



EAST PALO ALTO SANITARY DISTRICT

BOARD OF DIRECTORS

Glenda Savage, President
Joan Sykes-Miessi, Vice President
Bethzabe Yañez, Secretary
Goro Mitchell, Director
Dennis Scherzer, Director

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Akin Okupe, M.B.A, P.E., General Manager

EAST PALO ALTO SANITARY DISTRICT PUBLIC INFORMATION & INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING February 20, 2019 3:00 PM

Notice is hereby given that the Public Information & Intergovernmental Affairs Committee Meeting of the East Palo Alto Sanitary District will be held on **Wednesday, February 20, 2019 at 3:00 PM**. The meeting will take place at the East Palo Alto Sanitary District office located at 901 Weeks Street, East Palo Alto, California.

1. **Call to Order**
2. **Roll Call**
Director Goro Mitchell
Director Betsy Yañez
3. **Communications from the Public**
Members of the public are invited to address the Board regarding non-agenda items at the beginning of the meeting only. Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair.
4. **Agenda Amendments**
5. **Review/Approval** of January 15, 2018 Meeting Minutes
6. **Report/Discussion** of Update of City of East Palo Alto Projects
7. **Review/Discussion** of Memorandum of Understanding (MOU)
8. **Review/Discussion** of Sewer Replacement Project Miscellaneous Areas
9. **Oral & Written Communication** - Brief reports may be presented by the Manager and Staff pertaining to items not listed on the Agenda; however, no discussion or action can be taken
10. **Future Agenda**
March 20, 2019 Public Information and Intergovernmental Affairs Committee Meeting.
11. **Adjournment**

Any writings or documents pertaining to an open session item provided to a majority of the members of the legislative body less than 72 hours prior to the meeting, shall be made available for public inspection at the East Palo Alto Sanitary District located at 901 Weeks Street, East Palo Alto, CA 94303. Upon request, agendas and documents in the agenda packet will be made available in appropriate alternative formats to persons with a disability, as required by law. Any such request must be made in writing to the East Palo Alto Sanitary District, 901 Weeks Street, East Palo Alto, CA 94303. Requests will be valid for the calendar year in which the request is received and must be renewed prior to January 1st. Persons needing disability-related modifications or accommodations in order to participate in public meetings, including persons requiring auxiliary aids or services, may request such modifications or accommodations by calling the East Palo Alto Sanitary District at (650) 325-9021 at least 48 hours prior to the meeting.

() Additional Materials Attached

Agenda Item 1 & 2
Meeting Date 2/20/2019

I. NATURE OF ITEM

1. Call to Order

Called to order by _____ at _____ **p.m.**

2. Roll Call

Directors Present:

Directors Absent:

Staff Present:

Guests Present:

() Additional Materials Attached

Agenda Item 3 & 4
Meeting Date 2/20/2019

3. NATURE OF ITEM

Communication from the Public - Members of the public are invited to address the Board regarding agenda items and non-agenda items at the beginning of the meeting only. Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair.

Speaker # 1: _____

Speaker # 2: _____

Speaker # 3: _____

4. Agenda Amendments

Item# _____ moved to _____

Item# _____ moved to _____

Item# _____ tabled

Item# _____ tabled

(xx) Additional Materials Attached

Agenda Item 5
Meeting Date 2/20/2019

I. NATURE OF ITEM

Review/Approval of January 15, 2018 Meeting Minutes

II. BACKGROUND

III. STAFF COMMENTS/ RECOMMENDATIONS

IV. ACTION OPTIONS

V. COMMITTEE ACTION TAKEN

VI. NEXT STEPS

**EAST PALO ALTO SANITARY DISTRICT
PUBLIC INFORMATION
& INTERGOVERNMENTAL AFFAIRS
COMMITTEE MEETING MINUTES
January 15, 2019**

1. Call to Order

A Public Information & Intergovernmental Affairs Committee Meeting of the East Palo Alto Sanitary District was called to order by Director Mitchell on Tuesday, January 15, 2019 at 3:15 p.m. The meeting was held at the East Palo Alto Sanitary District office located at 901 Weeks Street, East Palo Alto, California.

2. Roll Call

Directors Present
Goro Mitchell

Staff Present
Akin Okupe - General Manager
Marina Owens – Executive Assistant
Korinne Nickings – Executive Assistant
Humza Javed – Engineer, City of East Palo Alto

Director Yanez telephoned her absence. As such, the meeting is informational only.

3. Communications from the Public

There were no communications from the public.

4. Agenda Amendments

There were no agenda amendments.

5. Review/Approval of December 19, 2018 Meeting Minutes

This item was tabled in the absence of Director Yanez.

