

**MINUTES
SAM SPECIAL AND REGULAR BOARD MEETINGS
December 20, 2004**

1. CALL TO ORDER: Chair Boyd called the meetings to order at 7:01 p.m. in the SAM Administration Building located at 1000 N. Cabrillo Highway, in Half Moon Bay.

2. ROLL CALL: Present: McCausland, Ferreira, Ptacek, Boyd, and Woren

STAFF PRESENT: Manager Foley, Technical Services Supervisor Pullin,

PRESENT: General Counsel Copeland

Director McGraw arrived at 7:06 p.m.

3. PUBLIC COMMENT/ ORAL COMMUNICATION – None.

4. CLOSED SESSION:

A. Public Employee Performance Evaluation – Title: Manager – Government Code 54957

The Board went into closed session at 7:01 p.m., pursuant to Government Code 54957, for Public Employee Performance Evaluation – Title: Manager.

At 7:35 p.m. the Board came out of Closed Session.

A motion was made to accept the recommendation of the personnel committee. Ferreira/McCausland/8 AYES, 0 NOES. The motion passed.

1. CALL TO ORDER: Following a recess, Chair Boyd called the regular meeting to order at 7:41 p.m.

2. ROLL CALL: Present: McCausland, Ferreira, Ptacek, Boyd, Mc Graw, and Woren

STAFF PRESENT: Manager Foley, Technical Services Supervisor Pullin, Recording Secretary Tracy.

PRESENT: General Counsel Copeland

3. PUBLIC COMMENT/ORAL COMMUNICATIONS: - Tim Costello, SAM Operator III, thanked the Board on behalf of all the SAM employees, for the holiday luncheon that SAM provided to all employees on December 14, 2004.

4. CONSENT AGENDA

A motion was made to approve the following items as presented:

- A. Approve Minutes – November 15 2004 SAM Special and Regular Board Meetings**
- B. Receive and File Manager's Monthly Report for November 2004 (including Monthly NPDES Data, Flow Report, Collection System Data, and Financial Reports**
- C. Approve Disbursements – December 2004**

Ptacek/Ferreira/8 AYES/0 NOES. The motion passed.

5. OLD BUSINESS

A. Review and Approve Recommended Alternative Board Meeting Location Schedule

Following discussion, a motion was made to modify the review date of the schedule of alternative Board meeting locations to July 2005, instead of reviewing the schedule at the June 2005 Board meeting. After further discussion, an amendment to the original motion was made by Director Woren to have the MWSD Board meeting location changed to the Lighthouse in Montara, if possible. The Board requested staff look into availability and cost for use of the Lighthouse in Montara for consideration as an alternative Board meeting location, and bring back the information for Board's consideration at its January meeting.

Woren/Ferreira/8 AYES, 0 NOES. The motion passed.

6. NEW BUSINESS

6A. Review and Adopt Resolution No. 11-2004, A Resolution for Paying and Reporting the Value of Employer Paid Member Contribution (EPMC)

Following presentation by Manager Foley, and Board's review and discussion, a motion was made to adopt Resolution No. 11-2004, A Resolution for Paying and Reporting the Value of Employer Paid Member Contribution (EPMC).

Ptacek/McCausland/8 AYES, 0 NOES. The motion passed.

6B. Review and Possible Action to Authorize the At-Will Employment Agreement for Manager.

Chair Boyd advised that the Board in Closed Session, discussed and reviewed the performance of the Manager, and in recognition of SAM's current needs, new and added responsibilities from EPA and NOAA, standardizing procedures and policies between the three member agencies, recycled water issues, and the amount of time necessary to structure and standardize policies and procedures, the Board recommended the change of part-time to full-time hours for the Manager. Chair Boyd called for any comments from

the public on the matter. There were no public comments. A motion was made to amend the At-Will Employment Agreement for Manager. McCausland/Ferreira/8 AYES, 0 NOES. The motion passed.

6C. Review and Adopt Resolution No. 12-2004, A Resolution Rejecting all Bids, Calling for Sealed Proposal and Providing Notice Thereof, Leaking Process Air Piping Repair

Manager Foley reviewed the staff report and following discussion regarding any length of delay, and potential additional costs, a motion was made to adopt Resolution No. 12-2004, A Resolution Rejecting All Bids, Calling for Sealed Proposals and Providing Notice Thereof, Leaking Process Air Piping Repair. Woren/McCausland/8 AYES, 0 NOES. The motion passed.

7. MANAGERS INFORMATIONAL REPORT

Manager Foley requested Board comments on the revised format (double-sided) of the agenda packet.

Manager Foley advised that Carollo Engineers would make a presentation to the Board on the Continuation of Model Analysis on the Wet Weather Flow Storage Alternative Project at the January Board meeting.

Manager Foley reminded the Board that the Election of SAM Officers was scheduled for the January Board meeting.

Manager Foley announced that the dates of the WaterReuse Annual Conference conflicted with the regularly scheduled February SAM Board meeting. Following discussion, the Board recommended the February SAM Board meeting be rescheduled to February 22, 2005.

9. ATTORNEY'S REPORT

A. CASA Attorney's Committee Meeting – November 12, 2004

General Counsel Copeland reviewed his report with staff and Board members. He advised that he was available to work with SAM staff on SAM' record retention policy. Following discussion on AB 105 – Capital Facilities Fees, AB 1827 (CH 576) Brown Act – Closed Sessions and AB 2782 (CH 784) Joint Powers Agencies –Closed Sessions, General Counsel Copeland recommended that he be allowed to work with SAM staff to develop a policy regarding AB 2782 (CH 784) Joint Powers Agencies – Closed Sessions. The Board concurred in that suggestion and Chair Boyd asked that this policy be presented at the January Board meeting.

10. DIRECTOR'S REPORT

Chair Boyd informed the Board that he had responded to CCWD former President, John Muller's letter; he stated that SAM was awaiting a response. Board discussed SAM's role in the recycled water issue, its costs, customers, and health issues. Board discussed communications between SAM staff and CCWD staff regarding technical and business details of recycled water issues. The Board directed the Manager to contact the CCWD General Manager to discuss these matters and to regularly report back to the SAM Board. Manager Foley advised that he would address the issue under his Manager's Informational Report each month.

DIRECTOR'S REPORTS

Director Woren suggested that those Board members who missed the special meeting of the Board in Daly City on December 6, 2004, should take the opportunity to visit the facilities. He reported on that City's underground storage structures which he found fascinating and he encouraged all who were not able to be present, to try to take a tour of the facilities. Director Ptacek agreed that the plant was impressive.

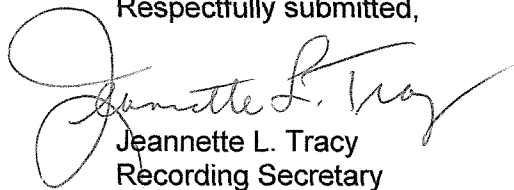
11. TOPICS FOR FUTURE BOARD CONSIDERATION

Following discussion regarding scheduling of topics, Director McCausland recommended that the Board discuss an Outreach Program each month. Chair Boyd recommended SAM outreach include promotion of tours, talks, and partnering with science high school children.

12. ADJOURNMENT

A motion was made to adjourn the Board meeting at 8:45 p.m.
Ptacek/Ferreira/8 AYES, 0 NOES. The motion passed.

Respectfully submitted,


Jeannette L. Tracy
Recording Secretary

APPROVED BY:


BOARD SECRETARY