

FILE COPY

**MINUTES**  
**SAM SPECIAL AND REGULAR BOARD MEETINGS**  
**January 24, 2005**

**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, Lohman, and Woren

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

**PRESENT:** General Counsel Copeland, Labor Negotiator Austris Rungis, Business Representative Lynn Long of Stationary Engineers Local 39, International Union of Operating Engineers (Local 39).

Chair Boyd introduced Director Lohman.

**3. PUBLIC COMMENT/ ORAL COMMUNICATION** – Ms. Lynn Long, Business Representative for members of Local 39 addressed the Board regarding the Memorandum of Understanding with SAM, which expires on December 31, 2005. She stated that the MOU called for a salary survey and adjustments to salaries, if applicable; those adjustments were to have been made by December 31, 2003.

She provided the Board with a history of the meet-and-confer process that Local 39 and SAM negotiators had completed. She advised that the Union members and SAM Management were at impasse regarding SAM's current offer to the Union.

She asked that the Board give new direction to their negotiators to address salary inequities.

Chair Boyd thanked Ms. Long for her comments.

Ms. Long left the meeting at 7:14 p.m.

**4. CLOSED SESSION:**

**A. Conference with Labor Negotiators – SAM Manager and Austris Rungis, Labor Negotiator regarding Stationary Engineers Local 39, International Union of Operating Engineers – Government Code 54957.6**

The Board went into closed session at 7:14 p.m., pursuant to Government Code 54957.6 regarding labor negotiations with Local 39.

**PRESENT:** Manager Foley, Labor Negotiator Austris Rungis, and General Counsel Copeland.

At 7:46 p.m. the Board came out of Closed Session.

**1. CALL TO ORDER:** Following a recess, Chair Boyd called the regular meeting to order at 7:50 p.m.

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

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

**PRESENT:** General Counsel Copeland, Labor Negotiator Austris Rungis, Mike Britten and Collin Barrett of Carollo Engineers, Mike Donovan of Whitley Burchett & Associates, Cynthia Peyton of Apple One, Lynn Long and Jim Mason of Local 39, and SAM employees Brenda Donald, Jim Thrall, Kevin Antonelli, George Long, Tim Costello, Gabriel Aguilar, Pat McGowan, and John Szabo.

**3. PUBLIC COMMENT/ORAL COMMUNICATIONS:**

Chair Boyd welcomed Director Ric Lohman and advised that Director Lohman was appointed by the Granada Sanitary District Board to be a Director on the SAM Board. Director Woren announced that Shawn McGraw resigned from the Granada Sanitary District Board of Directors on Thursday, January 20, 2005.

Noting that Business Representative Lynn Long, of Local 39, had requested to address the Board, General Counsel Copeland advised the Board that the public comment/oral communication agenda item was not an appropriate venue for negotiations on personnel matters.

Ms. Lynn Long, of Local 39, addressed the SAM Board again, explaining that most SAM employees, who were represented members of Local 39, were now present in the audience. She advised that the employees represented by Local 39, requested she advise the Board that they did not accept SAM's compensation offer and they would like the Board to provide new direction to its negotiators.

Chair Boyd advised that the Board has requested its negotiators to get in touch with State negotiators on this matter.

In response to a Director's comment, the Board and General Counsel Copeland discussed whether, and to what extent the State was considering the appropriation of special districts' reserves.

SAM employee, Brenda Donald, addressed the Board and welcomed SAM Director Ric Lohman. She advised that Director Lohman was a Board member for Save our Shores, and that she is a member of the Advisory Council for Save our Shores.

Chair Boyd expressed his thanks to everyone.

Ms. Long, Mr. Mason, Ms. Donald, Mr. Thrall, Mr. Antonelli, Mr. Aguilar, Mr. McGowan, and Mr. Szabo left the meeting at 8:00 p.m.

#### **4. SPECIAL ORDER OF THE DAY - ELECTION OF SAM OFFICERS**

Director Ferreira nominated Director Boyd as Chair. Director Woren moved to close nominations. Director McCausland seconded the motion. Director Boyd was elected Chair by acclamation.

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

Director McCausland nominated Director Lohman as Vice-Chair. Director Ferreira moved to close nominations. Director Woren seconded the motion. Director Lohman was elected Vice-Chair by acclamation.

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

Director Woren nominated Director McCausland as Secretary/Treasurer. Director McCausland respectfully declined the position. Director Ferreira nominated Director Ptacek. Director Woren moved to close nominations. Director Ferreira seconded the motion. Director Ptacek was elected Secretary/Treasurer.

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

#### **5. CONSENT AGENDA**

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

- A. Approve Minutes – December 20, 2004 SAM Special and Regular Board Meetings**
- B. Receive and File Manager's Monthly Report for December 2004 (including Monthly NPDES Data, Flow Report, Collection System Data, and Financial Reports)**
- C. Approve Disbursements – January 2005**

Ferreira/Ptacek/7 AYES, 0 NOES, 1 ABSTAIN (Lohman). The motion passed.

#### **6. OLD BUSINESS**

**A. Receive and Possibly Take Action on Wet Weather Flow Storage Alternative Project Memorandum – Presentation on Continuation of Model Analysis by Mike Britten, Carollo Engineers.**

Manager Foley reviewed the staff report with Directors and introduced Mike Britten of Carollo Engineers. Mike Britten gave a presentation to the Board on the Additional Analysis of Alternative 1A, Wet Weather Flow Management Plan Facility Plan Update. Mike Britten, SAM staff, and Directors discussed the 10 year, 6 hour design storm, its alternative analysis, estimated costs of alternatives and recommendations, and conclusions. Following discussion, the Board concurred that it was satisfied with the alternative analysis. Director Ptacek moved to request staff to make presentations to the member agencies for approval. Director Lohman seconded the motion. The Board also requested that this item be brought back to the SAM Directors advising them of outcome, and for final approval. Following approval, the SAM Board would then authorize the Engineers to start the design, and start the permitting process. Ptacek/Lohman/8 AYES, 0 NOES. The motion passed.