6. Report/Discussion of Update of City of East Palo Alto Projects

Mr. Javed provided an update on the below projects:

- Bay Road Improvement Project: Phases 4 and 5 of the project will involve the reconstruction of Pulgas Avenue to the eastern end near the Cooley Landing entrance and will include bike and bus friendly lanes. The City is currently experiencing a funding shortfall and is seeking a grant in order to fill in the gap. If successful, advertising for the project will begin in the Spring.
- Flood Control Areas: This project which was undertaken by the JPA was recently completed.
- The trash capture device/pump station has been completed on O'Connor Street.
- RV Parking Project: A temporary parking site will be constructed at Bay Road and Pulgas Avenues that will be managed by local nonprofit Project We Hope. Plans are to provide job search and medical assistance services to the RV residents. The site will include restrooms, areas for showering and other hygiene services.
- Annual Street Resurfacing Project: This will be under construction soon, with bidding to begin in the Spring.
- Several applications are currently under review by the City for multi-family development projects.

Mr. Okupe added that as relates to the University Plaza Phase II Project, he has been working with a consultant and has drafted a memo to the project developer requesting financing for the necessary hydraulic modeling as well as fulfillment of other requirements.

7. Review/Discussion of Memorandum of Understanding (MOU)

Mr. Okupe reported that he has received the updated draft of the MOU; however, it does not address encroachment permit fees. He will add the pertinent language and submit the MOU for legal review before bringing it before the Board.

8. Review/Discussion of Sewer Replacement Project Miscellaneous Areas

Mr. Okupe stated that the sewer project was slated to begin on January 7 but has been delayed due to inclement weather.

9. Review/Discussion of Permit Approval Process

Mr. Okupe advised that residents with sewer lateral issues who are seeking to undertake property improvements must first repair the lateral and receive a sewer lateral permit before being approved for property improvement permits. He is

endeavoring to coordinate with the City to enforce lateral replacement prior to issuance of improvement permits. Director Mitchell suggested, and Mr. Okupe agreed, to insert language into the MOU relating to such enforcement.

10. Oral & Written Communication

There was no oral or written communication.

11. Future Agenda

The next meeting will be held on February 20, 2019 at 3:00 p.m.

- University Plaza Phase II
- MOU
- Other project updates

12. Adjournment

There being no further business, the meeting adjourned at 3:40 p.m.

APPROVED:

Board President

Board Secretary

(xx) Additional Materials Attached

Agenda Item 6
Meeting Date 2/20/2019

I. NATURE OF ITEM

Report/Discussion of Update of City of East Palo Alto Projects

II. BACKGROUND

III. STAFF COMMENTS/ RECOMMENDATIONS

IV. ACTION OPTIONS

V. COMMITTEE ACTION TAKEN

VI. NEXT STEPS

(xx) Additional Materials Attached

Agenda Item 7
Meeting Date 2/20/2019

I. NATURE OF ITEM

Report/Discussion of Memorandum of Understanding (MOU)

II. BACKGROUND

III. STAFF COMMENTS/ RECOMMENDATIONS

IV. ACTION OPTIONS

V. COMMITTEE ACTION TAKEN

VI. NEXT STEPS

AGREEMENT BETWEEN THE CITY OF EAST PALO ALTO
AND
EAST PALO ALTO SANITARY DISTRICT

This agreement is entered into between the City of East Palo Alto, a municipal corporation of the State of California, “(City”) and the East Palo Alto Sanitary District, a special district (“District”) effective **DATE**. City and District are sometimes referred to in this Agreement as the “Parties.”

RECITALS

- A. City maintains and operates streets serving residents of City which are described in **Exhibit “A”** attached and incorporated herein by reference.
- B. District maintains and operates a sanitary sewer system consisting of sewer mains, service lines, manholes, pumps and related facilities to provide sanitary service to residents of City who are served by the above described streets. District facilities are described in **Exhibit “B”** attached and incorporated herein by reference.
- C. The parties desire to establish standards and procedures relating to the activities of each in connection with the operation and maintenance of the streets and underlying facilities. For reasonable consideration, the receipt of which is hereby acknowledged by the Parties agree as follows:

RESPONSIBILITIES OF CITY

- 1. City shall cooperate with District to coordinate the development of properties served by the streets within City limits. City shall notify District of any new property development served by District. City will advise District of the issuance of any City permits for development of property which results in the expansion of use which would require an upgrade of sanitary systems serving the property. City shall ensure that such permits are not issued until the District sign off on the deploment regarding sewer services.
- 2. City shall ensure that in the course of installing any public facilities such as storm sewer lines that adequate separation be maintained per industry standards.
- 3. Upon application by individuals desiring to work in or around the streets within City limits, City shall issue Encroachment permits in compliance with City standards and with conditions designed to ensure proper installation of any improvements in the streets described in said Exhibits. Individual property owners desiring to install sanitary facilities will be charged for requisite city permits. City will not charge fees to District for any of District’s capital improvement projects.

4. The City shall waive any encroachment permit fees for any regular maintenance work being performed by the District.
5. City shall ensure that the District sign off on any permit application before they are issued.

