



# 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

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*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

8888 Cabrillo Highway  
Montara, California 94037

**May 18, 2023 at 7:30 p.m.**

The meeting will take place in the District offices located at the above address. Seating is limited and social distancing will be practiced due to ongoing public health and safety concerns. Simultaneous public access and participation is also available remotely, via telephone or the ZOOM application:

### ZOOM MEETING INFORMATION:

WEBSITE: <https://us02web.zoom.us/j/88935261920?pwd=cEtiMk5MQTcyUkd6cktxc0tjc2JSUT09>

MEETING ID: 889 3526 1920

Password: 591718

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/wuZKb9gwEY7sMACIIsr7VSJglB35kNZA/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. For participants attending the meeting virtually, 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](mailto: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. 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.

## **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 Transition from At-Large to By-Division Based Election](#)

## **CONSENT AGENDA**

## **OLD BUSINESS**

## **NEW BUSINESS**

1. [Review and Possible Action Concerning Disagreement about Sewer Authority Mid-Coastside Fiscal Year 2023-2024 General Budget.](#)

## **REPORTS**

1. Sewer Authority Mid-Coastside Meetings (Slater-Carter).
2. Mid-Coast 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)

(Government Code § 54956.9(b)) Significant exposure to litigation (1 potential case)

### **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Government Code §54957(b)(1))

Title: General Manager

### **CONFERENCE WITH LABOR NEGOTIATORS**

(Government Code §54957.6)

Unrepresented Employee: General Manager

### **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** (Government Code §54956.8)

Property: 771 Rivera Rd., Montara, CA

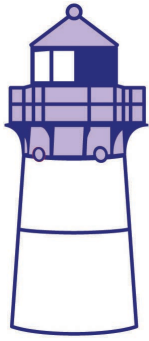
Agency Negotiators: District General Manager; District General Counsel Negotiating parties: Coast Wholesale Florists, a corporation/Miller-Havice Ranch Under

Negotiation: Price and Terms of Payment.

### **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: **May 18, 2023**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager *CH*

**SUBJECT: Review and Possible Action Concerning  
Transition from At-large to By-division Based  
Elections**

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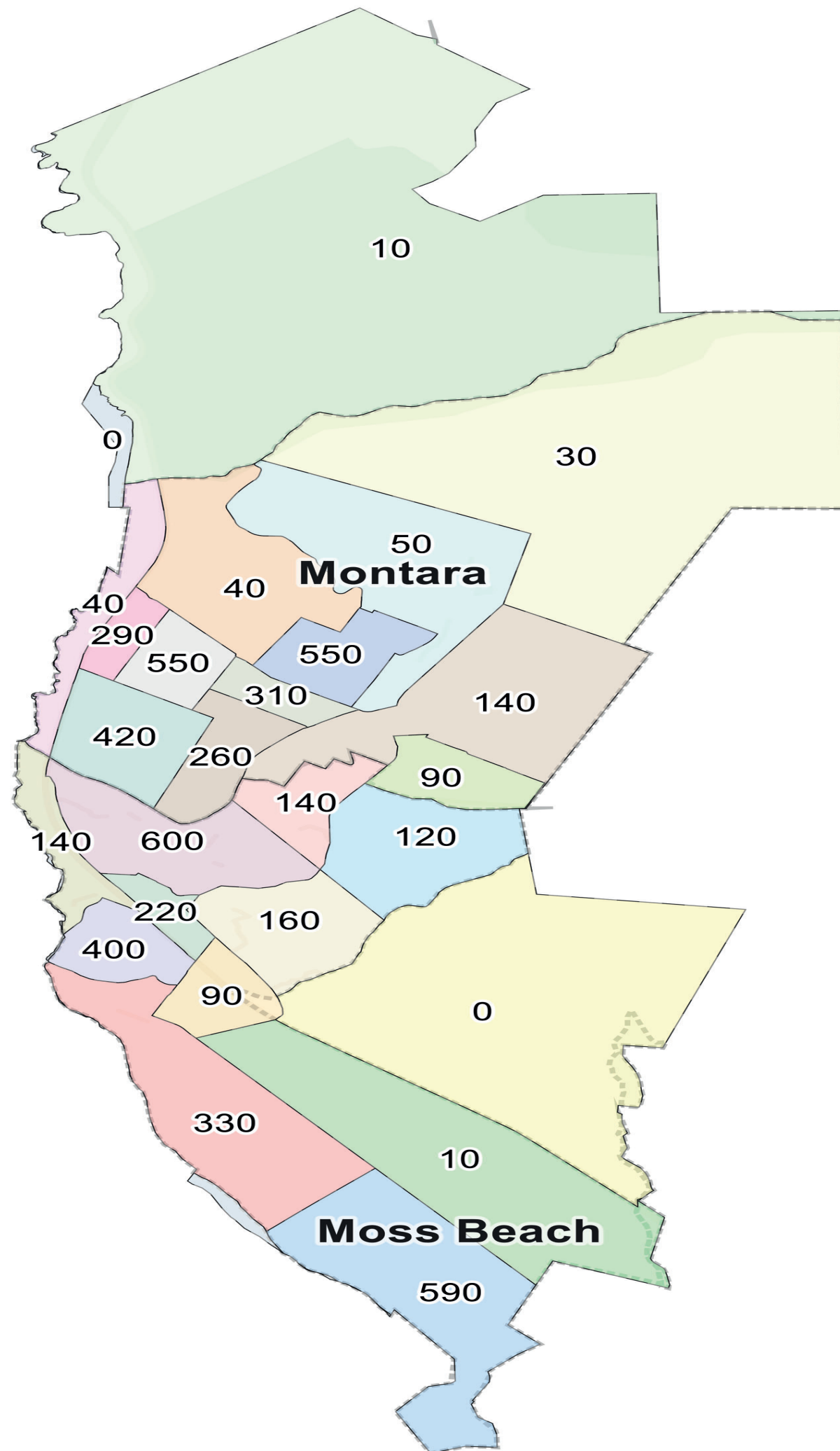
This District is required to transition from an at-large to a by-division election system. This will be the second of a series of meetings, reviewing information from the first hearing, with additional emphasis on providing input and receiving community interest testimony for the building of potential districts.

