

MEETING OF NOVEMBER 4, 2009

TIME OF MEETING: 7:00 P.M.

***** **MINUTES** *****

I. Call to Order: President Merrill called the meeting to order at 7:28 P.M.

II. Roll Call:

Present:	Brand, Miller, Merrill
Absent:	James (provided prior notice of absence) O’Keefe (provided prior notice of absence)
Others Present:	Doug Humphrey, District Manager

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 Minutes of October 22, 2009 Board Meeting

MOTION: By Miller, seconded by Brand, to approve the minutes of the October 22, 2009 Board Meeting.

VOTE: AYES: Brand, Miller, Merrill
 NOES: None
 ABSTAIN: None

V. Communications

A. Oral Communications:

1. Brief reports from Directors on matters related to the District, including attendance at city or community meetings

Miller reported on his attendance at the November 2nd El Cerrito City Council meeting. He said the Council approved a six month trial period for the closure of half of Rockway Avenue due to heavy traffic in this area. Miller also commented that he had spoken to Dale Meade of the West County Times, and suggested to Mr. Meade that he contact District Manager Humphrey about the issues related to the East Bay Municipal Utility District’s (EBMUD’s) permit and order from the Environmental Protection Agency (EPA).

2. Manager’s Report

a. Implementation of Ordinance No. 1959-1009 (Responsibility for Damages).

Humphrey explained to the Board that he needs to develop some implementation guidelines and policies with them before staff implements this ordinance that was adopted last meeting. The Board discussed several issues related to the ordinance and Humphrey said he would place this on a future agenda again for further discussion. He also said he would contact Mike Riback about the issue of recording a

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requirement for backflow prevention devices on the title of properties in the situation when a claim is settled.

b. East Bay Municipal Utility District (EBMUD) Lateral Ordinance & Offer to Take Over System

Humphrey commented that the offer from EBMUD is open and that the Board should discuss this again when all Directors are present. He also informed the Board about some of the ideas that EBMUD has and their plan for a lateral ordinance that is expected to be adopted in March or April 2010.

c. Quarterly Lateral & Quarterly Claims Report

Humphrey said that the lateral program continues to show a very high compliance rate, although there were some properties sold in the last three months that have had no inspections and are non-compliant. He said this first claims report includes all claims received and settled in calendar year 2009. Future reports will include sections for new, completed, and on-going claims.

d. Newsletter

Humphrey said he placed this item on the agenda to remind the Board that the fall issue of the newsletter has been delayed since the letter was supposed to be sent after the adoption of the revised discharge permit. The Board discussed the timing and content of the letter with Humphrey and potential topics for inclusion in the letter are the new permit and requirements, permit impact on service rates, ordinance recently passed regarding responsibility for backflow devices, Kids for the Bay program, materials that should not be flushed, and a few other possible ones.

e. Permit Issues

Humphrey said this would be covered under item VI.B.

B. Written Communications: None

VI. Business

A. Administration Building Project – Project Status

Humphrey reported on project progress and informed the Board that the contractor is very close to the published schedule for the project. He said that drywall installation should begin next week, as will stucco coating on the exterior. The building is essentially “water-tight” at this point and the contractor will be able to continue inside work during any rain events.

B. Stege Sanitary District National Pollutant Discharge Elimination System (NPDES) Permit and East Bay Municipal Utility District (EBMUD) Stipulated Order (SO)

Humphrey gave a summary of the current status of the draft permit and SO-related workshops and issues. Miller said he thought the comment letter on the draft permit (tentative order) sent by Humphrey on behalf of the East Bay Communities was very good. Humphrey said this was a joint effort and the majority of the content was provided by Kent Alm and Monica Oakley. He said the hearing for adoption of the permit will be held in Oakland on

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November 18th. Merrill, Miller and Brand asked if a Board member or the President are expected to speak at the hearing, and if the Board Chair should speak. Humphrey said he would be working with Oakley and Alm to devise the plan for addressing the Regional Board at this hearing, but thinks a brief comment by the Stege Chair would be good. He said he would let Merrill know once the speaking plan is developed.

C. Flexible Benefits Plan – Contribution Rate for 2010

Humphrey provided a brief summary of the health care costs and flexible benefits plan contribution history. The Board decided this item should be placed on the next agenda and considered when more Board members are present to vote on the flex plan contribution rate.

Humphrey also discussed the issue regarding retiree health care contribution rates. He pointed out that Senate Bill 1123 (2008 session) places restrictions on what must happen if increases are given for public employee benefits, and said he believes the bill provisions apply to retiree health care benefit increases. At the conclusion of the discussion he agreed to contact Mike Riback and Ben Reyes to get a legal opinion on this issue.

VII. Approval of Checks

A. Checks for October 2009 - Fund No. 3418 & 3423

MOTION: By Miller, seconded by Brand, to approve payment of the bills, Check Nos. 19608 through 19658 in the amount of \$70,862.11 from Fund Nos. 3418 & 3423.

VOTE: AYES: Brand, Miller, Merrill
 NOES: None
 ABSTAIN: None

VIII. Future Agenda Items

November 19, 2009

- Financial Audit Report Fiscal Year 2008-2009
- Stege NPDES Permit & EBMUD SO
- Flexible Benefits Plan Review & Retiree Medical Care
- Stege Sanitary District Newsletter

December 17, 2009

- Nomination & Election of Officers for 2010
- Financial Audit Report FY 2008-2009
- Service Charge Review Schedule
- Stege NPDES Permit & EBMUD SO
- Administration Building Project Status

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IX. Adjournment

The meeting of the Stege Sanitary District Board of Directors was adjourned at 11:04 P.M. The next meeting of the Stege Sanitary District Board of Directors will be held on Thursday, November 19, 2009 at 7:00 P.M. at the District office, 7500 Schmidt Lane, El Cerrito, California.

Douglas Humphrey
STEGE SANITARY DISTRICT
Secretary