

SAN ELIJO JOINT POWERS AUTHORITY
MINUTES OF THE BOARD MEETING
HELD ON NOVEMBER 9, 2009
AT THE
SAN ELIJO WATER RECLAMATION FACILITY

Dave Roberts, Chair

Maggie Houlihan, Vice Chair

A Meeting of the Board of Directors of the San Elijo Joint Powers Authority (SEJPA) was held Monday, November 9, 2009, at 9:00 a.m., at the San Elijo Water Reclamation Facility at 2695 Manchester Avenue, Cardiff by the Sea, California.

1. CALL TO ORDER

Chair Roberts called the meeting to order at 9:00 a.m.

2. ROLL CALL

Directors Present:

Teresa Barth
Thomas Campbell
Maggie Houlihan
Dave Roberts

Others Present:

General Manager
Director of Finance/Administration
Administrative Assistant
Accounting Tech
HR/Safety Administrator
Water Reclamation Supervisor

Michael Thornton
Greg Lewis
Monica Blake
Carrie Cook
Marisa Buckles
Scott Carr

SEJPA Counsel:

Procopio, Cory, Hargreaves & Savitch

John Lemmo

City of Encinitas, Director of Public Works
City of Encinitas,

Larry Watt

Public Works Management Analyst

Bill Wilson

City of Solana Beach,

City Manager

David Ott

City of Solana Beach,

Director of Engineering/Public Works

Mohammad "Mo" Sammak

SDG&E Representatives

Chris Brown & Joe Velasquez

Winzler & Kelly

Mary Grace Pawson

Kennedy/Jenks Consultants

Pat Huston

3. PLEDGE OF ALLEGIANCE

Scott Carr led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

None

5. PRESENTATION OF AWARDS

Scott Carr, Water Reclamation Supervisor, was presented with a certificate of recognition by General Manager Michael Thornton, for ten years of service with San Elijo Joint Powers Authority.

SDG&E representative Joe Velasquez, Director of Commercial & Industrial Services, presented General Manager Michael Thornton, the Board of Directors, and SEJPA with an Energy Savings Incentive Grant in the amount of \$70,486 for energy savings from the recently completed Performance Optimization of the Activated Sludge System Project.

6. CONSENT CALENDAR

Moved by Vice Chair Maggie Houlihan and seconded by Board Member Barth to approve the Consent Calendar with unanimous vote of approval.

Consent Calendar:

Agenda Item No. 7	Approval of Minutes for the October 12, 2009 meeting
Agenda Item No. 8	Approval for Payment of Warrants and Monthly Investment Report
Agenda Item No. 9	San Elijo Water Reclamation Facility Treated Effluent Flows – Monthly Report
Agenda Item No. 10	San Elijo Joint Powers Authority Recycled Water Program – Monthly Report

11. ITEMS REMOVED FROM CONSENT CALENDAR

None

12. APPOINTMENT TO EMPLOYEE COMPENSATION AND BENEFIT AD-HOC COMMITTEE

SEJPA management requested that the SEJPA Board of Directors appoint an Employee Compensation and Benefit Ad-Hoc Committee for the development of a new labor agreement with the SEJPA employees. The current labor agreement expires on June 30, 2010. Vice Chair Maggie Houlihan and Board Member Thomas Campbell volunteered for this committee.

Moved by Chair Roberts and seconded by Board Member Barth to:

1. Appoint an Employee Compensation and Benefit Ad-Hoc Committee consisting of Vice Chair Houlihan and Board Member Campbell.

Motion carried with unanimous vote of approval.

13. SAN ELIJO RECYCLED WATER PROGRAM - 2009 FINANCIAL ASSESSMENT

The General Manager presented the Board of Directors with the 2009 Updated Financial Assessment for the Recycled Water Program. It was stated that the SEJPA has examined options for improving and expanding its recycled water utility. A variety of infrastructure improvements have been identified to improve water quality, increase the serving capacity, and enhance system reliability. Mary Grace Pawson, of Winzler & Kelly, was introduced and answered various questions from the Board of Directors.

Board Member Campbell requested a presentation by the General Manager at the next City of Solana Beach Board meeting.

Moved by Vice Chair Houlihan and seconded by Board Member Campbell to:

1. Accept and file the 2009 Updated Financial Assessment for the Recycled Water Program.

Motion carried with unanimous vote of approval.

14. MEMBER AGENCY CONTRIBUTIONS TO THE SAN ELIJO JOINT POWERS AUTHORITY'S RECYCLED WATER PROGRAM

Director of Finance/Administration Gregory Lewis presented information requested by the Board of Directors regarding repayment of the contributions originally made by the Member Agencies to the Recycled Water Program. As stated in Legal Counsel's memorandum, it was concluded that the repayment of the contributions may not include interest. Gregory Lewis presented a possible payment schedule that would allow the SEJPA to return the Member Agency's contributions with payments beginning in FY 2017-18 and ending in FY 2024-25.