## RECOMMENDATION:

Open the public hearing, allow relevant testimony, close the public hearing, and direct staff and consultants to prepare draft district maps.

Attachments

# MONTARA WATER AND SANITARY DISTRICT



## THE RULES

- Create a single electoral district or create a full five district plan.
- New districts should have a population of around 1,115
- The largest district should be no more than ~110 people greater than the smallest district.

## ABOUT THEBLOCKS

Each of these areas are drawn with census blocks as the basis for determining their shape and population. Where necessary some census blocks were split, but that was limited to preserve integrity of the Census data. The numbers are rounded to make adding them up a bit simpler.

Write in the population estimates for each of your drawn districts.

*~1,115 Target Population Per District*

DISTRICT 1

DISTRICT 2

DISTRICT 3

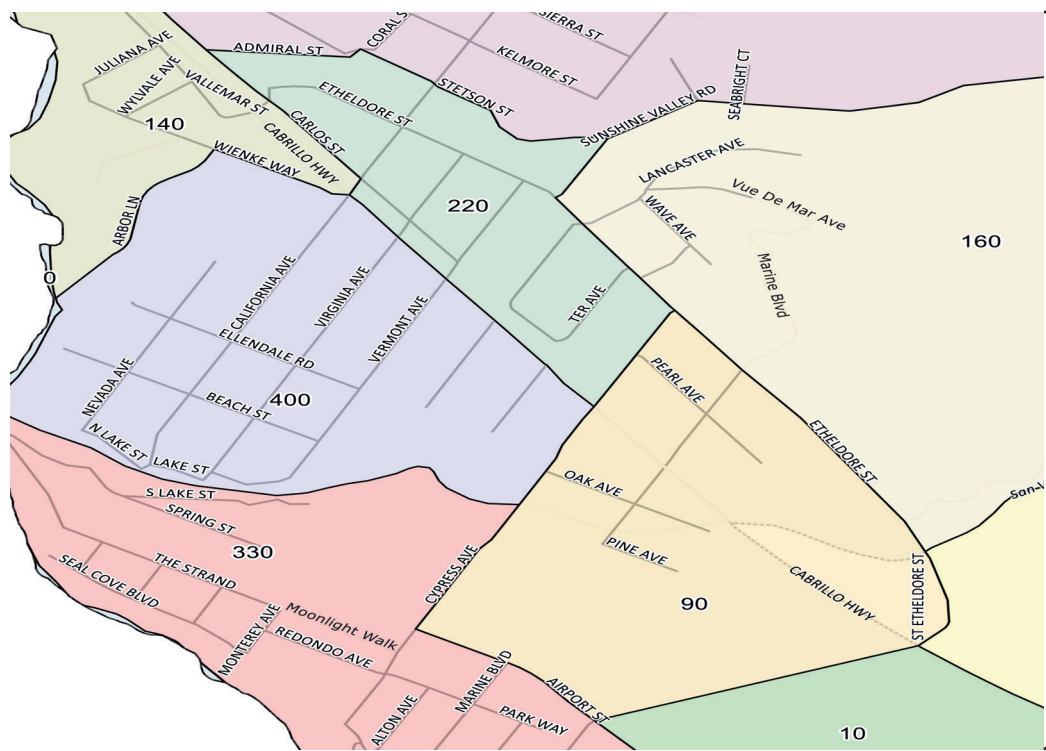
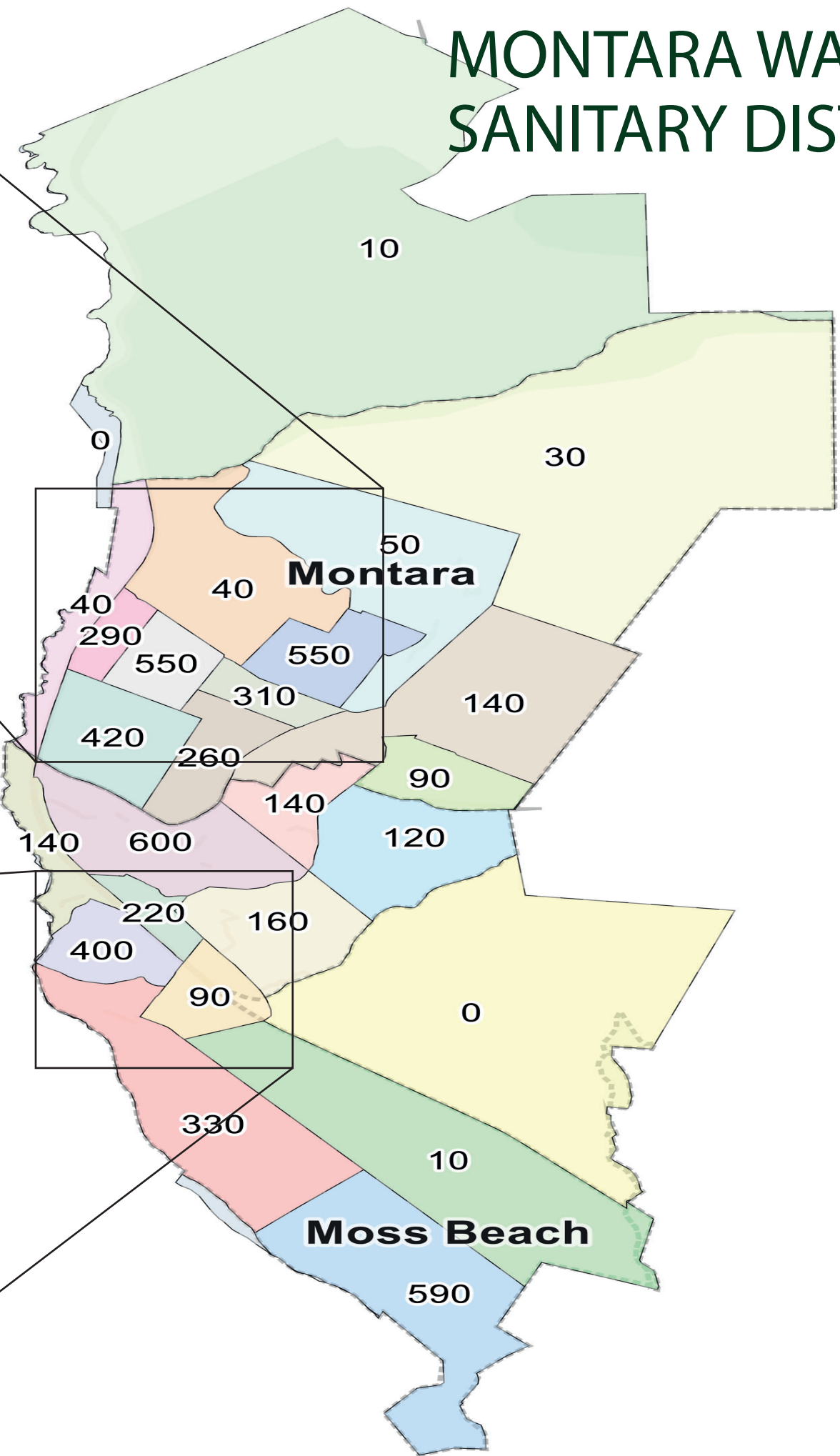
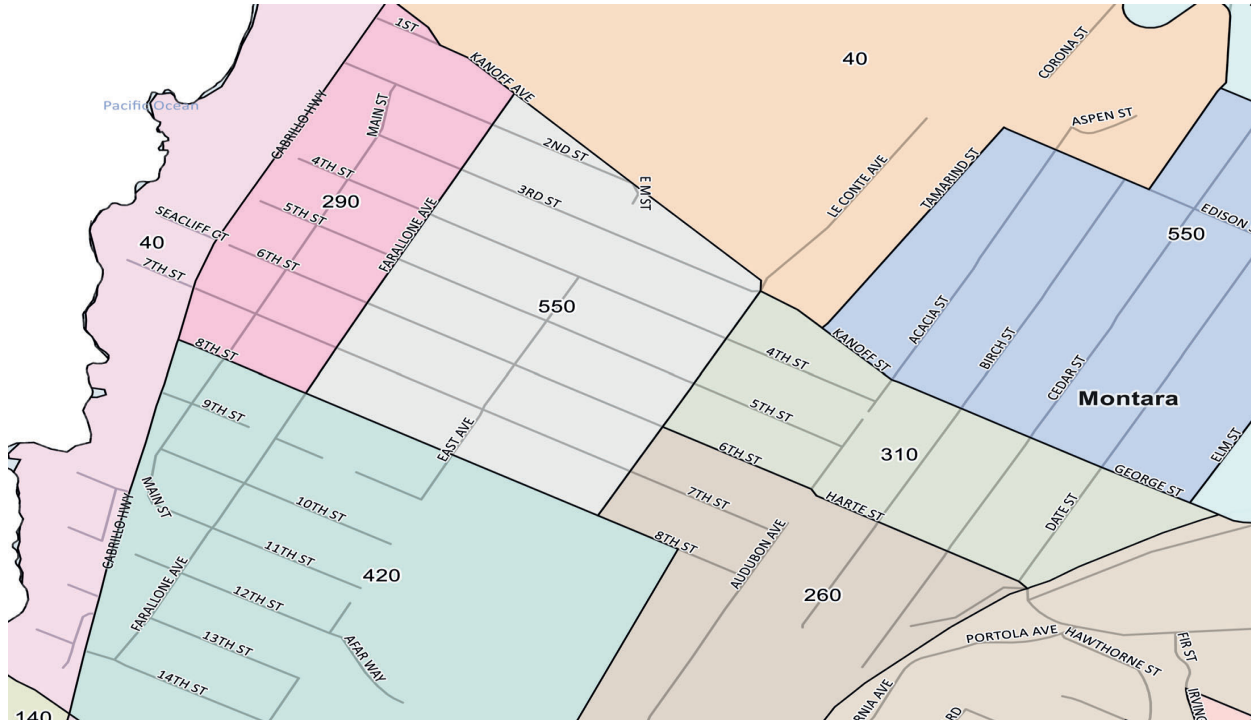
DISTRICT 4

