



# MONTARA WATER & SANITARY DISTRICT

Serving the Communities of Montara and Moss Beach

P.O. Box 370131

Tel: (650) 728-3545

8888 Cabrillo Highway

Fax: (650) 728-8556

Montara, CA 94037-0131

E-mail: [mwsd@montara.com](mailto:mwsd@montara.com)

Visit Our Web Site: <http://www.mwsd.montara.com>

## **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 15, 2011 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 3 and November 17, 2011.
2. Approve Financial Statements for November 2011.
3. Approve Warrants for December 1, 2011.
4. SAM Flow Report for October 2011.
5. Monthly Review of Current Investment Portfolio.
6. Connection Permit Applications Received.
7. Monthly Water Production Report for October 2011.
8. Rain Report.
9. Solar Energy Report.

### OLD BUSINESS

1. Review and Possible Action Concerning Refinancing of District Bond.

## **NEW BUSINESS**

2. Review and Possible Action Concerning FY 2010/11 Audit.
3. Review and Possible Action Concerning Filing Notice of Completion for Sewer Improvement Project.
4. Review and Possible Action Concerning Certification of the Results of the November 8, 2011 Consolidated Election.
5. Review and Possible Action Concerning Appointment of Board Officers and Committee Assignments for 2012.
6. Review and Possible Action Concerning Cancellation of Next Regular Scheduled Meeting January 5, 2012.

## **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**

### **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. C. §54956.8)

Property: Community water system, Pillar Ridge Mobile Home Park (APN 134-132-050)

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

Negotiating Party: Luhdorf Scalmanini

Under Negotiation: Acquisition price and terms of payment, var. terms and conditions of purchase

Property: Parcel(s) to be determined within property owned by the State of California (Department of Transportation) located within District Boundaries

Agency Negotiators: Ad Hoc Committee (to be determined), General Manager, District Counsel

Negotiating Party: To be determined

Under Negotiation: Parcel description(s), acquisition price, terms of payment, var. terms and conditions of purchase or other property interest

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

(Gov't. C. §54956.9(a))

Names of cases: (i) 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

(ii) Montara Water and Sanitary District v. County of San Mateo, etc. et al., Resp.; Big Wave LLC, Real Party in Interest, San Mateo Cnty. Super. Ct. No. CIV 505205

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

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

Number of cases: 1

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

Number of cases: 1

### **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.

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.