

MEETING OF OCTOBER 8, 2009

TIME OF MEETING: 7:00 P.M.

\*\*\*\*\* MINUTES \*\*\*\*\*

**I. Call To Order:** President Merrill called the meeting to order at 7:01 P.M.

**II. Roll Call:** Present: Brand, James, Miller, O’Keefe, Merrill  
 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 September 24, 2009 Board Meeting

MOTION: By James, seconded by Miller, to approve the minutes of the September 24, 2009 Board Meeting.

VOTE: AYES: James, Miller, O’Keefe, 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 October 5<sup>th</sup> El Cerrito City Council meeting. He said the City is working on ordinances regarding unreinforced masonry structures or “URMs”, and the Council instituted a plan that will require URMs to be strengthened to comply with the 1997 Uniform Building Code within about 3 to 5 years. One local business owner, Tony Wise, expressed concern about the burden this places on building owners. Miller said the City also described a deal among the City, Target and Safeway; Safeway will buy the Target site, Target will forgive a loan to the City, and Safeway will provide some of the property to the El Cerrito Redevelopment Agency. Miller said it was reported at the Council meeting that the contract to provide fire protection services to Kensington had been extended through a period about ten years from now. O’Keefe reported that the URM issue was a topic at a recent Planning Commission meeting also.

2. Manager’s Report

a. Succession Planning

There was a brief discussion about succession and current plans for the District’s future staffing. Humphrey suggested this is a good Long Range Planning (LRP) topic.

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b. Burlingame Pump Station

Humphrey informed the Board that staff is looking at alternatives to the complete replacement of the Burlingame Pump Station and showed them a quote for the replacement of the pumps. He said that Walter Lunn is investigating the other items noted by Brown & Caldwell (B&C), with the hope that all issues can be corrected for \$50,000 to \$60,000 instead of the station replacement for about ten times that which was discussed by B&C. Humphrey said this was not included in this year's budget, but it may be advantageous to get it done this winter season.

c. Hoffman Marsh Main

Humphrey said that staff will work with East Bay Municipal District (EBMUD) staff to isolate the portion of the 36 inch diameter line in the Hoffman Marsh that may be subject to salt water intrusion.

d. EBMUD Lateral Ordinance

Humphrey reported on his meeting with Rex Delizo and EBMUD staff to assist EBMUD in the drafting of their lateral testing ordinance.

B. Written Communications: There were no communications to consider.

**VI. Business**A. Administration Building Project – Project Status

Humphrey explained the framing is completed and the final inspection is tomorrow. It will be about four weeks until the building is watertight.

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

Humphrey reported that the meeting with the City Managers of the EBMUD satellite agencies and Bruce Wolfe and Alexis Strauss had taken place on Monday. He said the summary presented by Wolfe and Strauss would be what they will present to the Stege Board at the October 22 meeting. He said that staff is working with Oakley Water Strategies to prepare comments on the Environmental Protection Agency (EPA) draft Administrative Order (AO) and this is needed because there are some misleading statements and inaccuracies in the AO. He said that Counsel continues to work with Water Board Counsel on revisions to the NPDES Permit language. He also commented that the City of Berkeley informed the Technical Advisory Board (TAB) group yesterday that Berkeley has received a 60 day notice of intent to sue from Environmental Advocates, on behalf of Our Children's Earth. Alameda informed everyone today of their receipt of a similar notice. It is suspected that every EBMUD satellite will receive a notice, a requirement under the provisions of the Clean Water Act prior to filing suit so regulators may take enforcement action in the 60 day period. Humphrey said he is working with Kent Alm of Meyers Nave to set a meeting among the city attorneys and the EPA attorney assigned to the EBMUD project.

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C. Stege Sanitary District Salary Survey

Humphrey reported that salaries have not yet been received from three comparison agencies and that staff will follow up with these agencies so the survey can be completed. He also said that some job descriptions may need to be obtained before the survey is completed, to ensure the comparisons are valid.

**VII. Approval of Checks**

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

MOTION: By O’Keefe, seconded by James, to approve payment of the bills, Check Nos. 19562 through 19596 in the amount of \$23,095.67 from Fund Nos. 3418 & 3423.

VOTE: AYES: Brand, James, Miller, O’Keefe, Merrill  
 NOES: None  
 ABSTAIN: None

**VIII. Future Agenda Items**

**October 22, 2009**

- Flexible Benefits Plan Review and Retiree Medical Care
- Administration Building Project Status
- Stege National Pollutant Discharge Eliminate System (NPDES) Permit & East Bay Municipal Utility District (EBMUD) Stipulated Order (SO)
- Financial Audit Report, FY 2008-09
- Ordinance Amending Section 4.7 to Chapter 4 of District Ordinance Code (Laterals, Backflow Preventive Devices (BPDs))

Humphrey said that Bruce Wolfe, Executive officer of the San Francisco Bay Region Water Board will be present at this meeting to speak about the draft Administrative Orders from EPA.

**November 5, 2009**

- Local Agency Investment Fund (LAIF) Alternatives
- Board Officer Succession
- Quarterly Lateral Report
- Quarterly Claims Report

It was noted that the Board Officer Succession item will not be on this agenda.

A discussion about the general Board calendar resulted in a change to the November 5 meeting; it will now be held on Wednesday, November 4 since the Manager and Deputy Manager will make a presentation to the California Water Environment Association (CWEA) Bay Section meeting on November 5. It was also suggested that the October 22 meeting is very full, so the flexible benefits plan item should be discussed on November 4, not October 22. It was also noted

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that the January meeting should be January 7, not January 14 as is now shown on the future calendar. Miller also stated his preference for LRP Workshop dates of February 13 and 27 if the LRP is held in February.

**IX. Adjournment**

The meeting of the Stege Sanitary District Board of Directors was adjourned at 10:17 P.M. The next meeting of the Stege Sanitary District Board of Directors will be held on Thursday, October 22, 2009 at 7:00 P.M. at the District office, 7500 Schmidt Lane, El Cerrito, California.

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Douglas Humphrey  
STEGE SANITARY DISTRICT  
Secretary