



# MONTARA WATER & SANITARY DISTRICT

Serving the Communities of Montara and Moss Beach

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## **NOTICE OF SPECIAL MEETING**

**(Special Meeting begins at 6:30 p.m.; see Agenda for Special Meeting below)**

# AGENDA

Regular Meeting

## District Board of Directors

8888 Cabrillo Highway  
Montara, California 94037

**December 3, 2009 at 7:30 p.m.**

**(Regular Meeting)**

**CALL TO ORDER**

**ROLL CALL**

**PRESIDENT'S STATEMENT**

**ORAL COMMENTS** (Items other than those on the agenda)

**PUBLIC HEARING**

**CONSENT AGENDA**

1. Approve Minutes for Meeting of November 5, 2009.
2. Approve Financial Statements for November 2009.
3. Approve Warrants for December 1, 2009.
4. SAM Flow Report for November 2009.
5. Monthly Review of Current Investment Portfolio.
6. Connection Permit Applications Received.
7. Monthly Water Production Report for October 2009.

NOTE: In accordance with the Government Code, members of the public may address the Board on specific agenda items when that matter is discussed by the Board. Any other items of interest that is within the subject matter jurisdiction of the District may be addressed during the Oral Comments portion of the meeting. Upon request, this agenda will be made available in appropriate alternative formats to persons with a disability. Request for a disability-related modification or an accommodation in order to participate in the public meeting should be made at (650) 728-3545. Materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available in the District Clerk's office during normal business hours. Such documents may also be available on the District's web site ([www.mwsd.montara.org](http://www.mwsd.montara.org)) subject to staff's ability to post the documents before the meeting.

8. Rain Report.
9. Solar Energy Report.

## **OLD BUSINESS**

1. Review and Possible Action Concerning Sewer Service Charge Adjustment for 600 Sierra Street.
2. Review and Possible Action Concerning Mid-coast Groundwater Study Phase 3.
3. Review and Possible Action Concerning Mid-coast Local Coastal Program Update.
4. Review and Possible Action Concerning Discussion and Board Position Regarding Sewer Authority Mid-Coastside Recycled Water Project.
5. Review and Possible Action on Proposed Acquisition of Coastside Scavenger by Recology and Potential Affect on Seacoast Disposal.
6. Review and Possible Action Concerning Big Wave Draft Environmental Impact Report.
7. Review and Possible Action Concerning Water Service Connection Study.

## **NEW BUSINESS**

1. Review and Possible Action Concerning the County Proposed Well Prohibition in Parts of the Urban Rural Area within the District.
2. Review and Possible Action Concerning Certification of the Results of the November 3, 2009 Consolidated Election.
3. Review and Possible Action Concerning Appointment of Board Officers and Committee Assignments for 2010.
4. Review and Possible Action Concerning Cancellation of Next Regular Scheduled Meeting.

## **REPORTS**

1. Sewer Authority Mid-Coastside Meetings (Harvey)
2. MidCoast Community Council Meeting (Slater-Carter)
3. ACWA Board of Directors Report (Ptacek)
4. CSDA Report (Slater-Carter)
5. Integrated Regional Water Management Plan (Ptacek)

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6. Attorney's Report (Schricker)
7. Directors' Reports
8. General Manager's Report (Heldmaier)

## **FUTURE AGENDAS**

### **AGENDA – SPECIAL MEETING (6:30 p.m.)**

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **ORAL COMMENTS** (Items other than those on the agenda)

#### **CONVENE IN CLOSED SESSION**

#### **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Gov't. Code §54956.8)

Property: Wireless communications lease site

Agency Negotiators: Ad Hoc Committee (Dir. Slater-Carter, Boyd), General Manager, District Counsel

Negotiating party: AT & T

Under negotiation: rental, project design, var. terms and conditions of tenancy

#### **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

(Government Code §54956.9(a))

Names of cases: (i) Montara Water and Sanitary District v. Dow Chemical Company, et al., San Bernardino Cnty. Super. Ct. Judicial Council Coordinated Proceeding No. 4435

(ii) Montara Water and Sanitary District v. County of San Mateo, Santa Clara Cnty. Super. Ct. No. 1-07-CV-088793 (inactive); U.S. Dist. Ct., N.D., San Jose Div. No. CV 08 2814 JF (closed); USCA, 9<sup>th</sup> Cir. No. 09-15822

(iii) More Citizens for Safe Water, etc., et al. v. California Coastal Commission, Resp., Montara Water & Sanitary District, Real Party in Interest, San Mateo Cnty. Super Ct. Civil Case No. 479270

#### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

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Significant exposure to litigation (Gov't. Code §54956.9(b)

Number of cases: 1

Initiation of litigation (Gov't. Code §54956.9(c)

Number of cases: 1

**PUBLIC EMPLOYEE EVALUATION (Gov't. Code §54957)**

**RECONVENE IN OPEN SESSION AND ADJOURN TO  
CONVENE FOR REGULAR MEETING**

The District has a curfew of 11:00 p.m. for all meetings. The meeting may be extended for one hour by vote of the Board.

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