

M I N U T E S

Sewer Authority Mid-Coastside
Meeting of October 2, 1978

The meeting was called to order by the Chairman, Mr. Leger.

BOARD OF DIRECTORS ROLL CALL:

PRESENT: Leger, Heaslet, Scott, Damer (arrived at 8:12)
ALTERNATE: Shaw for HMB
ABSENT: Adreveno, Cardoni

STAFF PRESENT: Manager Mortensen, Treasurer Volken, Attorney Copeland

Others present were Armen Ansooshian (engineering consultant) and Phil Karpain (HMB City Engineer).

MINUTES APPROVED: Attorney Copeland suggested the minutes of the meeting of August 28, 1978 be amended to reflect all discussion that took place at that meeting. Accordingly, the following addition was to be inserted as a new paragraph before the last paragraph:

"The Board discussed the necessity for any action on agenda items presented, and found that none was immediately required. The Chairman directed that the Manager research and inform the Board of the record of attendance of the Directors."

Heaslet moved, and it was seconded by Scott, that the minutes of the Special Joint Study Session of July 20, 1978, of the Regular Meeting of July 24, 1978, of the Special Meeting of August 2, 1978, and of the Regular Meeting of August 28, 1978 (as amended) be approved. The affirmative vote was unanimous.

CONSENT CALENDAR:

- A. For Approval:
 - 1. HMB - Statement for Services and Partial Detail of Administrative Expenses for Month of July 1978
 - 2. HMB - Statement for Services and Partial Detail of Administrative Expenses for Month of August 1978
- B. For Information:
 - 1. SAM (8/11/78) - Letter and Application to CCZCC
 - 2. RWQCB (7/31/78) - Regional Board Policy on Discrete Sewage Facilities
 - 3. REM (7/31/78) - Letter regarding fire to building
 - 4. SWRCB (8/7/78) - Bulletin #71: Construction Contract Change Orders
 - 5. Booklet on Reclamation of Wastewater in Bay Area
 - 6. SAM (7/27/78) - Letter to RWQCB on Application Alternative
 - 7. SWRCB (8/14/78) - Bulletin #448: Equal Employment Opportunity Requirements on Construction Contracts
 - 8. RWQCB (8/30/78) - Re: Request for interim effluent discharge point

Heaslet moved, and it was seconded by Scott, that the Consent Calendar be adopted. The affirmative vote was unanimous.

WRITTEN COMMUNICATIONS:

- A. SWRCB (8/28/78) - Eligibility of Project Alternatives - The Manager reviewed the letter, noting that he believed the statement that "The

State Board would be willing to modify concept approval to include capacity for Half Moon Bay in the new regional outfall if implementation of the total project can be accomplished expeditiously" was the key to the letter; and it was unlikely this condition could be met.

In reviewing this letter with the State's project evaluator, it had been explained to the Manager that any further Step I work SAM would undertake in attempting to prove the greater cost effectiveness of Plan A over Plan F would not be grant funded. Furthermore, even if such an effort was successful and the State granted concept approval to Plan A over Plan F, the Step II work of designing Plan A would likewise not be grant funded. The reason for this was that the State had already funded the Step I and II work on Plan F, and would only further fund Step III construction work, whether it be for Plan A or for Plan F.

Chairman Leger asked what HMB's present plans were, and Shaw replied that present City Council feelings favored bringing its plant up to standards as soon as possible. The Manager noted that HMB was under some pressure not to wait for SAM's probable "post LCP" construction. He reviewed the city's solids handling problems and proposed solutions, and handed out a Brown & Caldwell (9/29/78) letter that compared the alternatives of the city's going to tertiary treatment or repairing its present outfall, noting the report favored the latter.

After discussion of action by SAM for expediting the project, the Treasurer suggested that SAM should apply for reimbursement for past fundable expenditures prior to the taking of any legal action. The Manager was directed to immediately act on this suggestion.

Damer then suggested that SAM might have a strong legal case to force the funding of at least the outfall portion of the SAM project, if HMB decided not to spend its own funds to repair its existing broken outfall. The other representatives of both GSD and MSD agreed that if HMB had to take such action in its own interests, it would weaken the united position of SAM.

