

**EAST PALO ALTO SANITARY DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING MINUTES
July 11, 2019**

1. Call to Order

A Regular Board meeting of the East Palo Alto Sanitary District was called to order by Director Savage on Thursday, July 11, 2019 at 7:00 p.m. The meeting was held at the East Palo Alto Sanitary District office located at 901 Weeks Street, East Palo Alto, California 94303.

2. Roll Call

Directors Present

Goro Mitchell
Glenda Savage
Dennis Scherzer
Bethzabe Yanez

Staff Present

Akin Okupe - General Manager
Micheline Wegem - Accountant
Malathy Subramanian – District Counsel

The Board recessed at 7:02 p.m. and resumed at 7:09 p.m. upon the arrival of Director Joan Sykes-Miessi.

3. Board Member Excused/Unexcused Absences

There were no excused or unexcused absences.

4. Communications from The Public

There were no communications from the public.

5. Agenda Amendments

The Board agreed to delete Item 7 and agendize it for the next meeting.

The Board agreed to delete Item 11.

The Board agreed to discuss Items 9 and 10 after Item 6.

6. **Consideration/Approval** of June 13, 2019 Regular Board Meeting Minutes

Director Scherzer requested that the word “opined” in Item 11 be changed to “reported” to better reflect his statement. Director Sykes-Miessi requested, and the Board agreed to table consideration and approval of the June 13, 2019 meeting minutes pending further review of the conversation.

7. **Consideration/Approval** of **Resolution NO. 1245** Approving Withdrawals and Authorizing Payment of Bills

This item was deleted.

8. **Consideration/Discussion** of District Engineer and General Manager’s Reports

Mr. Okupe reported as below:

A) 1201 Runnymede

The developer has paid \$5,000 for an evaluation of the sewer capacity. Mr. Okupe will present a summary of findings to the Board at the next meeting.

B) University Plaza Phase 2

The developer has paid \$15,000 for an evaluation of the sewer capacity and Phase 1 of the evaluation has now been completed.

C) 2331 University Avenue

Evaluation of the sewer capacity is currently underway.

D) 1200 Weeks Street

Evaluation of the sewer capacity is currently underway.

E) Airport Manhole

Freyer & Laureta has provided a design to repair the damaged manhole cover and it has been sent to the airport manager for comment. Once approved, a contractor will be identified to build the project.

F) 2019/2020 Sewer Replacement Project

The sewer replacement project is now underway. The topographical survey has been conducted and once the base drawing has been established, the project will progress to the design phase.

G) Maintenance

There were no spills during the month of June.

H) Meeting with the City of East Palo Alto's new City Manager

Mr. Okupe met with the new City Manager for the City of East Palo Alto. He stated that they will work together in considering the feasibility of establishing a recycled water plan in the City of East Palo Alto as a way to free up use of potable water, thereby making water more available for development.

I) Update on Delinquency Fees

Mr. Okupe presented an updated delinquency fee report for review and discussion.

9. **Public Hearing**

Consideration/Approval of Annual Budget and Placing Sewer Service Charges on the Property Tax Roll to be collected by the County of San Mateo.

a.) Open Public Hearing

The public hearing opened at 7:11 p.m. whereupon Mr. Okupe presented the annual budget for the fiscal year 2019/2020 for consideration and approval.

b.) Close Public Hearing

The public hearing closed at 7:16 p.m.

c.) If No Majority Protest, Consider Resolution **No. 1248** Approving the Fiscal year 2019-2020 Annual Budget; And Adopting the Report for the Collection of the Fiscal Year 2019-2020 Sewer Service Charges and Directing the General manager of the District to File Said Report with the San Mateo County Auditor and Request the Auditor Place the Fiscal Year 2019-2020 Sewer Service Charges on the Tax Roll

Motion: Director Sykes-Miessi moved, seconded by Director Yanez, for approval of Resolution No. 1248 approving the fiscal year 2019-2020 annual budget; and adopting the report for the collection of the fiscal year 2019-2020 sewer service charges and directing the General Manager

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of the District to file said report with the San Mateo County auditor and request the auditor place the fiscal year 2019-2020 sewer service charges on the tax roll. Motion passed by roll call vote:

Yea: Directors Mitchell, Savage, Sykes-Miessi and Yanez

Nay: Director Scherzer

d.) If Majority Protest Exists, Consider Resolution **No. 1248** Approving the Fiscal year 2019-2020 Annual Budget

Mr. Okupe reported that there was no majority protest to the budget or sewer charges report.

10. Consideration/Discussion/Approval – Authorizing General Manager to enter into Contract with Danielle Ochs not to exceeding \$10,000.00 regarding the *Ryce* Case.

Mr. Okupe requested authorization to hire employment attorney Danielle Ochs as special counsel to evaluate indemnification of the officers of the Board and staff and to advise the Board regarding negotiations going forward in the *Ryce* matter.

Motion: Director Yanez moved, seconded by Director Sykes-Miessi, for approval authorizing the General Manager to enter into contract with Danielle Ochs not to exceed \$10,000.00 regarding the *Ryce* Case. Motion passed by roll call vote:

Yea: Directors Mitchell, Savage, Scherzer, Sykes-Miessi and Yanez.

Nay: None.

11. CLOSED SESSION: Conference with Special Legal Counsel (Danielle Ochs) – Existing Litigation Government Code Section 54956.9(d)(1) Rodney Ryce v. East Palo Alto Sanitary District et. Al San Mateo County Case No. 16IV03076

This item was deleted.

12. Committee Reports and Approval of Meeting Minutes

A) Engineering

Director Sykes-Miessi reported that residents Mr. and Mrs. Peoples came before the Committee to discuss the delinquency fee notice they received.

B) Finance

Director Savage reported that the Committee met and paid bills.

C) Human Resources

Director Sykes-Miessi reported that the Committee discussed retaining special legal counsel Danielle Ochs for the *Ryce* litigation.

D) Intergovernmental

Director Mitchell reported that the City Engineer provided an update on City of East Palo Alto projects, notably:

- The pedestrian overcrossing has been completed.
- The City is attempting to direct more water to the south side of the city to facilitate future projects.
- The annual street resurfacing project will begin soon.
- The City of East Palo Alto has partnered with the City of Palo Alto to devise a water recycling plan.

Director Mitchell also reported that the cable company damaged a portion of the District's sewer pipe and that Mr. Okupe has requested that they effectuate repairs.

E) Public Relations

Director Mitchell reported that the meeting was postponed at the behest of Director Scherzer.

F) Directors' Reports on Attendance at Conferences/Trainings

There were no reports.

13. Oral & Written Communication

There was no oral or written communication.

14. Future Agenda / Meetings

The next meeting will be held on August 1, 2019 at 7:00 p.m.

- Leasing/Insurance policy update for 903 Weeks Street

15. Adjournment

There being no further business, the meeting adjourned at 7:41 p.m.

APPROVED:

Board President

Board Secretary