



## **MONTARA WATER & SANITARY DISTRICT**

**REGULAR BOARD OF DIRECTORS MEETING  
March 2, 2023**

### **MINUTES**

**This meeting took place at the district office located at the above address. Simultaneous public access and participation was also available remotely, via telephone or the ZOOM application.**

**REGULAR SESSION began at 7:31 p.m.**

**CALL TO ORDER**

**ROLL CALL**

**Directors Present:** Boyd, Dekker, Softky & Slater-Carter

**Directors Absent:** None

**Staff Present:** Clemens Heldmaier, General Manager  
District Clerk, Tracy Beardsley

**Others Present:** District Counsel, Christine Fitzgerald  
District Accountant, Peter Medina  
District Water Engineer, Tanya Yurovski  
District Financial Advisor, Alex Handlers  
District Counsel, Christine Fitzgerald  
Kastama Consulting, Alison Kastama

## **PRESIDENT'S STATEMENT**

Director Boyd commented that this is an auspicious meeting and he thanked General Manager Clemens Heldmaier, staff and Director Softky for working together in preparing the work space for the board meetings. It has been three years since meeting together in-person. There has been a tremendous amount of rain and it has been good but expensive. There are a lot of necessary repairs and maintenance that need to be addressed. They will also be interviewing some people for the possible appointment for the open seat vacated by the untimely departure of Director Lohman. They will be interviewing the people that have put themselves forward and if all goes well will seat them at the table either tonight or the next meeting. If the candidate they choose is present at the meeting he/she will be sworn in and sit at the table tonight. If the candidate selected is attending remotely, then he/she will be sworn in at the next meeting and sit at the table then.

## **ORAL COMMENTS**

Gregg Dieguez commented they are working on studying various aspects of the Coastside infrastructure proven to be deficient during the last disaster. Of course, many of these have been known for years. The first one that may be actionable is the communications infrastructure. He has a draft report in front of him written by several community members, and will be coordinating with CERT around the emergency telecommunications requirements which appear to require an additional antenna to strengthen signals that CERT and HAM people can use. He requested input from Director Boyd, as well as the other Board members, and their comments will be added and passed on to the supervisor. Supervisor Mueller is working with Caltrans and others to try and strengthen the redundancy of our communications on the Coast.

Director Boyd said he will get to it.

“CID” Carlisle Young commented that she heard at the GCSD meeting that Half Moon Bay is planning to build a hotel between the Beach House and Sam’s Chowder House, which would be using the Intertie Pipeline (IPS). Also, Supervisor Mueller is going to have his meeting at the Harbor Village in the large meeting room. MCC and other agencies may use that room too.

Michelle Dragony said there is an article about the proposed hotel, Aaron Hotel on her website [www.coastsidebuzz.com/](http://www.coastsidebuzz.com/).

Director Boyd announced an emergency item to be added to the agenda. It is to review and Possible Action Concerning the FEMA-4683-DR-CA: California Severe Winter Storms, Flooding, Landslides, and Mudslides – Application for Funding.

General Manager Clemens Heldmaier stated this is for the Sewer Authority Midcoastside (SAM), which sustained a lot of damage due to the storm on December 31, 2022-January 1, 2023. SAM would like to apply for the FEMA funding for the emergency repair and other failures in the system. Since SAM is not a special district they are applying through Montara Water and Sanitary District (MWSD).

Director Slater-Carter made a motion to add this item to the agenda with the understanding that it came to their attention after the posting of the agenda, and there is a need to take action before the Board's next scheduled meeting. Director Dekker seconded the motion. All were in favor and the motion passed unanimously 4-0.

District Water Engineer Tanya Yurovski stated that they discovered the need for this resolution yesterday. Last year the District and SAM (through MWSD) participated in the San Mateo County Local Hazard Mitigation Program (LHMP) annex process for the grant funding potential not knowing that this disaster would happen. They also applied through the LHMP for SAM pre-disaster mitigation funding and were not successful. However, this time FEMA is doing a hybrid program, which is what this resolution is all about. The first pre-application is due to CAL OES by March 15, 2023. The meeting at the County level is next Wednesday, March 8<sup>th</sup>. With the hybrid program, SAM is eligible for reimbursement for the damages to the plant, pipeline and immediate repairs. And with this hybrid program, there is the possibility to apply for the further mitigation of this flood potential. The resolution and the process that SAM will be applying for would cover projects that are required to address and prevent further damage to the facilities that SAM owns and operates.

General Manager Clemens Heldmaier asked what the timeframe is for the damage covered. Can SAM incorporate MWSD damages that may be incurred in the future this winter?

District Water Engineer Tanya Yurovski replied that this time this program covers December 31, 2022-January 31, 2023, and they are given 60 days for 100% reimbursement by FEMA. Since MWSD sustained damage during the past storm, they have included MWSD in the resolution. General Manager Clemens Heldmaier and Kishen Prathivadi are authorized agents.

Gregg Dieguez commended MWSD for going through the process of participating in the Local Hazard Mitigation plan. They are now in a position to get some funds for the district and SAM. He is concerned about the derivative damages such as the water hammer damage upstream in the IPS which he feels is directly related to the event at the SAM plant. He thinks that this should be part of the claim.

Director Slater-Carter added that Pippin has some interesting information showing the pipe break up there was due to the water hammer which was due to the flood

at the SAM plant. She asked if the pipe line that was damaged in Montara is also included in the request for funding.

District Water Engineer Tanya Yurovski replied that is also included.

Director Slater-Carter asked if they had not participated in the LHMP would that have meant that they would not have the ability or standing to make this request.

District Water Engineer Tanya Yurovski replied most likely yes.

Director Slater-Carter made a motion to approve the resolution to approve the FEMA-4683-DR-CA: California Severe Winter Storms, Flooding, Landslides, and Mudslides application for funding. Director Dekker seconded the motion. A roll call vote was taken, and the motion was passed unanimously 4-0.