Chair Boyd thanked staff for the information on the SAM website, advising it was very helpful. Chair Boyd requested staff look into additional mitigation alternatives.

Director Ferreira reported the City of Half Moon Bay had not yet fully discussed legal considerations of the JPA, and then following discussion with Board and staff, the Board made available SAM's General Counsel and the Manager for discussion of this matter with the City of Half Moon Bay's attorney and its Director of Public Works, and, perhaps, the other member agencies

Chair Boyd suggested an immediate remedy to overflows at the Montara tank could be made by creating a berm around the Montara tank. Following discussion, Manager Foley advised he would look into a variety of storage alternatives.

Chair Boyd recessed the meeting at 9:41 p.m.

Following recess, the meeting resumed at 9:50 p.m.

Manager Foley introduced Cynthia Peyton, SAM's temporary receptionist, who was present at the meeting for observation of procedures of recording secretary.

**6B. Review and Adopt Resolution No. 1-2005, A Resolution of Award of Contract (Leaking Process Air Piping Repair)**

Manager Foley reviewed the staff report and introduced Mike Donovan of Whitley, Burchett & Associates, who addressed the Board, advising that the low bidder on the Leaking Process Air Piping Repair project was Berkeley Engineering Company. Mr. Donovan advised the Board that his research on Berkeley Engineering Company concluded that they were a reputable, Class A contractor, had current and active licenses, with exceptional references. Following discussion, Director Woren moved to adopt Resolution No. 1-2005, A Resolution of Award of Contract (Leaking Process Air Piping Repair). Director Ptacek seconded the motion. Woren/Ptacek/8 AYES, 0 NOES. The motion passed.

### **6C. Consider Alternative Board Meeting Location**

Manager Foley reviewed the staff report with Directors. Following discussion, the Board recommended meeting at least one time at the Montara Lighthouse; meeting scheduled for February 22, 2005.

## **7. NEW BUSINESS**

### **A. Review and Approve Board Policy on Closed Sessions**

Manager Foley reviewed the staff report and presented the Board Policy for adoption. Director Woren requested the word “and” in the first paragraph, fifth line, be changed to “or”. Following discussion, Director Woren moved to adopt the Board Policy on Closed Sessions as amended. Director Ptacek seconded the motion. Woren/Ptacek/8 AYES, 0 NOES. The motion passed.

## **8. MANAGER’S INFORMATIONAL REPORT**

Manager Foley advised that the Manager of Coastside County Water District has advised that he will meet with Manager Foley after he receives direction from his Board of Directors. Following discussion, the Board requested that recycled water be placed on future agendas as a recurring item.

Manager Foley also advised that he attended the CASA meeting in Palm Springs last week and the focus was on sanitary sewer overflows. Manager Foley reported it was announced at the meeting that SAM is the recipient of CSRMA’s Safety Super Star Award, and a plaque presentation could be done as early as the March Board meeting.

Manager Foley briefed the Board on his meeting with Tom Selfidge of the Tahoe Truckee Sanitation Agency and described Tahoe Truckee Sanitation Agency’s vigorous approach in reduction of SSOs via flow meters, televising lines, and follow-ups with cleaning of lines. Manager Foley advised that he and Technical Services Supervisor Pullin will be considering this type of maintenance program, including staffing, after an analysis of additional costs. Director Woren advised that it seems that roots are a significant problem in Granada Sanitary District (GSD). He recommended that SAM and GSD need to work together on it.

## **9. ATTORNEY’S REPORTS**

General Counsel Copeland commented that he had heard that the State Attorney General may be looking into the repair of private laterals and whether a public agency has the authority to repair them at public expense. He advised he would keep the Board updated on this matter.

**10. DIRECTORS REPORTS**

Director Ferreira requested that the Manager bring Director Lohman up to date on SAM's closed session items for the last few months. Manager Foley advised that staff would provide documentation to Director Lohman.

**11. TOPICS FOR FUTURE BOARD DISCUSSION**

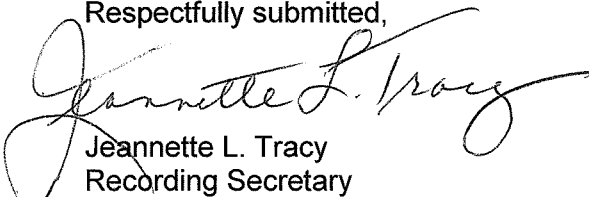
Directors and staff discussed the number of items upcoming for the February SAM agenda. They suggested the possibility of a special meeting to discuss laterals and getting member agencies involved.

**12. ADJOURNMENT**

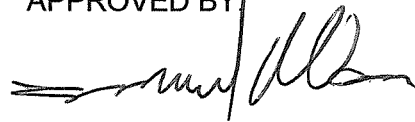
Director McCausland moved to adjourn the meeting at 10:30 p.m. Director Ptacek seconded the motion.

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

Respectfully submitted,

  
Jeannette L. Tracy  
Recording Secretary

APPROVED BY



BOARD SECRETARY *Pro-Tem*