RESPONSIBILITIES OF DISTRICT

6. District shall provide to City a schedule for the maintenance of District facilities. District will advise city at least seven (7) days in advance of any major activities which require closure or blocking of streets/public rights-of-way.
7. Prior to work within the public right of way, the District shall obtain an encroachment permit from the City. Repair of public improvements affected from any work shall be per City standards.
8. In the event of emergency work for which advance notice cannot be given, District shall notify City within forty-eight (48) hours following such emergency work. An “after the fact” encroachment permit shall be obtained for emergency work to ensure right of way improvements are repaired per the satisfaction of the City Inspector.
9. District shall advise City of any capital projects to be constructed by District within the City limits. District shall provide plans for review and electronic “as built” plans, in AutoCAD 2016 or older format, for any such projects to City as soon as such plans are available.
10. District shall ensure that any excavations for waterlines and laterals are closed with minimum cover as required by industry standards.
11. District shall advise any individuals proposing to work in or around the streets within City limits that an encroachment permit issued by the City is required in advance of such work.
12. For any work within the City’s moratorium streets, additional repair requirements will be enforced per the City’s Standard Encroachment conditions document located at: <http://www.ci.east-palo-alto.ca.us/documentcenter/view/3940>
13. [District shall send a copy of all permit approved letters to the City](#)

TERM AND TERMINATION

The party’s performance under this agreement will commence on or about January 1, 2019 and will remain in effect for a period of five years. This agreement may be terminated by either party for any reason upon thirty (30) days written notice to the other is provided below.

MODIFICATION

This agreement may be modified only upon the written agreement of the Parties.

COMMUNICATION

Each party designates the following as the principal contact related to the duties to be carried out under this Agreement. These contacts may be changed at the discretion of either party upon written notice to the other:

City: City Manager
2415 University Avenue
East Palo Alto, CA 94303
Phone: (650) 853-3100

District: General Manager
901 Weeks Street
East Palo Alto, CA 94303
Phone: (650) 325-9021

ASSIGNMENT

Neither party shall assign its obligations under this Agreement without the prior written consent of the other.

INDEMNIFICATION

City shall indemnify, defend, and hold District, its officers, officials, agents, employees and volunteers harmless from all claims, suits or actions of every name, kind and description, including but not limited to reasonable attorney's fees and other costs of defense, resulting from City's participation in this Agreement except where such claims, suits or actions arise from or relate to the acts or omissions of District, its officers, agents, employees or volunteers.

District shall indemnify, defend and hold City, its officers, officials, agents, employees and volunteers harmless from all claims, suits or actions of every name, kind and description, including but not limited to reasonable attorney's fees and other costs of defense, arising from or relating to the acts or omissions of District, its officers, agents, employees or volunteers except where such claims, suits, or actions arise from or relate to the actions or omissions of City, its officers, agents, employees or volunteers.

In the event of concurrent negligence of District, its officers, officials, agents, or employees, and City, its officers, officials, agents or employees the liability for any and all claims, suits or actions of every name, kind and description arising out of this Agreement shall be apportioned between the parties under the established California rules of comparative negligence with each party bearing its own attorneys' fees and costs.

The parties have caused this Agreement to be executed by the duly authorized officers on the effective date.

(SIGNATURES ARE ON THE FOLLOWING PAGE)

EAST PALO ALTO SANITARY CITY OF EAST PALO ALTO,
DISTRICT, a special a municipal corporation
district

By: _____
[iAkinOkupe]
[General Manager]

By: _____
Sean Charpentier
City Manager

DATE: _____

DATE: _____

ATTEST:

ATTEST:

By: _____
Glenda Salvage, Board President

By: _____
Maria Buell, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Mala Subramania
General Counsel

Rafael Alvarado
City Attorney

(xx) Additional Materials Attached

Agenda Item 8
Meeting Date 2/20/2019

I. NATURE OF ITEM

Report/Discussion of Sewer Replacement Project Miscellaneous Areas

II. BACKGROUND

III. STAFF COMMENTS/ RECOMMENDATIONS

IV. ACTION OPTIONS

V. COMMITTEE ACTION TAKEN

VI. NEXT STEPS

(xx) Additional Materials Attached

Agenda Item 9
Meeting Date 2/20/2019

I. NATURE OF ITEM

Oral & Written Communication - Brief reports may be presented by the Manager and Staff pertaining to items not listed on the Agenda; however, no discussion or action can be taken

II. BACKGROUND

III. STAFF COMMENTS/ RECOMMENDATIONS

IV. ACTION OPTIONS

V. COMMITTEE ACTION TAKEN

VI. NEXT STEPS

(xx) Additional Materials Attached

Agenda Item 10
Meeting Date 2/20/2019

I. NATURE OF ITEM

Future Agenda

March 20, 2019 Public Information & Intergovernmental Affairs Committee Meeting.

II. BACKGROUND

III. STAFF COMMENTS/ RECOMMENDATIONS

IV. ACTION OPTIONS

V. COMMITTEE ACTION TAKEN

VI. NEXT STEPS

(xx) Additional Materials Attached

Agenda Item 11
Meeting Date 2/20/2019

I. NATURE OF ITEM

Adjournment