

MINUTES
SAM REGULAR BOARD MEETING
October 25, 2010

1. CALL TO ORDER: Chair Fraser called the meeting to order at 7:03 P.M. at the SAM Administration Building, located at 1000 N. Cabrillo Highway, Half Moon Bay, CA.

ROLL CALL: Present: Lohman, Fraser, Harvey, Boyd, Woren
Absent: Kowalczyk
Alternate Present: Patridge

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

2. PUBLIC COMMENT/ ORAL COMMUNICATION - None.

2A. Special Order of the Day

Receive and File Auditors Report and Comprehensive Annual Financial Report (CAFR) for FY 2009-10 – Review by Jeffery J. Ira, Partner of C.G. Uhlenberg, LLP, and John Parsons, Principal, Parsons Accounting and Financial Advisors

General Manager Leonard introduced Mr. Jeff Ira, Partner, of the auditing firm C.G. Uhlenberg, and John Parsons, Principal, of Parsons Accounting and Financial Advisors. Mr. Ira reviewed and discussed - the Auditors Report and Comprehensive Annual Financial Report (CAFR) for FY 2009-10. After discussion, SAM Board members recommended changes to pages vii and Table 5 on page 35, of the CAFR. Director Lohman moved and Alternate Director Patridge seconded the motion to receive and file the Comprehensive Annual Financial Report (CAFR) for FY 2009-10 subject to the recommended changes being made.

Lohman/Patridge/8 Ayes/0 Noes. The motion passed.

3. CLOSED SESSION

- A. Conference with Legal Counsel - Anticipated Litigation - Government Code Section 54956.9(a) – (Barton), and Section 54956.9(b) Two Matters
- B. Public Employee Performance Evaluation – General Manager – Government Code Section 54957
- C. Conference with Labor Negotiator – Government Code 54957.6: SAM General Manager; or Designated Representative – Austris Rungis (IEDA), Employee Organization International Union of Operating Engineers, Stationary Engineers, Local 39

At 7:21 P.M., the Board went in to Closed Session for the purpose of discussing Agenda Item 3A - Conference with Legal Counsel - Anticipated Litigation - Government Code Section 54956.9(a) – (Barton), and Section 54956.9(b) Two Matters, Agenda Item 3B - Public Employee Performance Evaluation – General Manager – Government Code Section 54957, and Agenda Item 3C – Conference

with Labor Negotiator – Government Code 54957.6: SAM General Manager; or Designated Representative – Austris Rungis (IEDA), Employee Organization International Union of Operating Engineers, Stationary Engineers, Local 39.

The Board came out of Closed Session at 8:14 P.M. General Counsel Copeland advised that, consistent with the Board's discussion in the closed session, it would be in order for the Board to adopt a motion to reject the claim of American Technologies, Inc., dated September 27, 2010. Vice-Chair Harvey moved and Director Woren seconded the motion to reject the claim of American Technologies, Inc., dated September 27, 2010.

Harvey/Woren/8 Ayes/0 Noes. The motion passed.

4. CONSENT AGENDA

Director Boyd moved and Director Lohman seconded the motion to approve the following consent agenda items as presented:

- A. Approve Minutes – September 27, 2010 SAM Regular Board Meeting
- B. Receive and File Manager's Monthly Report for September 2010, including:
 - a. Monthly Flow Report
 - b. Financial Statement
 - c. Monthly NPDES Data
 - d. Collections System Data
- C. Approve Disbursements for September 2010
- D. Amendment 7 to SAM Joint Powers Agreement (JPA)
- E. Receive and File – SAM's Request for Appeal, Dated October 11, 2010 to CalPERS
Regarding Certain Benefits to Former Manager

Boyd/Lohman/8 Ayes/0 Noes. The motion passed.

5. OLD BUSINESS

5A. Discuss and Possibly Take Action on Recycled Water

Chair Fraser reported that there was no new information on recycled water.

5B. Wet Weather Flow Management Program (WWFMP)

Director Boyd informed the Board that the WWFMP Committee will be scheduling a meeting soon.

5C. Conduct Public Hearing on Proposed Non-Domestic Waste Source Control Program (NDWSCP) Fee Schedule for FY 2010-11

Director Woren moved and Director Boyd seconded the motion to conduct a public hearing on the proposed NDWSCP fee schedule for FY 2010-11.

Woren/Boyd/8 Ayes/0 Noes. The motion passed.

- a. **Open Hearing** – Director Fraser opened the hearing at 8:21 P.M.
- b. **Manager’s and Secretary’s Statements** - The Board received the Manager’s report on the matter.
- c. **Public Comment** – There were no comments received from the public.
- d. **Close Hearing** – Director Fraser closed the hearing at 8:24 P.M.

5D. Adopt Resolution No. 7-2010, Establishing Schedule of Fees for use in Conjunction with NDWSCP – FY 2010-11

Following review and discussion, Director Boyd moved and Director Woren seconded the motion to adopt Resolution No. 7-2010, “Establishing Schedule of Fees for Use in Conjunction with NDWSCP – FY 2010-11.”

Boyd/Woren/8 Ayes/0 Noes. The motion passed, the resolution was adopted.

6. NEW BUSINESS

6A. Reconsideration, Discussion and Action on SAM Portable Computer Cost Reimbursement Policy

Following discussion, the Board took no action to change the current SAM policy.

6B. Consideration and Action on Rescheduling November and December 2010 SAM Board Meetings

Following review and discussion of the SAM staff report as presented, it was the consensus of the SAM Board to reschedule the regular November meeting from November 22nd to November 29, 2010.

7. GENERAL MANAGERS INFORMATIONAL REPORT

General Manager Leonard reviewed his staff report with the SAM Board.

8. ATTORNEY’S REPORT

8A. Receive Update on 2010 Legislation

General Counsel Copeland updated the Board on the status of the 2010 Legislation discussed at the September 27, 2010 Board meeting. Following discussion, no Board action was taken.

9. DIRECTORS’ REPORT

Director Lohman reported on his attendance at the California Special Districts Association (CSDA) annual conference on September 20-23, 2010 in Newport Beach, CA. He discussed an entity that creates items for recycled water and mentioned that a group within the Association assists with grants for recycled water.

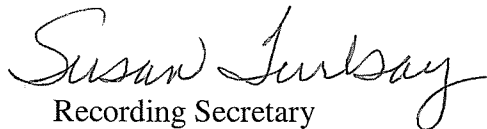
Director Boyd inquired as to the status of the wet weather storage containers in anticipation of the wet weather season. Technical Services Supervisor Pullin replied that they should be on site within the next few weeks.

10. PUBLIC COMMENT/ORAL COMMUNICATION - NONE.

11. ADJOURNMENT

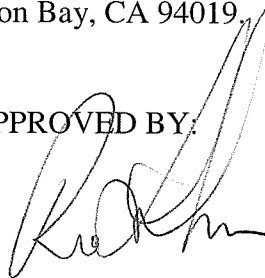
The Chair adjourned the meeting at 8:49 P.M., to Monday, November 29, 2010, 7:00 P.M. at the SAM Administration Building, 1000 N. Cabrillo Highway, Half Moon Bay, CA 94019.

Respectfully submitted,



Recording Secretary
Susan Turbay

APPROVED BY:



BOARD SECRETARY