## **PUBLIC HEARING - none**

## **CONSENT AGENDA**

- 1. Approve Minutes for Regular Scheduled Board Meetings February 2, 2023 and February 16, 2023 and Special Personnel Meeting February 17, 2023.**
- 2. Approve Financial Statements for January 2022**
- 3. Approve Warrants for March 1, 2023**
- 4. SAM Flow Report**
- 5. Monthly Review of Current Investment Portfolio**
- 6. Connection Permit Applications Received**
- 7. Monthly Water Production Report**
- 8. Rain Report**
- 9. Monthly Solar Energy Report**
- 10. Monthly Public Agency Retirement Service Report for December 2022**
- 11. Review and Possible Action Concerning Acceptance of Water Main Extension at 1170 Howells Street, Montara, APN 036-282-050**

General Manager Clemens Heldmaier asked item 4, the SAM flow report be pulled for discussion.

Director Slater-Carter made a motion to approve the Consent Agenda items 1-3, and 5-11 and Director Dekker seconded the motion. All were in favor and the motion passed unanimously 4-0.

General Manager Clemens Heldmaier said they have the annual numbers for the flows. Half Moon Bay flow is 61.5%. This number has been going up significantly, and asked the SAM reps to ask the City of Half Moon Bay what is going up.

Director Slater-Carter said she thinks Half Moon Bay does not know. There are some theories, and in 2013 Half Moon Bay annual flow was 48%, and that was when there were some issues with the meters. Since then Half Moon Bay has been going up 1-3% every year for the last 9 years.

General Manager Clemens Heldmaier said there has been meter issues before and something that should be looked at. They need to know why it is increasing.

Director Softky asked for both sets of numbers. He assumes that flow is year on year in terms of gallons per hour going up. How does their 10% flow over the decade increase compared to the net flows?

Director Slater-Carter said all those details are in the SAM report from Monday, the 27<sup>th</sup>. She suggested that this item be approved, and discussed in detail at the next meeting.

Director Boyd added this increase over 9 years is a huge increase in terms of sewer flow. Since they are operating SAM together, it is in the interest of SAM operations to understand what is happening with the system.

Director Softky added that embedded in the mathematics of this kind of interaction is that the biggest problems for SAM aren't the daily treatment costs. They are the costs of preventing overflows. There is a huge amount spent to prevent a few outlier cases. Once you are in a regime of looking for high flow outliers, then if there is a culprit at the table which is contributing more than their share of flow, they are first in line for blame for high flow outlier events. Although he doesn't know the specifics, coming from purely the land of mathematics, it sounds like a case where high flow needs to be penalized incentive wise or it is not going to work.

Director Slater-Carter replied that is why they pay more.

Director Boyd said they pay a vigorous share based on flow, then there are the costs of the outlier events, which are becoming increasingly more predictable.

Director Slater-Carter made a motion to approve content agenda item 4. Director Dekker seconded the motion. All were in favor and the motion passed unanimously 4-0.

**OLD BUSINESS - none**

**NEW BUSINESS**

**1. Review and Possible Action Concerning Hybrid Board Meetings**

General Manager Clemens Heldmaier said this allows them to hold a hybrid meeting. Since the State of Emergency ended on February 28, 2023, agencies are required to hold meetings in-person. He described the electrical upgrades to the boardroom to accommodate PCT hybrid meeting recordings and the improvements made for air quality and flow throughout the room. The purpose of this item is to establish a simultaneous permanent remote meeting location in addition to the District's physical meeting location in the boardroom of the District's administrative office and authorizes the general manager to put in place measures to ensure the health and safety of attendees. Staff recommendation is to Adopt a Resolution of the Board of Directors of the Montara Water and Sanitary District resuming the Board's regular meeting location and establishing necessary safety protocols, and establishing an additional permanent remote meeting location.

Director Softky was concerned about the idea of permanence, since technology is always advancing and they are still working out the logistics of the meeting.

Director Boyd clarified that this resolution is only for the location and hybrid modality and not any of the specifics needed to hold the meetings. When someone says "permanent" think of it as "standing." This board cannot bind future boards with a vote on resolutions. They can vote again. So little is permanent. He thanked staff for putting everything in place in providing a safe space to meet and asked the public to bear with them as they work out some issues to get everything right.

Director Slater-Carter made a motion to pass the resolution to adopt a Resolution of the Board of Directors of the Montara Water and Sanitary District resuming the Board's regular meeting location and establishing necessary safety protocols, and establishing an additional permanent remote meeting location. Director Dekker seconded the motion. A roll call vote was taken, and the motion passed unanimously 4-0.

## **2. Review and Possible Action Concerning Vacant Position for Board of Directors**

General Manager Clemens Heldmaier stated that unfortunately Director Lohman passed away on January 19<sup>th</sup> and created a vacancy on the Board. The remaining board members decided to fill the vacancy by appointment which must be done by April 3, 2023. The appointed director will hold this position until the next general election cycle in 2024. A Notice of Vacancy was posted, and staff received emails from four possible candidates. However, one possible candidate rescinded his application. So, there are three candidates that he is aware of. Of course, anyone attending the meeting can also apply. Staff recommendation is to interview the candidates and appoint the best suitable candidate as Director for the vacant position and adopt the Resolution of the Board of Directors of the Montara Water and Sanitary District, San Mateo County, California, Filling the Vacancy on the Board of Directors by Appointment. If the newly appointed director is present at the meeting, he/she can then be seated on the Board. If the newly appointed director

chosen is attending remotely, then he/she will sit in the meeting at the next board meeting March 16, 2023.

Director Boyd said he will invite the candidates to speak in the order of the emails listed in the agenda: Richard Holmes, Ann Rothman, and Cid Young. Each will have an opportunity to make a brief statement and then the board will have an opportunity to ask questions.

Richard Holmes thanked everyone for the opportunity and appreciates having clean water to drink thanks to the district. He has lived on the Coast for 9 years. He is at a point in his life where he wants to be more involved in the community.

Director Dekker stated all board members are required to attend meetings, which occur the first and third week of each month. Does he have the time to commit 2-3 hours per meeting?

Richard Holmes replied he is committed to coming to the meetings.

