



**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

December 15, 2022 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/85697640929?pwd=bGxxajJ3VFVKZUc0eVRvZE01OWdaZz09>

MEETING ID: 856 9764 0929

Password: 063221

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

1. [Review and Possible Action Concerning Master Fee Schedule](#)

CONSENT AGENDA (none)

OLD BUSINESS (none)

NEW BUSINESS

1. [Review and Possible Action Concerning Certification of the Results of the November 8, 2022 General Election Results.](#)
2. [Review and Possible Action Concerning Administration of the Oath of Office to the Newly Appointed Board Members](#)
3. [Receipt of Association of California Water Agencies Joint Powers Authority President's Special Recognition Award](#)

REPORTS

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

FUTURE AGENDAS

- Discussion on Transition to In Person Meetings
- Election of Officers

CONVENE IN CLOSED SESSION (none)

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.



MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: **December 15, 2022**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager 

SUBJECT: Review and Possible Action Concerning Adoption of a Revised Master Fee Schedule to amend Solid Waste Disposal Fees.

The Board adopted a new prop 218 limit for solid waste removal fees at the December 1 hearing. For the new rates to be set at the newly established maximum prop 218 limit, the Master Fee Schedule needs to be amended.

The franchise agreement with Recology of the Coast requires the District to annually assess the solid waste disposal rates by January 1 in accordance with an agreed upon formula. Pursuant to the franchise agreement, Recology of the Coast provided calculations required for the index-based rate increase effective January 1, 2023 resulting in a 5.61% rate increase. The monthly rate for 32 gallon waste container increases from currently \$36.22 to \$38.25.

RECOMMENDATION:

Open the public hearing, consider relevant public testimony, close the public hearing, and ADOPT ORDINANCE NO._____. ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE.

Attachment

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

WHEREAS, the Montara Water and Sanitary District Code (“Code”) includes regulations governing connections to and use of the District’s water and sewerage facilities, the construction, operation and maintenance thereof and for the establishment and collection of all fees and charges pertaining thereto; and

WHEREAS, the Code further provides for the establishment and collection of monthly rates to be charged for the collection, removal, and disposal of refuse and for recycling services performed by the District’s franchisee under agreement with the District; and

WHEREAS, the Code provides that such fees and charges may be set forth in a Master Fee Schedule; and

WHEREAS, periodically such fees and charges are reviewed and adjusted and/or added to conform to the costs corresponding to the services, commodities and facilities to which they pertain; and

WHEREAS, the fees and charges pertaining to water and sewer services and facilities set forth herein and for the collection, removal, and disposal of refuse for all occupied premises (except agricultural premises) and recycling services within the District do not exceed the corresponding maximum amounts heretofore approved in accordance with the requirements of law including, to the extent applicable, the provisions of Section 6 of Article XIII D of the California Constitution (enacted by Proposition 218, November 6, 1996 Statewide election); and

WHEREAS, the fees and charges pertaining to the collection, removal, and disposal of refuse for all occupied premises (except agricultural premises) and recycling services set forth herein are hereby amended; and

WHEREAS, the fees and charges pertaining to water and sewer services and facilities are hereby restated, having heretofore been established by ordinance duly adopted; and

WHEREAS, notice was published twice in the Half Moon Bay Review, a newspaper of general circulation within the District, giving notice of a public hearing to take place on December 15, 2022 to consider adoption of amended fees or charges as set forth herein, effective January 1, 2023; and

WHEREAS, all persons present at the aforesaid hearing interested in the adoption of the amended fees or charges herein set forth were heard or given the opportunity to be heard on the matter of said adoption and this Board considered all statements so made or documents pertaining thereto presented at the hearing, if any.

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

NOW, THEREFORE, THE BOARD OF THE MONTARA WATER AND SANITARY DISTRICT, A PUBLIC AGENCY IN THE COUNTY OF SAN MATEO, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The following provisions of the Master Fee Schedule are hereby amended to read as follows:

SEWER SERVICE CHARGE RATES

The annual sewer service charge for the property occupancy classifications specified hereinafter is hereby established as an amount equal to the applicable rate hereinafter specified times the cubic feet of water consumption attributable to such property per annum divided by one hundred (MWSD Code §4-2.100).

