



MONTARA WATER & SANITARY DISTRICT

REGULAR BOARD OF DIRECTORS MEETINGS January 15, 2026

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 7:32 p.m.

CALL TO ORDER

ROLL CALL

Directors Present: Boyd, Champion, Slater-Carter, Softky, and Young

Directors Absent: None

Staff Present: Clemens Heldmaier, General Manager

Others Present: District Counsel Christine Fitzgerald
District Accountant Peter Medina
Kastama Consulting, Alison Kastama

PRESIDENT'S STATEMENT

Director Boyd announced the new website address: mwsd.net, highlighting its improved accessibility and fresh content. He thanked the district team and Sewer Authority Mid-Coastside (SAM) for their hard work during recent storms.

General Manager Clemens Heldmaier added that the agenda now has separate links to individual agenda items as well as the full board packet.

ORAL COMMENTS

Director Boyd stated that due to claims filed by Seal Cove property owners the Board will receive public comment and will not be responding to questions or statements.

Gregg Dieguez discussed the Metropolitan Transportation Commission's \$1.5 trillion Bay Area 2050 plan. He criticized the plan for its understated costs, lack of infrastructure audit, and deferred environmental impacts.

Director Boyd acknowledged a letter from Mr. Boston and directed staff to include it in the meeting minutes.

Director Softky shared his concerns about the erosion of the legal system and the impact of legalism on the district's operations.

Director Young asks about the website's billing information and the location of the district map. She also indicates the website says "district" and not "division."

General Manager Clemens Heldmaier explains the map can be found under "District Electoral Divisions" on the website.

District Counsel Christine Fitzgerald noted that the terms "districts" and "divisions" are sometimes used interchangeably in legal contexts.

Director Young noted that San Mateo Supervisor Noelia Corzo is now serving as Board President and San Mateo Supervisor David Canepa plans to run for Assessor to succeed the retiring Mark Church. Also, the Seal Cove meeting on the Geological Report has been rescheduled for February.

PUBLIC HEARING

CONSENT AGENDA

1. Approve Minutes for Regular meeting December 4, 2025
2. Approve Financial Statements for November 2025
3. Approve Warrants for January 1, 2026
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 October 2025

Director Softky made a motion to approve the Consent agenda. Director Slater-Carter seconded the motion. All were in favor and the motion passed 5-0.

OLD BUSINESS - none

NEW BUSINESS

1. Review and Possible Action Concerning Approval to Accept Federal Funding Secured by Congressman Liccardo for Seal Cove Coastal Resilience Project

District Counsel Christine Fitzgerald announced that in reference to this item and item 2 under the Closed Session agenda involving claims related to the Seal Cove Emergency area, Director Young has been disqualified from participating due to a financial conflict of interest. This conflict arises from the proximity of her residence to the affected area and related personal financial considerations. In compliance with the Political Reform Act (Government Code §87100), Director Young will recuse herself from the discussion and exit the Boardroom prior to the Board's discussion on the matter.

General Manager Clemens Heldmaier stated Congressional funds have been secured by Congressman Sam Liccardo for the Seal Cove Coastal Resiliency Project. The funding amounts to \$1.1 million dollars, and the district is expected to receive the funds soon. Within a month or two they should have a shovel ready project that can be implemented. Staff recommendation is to authorize the General Manager to accept Federal Funds for the Seal Cove Resilience Project.

Director Slater-Carter suggested sending a thank-you letter to Congressman Liccardo.

Director Softky made a motion to authorize the General Manager to accept Federal Funds for the Seal Cove Resilience Project when available. Director Champion seconded the motion. Roll call vote: Director Champion: Aye, Director Boyd: Aye, Director Slater-Carter: Aye, Director Softky: Aye. The motion passes 4-0.

2. Review and Possible Action Concerning Letter to Supervisor Ray Mueller Regarding Extreme Fire Danger of Caltrans Right of Way

General Manager Clemens Heldmaier discussed the collaboration with Supervisor Ray Mueller and Red Alert Montara Moss Beach (RAMM) to address extreme fire danger in Montara. They prepared a draft letter to Supervisor Mueller highlighting the actions of Coastside Fire Protection District (CFPD) and asking for the Board of Supervisors to lead in addressing this public safety issue and further their 2016 resolution requesting expedited transfer of the property to the District. Staff

recommendation is to authorize the General Manager to finalize and send a letter to Supervisor Mueller and President Boyd to sign it.

Gregg Dieguez recommended revising the letter to prioritize mitigation efforts over ownership transfer. He also noted that Caltrans has conducted some vegetation clearing around its rental properties and thinning the underbrush. Thus, the phrase “no action” should be replaced with “insufficient action.”

Director Softky proposed adding quantitative representations to the letter to highlight the financial and environmental impacts of fire danger.

