



**Montara Water
and Sanitary District**
Serving the Community of Montara and Moss Beach

P.O. Box 370131
8888 Cabrillo Hwy
Montara, CA 94037-0131
t: 650.728.3545 • f: 650.728.8556

To sensitively manage the natural resources entrusted to our care, to provide the people of Montara - Moss Beach with reliable, high – quality water, wastewater, and trash disposal at an equitable price, and to ensure the fiscal and environmental vitality of the district for future generations. Be open to providing other services desired by our community.

AGENDA

District Board of Directors

February 2, 2023 at 7:30 p.m.

THIS MEETING WILL BE HELD REMOTELY UNDER PARAGRAPH (1) OF SUBDIVISION (e) OF GOVERNMENT CODE SECTION 54953 DUE TO THE CURRENT PROCLAIMED STATE OF EMERGENCY. THIS MEETING WILL NOT HAVE A PHYSICAL LOCATION.

Directors, staff and the public may participate remotely via the application ZOOM:

ZOOM MEETING INFORMATION:

WEBSITE: <https://us02web.zoom.us/j/82453971974?pwd=VzBScXJCUUR1eDRPcGJ0MGh5K25RUT09>

MEETING ID: 824 5397 1974

Password: 409651

CALL IN PHONE NUMBER: +1 669 900 9128

INSTRUCTIONS for remote access are available at <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>. You also may view video during the meeting via live stream or after the meeting at <https://videoplayer.telvue.com/player/wuZKb9gwEY7sMACIIsr7VSJgIB35kNZA/stream/159?fullscreen=true&showtabssearch=false&autostart=false> . If you experience technical difficulties or have technical questions prior to or during the meeting, please contact MWSD’s IT support at (650) 728-7843.

Note: Public participation is not permitted during closed session discussion items.

Public Comment

In accordance with the Government Code, members of the public may address the Board on specific agenda items when the matter is announced by the Board President. Any other item of interest that is within the subject matter jurisdiction of the District may be addressed during the Oral Comments portion of the meeting. A “raise hand” button is available for every Zoom user wishing to speak and should be used to alert the President of the intent to comment.

Upon request, this Agenda and written agenda materials will be made available in appropriate alternative formats to persons with a disability. Request for a disability-related modification or accommodation in order to participate in the public meeting should be emailed to info@mwsd.net or submitted by phone at 650-728-3545 at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, and local orders, the format of this meeting may be altered, or the meeting may be canceled. You may check on the status of the meeting by visiting the District’s website at: <http://mwsd.montara.org> .

CALL TO ORDER

ROLL CALL

PRESIDENT’S STATEMENT

ORAL COMMENTS (Items other than those on the agenda)

PUBLIC HEARING (none)

CONSENT AGENDA

1. [Approve Minutes for Regular Scheduled Board Meeting January 19, 2023](#)
2. [Approve Financial Statements for December 2022](#)
3. [Approve Warrants for February 1, 2023](#)
4. [SAM Flow Report](#)
5. [Monthly Review of Current Investment Portfolio.](#)
6. [Connection Permit Applications Received](#)
7. [Monthly Water Production Report](#)
8. [Rain Report](#)
9. [Monthly Solar Energy Report](#)
10. [Monthly Public Agency Retirement Service Report for November 2022](#)

OLD BUSINESS

NEW BUSINESS

1. [Review and Possible Action Concerning Remote Meetings During Emergency Conditions Under Government Code Section 54953 of the Brown Act](#)
2. [Review and Possible Action Recognizing Ric Lohman for his Decades of Outstanding and Dedicated service to our Community.](#)
3. [Review and Possible Action Concerning Vacant Position for Board of Directors](#)
4. [Review and Possible Action Concerning Water Rate and Sewer Study](#)
5. [Review and Possible Action Concerning Changes to AB 361 and Transition to In-Person Meetings.](#)

REPORTS

1. Sewer Authority Mid-Coastside Meetings (Slater-Carter).
2. MidCoast Community Council Meeting (Slater-Carter).
3. CSDA Report (Slater-Carter).
4. LAFCo Report (Slater-Carter).
5. Attorney's Report (Fitzgerald).
6. Directors' Reports.
7. [General Manager's Report](#) (Heldmaier).

FUTURE AGENDAS

CONVENE IN CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code §54956.9(d)(1))

Case Name: *City of Half Moon Bay v. Granada Community Services District, et al.* (Santa Clara County Superior Court No. 17CV316927)

Case Name: *Montara Water and Sanitary District v. The Dow Chemical Company, et al.* (San Bernardino County Superior Court No. CGC-05-438267)

CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

(Government Code §54956.9(d)(4)) Initiation of Litigation (2 potential cases)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Government Code §54956.8)

Property: 770 Harte St., Montara, CA

Agency Negotiators: District General Manager; District General Counsel

Negotiating parties: Rose and Guy Wallace

Under Negotiation: Price and Terms of Payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code

§54956.8)

Property: 771 Rivera Rd., Montara, CA

Agency Negotiators: District General Manager; District General Counsel Negotiating parties: Coast

Wholesale Florists, a corporation/Miller-Havice Ranch Under

Negotiation: Price and Terms of Payment.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Government Code §54957(b)(1))

Title: General Manager

CONFERENCE WITH LABOR NEGOTIATORS

(Government Code §54957.6)

Unrepresented Employee: General Manager

REPORT OF ACTION TAKEN IN CLOSED SESSION, IF ANY

ADJOURNMENT

The District has a curfew of 10:30 p.m. for all meetings. The meeting may be extended for one hour by vote of the Board.