<u>Classification</u>	<u>Rate/HCF*</u>	<u>Minimum Charge</u>
Residential	\$27.29	\$1,309.95
Restaurants	\$47.34	\$2,272.36
Motels	\$28.73	\$1,378.96
Offices	\$24.58	\$1,179.93
General Commercial	\$26.32	\$1,263.76
Schools	\$24.97	\$1,198.75
Hospitals	\$27.21	\$1,305.96

*Hundred cubic feet

Upon a new connection to the District's sewerage system, the applicant shall pay the pro-rated amount of sewer service charges for the remainder of the fiscal year in which connection is made based upon the average annual sewer service charge of all users within the applicant's user classification.
(MWSD Code §4-2.100(f))

SECTION 2. The following provisions of the Master Fee Schedule are hereby amended to read as follows:

<u>Description of Fee*</u>	<u>Fee</u>
Sewer Connection Permit	\$32,611.00

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

(MWSD Code §3-9.500)

Fixture Unit Charge (MWSD Code §3-9.500)	\$1,341.00
Sewer Connection Permit for Conversion from Septic System to Sewerage System (MWSD Code §§3-4.800, 3-9.500)	\$21,808.00
Fixture Unit Charge – Conversion from Septic System to Sewerage System (MWSD Code §§3-4.800, 3-9.500)	\$872.00
Connection Permit Administrative Fee (MWSD Code §3-9.600)	Actual Cost (\$597.00 minimum)
Connection Permit Inspection Fee (MWSD Code §3-9.600)	Actual Cost (\$565.00 minimum)
Remodel Permit Fee (MWSD Code §3-9.500)	Actual Cost (\$419.00 minimum)
Minor Remodel Inspection Fee, No additional fixture units (MWSD Code §3-9.500)	\$131.00
Private Sewer System Permit (MWSD Code §3-4.200)	Actual Cost (\$193.00 minimum)
Private Sewer System Hydrologic Investigation (MWSD Code §3-4.1200 (c))	Actual Cost (\$3,885.00 minimum)
Connection Permit Administrative Fee - Subdivisions & Commercial Units (MWSD Code §3-9.600)	Actual Cost (\$597.00 minimum)
Connection Permit Inspection Fee - Subdivisions & Commercial Units (MWSD Code §3-9.600,)	Actual Cost (\$565.00 minimum)
Administrative Fee for Reimbursement	Actual Cost

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

Agreement (MWSD Code §3-9.500)	(\$597.00 minimum)
Administrative Fee for Main Line Extension Agreement (MWSD Code §3-9.500)	Actual Cost (\$597.00 minimum)
Connection Fee to Connect to Interceptor (MWSD Code §3-9.500)	Prorata share of current value of interceptor
Miscellaneous Inspection Fee (MWSD Code §3-9.500)	Actual Cost (\$565.00 minimum)
Accessory Dwelling Unit contained within the existing space of a single-family residence or accessory structure – no connection fee	n.c.
Accessory Dwelling Unit Additional Fixture Units: (MWSD Code §3-10.200)	\$1,341.00
Accessory Dwelling Unit Permit Application Fee (MWSD Code §3-10.400)	Actual Cost (\$597.00 minimum)
Developer Service Fee for processing application: (MWSD Code §§5-3.102, 5-3.210)	Actual Cost (\$3,238.00 minimum)
Administrative Charge for Processing Collection of Delinquent Refuse and Water Charges on Tax Roll (MWSD Code §1-5.200)	\$53.00 per account
Charge to Photocopy Documents	\$1.72 per page for first four pages; \$0.44 for each page over four.
Charge for Failure to Obtain Permit (MWSD Code §1-5.200)	Double amount of Permit Fee or actual collection cost, whichever is greater

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

SPECIAL PROVISIONS
(MWSD Code §4-2.800)

Financial hardship discount rate \$200 per annum
(PGE CARE PROGRAM)

*Where minimums or deposits are specified, no District services will be provided when the estimated costs to complete the services exceed the minimum paid or when the deposit has been exhausted unless and until an amount equal to the estimated cost for completion has been deposited with the District. Balances remaining upon completion of services will be refunded.

SECTION 3. The following provisions of the Master Fee Schedule are hereby amended or restated to read as follows:

(a) WATER QUANTITY AND METER SERVICE CHARGES
(MWSD Code §§ 5-5.102, 103)

<u>Rate Components</u>	<u>Rate**</u>
Tier 1 0 to 6 HCF*	\$8.36 per HCF
Tier 2 7 – 13 HCF	\$11.17 per HCF
Tier 3 14 – 27 HCF	\$13.94 per HCF
Tier 4 over 27 HCF	\$19.53 per HCF
Meter Service Charge-5/8" (standard residential size)	\$28.80 per month
Meter Service Charge-3/4"	\$31.68 per month
Meter Service Charge-1"	\$40.32 per month
Meter Service Charge-1 1/2"	\$51.84 per month
Meter Service Charge-2"	\$83.52 per month
Meter Service Charge-3"	\$316.82 per month

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

Meter Service Charge-4"	\$403.22 per month
-------------------------	--------------------

*HCF=Hundred Cubic Feet (1 cubic foot ≈ 7.4805 gal.; 1 HCF = 748 gal.)