Director Boyd asked if he attended any of the MWSD meetings in the past, or looked through the agendas.

Richard Holmes replied that he has not attended any of the meetings but did view a video on the Election Academy.

Director Softky said that the board is like team avengers with everyone having their superpowers. In a group like this, what would be yours?

Richard Holmes replied that he is an insurance agent. He is relatable and can bring people together, and he is practical.

Director Slater-Carter asked what community experience does he bring to the table.

Richard Holmes replied that he was on the Board of Directors for AYSO (American Youth Soccer Organization) for a couple of years and is currently a referee. He also coaches soccer.

Director Boyd said they serve different kinds of people in the community who have interests that this Board has to tend to. Can you give them an idea of a few of the different kinds of interest groups that this board has to take into account?

Richard Holmes stated there are all kinds of people in the community. You have three water companies on one pipe. Water is valuable and you have to protect it, and have to make decisions that are good for the community.

Director Slater-Carter said you mentioned the three agencies sharing the sewer plant. What is your opinion about consolidation?

Richard Holmes said he is a pragmatist and would have to investigate the situation more closely. However, right now from what he has read it does not make sense.

Director Boyd thanked Mr. Holmes and called to interview Ann Rothman.

Ann Rothman apologized for not being there in person, as she may have been exposed to COVID. She has been on the Coast 30 years and supported the acquisition of the water system from Citizens Utilities in 2003. She first attended a meeting to oppose the rate increase, which led to attending more meetings and being more informed. She has been actively participating in MCC, Board of Supervisors, and Half Moon Bay Council meetings. She supports improvements in infrastructure, particularly water. There is money they are budgeting for--Measure K, and they are deciding on that March 14<sup>th</sup>. MWSD should request funds for the broken pipe line, as well as other necessary improvements and the Caltrans Right-of-way to get a better water supply for the future. They should act now. Until Supervisor Mueller, it has been difficult to get anyone to listen.

Director Slater-Carter stated she and Ann had coffee and they chatted. She asked Ann's opinion on consolidation of the water and sewer districts.

Ann Rothman replied it is a big no. It is important to maintain their independence.

Director Softky asked what is the biggest structural challenge they are facing when dealing with these much bigger "fish"? What do you think we really need to keep in mind to maintain a coherent front to be able to fight for that independence? What is your opinion on the best ways to protect ourselves from the lumbering giants which might bump into us?

Ann Rothman said she believes they need to ensure their voices are heard. Supervisor Mueller said he is listening to our requests and is aware that there are a lot of needs. It is important to let them know we are not intimidated, and make them understand our needs. She never gives up. No doesn't have to mean no, especially when it comes to the County. Water is the source of life, and they have to make sure the system is functional and sustainable. They have a lot of big projects potentially coming up and they have to be prepared. They need to ensure they have the funding and support, and she is hoping to bring that support to the table and bring the entities together.

Director Boyd asked in looking at the agenda tonight what item caught her attention that is something to be prepared for.

Ann Rothman replied it was the emergency item for the FEMA funding. It is very important to be aware of the forms of funding out there and their deadlines. As



mentioned before at the County there is a March 14<sup>th</sup> deadline for Measure K funds for the year. This is the time to act and ask for our fair share of that money.

Director Dekker asked if she could commit to attending the meetings 2-3 hours twice per month, and what her background was.

Ann Rothman said she lived here for 30 years in Moss Beach. Her husband's job and the affordability of homes allowed them to move from the Midwest to the Coast. She fell in love with the community and that is why it means so much to her.

Director Slater-Carter asked what are her other interests and activities in the community and the Bay Area in general.

She said she is a veterinary technician and has a dog walking business. Her passion is animals. She also loves wine and food and considers herself a foodie. As far as the community at-large, she also supported the Mid-pen environmental group to ensure the process is followed properly. She is active in animal advocacy.

Director Slater-Carter said she would like to follow-up offline on the Measure K funding.

Ann Roth replied enthusiastically absolutely. The squeaky wheel gets the grease.

Director Boyd asked Cid Young to come into the boardroom.

Carlyle Young said she has lived in Moss Beach since 1988 when Citizens Utilities was the water supplier. She was saddened to learn of Director Lohman's passing and would be honored to follow in his footsteps and serve on the Board of MWSD. She attended many MWSD meetings, so she knows it takes a lot of time and dedication. Although she has fought rate increases for older folks on a limited income, she does understand the importance and need to keep up with their infrastructure. She also thinks they should be strategizing now how to pay for future upgrades for possible developments, future repairs, and future repairs for SAM's deferred maintenance. They should also be researching judgement bonds in the off chance that they lose the lawsuit. Her goals as a director are to try to secure the Caltrans Right-of-way property through the back of Montara and Moss Beach to serve the dual purpose as a linear trail and park course, via MWSD's park's powers, and increase potential water for the district. She is also interested in educating the community about composting and recycling. Knowing how it is going with the joint powers and SAM, she is against merging. If selected to serve, she will continue to attend other agency meetings. She was recently nominated to serve on the Midcoast Community Council (MCC), and saw the recent vacancy at MWSD. Her preference would be to serve at MWSD. The MCC has nominated an alternate candidate to serve should anyone recently nominated were to step down. Had they not taken so long, she might not be submitting her application to serve at MWSD instead.

Director Dekker asked if she would be able to commit to coming to the meetings, but admitted he already knows she will.

Carlisle Young replied that now that COVID order has been lifted, she will try to attend more meetings everywhere.

Director Slater-Carter said she has worked with Carlisle Young in the past on real estate for a number of years. She asked Carlisle Young what other community activities she has done.

Carlisle Young said in this community she was a 4-H goat and rabbit leader, and was an officer for the Coastside Fireworks committee. She became president and they got their 5013c. She was President of the Peninsula Succulent Club and a member of the California Garden Club and secretary, nominating chair and bylaws chair for that club, and was the co-chair of their Master Gardener educational garden tour in Atherton. She was also a seasonal election pole worker, and worked to keep Cal fire—they wanted to bring in a new union and they recalled 3 of the board directors. She took the Committee for Green Foothills leadership training and learned leadership skills and how to be an advocate for her community. She also attended a Civics 101 class in October 2022. She also attended the Board of Supervisors meeting about Measure K, and she agreed that they need to be the squeaky wheel. She was also the Chapter President for the Women’s Council of Realtors in San Francisco, and a mentor at Glide Memorial.