DISTRICT 5

NAME

EMAIL

# MONTARA WATER AND SANITARY DISTRICT



Montara Water and Sanitary  
District  
2023 Districting  
Community Outreach





# Welcome

# Agenda

## Things we will cover:

- The California Voting Rights Act (CVRA)
- What is Districting
- Traditional Districting/Redistricting Principles
- The Fair Maps Act
- How the public can participate in the process
- Public Hearing Schedule
- Next Steps
- Case Studies

# What is Districting

## Definition

Districting is the initial process of creating election district boundaries.

These boundaries determine:

- Eligibility to run for office – must live within boundaries to qualify for election.
- Who votes in the election – only voters within the district vote for their District board member.

# Required Redistricting Criteria

Ranked criteria that must be followed in city redistricting

There are a number of criteria that are required under the FAIR MAPS Act (ranked):

- Relatively equal size - people, not citizens
- Contiguous – districts should not hop/jump
- Maintain “*communities of interest*”
- Easily identifiable and understandable lines, following city, natural, and man-made boundaries
- Keep districts compact – appearance/function

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# Contiguity

Two definitions for what is contiguous

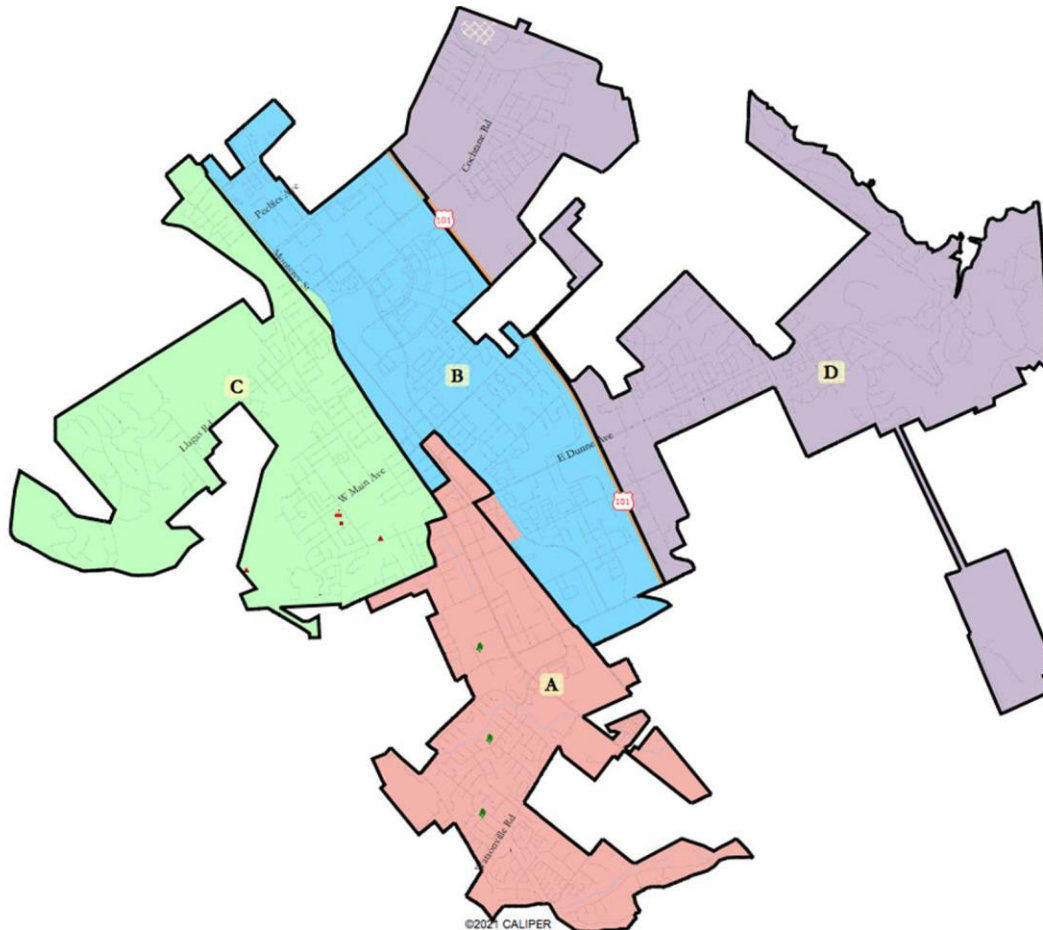
Contiguity should be thought of as “literal” and “functional.”

- An area that is one whole piece is “literally contiguous.”
- An area that represents how the population functions or how people are connected is “functionally contiguous.”



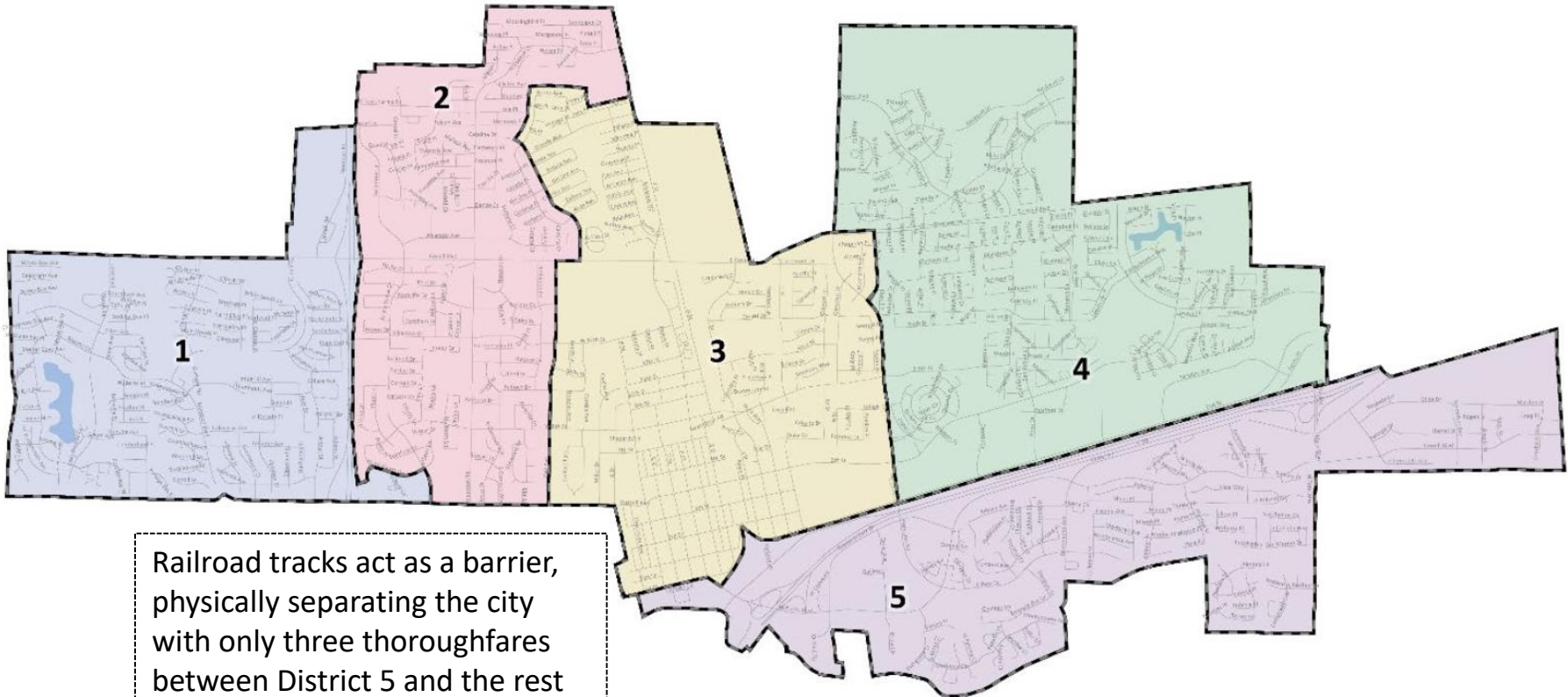
# Contiguity

Determining what is “contiguous”



# Contiguity

Determining what is “contiguity”



Railroad tracks act as a barrier, physically separating the city with only three thoroughfares between District 5 and the rest of the city.



