

MEETING OF OCTOBER 22, 2009

TIME OF MEETING: 7:00 P.M.

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

**I. Call To Order:** President Merrill called the meeting to order at 7:02 P.M.

**II. Roll Call:** Present: Brand (arrived at 7:11 P.M.), Miller,  
O’Keefe, Merrill  
Absent: James (provided prior notice of absence)  
Others Present: Kent Alm, District Counsel  
Bruce Wolfe, Executive Officer of San  
Francisco Bay Regional Water Board  
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.

The closed session was taken out of sequence, immediately after item IV. A was completed.

**CLOSED SESSION**

**Conference with District Counsel regarding potential litigation - One case.**  
(Government Code Section 54956.9(b)(1))

The Board entered into the closed session at 8:28 P.M. The Board came out of the session at 9:34 P.M. and President Merrill announced the Board had taken no reportable actions during the closed session.

**V. Approval of Minutes**

(This item was conducted out of sequence at this time in the meeting)

A. Approval of Minutes of October 8, 2009 Board Meeting

MOTION: By O’Keefe, seconded by Miller, to approve the minutes of the October 8, 2009 Board Meeting as corrected.

VOTE: AYES: Miller, O’Keefe, Merrill

NOES: None

ABSTAIN: None

**IV. New Business**

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

Humphrey introduced Mr. Bruce Wolfe, Executive Officer of the San Francisco Bay Region Water Board, and said he was present tonight to speak to the Board about Stege’s new NPDES permit and answer any questions the Board may have. Mr. Wolfe explained the Water Board’s perspective on Stege’s permitting issue and the program with the East Bay Communities and

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EBMUD. He said he appreciated the past and on-going efforts of Stege and noted Stege already has operational and capital activities in place that address the problems of excess flow that EBMUD faces in the operation of its wet weather facilities. The current schedule is that Stege's tentative order will be approved as Stege's permit by the Water Board on November 18. Wolfe indicated he did understand Stege's concern about the prohibitions in the tentative order and knows that Stege's comments have been submitted in writing as well as expressed verbally to the Water Board staff.

**V. Approval of Minutes**

A. Approval of Minutes of October 8, 2009 Board Meeting

(This item was taken out of sequence, immediately after Public Comment)

**VI. 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 an El Cerrito City Council meeting and said that City Redevelopment staff was asking Council for direction regarding the Tradeway property development. One potential plan is for development of 50 to 90 units on the site and staff is working on a Request for Qualifications to send to potential developers. Miller also said that staff received Council approval for emergency repairs on a storm drain by St. John's Church on San Pablo Avenue.

O'Keefe reported on El Cerrito Planning Commission issues. She said that Tehiyah Day School had requested a use permit for a preschool across the street from the school that would serve about 18 children. Merrill reported that he had attended the latest Sanitation and Water Agencies of Contra Costa County meeting and had taken a tour of West County Wastewater District's solar energy system at its treatment facility in Richmond.

B. Written Communications: There were none to consider.

**VII. Reports of Staff and Officers**

A. Attorney's Report: Alm said he has no report to provide tonight.

B. Manager's Report:

1. Monthly Maintenance Summary Report – September 2009

Humphrey reported that September was a fairly typical month for maintenance activities. Crews cleaned about 65,000 feet of lines and videoed about 7000 feet. There were 13 service calls and 6 of these were related to problems in private laterals. There were 4 calls after normal working hours and one required immediate response. There were 2 overflows caused by problems in Stege main lines and the total for the last 12 months is now 11, and there have been 10 this calendar year.

2. Monthly Report of Sewer Repairs and Miscellaneous Capital Projects

Humphrey said there were no repairs or miscellaneous projects to report.

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3. Capital Improvement Projects

Humphrey said the pipebursting contractor is in Berkeley and will return to work at Stege sometime later in winter.

4. Miscellaneous Items

a. Water Environment Research Foundation (WERF) Renewal

Humphrey said the WERF renewal is due and pointed out the expenses to the Board. He also said that he has arranged with California Association of Sanitation Agencies (CASA) staff for the presentation of the California Special District Association (CSDA) Leadership Academy District of Distinction (DOD) award and plaque to occur at the first lunch at January’s 2010 CASA conference. Humphrey also said he is still working on attempts to get matching funds for the Kids for the Bay program; the County Clean Water Program has no more funds, but they have referred Humphrey to the Estuary Institute and grants they may have for this purpose.

**VIII. Business**

A. Administration Building Project – Project Status Update

Humphrey provided a status report on project progress to the Board. He informed the Board that the project remains on schedule.

B. Ordinance No. 1959-1009 Adding Section 4.7 to Chapter 4 of the Stege Sanitary District Ordinance Code to Add Provisions Making Owners of Property Responsible for Damages Arising from Failure to Comply with the Installation of Backflow Prevention Devices and Failure to Comply with the Testing, Cleaning, Repair, Maintenance, Renovation and Timely Replacement of Existing Private Sewer Laterals

MOTION: By Miller, seconded by O’Keefe, to adopt Ordinance No. 1959-1009 Adding Section 4.7 to Chapter 4 of the Stege Sanitary District Ordinance Code to Add Provisions Making Owners of Property Responsible for Damages Arising from Failure to Comply with the Installation of Backflow Prevention Devices and Failure to Comply with the Testing, Cleaning, Repair, Maintenance, Renovation and Timely Replacement of Existing Private Sewer Laterals.

VOTE: AYES: Brand, Miller, O’Keefe, Merrill

NOES: None

ABSTAIN: None

Humphrey said he would need to speak to the Board about implementation of this ordinance and how staff should proceed with its enforcement. Mr. Brand had to leave for a prior commitment at this time in the meeting.

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**IX. Monthly Financial Statements – September 2009**

A. Monthly Investment, Cash, Receivables Report, September 2009

B. Monthly Operating, Statement, September 2009

Humphrey said that expenses are close to those budgeted and noted that the accrual title had been removed from the investment, cash and receivables report.

C. Financial Issues

Humphrey said the audit report for last fiscal year should be submitted at the November 19 meeting.

**X. Approval of Checks**

1. Checks for October 2009 - Fund No. 3418.

MOTION: By Miller, seconded by O’Keefe, to approve payment of the bills, Check Nos. 19597 through 19607 in the amount of \$24,601.61 from Fund Nos. 3418 & 3423.

VOTE: AYES: Brand, Miller, O’Keefe, Merrill

NOES: None

ABSTAIN: None

**XI. Future Agenda Items**

**November 4, 2009**

Quarterly Lateral Report

Quarterly Claims Report

Flexible Benefits Plan Review & Retiree Medical Care Contribution Rates

**November 19, 2009**

PERS Retirement – Eligible Compensation

Stege NPDES Permit & EBMUD SO

Financial Audit Report Fiscal Year 2008-2009

**XII. Adjournment**

The meeting of the Stege Sanitary District Board of Directors was adjourned at 10:23 P.M. The next meeting of the Stege Sanitary District Board of Directors will be held on Wednesday, November 4, 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