Director Softky asked what her “superpower” was.

Carlisle Young said it is following up on details. She commented on Half Moon Bay’s increased flow into SAM, and said that in reading Half Moon Bay’s CIP plan, they have addressed little in storm water management, and the increase is probably due to their I&I (inflow and infiltration).

Director Softky asked what her 20-year vision for what they should be aiming at over the horizon.

Carlisle Young said they should do more about their park’s powers.

Director Boyd asked what her thoughts are about disagreements on the Board.

Carlisle Young said if she is voted down, she understands that. There is a lot they can do that the County is not doing.

Michelle Dragony invited the candidates to go to her website and look under Montara Water and Sanitary district for is a great resource of information.

Director Dekker said he feels Carlisle Young is the best choice, because she has been following MWSD, SAM, and many other agencies for a long time, and is aware of many of the challenges they have.

Director Softky concurred. He felt her knowledge of the long and short term issues is impressive.

Director Slater-Carter said she is divided but feels Ann would be a good fit because she has a fire in her belly, and she would love Carlisle Young and her help her along.

Director Boyd said he is pleased that they have three great candidates. In terms of the wealth of experience, Ann and Cid are exceptional. They have some interesting challenges in negotiating with other agencies, and feel that Ann might have an edge there. He is convinced that Ann's and Cid's long history of being involved will continue to be involved regardless of the outcome.

Jim Harvey commented that it is a hard decision. But he feels Cid has been involved for a long time, and if he were on the Board, he would vote for her. She is the best choice for the Board.

Director Boyd commented that Mr. Harvey is a Board member emeritus, having served for many years. They value his opinion.

Director Boyd said that some of them have been serving on the board for a long time and won't be serving forever, and seeing some fresh faces is great. He sees three people on a great trajectory for deeper involvement. He wasn't chosen the first time he submitted his application for appointment to the Board. If they are not chosen tonight on this Board, there are also opportunities at the MCC and subsequent openings, plus volunteer opportunities. He is going to lean to Carlisle Young tonight. He asked Director Slater-Carter if she was okay with that.

Director Slater-Carter said she welcomes Carlisle Young to sit at the board. She is an artist and will bring a new perspective in solving problems. She feels that if they try to get parks powers they might be required to consolidate with GCSD, and prefers to continue with recreation powers which they are allowed with their water powers through LAFCo.

Director Boyd asked how Carlisle Young would like to be addressed.

Carlisle Young replied she uses her legal name as Carlisle Ann Young for her driver's license and property taxes. "Cid" is a nickname and she uses "Cid" Carlisle Ann Young on her business cards.

Director Slater-Carter made a motion to appoint "Cid" Carlisle Ann Young as Director and adopt a Resolution of the Board of Directors of the Montara Water

and Sanitary District, San Mateo County, California, Filling the Vacancy on the Board of Directors by Appointment. Director Dekker seconded the motion. A roll call vote was taken, and the motion passed unanimously 4-0.

Director Boyd thanked Ann and Richard for putting their names forward, and they look forward to seeing them at meetings and in the community and other areas of community service on the Coastsides. "Cid" Carlisle Young was sworn in and took the Oath of Office.

Director Young took a seat at the table with the other Board members.

### **3. Review and Possible Action Concerning Authorization to Send Prop 218 Notices for Water and Sewer Rate Increases.**

General Manager Clemens Heldmaier stated MWSD has been looking at this for quite some time. The Water Reliability charge was implemented a few years ago. Since then, they have not raised the water rates and they have seen three years of inflation particularly in construction. They were hoping to get some grant funding for some projects and that didn't happen and they will have to pay for the projects. On the sewer side, they have done some rate increases. As with water, costs continue to rise, and recently they had a pipeline rupture. On the basis of the attached draft prop 218 notice, staff are preparing a final version to increase water and sewer rates 6% in the coming fiscal year. Depending on future needs the notice would allow up to a 9% increase in water and sewer rates in the following year and again up to 9% increase in the third year. In the past, the District was able to keep costs lower than anticipated and stretch a three year prop 218 allowance to a total of 5 years.

District Financial Advisor, Alex Handlers stated that the water and sewer are financially self-supporting enterprises and rates are the main source of funding. They need to be adequate to fund costs. The Water Reliability charge was implemented in 2020 to address aging infrastructure. On the sewer side, they have increasing rates. MWSD has done a great job, but hasn't scaled the top of the mountain yet, particularly with capital needs. Analyses were done, and about two million dollars per year are needed to address capital needs, including long-term infrastructure replacements and these costs are likely to escalate in the future. On top of that the SAM treatment plant is over 40 years old and needs to be replaced at a cost of 40-60 million dollars plus the Intertie Pipeline at a cost of 14 million dollars and inflation. Obviously, the rates don't support this level of funding. Where do they go from here? It is a balance of competing objectives. MWSD has a lot of funding needs, they are taking steps in the right direction, but they are not there yet. What is being proposed is a 6% rate increase this year and then a 9% rate increase the next two years, as the maximum authorized rate increases. So, if FEMA comes through with the funding, the rates can be re-evaluated and can be adjusted over a longer amount of time. They are trying to chart a prudent course and come back in a few years and evaluate and adjust course as needed.