(b) FIRE PROTECTION WATER SYSTEM CHARGES

Private Fire Protection Service Per Meter Per Month:
(MWSD Code §5-5.106)

4-inch connection or smaller:	\$17.38
6-inch connection:	\$24.65
8-inch connection:	\$32.84
10-inch connection:	\$69.20
12-inch connection:	\$96.57
Private Fire Protection Administrative Fee:*	\$597.00 minimum
(MWSD Code §5-3.208)	

Installation of Private Fire Protection Service from Meter to District Main:*
(MWSD Code §5-5.204)

Cost invoiced to District by contractor; estimated cost to be deposited

Private Fire Protection Connection Charge:

3/4" meter:	\$7,035.00
1" meter:	\$11,751.00
1½ " meter:	\$23,427.00
2" meter:	\$37,500.00
3" meter:	\$70,355.00
4" meter:	\$117,289.00
6" meter:	\$195,509.00
8" meter:	\$325,915.00
10" meter :	\$543,299.00

(MWSD Code §5-3.208)

Private Fire Protection Inspection Fee* \$565.00
(MWSD Code §5-3.210)

(c) WATER SYSTEM CONNECTION METER CHARGES
(MWSD Code §§5-3.204, 5-3.205)

Charge determined by District's cost of purchase corresponding to meter size.

(d) WATER SYSTEM CONNECTION CAPACITY CHARGES

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

(MWSD Code §5-3.312)

5/8 x 3/4 inch meter	\$23,562.00
3/4 inch meter	\$25,919.00
1 inch meter	\$32,987.00
1-1/2 inch meter	\$42,416.00
2 inch meter	\$68,330.00
3 inch meter	\$259,182.00
4 inch meter	\$329,867.00

Above 4 inch meter:	Charge determined by General Manager based on estimated water usage
---------------------	---

(e) WATER SYSTEM RELIABILITY CHARGE
(MWSD Code §5-3.313)

Water Service Accounts

Meter Size:

5/8 x 3/4 inch meter	\$558.66
3/4 inch meter	\$837.99
1 inch meter	\$1,396.65
1-1/2 inch meter	\$2,793.30
2 inch meter	\$4,469.28
3 inch meter	\$8,379.90
4 inch meter	\$13,966.50

Accounts with Private Fire Service Only

Connection:

Up to 4-inch	\$279.33
6-inch	\$558.66
8-inch	\$893.86
10-inch	\$1,340.78
12-inch	\$1,899.44

(f) MISCELLANEOUS WATER SYSTEM SERVICE FEES:*

Check not honored by bank: (MWSD Code §§1-5.200, 5-5.122)	\$34.00
--	---------

Poor credit history deposit: (MWSD Code §§1-5.200, 5-3.210)	Twice estimated first payment
--	-------------------------------

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

Reconnection Charge due to Non-Payment: (MWSD Code §§5-3.210, 5-5.120)	\$83.00
Developer Service Fee against which all District costs to process application are charged (MWSD Code §§5-3.102, 5-3.210)	\$3,238.00 minimum deposit
Hydrant Meter Deposit against which water use is charged: (MWSD Code §5-4.227)	\$1,464.00 deposit
Hydrant Test Fee (MWSD Code §§5-3.208, 5-5.202)	\$654.00
Connection Administrative Fee (minimum deposit applied to actual hourly costs to process application) (MWSD Code §§5-3.202, 5-3.203)	\$597.00 minimum deposit
Connection Inspection Fee (MWSD Code §5-3.210)	\$565.00
Connection construction cost deposit applied to actual cost (MWSD Code §§5-3.202, 5-3.203)	\$3,238.00 deposit
Service Charge for Posting Door Tag for Delinquent Account (MWSD Code §1-5.200, 5-3.210)	<u>\$37.00</u> per customer per incident
Credit for Customer paying bill using ACH: (MWSD Code §5-3.200)	\$3.79 per bill
Service Charge for Unauthorized Use of Fire Hydrant (Total charge includes Service Charge plus water usage plus damages). (MWSD Code §5-5.202)	\$173.00 per incident plus actual water usage & damages
Service Charge for Cross Connection Control Device Test: (MWSD Code §5-6.400)	\$131.00 per tested device