Director Young made a motion to authorize the General Manager to finalize and send the letter to Supervisor Mueller and President Boyd to sign it. Director Softky seconded the motion. Roll call vote: Director Champion: Aye, Director Young: Aye, Director Boyd: Aye, Director Slater-Carter: Aye, Director Softky: Aye. The motion passes 5-0.

3. Review and Possible Action Concerning Adoption of Connection Charge Report

District Accountant Peter Medina stated that this report is prepared annually. It identifies the amount of connection fee revenue the District received and confirms that those funds were applied to capital improvement projects during the fiscal year.

Gregg Dieguez pointed out a typographical error on the title of the report.

Director Champion made a motion to file the report with the District Clerk. Director Young seconded the motion. Roll call vote: Director Champion: Aye, Director Young: Aye, Director Boyd: Aye, Director Slater-Carter: Aye, Director Softky: Aye. The motion passes 5-0.

4. Review and Possible Action Concerning Appointment of Board Officers and Committee Assignments for 2026

Director Young discussed the importance of rotating board positions to ensure fresh perspectives and prevent stagnation.

Director Boyd was nominated to be President.

President: Director Boyd

Roll call vote for Director Boyd as President: Director Champion: Aye, Director Young: Abstain, Director Boyd: Aye, Director Slater-Carter: Aye, Director Softky: Aye. Motion carries 4 in favor, 1 abstention.

The board also discussed committee assignments, as indicated below.

President Pro-Tem: Director Slater-Carter
Secretary: Director Softky
Secretary Pro-Tem: Director Slater-Carter, Director Young, and Director
Champion
Treasurer: Director Champion

Roll call vote for above appointments: Director Champion: Aye, Director Young:
Aye, Director Boyd: Aye, Director Slater-Carter: Aye, Director Softky: Aye. Motion
carries 5-0.

Agency Representatives:

Sewer Authority Mid-Coastside (SAM) Representatives: Director Boyd, Director
Slater-Carter

Sewer Authority Mid-Coastside alternatives: Director Young, Director Softky, and
Director Champion.

California Special District Association (CSDA): Director Slater-Carter

CSDA Alternate: Director Champion, Director Young, Director Softky

ACWA Representative: Director Softky

New - California Association of Sanitation Agencies (CASA): Director Young

Standing Committees – agendized, open to public

Budget & Finance: Director Champion, Director Softky
Personnel: Director Boyd, Director Slater-Carter

Ad Hoc Committees – meet as needed

Recycling and Solid Waste: discontinue
Legislative: discontinue
Strategic Plan: Director Young, Director Softky

Director Champion made a motion to approve the assigned positions. Roll Call
vote: Director Champion: Aye, Director Young: Aye, Director Boyd: Aye, Director
Slater-Carter: Aye, Director Softky: Aye. Motion carries 5-0.

REPORTS

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

Director Boyd reported that the committee discussed moving to one meeting per month and selected its officers. Director Slater-Carter was appointed Chair, Nancy Marsh will serve as Vice Chair, and Paul Nagengast as Secretary/Treasurer. Tim Costello also provided a report on the recent storms.

2. Mid-Coast Community Council (MCC) Meeting
Director Slater-Carter voiced concerns about changes in the MCC stated by the past Chair.
Director Young added that they appointed officers. Kimberly Williams was appointed as Chair.
3. California Special Districts Associations (CSDA) Report (Slater-Carter)
Director Slater-Carter said there is a Board meeting tomorrow.
4. Local Agency Formation Commission (LAFCo) Report (Slater-Carter)
Director Slater-Carter stated the next meeting is January 21st.
5. Attorney's Report (Fitzgerald)

District Counsel Christine Fitzgerald highlighted some legislative updates. She explained that SB 827 now requires Ethics training for all management-level and department head employees, and new fiscal and financial training is required for directors as well as management and department heads. Also, larger agencies must offer a remote meeting option starting January 1, 2026, although this requirement does not apply to the Montara Water and Sanitary District (MWSD). In addition, all votes must now be by roll call. She outlined expanded rules for remote participation, allowing Board members to attend meetings remotely during a local emergency or for "just cause," such as illness or caregiving, up to five times per year. If any adult is present with a remotely participating Board member, that must be disclosed. She added that each Board member must receive a full copy of the Brown Act. Finally, although the Board already follows this practice, a formal resolution will be required to authorize remote participation for committee meetings.

District Counsel Christine Fitzgerald announced that in reference to the Closed Session item involving claims related to the Seal Cove Emergency area, Director Young has been disqualified from participating due to a financial conflict of interest. This conflict arises from the proximity of her residence to the affected area and related personal financial considerations. In compliance with the Political Reform Act (Government Code §87100), Director Young will recuse herself from the discussion and exit the Boardroom prior to the Board's discussion on the matter.