Additionally, the water rate structure has changed slightly to align with the cost of service and will affect a very small number of customers. Water rates will be 1/3 fixed charges, 2/3 Volumetric charges of revenue recovery. When you combine that with the fixed Water Reliability Charges, it works out to be a 60% fixed revenue recovery. The fixed meter charge was established long ago, and they are not in line with meter capacity. The district will be phasing in those meter capacity ratios over the next three years. This will result in bigger rate increases on the larger meter sizes for the ones that have been paying historically fixed charges that are lower than their capacities would justify them charging. It will affect very few customers—less than 20 customers. The tier rate system will remain for residential accounts and commercial accounts up to 1" meters. Larger non-residential customers will get a uniform rate. As for the tiers, there has to be a cost basis for the tiers, so they have been modified more evenly incrementally. On the water reliability charge, they align with the meter capacities and those would go up 6%, 9%, 9% across the board. On the sewer side, rate increases for the next three years, impacts will be based on how much water used, and classification. They would like to move forward with the 218 process and mail out the notifications in the next two weeks. The public hearing is tentatively scheduled for May 4<sup>th</sup>. The goal is to generate over time more funds for their capital needs.

Director Dekker stated that with these increases he is concerned about customers experiencing financial hardships. He suggested they increase the discount for water and sewer for their Economic Hardship customers from \$200 to \$400 each for water and sewer. The impact will be about \$10,000 dollars on the budget but it will help to transition to a higher rate. Right now, the average charge for sewer is about \$130 per month (Pillar Ridge \$150.00), and for water about \$75.00 per month. If they have a \$400 discount for water and sewer, it would reduce each of the bills by about \$33.00, which he thinks appropriate. In order to qualify for this discount, the applicant must be participating in the PG&E CARE program or the Recology of the Coast Low Income program.

General Manager Clemens Heldmaier said this amendment to the Economic Hardship program will have to be agendized and pass a resolution or an ordinance, and will be brought back to board no later than May 4<sup>th</sup>.

Gregg Dieguez said he is concerned this rate increase is not enough. He doesn't see the homework, and he reminded the board the Water Reliability charge is half of what they need. There is an opportunity to do something here quick. He didn't realize there was a deadline to get some money from the County. He is motivated to agendize this at the MCC meeting on March 8<sup>th</sup> and ask the County for whatever they can get. Please send him material so that he can present this to the MCC and submit a proposal to the Board of Supervisors through Ray Mueller. The replacement costs of the sewer plant are multiple times more than is on your books. This is a great time to try to use FEMA or other mechanisms to get the County to try and help invigorate our capital infrastructure and whatever else you are doing.

Director Young asked for some clarification on what they are voting on.

Director Boyd said they are authorizing staff to turn this draft into a final and send it out.

Director Boyd stated that when they send out the prop 218, it sets an upper limit on what they might do and what they are allowed to do in terms of raising the rates. Their practice as an agency is not to go all the way to the top of what the limit allows. As District Financial Advisor, Alex Handlers pointed out, the money they spend today is more powerful than the money they spend tomorrow and the money they spend tomorrow is going to have to be a lot more. For example, there has been a steep increase in the costs of material and labor in the last few years. So, they need to get things in the ground now, before costs go up even higher.

Director Young asked if the rate increases are for within the district or does this include SAM's capital improvement for deferred maintenance.

Director Boyd commented that the rates are how they fund SAM and that needs to be tied to their costs.

District Financial Advisor, Alex Handlers added that this is just for getting the notice out. You will be considering the rates at the May Public Hearing Board meeting.

Director Slater-Carter made a motion to approve the draft prop 218 notice and authorize the distribution of a final version. Director Softky seconded the motion. All were in favor, and the motion passes 5-0.

#### **4. Review and Possible Action Concerning the Pillar Ridge Supply Reliability Improvement Project**

District Water Engineer Tanya Yurovski stated this is a project update for the Board. The district purchased the system and had a plan to improve it. The CEQA and permit has been approved and certified by the Board. They were waiting for the DWR grant potential and were put on a low priority list. The project is nearly designed, and they are not sure if they will get the grant money. While they are waiting the costs are increasing so they will be bifurcating the project into two phases and they will move forward to the upgrades for the treatment plants and wells first, and replace the storage tanks later. This bifurcation will ease disturbance to the community, and the staging area will be smaller. They are aiming to put this project out to bid in the spring of this year, and construction money will come out of the next fiscal year's funds. It has been included in the CIP and is almost a shovel ready project.

Director Young added this project would be perfect for Measure K, and they should get on that as soon as possible.

Director Boyd asked if District Water Engineer Tanya Yurovski had a chance to look at Measure K.

District Water Engineer Tanya Yurovski said she has not, but would look into it right away.

##### **5. Review and Possible Action Concerning Transition from At-large to By-division Based Elections.**

Director Boyd said this item is the first step in preparation for the district's transition from an at large to a by-division election system pursuant to the Stipulated Judgment entered by the San Mateo County Superior Court on March 29, 2022. He read the staff report and said the resolution allows them to hire a demographer, and it will cost approximately \$30,000 dollars.

Director Young asked if the demographer is local.

Director Boyd replied that they have worked with the demographer already and they are from the East Bay area.

Director Young asked what by-division means.

Director Boyd replied it means by district, one per district.

Director Softky commented he is concerned about the mathematical consequence of subdividing too small an area further into districts, and he wants to make sure he is able to talk to the demographer and that the recommendations of the courts that is implemented is not one that has the County Board of Supervisors appointing out of a jar directors.

Director Boyd said that others have brought that up. The California Voters Right Act is well intentioned and is needed in many places. However, for a small district it is like a hand fisted hammer and not well tuned. They need to get some people together to go to Sacramento and tell them it needs to be nuanced. The point you make is exactly right. The Election Academy sessions they had is part of a process they need to continue to encourage participation. It is going to take a lot when they break down by district. It is up to them to encourage members of the community to seek opportunities to step up. They also raised the meeting stipend.

Director Young asked if they must accept the consultant's recommendations.

Director Slater-Carter replied they can ask for more than one map.

Director Slater-Carter made a motion to adopt the Resolution of the Board of Directors of the Montara Water and Sanitary District declaring its intention to initiate procedures to transition from at-large to by-division elections pursuant to California elections code section 10010(e)(3)(A) and taking related actions. Director Dekker seconded the motion. A roll-call vote was taken and passed unanimously 5-0.