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

(g) SPECIAL PROVISIONS
(MWSD Code §5-3.217)

Financial hardship discount rate (PGE CARE PROGRAM)	\$ <u>200</u> per annum; \$ <u>33.33</u> discount applied to each bi-monthly bill
--	--

*Where minimums or deposits are specified, no District services will be provided when the estimated costs to complete the services exceed the minimum paid or when the deposit has been exhausted unless and until an amount equal to the estimated cost for completion has been deposited with the District. Balances remaining upon completion of services will be refunded.

SECTION 4. The following provisions of the Master Fee Schedule are hereby restated:

The monthly rates to be charged by the District's Franchisee for the collection, removal, and disposal of refuse for all occupied premises (except agricultural premises) and recycling services within the District commencing on July 1, 2022 and until thereafter revised are:
(MWSD Code §2-7.100)

RESIDENTIAL

1. Weekly collection, single container placed in front of premises, wet and dry garbage ("first can service") in wheeled carts:
 - a. Container limits: volume - 20 gals. (3/10 cu yd), weight 40 lbs, per mo charge \$31.22
 - b. Container limits: volume - 32 gals (1/4 cu yd), weight 60 lbs, per mo charge \$38.25
 - c. Container limits: volume - 64 gals (1/2 cu yd), weight 100 lbs, per mo charge \$125.68

2. Special Services (charges added to above, basic changes):
 - a. Container placed at side or rear of dwelling - per container \$9.56
 - b. Container not placed at specified collection point and return call required- per container \$19.96
 - c. Extra 30 gallon bag with collection (excludes 20 gallon cart service), per bag \$10.31
 - d. Special collections combined with regular service, including collections for brush, yard clippings, boxes, etc. estimate

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

- | | |
|--|-----------------|
| 3. Bulky goods dropoff service four times a year within Montara District limits including greenwaste and motor oil in Recology-provided bottles only | incl. w/service |
| 4. Weekly commingled recyclable materials collection (64 gallon wheeled cart) | incl. w/service |
| 5. Every other week greenwaste (yard trimmings, etc.) collection, limited to four (4) 30 gallon containers – customers own containers | incl. w/service |
| 6. Bulky goods curbside collection service, limited to four (4) times a year One item up to 200 lbs or 5-30 gallon bags | incl. w/service |
| 7. Dropoff at Recycling yard in Pacifica of motor oil, latex paint, unpainted lumber, large pieces of metal, styrofoam, e-waste, large white goods, furniture, mattresses, large amounts of recyclable materials | incl. w/service |
| 8. Christmas trees free of charge through January 31st of each year | incl. w/service |
| a. After January 31st charge is \$20 per tree for removal | \$20.00 |

MULTIFAMILY, COMMERCIAL AND INDUSTRIAL SERVICE

- | | |
|---|-------------------|
| 1. Service to restaurants, hotels, cafes, apartment houses, stores and similar places of business, factories, schools and institutions, wet and dry garbage-container limits: volume - 30 gal. cans (1/4 cu. Yd), weight - 75 lbs | |
| a. Regular collections: | |
| 1-64 gallon collection once per week | \$150.91 |
| 1-96 gallon collection once per week | \$246.94 |
| b. Additional 64 or 96 gallon commercial carts picked up more than once a week will be original charge times the number of pickups | Will vary by size |
| 2. Commercial Container Rental: | |
| a. 1 cubic yard box - per mo. | \$68.66 |
| b. 2 cubic yard box - per mo. | \$89.00 |
| 3. Commercial Container Collections: | |
| a. 1 cubic yard box - per collection | \$58.01 |

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

- | | |
|---|-----------------|
| b. 2 cubic yard box - per collection | \$115.43 |
| 4. Compacted Commercial Container Service: | |
| a. 1 cubic yard box - per collection | \$113.24 |
| b. 2 cubic yard box - per collection | \$228.74 |
| 5. Recyclable material collection up to five times a week | incl. w/service |

DEBRIS BOX SERVICE

- | | |
|--|----------|
| 1. 7, 14, 20 and 30 yard size containers: | \$456.05 |
| a. Container rental, delivery and pickup charge | Tonnage |
| b. \$67 per ton confirmed by disposal site weight slip | based |

SPECIAL PROVISIONS

- | | |
|---|---------|
| 1. Financial hardship rate for weekly collection for single container placed in front of premises, wet and dry garbage 30 gallon can (PGE CARE PROGRAM) | |
| a. 15% reduction 20-gallon can | \$26.53 |
| b. 15% reduction 32-gallon can | \$31.47 |

SECTION 5. All ordinances or portions thereof in conflict herewith shall be, and hereby are, repealed to the extent of such conflict.