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- **Keep districts compact – appearance/function**

# Compactness

## Determining what is “compact”

The measure of compactness can get complicated.

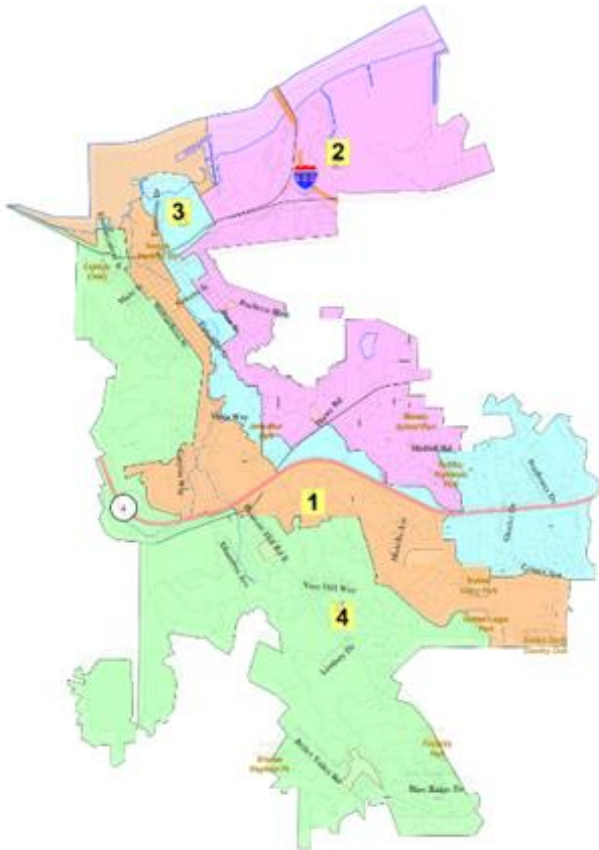
- Ratio of the circumference of a district and the area of a district.
- Measuring the number of distinct straight lines and the number of kinks and bends.
- Simply outlawing funny shapes.

NOT  
COMPACT



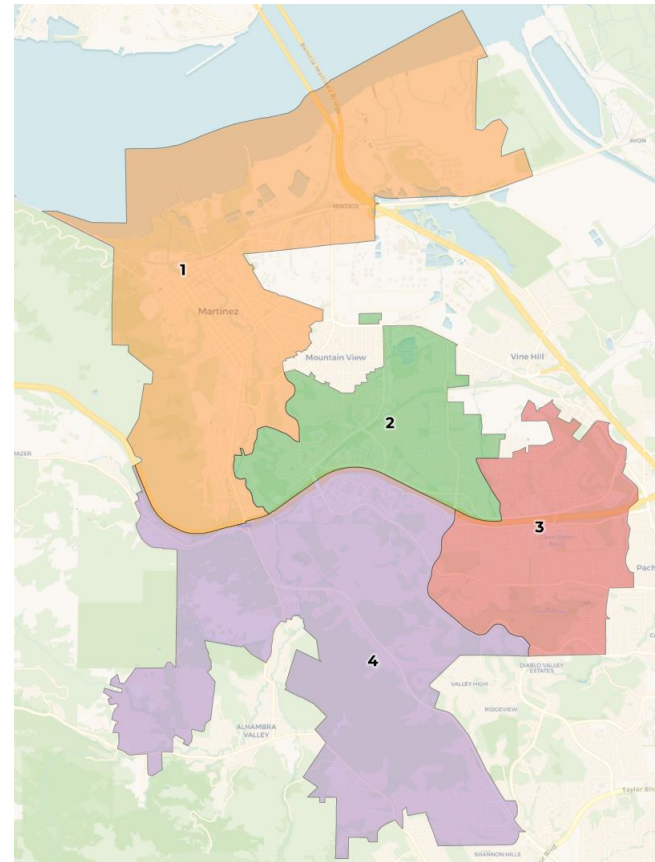
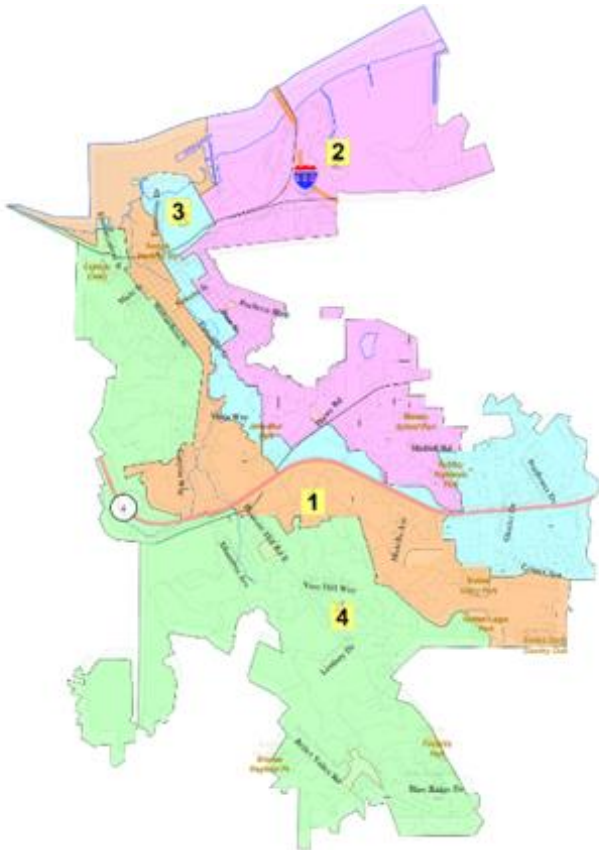
# Compactness

Determining what is “compact”



# Compactness

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following city, natural, and man-made boundaries
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# Communities of Interest

Bringing like people together for representation

What are you looking for in trying to judge the applicability of a Community of Interest to the districting process?