## **REPORTS**

### **1. Sewer Authority Mid-Coastside Meeting (SAM) (Slater-Carter)-**

Director Slater-Carter stated they are working on the budget, and they are going to have a special meeting on Half Moon Bay's flow rate of 61. %.

### **2. Mid-Coast Community Council Meeting (Slater-Carter)**

Gregg Dieguez stated that at the last SAM meeting he asked why he hasn't got a forensic analysis of what happened during the storm and he never received an answer. He would like to make it a formal request, and would like the district's support. They are studying the Pilarcitas Creek flow, which is tangential to the whole thing, but they are ignoring the flow from Half Moon Bay. He said he is happy to help get funding for Measure K and asked for a letter to present to the MCC Board and he will talk to Ray Mueller about this.

### **3. California Special Districts Associations Report (Slater-Carter)-none**

### **4. Local Agency Formation Commission (LAFCo) Report (Slater-Carter)-none**

### **5. Attorney's Report (Fitzgerald)**

District Counsel Christine Fitzgerald stated that Director Slater-Carter will be recusing herself from the item in Closed Session agenda pertaining to Real property located at 770 Harte Street due to a conflict of interest under Government code section §87100 and will leave the meeting.

### **6. Directors' Report -- none**

### **7. General Manager's Report (Heldmaier)**

General Manager Clemens Heldmaier said a tree fell on the California sewer pumpstation and took the PG&E power pole out. Unfortunately, the power pole was on their side of the fence, and PG&E refused to replace it. They got the power pole installed through a contractor, but then needed a permit to reconnect. It has been on a generator for a week. There was also a power



outage in Seal Cove. That pumpstation had to be pumped out on a regular basis. He thanked SAM staff.

## **FUTURE AGENDAS**

**BRIEF RECESS at 10:32 pm**

**CONVENE IN CLOSED SESSION 10:37 pm**

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

(Government Code § 54956.9(d)(1))

*Case Names: City of Half Moon Bay v. Granada Community Services District, et al. (Santa Clara County Super, Crt. No. 17CV316927)*

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

(Government Code §54956.9(d)(4)) Initiation of Litigation (3 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.

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

(Government Code §54956.8)

Property: 770 Harte St., Montara, CA

Agency Negotiators: District General Manager; District General Counsel

Negotiating parties: Rose and Guy Wallace

Under Negotiation: Price and Terms of Payment

## **REPORT OF ACTION TAKEN IN CLOSED SESSION**

**ADJOURNMENT at 11:35 pm**

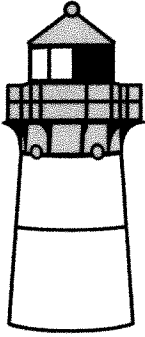
The district has a curfew of 10:30 pm for all meetings. The meeting may be extended for one hour by vote of the Board.

Respectfully Submitted,

Signed \_\_\_\_\_  
Secretary

Approved on the 6th, April 2023

Signed \_\_\_\_\_  
President



# MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: **March 2, 2023**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager

**SUBJECT: Review and Possible Action Concerning the FEMA-4683-DR-CA: California Severe Winter Storms, Flooding, Landslides, and Mudslides – Application for Funding**

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On January 14, 2023, President Joseph R. Biden, Jr. declared a major disaster making federal disaster aid available to Merced, Sacramento, and Santa Cruz counties for the California Severe Winter Storms, Flooding, Landslides, and Mudslides; additional amendments starting January 17, 2023, included among others, the County of San Mateo. The Sewer Authority Midcoastside (SAM) participates in the San Mateo County Local Hazard Mitigation Plan (LHMP) through the Montara Water and Sanitary District's (MWSD or District) LHMP Annex, and, therefore, the Request for Public Assistance (RPA) application for SAM requires the District's Board of Directors action in the form of a Resolution. The RPAs must be received by the Public Assistance Division via Grants Portal no later than March 15, 2023. This item is being included in the Board Agenda as an emergency item, as there is no Board meeting between now and the RPA due date of March 15, 2023.

### *Important Disaster Information*

- Declaration Name: California Severe Winter Storms, Flooding, Landslides, and Mudslides
- Declaration Number: FEMA-4683-DR-CA
- Incident Period: Dec 27, 2022 - January 31, 2023

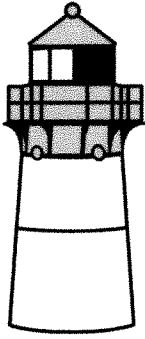
### *Applicants Eligible for Assistance*

The following entities and select private nonprofit organizations may be eligible for disaster assistance under this Presidential Declaration:

- Counties
- Cities
- Special Districts (including School Districts and Community College Districts)
- Certain Private Non-Profit Organizations
- State Agencies
- Tribal Governments

In addition to the RPA (submitted via Grants Portal), the following documents must be submitted to California Office of Emergency Services (Cal EOS) in order for payments to be processed:

- OES-FPD-130 /130SA, Resolution
- OES-FPD-089, Project Assurances



# MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: **March 2, 2023**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager

## *Available Assistance – Public Assistance (PA) Program*

Under the PA program, Federal Emergency Management Agency (FEMA) will cost-share eligible Emergency Work costs at 100 percent for the first 60 days of the incident period, and 75 percent from day 61 and forward; and FEMA will cost-share 75 percent of the eligible Permanent Work costs. The State of California will cost-share at 75 percent of the Non-Federal share.

The Applicant Briefing for the San Mateo County applicants is scheduled for March 8, 2023 and the RPAs are due on March 15, 2023.

## **RECOMMENDATION:**

Adopt a Resolution \_\_\_\_\_ DESIGNATION OF APPLICANT'S AGENT RESOLUTION  
FOR NON-STATE AGENCIES



**COUNTY OF SAN MATEO**  
**DEPARTMENT OF EMERGENCY MANAGEMENT**

Donald J. Mattei  
Interim Director

County Government Center  
501 Winslow St.  
Redwood City, CA 94063  
[dmattei@smcgov.org](mailto:dmattei@smcgov.org)

February 23<sup>rd</sup>, 2023

Dear Colleagues,

Please find below the Applicant Briefing invitation for the California Severe Winter Storms, Flooding, Landslides, and Mudslides (FEMA-4683-DR-CA) that struck the county in January of 2023.

