



# MONTARA WATER & SANITARY DISTRICT

Serving the Communities of Montara and Moss Beach

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# AGENDA

Regular Meeting

## District Board of Directors

8888 Cabrillo Highway  
Montara, California 94037

**February 18, 2010 at 7:30 p.m.**

### CALL TO ORDER

### ROLL CALL

### PRESIDENT'S STATEMENT

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

### PUBLIC HEARING

### CONSENT AGENDA

### OLD BUSINESS

### NEW BUSINESS

1. Review and Possible Action Concerning Revision of the Sewer Authority Mid-Coast Recycled Water Budget.

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

### FUTURE AGENDAS

## **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**

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: 0

### **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.

### **PARTICIPATION BY TELECONFERENCE**

The following Director will participate by teleconference in all or a portion of the meeting of the Board, including Closed Session, from the following locations:

Director Bob Ptacek – 527 4<sup>th</sup> Street, Montara, California.

Directors participating by teleconference shall post a copy of the Agenda at a location available to the public in the vicinity of the place of their participation. Members of the public will be allowed to participate in open portions of the meeting at the teleconference site(s). All votes taken during a teleconferenced meeting shall be by roll call.

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.