6. Directors' Report-none
7. General Manager's Report (Heldmaier)

General Manager Clemens Heldmaier reported that the District saw minor storm impacts this year. One tank incurred some damage, and several power poles were down, but there were no sewer spills. He added that the Mid Pen Housing Cypress Point demolition project required substantial staff time over the holiday season, but things have since stabilized.

FUTURE AGENDAS

BREAK 10:16 p.m.

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)

CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Significant Exposure to Litigation pursuant to paragraph (2) of subdivision (d) of Gov. Code § 54956.9 (12 potential cases - Seal Cove Emergency)

ADJOURNMENT at 11:30 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 5th, February 2026

Signed _____
President

Tracy Beardsley

From: Clemens Heldmaier
Sent: Friday, January 16, 2026 7:48 AM
To: Tracy Beardsley
Subject: FW: Written Public Comment for MWSD Board Meeting – 1/15/26

Please attach this string of emails to the minutes for last night's meeting.

Thanks

From: Kathryn Slater-Carter <kathryn@mwsd.net>
Date: Thursday, January 15, 2026 at 10:29 PM
To: Clemens Heldmaier <clemens@MWSD.net>
Subject: Fw: Written Public Comment for MWSD Board Meeting – 1/15/26

Kathryn@mwsd.net
[REDACTED]

From: Andrew Boston [REDACTED]
Sent: Wednesday, January 14, 2026 19:28
To: Kathryn Slater-Carter <kathryn@mwsd.net>; Scott Boyd <scott@mwsd.net>; Leah Champion <Leah@mwsd.net>; Bill Softky <bill@mwsd.net>; Carlisle Young <cyoung@mwsd.net>
Subject: Written Public Comment for MWSD Board Meeting – 1/15/26

Dear Members of the Board,

I am submitting this as written public comment for the upcoming Board meeting, as I am unable to attend in person due to a prior work commitment. Please include this email in the public record for the upcoming Board meeting.

For more than ten months, residents have asked for a straightforward clarification:

Please identify the ordinance, resolution, or formal Board action that reclassified the Seal Cove grinder pump system and related pressurized sewer infrastructure from public to private, or confirm in writing that no such document exists.

This infrastructure was publicly financed, publicly constructed, and publicly maintained for decades. Over the past nine months, multiple Public Records Act requests have produced more than 238 historical documents supporting that public history. Not a single document has been produced showing privatization, abandonment, or any lawful transfer of maintenance responsibility.

Despite this, the District has repeatedly represented the system as “always private,” yet after ten months has been unable to identify any governing document that establishes that status. The inconsistency between the District’s public statements and the documentary record remains unresolved.

If the District believes it has legal authority to discontinue maintenance of this infrastructure, the public is entitled to see the governing record supporting that decision. If no such record exists, that fact is material to public health, environmental risk, and basic accountability.

I also request that future Public Records Act responses include either the responsive documents or a clear written confirmation of non-existence, provided within the timelines required by law.

Thank you for your time and consideration.

Sincerely,
Andrew Boston
Seal Cove, Moss Beach





MONTARA WATER & SANITARY DISTRICT

SPECIAL BOARD OF DIRECTORS MEETINGS January 22, 2026

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.

SPECIAL SESSION began at 5:18 p.m.

CALL TO ORDER

ROLL CALL

Directors Present: Boyd, Champion, Slater-Carter, Softky, and Young

Directors Absent: None

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

Others Present: District Counsel Christine Fitzgerald
Kastama Consulting, Alison Kastama

PRESIDENT'S STATEMENT -none

ORAL COMMENTS

Director Slater-Carter noted that she recently completed a California Special Districts Association (CSDA) course on the latest Brown Act updates and emphasized that everyone will need a copy of the Brown Act.

District Counsel Christine Fitzgerald announced that in reference to the Closed Session item involving claims related to the Seal Cove Emergency area, Director Young has been disqualified from participating due to a financial conflict of interest. This conflict arises from the proximity of her residence to the affected area and related personal financial considerations. In compliance with the Political Reform Act (Government Code §87100), Director Young will recuse herself from the discussion and exit the Boardroom prior to the Board's discussion on the matter.

Andrew Boston requested clarification on the ordinance, resolution, or formal court action reclassifying the Seal Cove grinder pump system from public to private or confirm in writing that no such documents exist.

Director Boyd stated this is a continuation of the prior meeting including Closed Session.

PUBLIC HEARING

CONSENT AGENDA

OLD BUSINESS

NEW BUSINESS

REPORTS

FUTURE AGENDAS

BREAK 5:25 p.m.

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)

CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Significant Exposure to Litigation pursuant to paragraph (2) of subdivision (d) of Gov. Code § 54956.9 (12 potential cases - Seal Cove Emergency)

ADJOURNMENT at 6:50 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 5th, February 2026

Signed _____
President