This is to notify potential applicants of the scheduled Applicant Briefing for the California Severe Winter Storms, Flooding, Landslides, and Mudslides (FEMA-4683-DR-CA). Specifically, counties, cities, special districts, school districts, tribal governments, state agencies, and certain private nonprofit organizations (PNP) that are eligible for Public Assistance (PA) funding under this disaster declaration. If your organization incurred expenses responding to or recovering from the FEMA-4683-DR-CA event that began December 27, 2022, CalOES and the San Mateo County Department of Emergency Management strongly encourage attendance at the upcoming Applicant Briefing and submittal of a Request for Public Assistance (RPA). The incident period for this disaster is **December 27<sup>th</sup>, 2022, to January 31<sup>st</sup>, 2023.**

**APPLICANT BRIEFING**

The briefing listed below is for all counties, cities, special districts, school districts, tribal governments, state agencies, and eligible PNPs in San Mateo County (County).

The Applicant Briefing will be held in person at the location, date, and time listed in the below table:

<b><u>DATE</u></b>	<b><u>TIME</u></b>	<b><u>BRIEFING LOCATION</u></b>
Wednesday, March 8 <sup>th</sup> , 2023	9:00 AM	San Mateo County Regional Operations Center 501 Winslow Street Redwood City, CA 94063

Please see the attached parking instructions and temporary permit.

This Applicant Briefing will provide information on the application procedures, cost eligibility, documentation requirements, payment processing, and deadlines specific to the federal Public Assistance Program for the (FEMA-4683-DR-CA) event. The meeting will last 3 to 4 hours. Potential applicants for this event are encouraged to attend the Applicant Briefing and submit an RPA via Grants Portal.

FEMA no longer accepts the Request for Public Assistance (RPA) paper form. RPA's must be submitted electronically via FEMA's Grants Portal.

RPA's must be submitted by **March 18<sup>th</sup>, 2023**, to ensure the regulatory deadline is met in accordance with Title 44 of the Code of Federal Regulations section 206.202. This date is based on when San Mateo County was included into the Public Assistance by FEMA. RPA's typically take less than an hour to enter in the system. The RPA simply identifies your agency and contacts, and is very easy to fill out.

In addition to the RPA submittal in [Grants Portal](#), the following documents must be submitted to Cal OES for payments to be processed:

- Designation of Applicant's Agent Resolution (OES-FPD-130)
- List of Authorized Agents (OES-FPD-012)
- Project Application for Federal Assistance (OES-FPD-89) (Please note you do not need to submit a new Designation of Applicant's Agent Resolution if, within the last three years, you have submitted a universal form to Cal OES that identifies your Authorized Agent/s by title.)

Forms are also available on the Cal OES website: [Public Assistance Forms](#).

Cal OES and San Mateo County DEM are committed to expediting the recovery process in order to provide the maximum financial assistance available from state and federal programs. If you have questions regarding this correspondence, please contact the Recovery Team at [DisasterRecovery@caloes.ca.gov](mailto:DisasterRecovery@caloes.ca.gov).

Please extend this invitation to other public organizations in San Mateo County that may have incurred costs or assisted with this disaster.

Reasonable accommodations for people with access and functional needs are available upon request. Please submit your request as early as possible as last-minute requests will be accepted, but may be difficult to fill.

Respectfully,

Jeff Norris  
San Mateo County Department of Emergency Management

- [Designation of Applicant's Agent Resolution - OES-FPD-130 \(rev. 10.2022\).pdf](#)
- [List of Authorized Agents - OES-FPD-012 - 9.2022.pdf](#)
- [Project Assurances for Federal Assistance - OES-FPD-089 - 10.2022.pdf](#)
- [FACT SHEET - FEMA-4683-DR-CA- Version 3 \(rev. 2.14.23\).pdf](#)

*Are you Informed?-*[SMCAAlert](#) | *Are you Prepared?-*[SMCReady](#)



**Jeff L. Norris**  
Emergency Management Coordinator  
San Mateo County  
Department of Emergency Management  
501 Winslow St. - County Center  
Redwood City, CA 94063  
650-599-1296 [jnorris@smcgov.org](mailto:jnorris@smcgov.org)



## List of Authorized Agents

Entity Name:

Montara Water & Sanitary District (MWSD)

Cal OES ID:

- Enter each Authorized Agent (AA) as listed on the Designation of Applicant's Agent Resolution (Cal OES 130) for Non-State Agencies **or** as it appears on the Signature Authority (Cal OES 130SA) for California State Agencies.
- Check box to receive electronic copies of Cal OES Notification of Obligation and/or Payment packages. (Minimum 1 AA.)
- Email addresses must use an email that shares the official entity URL.

Authorized Agent Name

Authorized Agent Title

Email Address

Email Pkg?

Kishen Prathivadi	General Manager, Sewer Authority Mid-Coastside	kishen@samcleanswater.org	<input checked="" type="checkbox"/>
Clemens Heldmaier	General Manager, MWSD	clemens@mwsd.net	<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

- An Approved Contact may be designated by an AA to request or receive information on grant payment status. Add them by inputting their information below. (Ex. Accounting/Admin offices) Must use an official email URL.

Approved Contact Name

Approved Contact Title

Email Address

Email Pkg?

Keely Nelson	SRT Consultants	keely@srtconsultants.com	<input checked="" type="checkbox"/>
Tanya Yurovsky	SRT Consultants	tanya@srtconsultants.com	<input checked="" type="checkbox"/>
			<input type="checkbox"/>

Please use a second page if more space is needed.



Cal OES ID No: \_\_\_\_\_

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE Board of Directors OF THE Montara Water & Sanitary District (MWSD)  
 (Governing Body) (Name of Applicant)

THAT Sewer Authority Mid-Coastside, OR  
 (Title of Authorized Agent)

\_\_\_\_\_, OR  
 (Title of Authorized Agent)

\_\_\_\_\_  
 (Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the Montara Water & Sanitary District (MWSD),  
 (Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM)**, under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA)**, under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the Montara Water & Sanitary District (MWSD), a public entity established under the  
 (Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.