Damer asked if SAM could indemnify HMB against any State action against HMB should HMB decide to go along with SAM's desires concerning repair of the outfall. No resolution of this question could be made at this point. The Board next discussed sending a Board representative to the HMB City Council meeting of October 3 to present SAM's viewpoint on possible legal action and the HMB outfall problem. The Chairman directed Scott to be the representative.

- B. CCZCC (9/12/78) - Re: SAM Application for Plan "A" - The Manager and Anoshian expressed serious reservations concerning further expenditures to respond to the request for further information in this letter. The Attorney asked if the County Supervisors were likely to give the conceptual approval required in the letter, and Damer felt this might be a good testing ground for Supervisor Lyons' feelings on Plan A, and suggested the earlier report on cost effectiveness be presented to the County Supervisors in the request for this approval. In the Manager's opinion, however, it was now useless to spend any further effort on the project as envisioned by SAM until after the Local Coastal Programs are determined by the Coastal Commission, as evidenced by the recent CCZCC and SWRCB letters.

At this point, Damer asked the Manager if he was willing to proceed. The Manager answered that he had lost his enthusiasm after SAM's continual failure to get project approval for the various alternatives it had tried. He also noted he was not optimistic about Plan A's chances, especially with GSD's capacity increase, but would complete the preliminary application if the Board so desired, even though he could not recommend such action.

Damer suggested that the issue was whether HMB and MSD should be required by the CCZCC to lose capacity in order to accomplish a solution to the coastside sewage problems. The Manager felt the CCZCC's actions on Plan F had already affirmed this, but Damer felt they had evaded the issue by making the capacity SAM desired impracticable from a financial view, rather than preventing it completely. He also suggested that if the CCZCC turned down Plan A, it would be rejecting the individual treatment plants, thus strengthening SAM's case in any potential lawsuit. The concept of exhausting all administrative remedies prior to instituting legal action was discussed, and it was therefore felt that completing the application for Plan A was in SAM's best interests.

Damer moved, and it was seconded by Scott, that the engineers be directed to, within 5 working days, put together the information necessary to respond to the requirements set forth in the CCZCC letter of 9/12/78, and forward same to the Chairman for signature and transmission to the CCZCC.

Available sources of the required information were discussed. After discussion of the requirements listed in the letter, and the delays inherent in applying only for a preliminary hearing, the Board decided to attempt to provide a completed application.

Damer amended his motion to direct staff rather than the engineers to prepare the information requested, and Scott assented to the amendment. The Manager asked if the 5 day time limit was meant to expedite the process rather than set an absolute deadline, and Damer agreed. The affirmative vote was unanimous.

STAFF REPORTS:

- A. September Meeting Date/Status Report - Presented for information only; no discussion.
- B. Attendance Record - After a short discussion, the Manager suggested SAM request new HMB representation if the issue was of real concern to the Board. Damer noted this action might be held off for a short while.

NEW BUSINESS:

State Parks & Recreation Department Plans for the Coastside - Heaslet suggested that a letter be written to this department advising them that no permits for sewage would be available until the regional project was resolved. Damer so moved, and it was seconded by Scott. Damer also suggested asking what capacity might be involved in their proposal. The affirmative vote was unanimous. Heaslet suggested the agencies of SAM write separately as well.

ALLOWANCE FOR CLAIMS:

The Treasurer presented vouchers for payment in the amount of \$11,694.65. Damer moved, and it was seconded by Heaslet, that the vouchers be approved for payment. The affirmative vote was unanimous.

LATE AGENDA ITEMS:

- A. Brown & Caldwell (9/29/78) - Preliminary Feasibility Study of Tertiary Treatment for City of HMB Secondary Effluent - Discussed under Written Communications item A.
- B. SWRCB (8/31/78) - Office of Water Recycling Bulletin
- C. SWRCB (8/11/78) - Bulletin #72: Infiltration/Inflow Program Modification
- D. W. D. Cathcart (9/30/78) - Forwarding of SAM FY 77-78 Audit Report

The above items B, C, and D were handed out for information only; no discussion.

ADJOURNMENT - Upon motion made and duly seconded, the October 2, 1978 meeting of the Sewer Authority Mid-Coastside was adjourned at 9:59 p.m.

Respectfully submitted,



Robert W. Terkelson
Administrative Ass't

APPROVED:



Nick Damer
Secretary