Board Member Campbell asked Legal Counsel if the contributions could be restated as a loan. Legal Counsel responded that it might be possible.

Informational report by the Director of Finance/Administration does not require Board action.

15. CALIFORNIA STATE REVOLVING FUND (SRF) LOAN APPLICATION AUTHORIZATION FOR RECYCLED WATER DEMINERALIZATION PROJECT

The General Manager reported that the State Water Resources Control Board (SWRCB) has a State Revolving Loan Program that provides low interest loans to public agencies for construction of recycled water facilities and improvements. The SRF application process requires obtaining SEJPA Board of Director approval of resolutions to authorize the application, dedicate a source of revenue to repay the loan, and adopt a reimbursement resolution. The General Manager stated that approval of these resolutions does not commit the SEJPA to entering into an agreement with the SWRCB.

Moved by Board Member Campbell and seconded by Vice Chair Houlihan to:

1. Adopt Resolution No. 2010-01, Resolution of the Board of Directors of the San Elijo Joint Powers Authority Authorizing Entering into a Financial Assistance Agreement with the State Water Resources Control Board and Designating a Representative to Sign the Financial Assistance Agreement;
2. Adopt Resolution No. 2010-02, Resolution of the Board of Directors of the San Elijo Joint Powers Authority Dedicating the Source of Revenue for the Recycled Water Demineralization Project; and
3. Adopt Resolution No. 2010-03, Resolution of the Board of Directors of the San Elijo Joint Powers Authority of Intent to Reimburse Expenditures Related to Construction or Reconstruction of Certain Public Facilities.

Motion carried with unanimous vote of approval.

16. ODOR SCRUBBER PERMIT VIOLATION

The General Manager reported the San Elijo Water Reclamation Facility (SEWRF) utilizes two odor scrubbers for purposes of cleansing malodorous air of hydrogen sulfides. Each odor scrubber is regulated by the Air Pollution Control District of San Diego County (APCD) through a permit to operate. On July 31, 2009, APCD conducted an inspection and found Odor Scrubber No. 1 was operating slightly above the permitted level. Adjustments were made to the scrubber and it returned to compliance specifications within 2 hours. The SEJPA was fined \$900 by the APCD in response to this permit violation.

The General Manager stated the scrubber is nearly 19 years old and may be at the end of its useful life. SEJPA has identified this scrubber as being in need of replacement in the next few years.

Informational report by the General Manager does not require Board action.

16. GENERAL MANAGER'S REPORT

None

17. GENERAL COUNSEL'S REPORT

None

18. BOARD MEMBER COMMENTS

The Board of Directors noted that the General Manager's performance review is scheduled for the December Board meeting. As part of this process, the General Manager will submit a self-evaluation to the Board. It was requested that each Board Member complete their own GM review and submit it to SEJPA legal counsel, by November 30, 2009. Legal counsel will prepare a summary of the Board Member reviews, which will be presented at the December 14, 2009 Board meeting in closed session.

Chair Roberts verbally reported to the Board of Directors that the GM Review Sub-Committee meetings have been positive and all topics were addressed as requested by the Board of Directors. It was requested that the continuation of the General Manager Sub-Committee process be addressed at a future Board meeting.

19. CLOSED SESSION

None

20. ADJOURNMENT

The Board of Directors adjourned at 9:58 a.m. The next Board of Directors meeting will be held on December 14, 2009.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

SAN ELIJO JOINT POWERS AUTHORITY
MINUTES OF THE
GENERAL MANAGER PERFORMANCE REVIEW
SUBCOMMITTEE MEETING
HELD ON NOVEMBER 9, 2009
AT THE
SAN ELIJO WATER RECLAMATION FACILITY

Dave Roberts, Chair

Teresa Barth, Board Member

A General Manager Performance Review Meeting of the San Elijo Joint Powers Authority (SEJPA) was held Monday, November 9, 2009, at 8:00 a.m., at the San Elijo Water Reclamation Facility at 2695 Manchester Avenue, Cardiff by the Sea, California.

1. CALL TO ORDER

Chair Roberts called the meeting to order at 8:00 a.m.

2. ROLL CALL

Directors Present:

Teresa Barth
Dave Roberts

Others Present:

General Manager

Michael Thornton

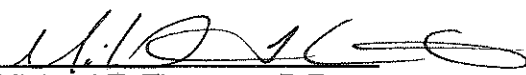
3. CLOSED SESSION

Government Code Section 54957 with respect to Public Employee Performance Evaluation. Title: General Manager.

4. ADJOURNMENT

The Subcommittee adjourned at 8:32 a.m. with no reportable action. The GM Annual Performance Review will be conducted on Monday, December 14, 2009, with the full Board of Directors, including the General Manager's employment agreement for the 2010 year.

Respectfully submitted,


Michael T. Thornton, P.E.
General Manager