**Please check the appropriate box below**

- This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): \_\_\_\_\_

Passed and approved this 2 day of March, 2023

\_\_\_\_\_  
 (Name and Title of Governing Body Representative)

\_\_\_\_\_  
 (Name and Title of Governing Body Representative)

\_\_\_\_\_  
 (Name and Title of Governing Body Representative)

**CERTIFICATION**

I, \_\_\_\_\_, duly appointed and \_\_\_\_\_ of  
 (Name) (Title)

\_\_\_\_\_, do hereby certify that the above is a true and  
 (Name of Applicant)

correct copy of a resolution passed and approved by the **Board of Directors**  
 (Governing Body)

of the Montara Water & Sanitary District (MWSD) on the 2 day of March, 2023.  
 (Name of Applicant)

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 (Title)



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### Cal OES Form 130 Instructions

**A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted resolution is older than three (3) years from the last date of approval, is invalid, or has not been submitted.**

When completing the Cal OES Form 130, Applicants should fill in the blanks on pages 1 and 2. The blanks are to be filled in as follows:

#### **Resolution Section:**

**Governing Body:** This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

**Name of Applicant:** The public entity established under the laws of the State of California.

Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

**Authorized Agent:** These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the California Governor's Office of Emergency Services regarding grants for which they have applied. There are two ways of completing this section:

1. **Titles Only:** The titles of the Authorized Agents should be entered here, not their names. This allows the document to remain valid if an Authorized Agent leaves the position and is replaced by another individual. If "Titles Only" is the chosen method, this document must be accompanied by either a cover letter naming the Authorized Agents by name and title, or the Cal OES AA Names document. The supporting document can be completed by any authorized person within the Agency (e.g., administrative assistant, the Authorized Agent, secretary to the Director). It does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document, or their title changes.



**Checking Universal or Disaster-Specific Box:** A Universal resolution is effective for all past disasters and for those declared up to three (3) years following the date of approval. Upon expiration it is no longer effective for new disasters, but it remains in effect for disasters declared prior to expiration. It remains effective until the disaster goes through closeout unless it is superseded by a newer resolution.

**Governing Body Representative:** These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents. A minimum of three (3) approving board members must be listed. If less than three are present, meeting minutes must be attached in order to verify a quorum was met.

**Certification Section:**

**Name and Title:** This is the individual in attendance who recorded the creation and approval of this resolution.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member. If a person holds two positions (such as City Manager and Secretary to the Board) and the City Manager is to be listed as an Authorized Agent, then that person could sign the document as Secretary to the Board (not City Manager) to eliminate "Self-Certification."



## **MONTARA WATER & SANITARY DISTRICT**

### **REGULAR BOARD OF DIRECTORS MEETING**

**March 16, 2023**

### **MINUTES**

**This meeting took place at the district office located at the above address. Simultaneous public access and participation was also available remotely, via telephone or the ZOOM application.**

**REGULAR SESSION began at 7:36 p.m.**

**CALL TO ORDER**

**ROLL CALL**

**Directors Present:** Boyd, Dekker, Softky, Slater-Carter and Young

**Directors Absent:** None

**Staff Present:** Clemens Heldmaier, General Manager  
District Clerk, Tracy Beardsley

**Others Present:** District Counsel, Christine Fitzgerald

### **PRESIDENT'S STATEMENT**

Director Boyd thanked the SAM crew for all their hard work. They have been through a lot, and it is nice to know they have an excellent bunch of people working together to keep the district afloat. It has been a difficult season.

## **ORAL COMMENTS**

Director Slater-Carter stated they have been without power for three days due to lines taken out by trees that have fallen in the Caltrans-Right-of-Way between Harte and George Street. If you would like MWSD to take over the Caltrans-Right-of-Way, now it is the time for folks to speak up. At least if the Montara Water and Sanitary District (MWSD) oversaw it, they could get PG&E to take care of it. Caltrans does not care much. They did a fire abatement project and took out one square block of trees out of a mile and a half of trees. They need to get this taken care of for the water supply and for the safety of our community.

Director Dekker commented that if you are out of power between 2-4 days you get \$50.00 dollars off from PG&E. You have to request this and it cannot be because of circumstances beyond their control.

Director Young said there are so many mudslides, fallen trees, and huge piles of debris at the airport. Is that Caltrans' responsibility? When a tree falls into the right-of-way, do they leave it on the shoulder?

Director Boyd replied the right-of-way is Caltrans' maintenance responsibility—everything between the phone poles.

District Counsel Christine Fitzgerald stated that Director Slater-Carter will be recusing herself from the item in Closed Session agenda pertaining to Real property located at 770 Harte Street due to a conflict of interest under Government code section §87100 and will leave the meeting.

**PUBLIC HEARING - none**

**CONSENT AGENDA - none**

**OLD BUSINESS - none**

**NEW BUSINESS - none**

**REPORTS - none**

**FUTURE AGENDAS - none**

**BRIEF RECESS at 7:45 pm**

**CONVENE IN CLOSED SESSION 7:50 pm**

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
(Government Code § 54956.9(d)(1))

Case Names: *City of Half Moon Bay v. Granada Community Services District, et al. (Santa Clara County Super, Crt. No. 17CV316927)*

**CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**

(Government Code §54956.9(d)(4)) Initiation of Litigation (3 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  
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**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Government Code §54956.8)

Property: 770 Harte St., Montara, CA

Agency Negotiators: District General Manager; District General Counsel

Negotiating parties: Rose and Guy Wallace

Under Negotiation: Price and Terms of Payment

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

**ADJOURNMENT at 11:00 pm**

The district has a curfew of 10:30 pm for all meetings. The meeting may be extended for one hour by vote of the Board.

Respectfully Submitted,

Signed \_\_\_\_\_

Secretary

Approved on the 6th, April 2023

Signed \_\_\_\_\_  
President