- Group with shared culture / characteristics
- Geographic Nature / Density / Ability to be mapped
- Relationship to Agency / Policies

# Communities of Interest

Bringing like people together for representation

Communities of interest are the building blocks of districts.

A community of interest includes ethnic and language minorities and other groups.

- Subjective
- Open-ended to be as inclusive as possible

Communities covered by the Voting Rights Act

- Latinos
- Asians
- African Americans

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**While communities of interest may include race, it cannot be the *predominant factor* in drawing district boundaries.**



# Communities of Interest

Bringing like people together for representation

- Historical communities
- Economic interests
- Racial composition
- Ethnic Areas
- Cultural amenities
- Religious facilities
- Immigrant communities
- Languages spoken
- Geographic features
- Neighborhoods
- Economic opportunity zones
- Tourism Areas
- School districts
- Outdoor recreation areas
- Communities defined by natural resource features
- Downtown / Urban
- Rural or Agricultural
- Homeowner or Renters
- Creative arts communities
- Media markets
- *Many, many more*

# What is NOT a Community of Interest

## Preventing a Districting from Becoming a Gerrymander

The Fair Maps Act explicitly prohibits these groups from being considered as communities of interest

- Political party affiliation
- Incumbents
- Political candidates

It also is hard, in redistricting to truly consider:

- *Groups of similarly minded people who do not share a similar geographic location.*
- *Communities of Interest that are districtwide.*

# Communities of Interest

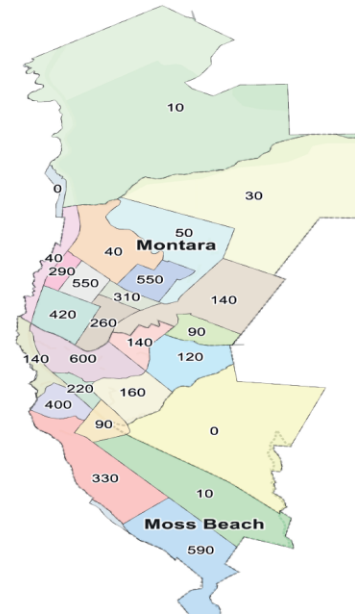
## Three Critical Questions in Defining YOUR Community

- Does the community have a shared culture, characteristics or bond?
- Is the community geographic in nature? Is the community able to be mapped?
- How would you describe the community's relationship with the jurisdiction, and how is your community affected by the policy decisions made by the elected officials?

# How to get involved

## Submitting Your COI Form

- Speaking directly to the Board of Directors in a public hearing
- Emailing the District
- Drawing maps



### MONTARA WATER AND SANITARY DISTRICT

#### THE RULES

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#### ABOUT THEBLOCKS

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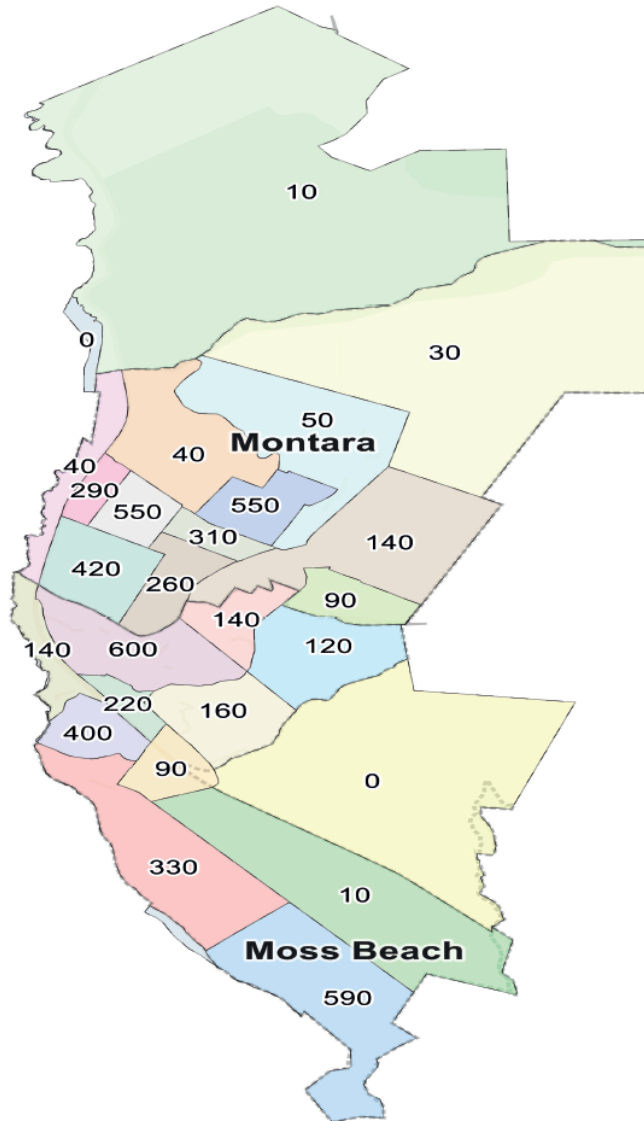
Write in the population estimates for each of your drawn districts.  
-1/5 Target Population Per District

DISTRICT 1      DISTRICT 2      DISTRICT 3

DISTRICT 4      DISTRICT 5

NAME

EMAIL



# MONTARA WATER AND SANITARY DISTRICT

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\_\_\_\_\_  
 DISTRICT 1                  DISTRICT 2                  DISTRICT 3

