulak – Government Tort Claim filed: 2/7/2022

The Board entered into closed session at 8:38 P.M. and returned to open session at 8:52 P.M. President Merrill announced the Board had taken no reportable actions.

**XI. Adjournment**

The meeting was adjourned at 8:53 P.M. The next meeting of the District Board of Directors will be held on Thursday, May 5, 2022 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