

**MINUTES**  
**SAM REGULAR BOARD MEETING**  
**November 28, 2011**

**1. CALL TO ORDER:** Chair Lohman called the meeting to order at 7:09 p.m. at the SAM Administration Building, located at 1000 N. Cabrillo Highway, Half Moon Bay, CA.

**ROLL CALL:** Present: Harvey, Lohman, Woren  
Absent: Fraser, Kowalczyk  
Alternate Present: Patridge, Slater-Carter

**STAFF PRESENT:** General Manager Leonard, General Counsel Copeland, Technical Svcs Supervisor Pullin, Supv. of Admin. Svcs. Tracy, and Recording Secretary Turbay.

**2. PUBLIC COMMENT/ ORAL COMMUNICATION**

Alternate Director Slater-Carter advised of the California King Tides Photo Initiative. The upcoming King Tides will be December 23-24, 2011 and January 20-22, 2012. She stated that for more information, persons interested could go to its website, [www.californiakingtides.org](http://www.californiakingtides.org).

**3. CLOSED SESSION**

- A. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a) – Foley v. CalPERS
- B. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a) – Szabo v. SAM

The Board went into Closed Session at 7:11 p.m. The Board came out of Closed Session at 7:48 p.m. General Counsel Copeland reported that, regarding Agenda Item 3A – Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a) - Foley v CalPERS, the Board voted unanimously, with one abstention by Alternate Director Slater-Carter, to approve the Settlement and General Release Agreement by and between John F. Foley and SAM, dated as of November 18, 2011, and Amendment No. 2 of At Will Employment Agreement for Manager, and that a copy of these documents is on file with the Secretary.

**4. CONSENT AGENDA**

Director Woren requested that Agenda Item 4A – Approve Minutes of October 24, 2011 Board meeting be pulled from the Consent Agenda. Director Woren moved and Director Slater-Carter seconded the motion to approve the following consent agenda items as presented:

- B. Receive and File Manager's Monthly Report for October 2011, including:
  - a. Financial Statement
  - b. Monthly NPDES Data
  - c. Collection System Data
- C. Approve Disbursements for November 2011

Woren/Slater-Carter/6 Ayes/0 Noes. The motion passed.

- A. Approve Minutes of October 24, 2011 Board Meeting

Director Woren requested the wording of Item 6A – Adopt Resolution No. (next number in sequence), A Resolution Approving Refund of Expense Net Operating Revenue to Member Agencies, be corrected to reflect that the Board agreed that a Resolution was not necessary due to a policy adopted years ago to the effect that, a Resolution is not needed to approve the refunding of the expense net operating revenue to the Member Agencies. Director Harvey requested that Item 8 – Directors Report, include mention of his handouts to the Board at the October Board meeting and that those handouts be attached to the Minutes as addenda. Director Woren moved and Director Harvey seconded the motion to approve the Minutes of the October 24, 2011 as amended.

Woren/Harvey/3Ayes/0 Noes/3 Abstain. Since the motion did not pass, Chair Lohman asked that the minutes, as amended, be agendaized for the next regular Board meeting.

## **5. OLD BUSINESS**

### **A. Discuss and Possible Action on Wet Weather Flow Management Program (WWFMP) Project**

General Manager Leonard updated the Board on his meeting with Granada Sanitary District and Montara Water & Sanitary District engineers and staff. A discussion ensued.

### **B. Monthly Flow Report**

General Manager Leonard handed out a corrected report on the Monthly Flow Report Summary for October. He continued his report in Agenda Item 5C – Review of SAM Member Agency Flow Data.

### **C. Review of SAM Member Agency 2011 Flow Data**

General Manager Leonard reviewed his presentation with the Board, covering flow issues, staff findings, HMB measured flows vs. SAM's measured flows, staff recommendations, corrective actions and Member Agency corrected flow percentages for 2011. A discussion ensued. Director Patridge suggested SAM purchase a meter to install at Frenchman's Creek and SAM staff meter it. Director Slater-Carter requested that the corrected version of the Monthly Flow Report Summary for October be posted to the agenda online. Chair Lohman suggested finding an acceptable rolling average for a steady budget that the Board can use to plan and make forecasts on a yearly basis, and bring this topic back for discussion at the January Board meeting. Director Patridge thanked staff for their work on the monthly flow data. Director Slater-Carter suggested that SAM take over the maintenance and calibration of all meters.

## **6. NEW BUSINESS**

### **A. Review and Authorize 2012 Board Meeting Schedule**

Director Woren suggested the November 26, 2012 Board meeting be moved to the 1<sup>st</sup> Monday in December. A discussion ensued. Following discussion, Director Slater-Carter moved and Director Patridge seconded the motion to approve the 2012 Board meeting schedule as presented, with the understanding that the Board could, at a later date, vote to reschedule one or more meetings.

Slater-Carter/Patridge/5 Ayes/0 Noes/1 Abstain. The motion passed.

## **7. ATTORNEY'S REPORT**

General Counsel Copeland stated that he plans to have a final report on 2010-11 Legislation at the next regular meeting.

**8. DIRECTORS' REPORT**

Director Slater-Carter reported on an article she read on toilets and how they are the single biggest improvement to worldwide health. She also thanked staff for all of their hard work.

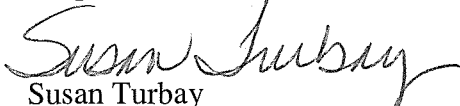
**9. PUBLIC COMMENT/ORAL COMMUNICATION**

General Manager Leonard reported on an IPS leak on Vallemar Street on November 22, 2011. He informed the Board that a section of pipe was repaired on Wednesday, November 23, 2011. He also reported that a second leak occurred at Vallemar Street on Thanksgiving Day and was repaired the same day.

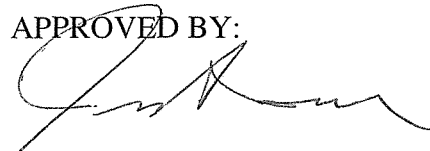
**10. ADJOURNMENT**

The meeting was adjourned at 8:42 P.M., to the next regular Board meeting, scheduled for January 23, 2012, 7:00 P.M., at the SAM Administration Building, 1000 N. Cabrillo Highway, Half Moon Bay, CA 94019.

Respectfully submitted,

  
Susan Turbay  
Recording Secretary

APPROVED BY:

  
BOARD SECRETARY