SECTION 6. Upon adoption, this ordinance shall be entered in the minutes of the Board and posted in three (3) places in the District and shall become effective immediately upon the expiration of one week following said posting.

President, Montara Water and Sanitary District

COUNTERSIGNED:

Secretary, Montara Water and Sanitary District

* * *

ORDINANCE NO. ____

ORDINANCE OF THE MONTARA WATER AND SANITARY DISTRICT RESTATING AND AMENDING MASTER FEE SCHEDULE

I HEREBY CERTIFY that the foregoing Ordinance No. XX was duly and regularly adopted and passed by the Board of the Montara Water and Sanitary District, San Mateo County, California, at a Regular meeting thereof held on the 15th day of December 2022 by the following vote:

AYES, Directors:

NOES, Directors: None

ABSENT, Directors: None

Secretary, Montara Water and Sanitary District

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of the Montara Water and Sanitary District proposes to adopt an ordinance revising the Master Fee Schedule. This document contains most of the fees levied by the District including Solid Waste Disposal Fees, Sewer and Water Service Charges and Sewer and Water Connection Permit fees. The District proposes to update Solid Waste Disposal fees. The Board shall consider adoption of this ordinance at a meeting of the Board as follows:

DATE: December 15, 2022

TIME: 7:30 p.m., or as soon thereafter as the matter may be considered

PLACE: District Board Chambers
8888 Cabrillo Highway
Montara, CA 94037
(www.mwsd.montara.com)

Due to COVID-19, the public hearing will be held remotely, without a physical location. Visit www.mwsd.montara.com for access information.



MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: **December 15, 2022**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager 

**SUBJECT: Review and Possible Action Concerning
Certification of the Results of the November 8,
2022 General Election**

The Chief Elections Officer of San Mateo County for the November 2022 elections certifies that Ric Lohman, Bill Softky, and Peter Dekker have been appointed to the Office of Director of the Montara Water and Sanitary District for four-year terms.

The number of nominees did not exceed the number of offices required to be filled and no request for an election was made.

The certificate of the Chief Elections Officer will be available at the meeting.

RECOMMENDATION:

Adopt RESOLUTION NO. _____, RESOLUTION DECLARING
RESULTS OF DISTRICT ELECTION HELD ON NOVEMBER 3, 2020.

Attachment

RESOLUTION NO. ____

**RESOLUTION DECLARING APPOINTMENT OF DIRECTORS IN LIEU OF DISTRICT
ELECTION ON NOVEMBER 8, 2022**

WHEREAS, an election was to be held on November 8, 2022 to elect three (3) members to the Board of the Montara Water and Sanitary District, each for four (4) year terms; and

WHEREAS, the District Secretary has received the Certificate of results of the election from the County Elections Official submitted pursuant to Elections Code Section 10550, a copy of which Certificate is attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, in accordance with said Certificate, the number of nominees did not exceed the number of offices required to be filled and no request for an election was made; therefore, pursuant to Elections Code Section 10515, this Board hereby declares below the persons appointed to the office of District Board Member.

NOW, THEREFORE, be it resolved by the Board of the Montara Water and Sanitary District, a public agency in the County of San Mateo, California, as follows:

1. All of the above recitals are true and correct and incorporated herein by reference.
2. The Secretary of the District is hereby authorized and directed to enter this resolution in the minutes of this Board as a statement of the results of said election as set forth in the Certificate (Exhibit A).
3. The following candidates for election to the three (3) offices of Board Member to be filled, each for four (4) year terms, were uncontested:

Ric Lohman

Bill Softky

Peter Dekker

4. Said candidates are hereby declared appointed for the specified terms to the office of Board Member, Montara Water and Sanitary District.
5. The District Secretary is hereby authorized and directed to sign and deliver to each of the newly appointed Board Members a Certificate of Appointment and to provide for the administration of the Oath of Office prescribed in the Constitution of the State of California, to each of said Board Members.