\_\_\_\_\_  
 DISTRICT 4                  DISTRICT 5

\_\_\_\_\_  
 NAME

\_\_\_\_\_  
 EMAIL



# Montara Water & Sanitary District

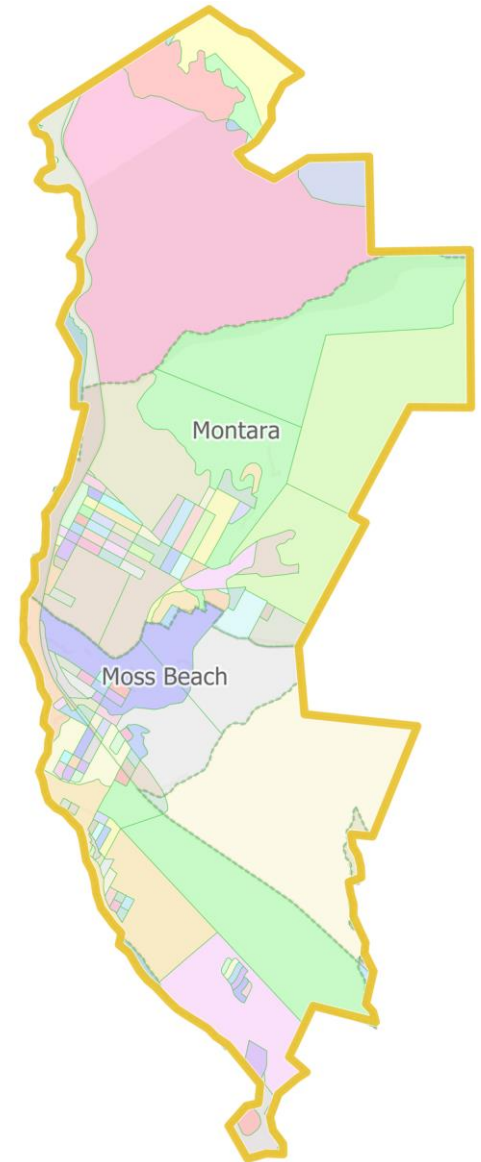
## Timeline for Upcoming Meetings

April 20 <sup>th</sup>	Introduction to the districting process
<b>May 18<sup>th</sup></b>	<b>Community Outreach Meeting</b>
June 1 <sup>st</sup>	Presentation of Draft Maps
July 20 <sup>th</sup>	Revised draft maps
August 17 <sup>th</sup>	Final map adoption

# Next Steps

## Moving from COI to Maps

- Discuss possible draft map options
  - 3 draft plans
- Draft maps will be presented at the next Board meeting for discussion
  - This is an iterative process – you will have the ability to make changes to the draft maps







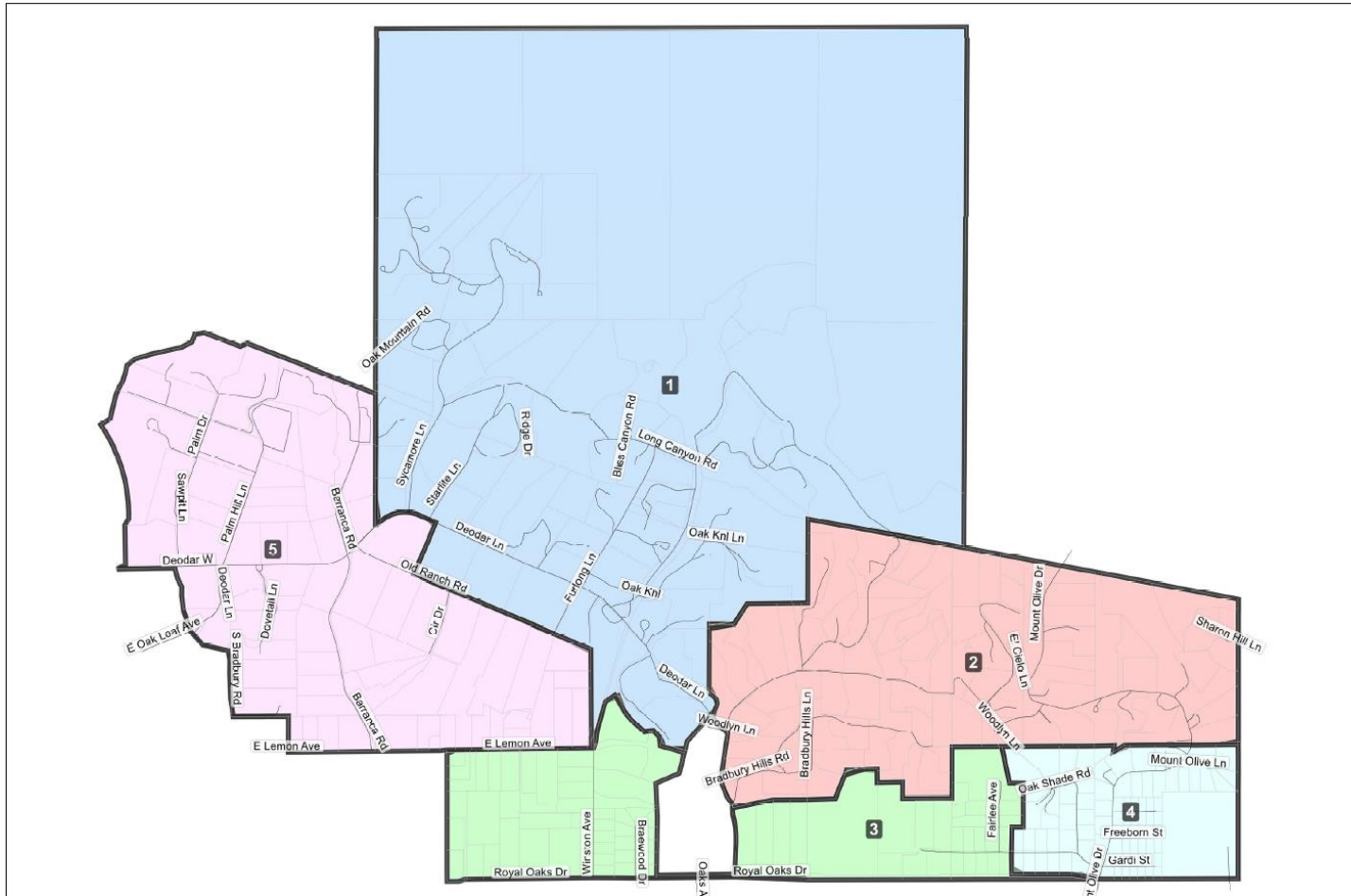
## 2020 Census

	1	2	3
Population	141	141	140
Deviation	0	0	-1
Deviation %	0.0%	0.0%	-0.7%
Other	86	76	75
Other %	61.0%	53.9%	53.6%
Latino	49	63	61
Latino %	34.8%	44.7%	43.6%
Asian	6	1	4
Asian %	4.3%	0.7%	2.9%
Black	0	1	0
Black %	0.0%	0.7%	0.0%

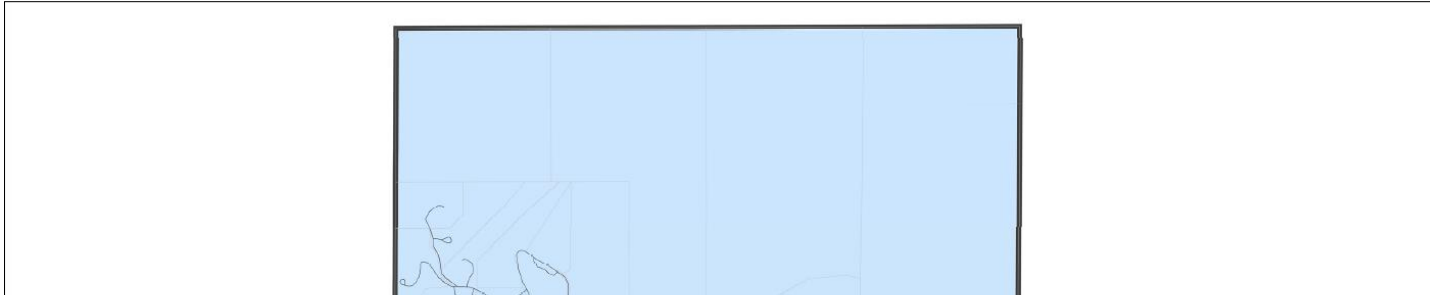
## Citizen Voting Age Population (CVAP)

	1	2	3
Total CVAP	95	85	85
Other CVAP	49	45	42
Other CVAP %	51.6%	52.9%	49.4%
Latino CVAP	37	40	39
Latino CVAP %	38.9%	47.1%	45.9%
Asian CVAP	9	0	4
Asian CVAP %	9.5%	0.0%	4.7%
Black CVAP	0	0	0
Black CVAP %	0.0%	0.0%	0.0%

# Case Study: Clay JESD & City of Bradbury

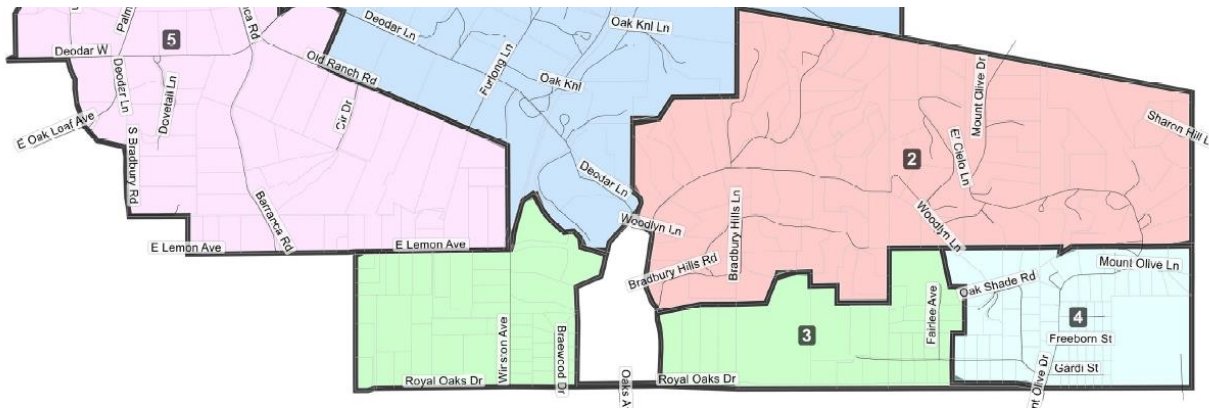


# Case Study: Clay JESD & City of Bradbury



## City of Bradbury Redistricting Profile

City Council Districts	1	2	3	4	5	Total	
<b>Total Population (Pop)</b>	<b>187</b>	<b>190</b>	<b>187</b>	<b>188</b>	<b>173</b>	<b>925</b>	2020 Census State Adjusted Redistricting Data
<b>Deviation</b>	<b>2</b>	<b>5</b>	<b>2</b>	<b>3</b>	<b>(12)</b>	<b>17</b>	
<b>% Deviation</b>	<b>1.1%</b>	<b>2.7%</b>	<b>1.1%</b>	<b>1.6%</b>	<b>-6.5%</b>	<b>9.2%</b>	





**REDISTRICTING  
PARTNERS**



# MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: **May 18, 2023**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager *CH*

**SUBJECT: Review and Possible Action Concerning  
Disagreement about Sewer Authority Mid-  
Coastside Fiscal Year 2023-2024 General  
Budget.**

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Last New Year Eve's unprecedented rain events and inflow into the sewer system resulted in the rupture of the Sewer Authority Mid-Coastside (SAM) owned Intertie Pipeline (IPS). SAM was sued over a prior failure of the pipe in 2017 and is required by Consent Decree to replace the pipe by 2024.

Subsequently SAM, with input from its Finance Committee and member agency managers, developed a 2023/2024 budget that contains funds towards the pipe replacement. However, at the SAM April 24 and May 8 meetings the SAM Board was unable to approve the SAM General Budget for Fiscal Year 2023/2024.

The City of Half Moon Bay has stated at the SAM meetings and in a letter from the City Manager that it will only approve the SAM general budget "on the condition that the Montara Force Main Project is removed.

This action puts SAM at risk of having to operate without an approved budget, and further puts its agents at risk of violating a federal consent decree.

## RECOMMENDATION:

This item was placed on the agenda to allow the MWSD board to discuss the possible SAM budget failure and take appropriate action.

Attachments