President, Montara Water and Sanitary District

COUNTERSIGNED:

Secretary, Montara Water and Sanitary District

* * * *

I HEREBY CERTIFY that the foregoing Resolution No. ____ was duly and regularly adopted and passed by the Board of the Montara Water and Sanitary District, San Mateo County, California, at a Regular Meeting thereof held on the 15th day of December, 2022, by the following vote:

AYES, Directors:

ABSTENTION:

NOES, Directors:

ABSENT, Directors:

Secretary, Montara Water and Sanitary District



MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: **December 15, 2022**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager *CH*

SUBJECT: Review and Possible Action Concerning the Administration of the Oath of Office to the Newly Appointed Board Members.

Our newest MWSD board member Bill Softky will be symbolically seated tonight, and the oath of office will be administered to all newly appointed board members Ric Lohman, Bill Softky and Peter Dekker for four-year terms.

San Mateo County Supervisor Ray Mueller will be administering the oath of office to the newly appointed board members.

RECOMMENDATION:

Authorize San Mateo County Supervisor Ray Mueller to administer the oath of office to the above-named elected officials.

Attachment

OATH of OFFICE

I, **Ric Lohman**, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Office: Director of the Board of the Montara Water and Sanitary District

Ric Lohman

Subscribed and sworn to before me this 15th
day of December, 2022.

Ray Mueller, Supervisor
Board of Supervisors, County of San Mateo

OATH of OFFICE

I, **Bill Softky**, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Office: Director of the Board of the Montara Water and Sanitary District

Bill Softky

Subscribed and sworn to before me this 15th
day of December, 2022.

Ray Mueller, Supervisor
Board of Supervisors, County of San Mateo

OATH of OFFICE

I, **Peter Dekker**, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Office: Director of the Board of the Montara Water and Sanitary District

Peter Dekker

Subscribed and sworn to before me this 15th
day of December, 2022.

Ray Mueller, Supervisor
Board of Supervisors, County of San Mateo



MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: **December 15, 2022**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager 

SUBJECT: Receipt of Association of California Water Agencies Joint Powers Authority President's Special Recognition Award.

The District received its seventh's Special Recognition Award from ACWA JPIA. On January 1, 2013 the District changed Workers Compensation Insurance Providers to the Association of California Water Agencies Joint Power Insurance Authority (ACWA/JPIA). At the time the District's Workers Comp Rate was due to claims made in prior years. Since then District staff has worked closely with ACWA/JPIA staff to prevent further losses.

At the ACWA Fall Conference the JPIA recognized the District's efforts and presented the District with the "President's Special Recognition Award".

RECOMMENDATION:

This is for Board information only.

Attachments



YOUR BEST PROTECTION

ACWA JPIA

P. O. Box 619082
Roseville, CA 95661-9082

phone
916.786.5742
800.231.5742

www.acwajpia.com

President

E.G. "Jerry" Gladbach

Vice President

Melody A. McDonald

Chief Executive Officer

Walter "Andy" Sells

Executive Committee

Fred Bockmiller

David Drake

E.G. "Jerry" Gladbach

Cathy Green

Brent Hastey

Chris Kapheim

Melody A. McDonald

Randall Reed

J. Bruce Rupp

Core Values

- *People*
- *Service*
- *Integrity*
- *Innovation*

11/28/2022

DEC 01 2022

Montara Water and Sanitary District (M027)
P.O. Box 370131
Montara, CA 94037

General Manager:

Each year at Fall Conference, the JPIA recognizes members that have a Loss Ratio of 20% or less in either of the Liability, Property or Workers' Compensation programs (loss ratio = total losses / total premiums).

The members with this distinction receive the "**President's Special Recognition Award**" certificate for each Program that they qualify in.

The JPIA is extremely pleased to present Montara Water and Sanitary District (M027) with this special recognition and commends the District on the hard work in reducing claims.

Congratulations to you, your staff, Board, and District. Keep up the good work!

The JPIA wishes you the best in 2023.

Sincerely,

Melody McDonald
President

Enclosure: President's Special Recognition Award(s)

President's Special Recognition Award

*The President of the
ACWA JPIA
hereby gives Special Recognition to*

Montara Water and Sanitary District

*for achieving a low ratio of "Paid Claims and Case Reserves" to "Deposit Premiums"
in the Workers' Compensation Program for the period 07/01/2018 - 06/30/2021
announced at the Board of Directors' Meeting in Indian Wells.*



Melody McDonald, President



November 28, 2022