MONTARA WATER & SANITARY DISTRICT

REGULAR BOARD OF DIRECTORS MEETINGS
December 4, 2025

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 7:30 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 Tracy Beardsley, District Clerk
Others Present:	District Counsel Christine Fitzgerald District Accountant Peter Medina Kastama Consulting, Alison Kastama Recology of the Coast, Operations Manager Ryan Gordon

PRESIDENT'S STATEMENT

Director Boyd introduced the new website, www.mwsd.net, highlighting its fresh and accessibility features required by law. The website aims to provide better accessibility for people who need assistance with the material. He appreciated the hard work of the team at the district and Sewer Authority, especially during difficult circumstances like during the storms and emphasized the importance of thanking the crew for their hard work and dedication.

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 updated the board on the Red Alert Montara Moss Beach (RAMMB) effort, which seeks a county resolution urging Caltrans to address wildfire risks in the Right-of-Way. Although fire maps show a clear hazard, RAMMB still lacks formal support from CAL FIRE or the Coastside Fire Protection District. Dieguez asked the Montara Water and Sanitary District (MWSD) board to help get documentation so Supervisor Mueller can more effectively persuade the Board of Supervisors that this situation is unique and deserves a resolution and priority action.

Director Young shared highlights from a recent town hall, including the appointment of Nicholas Calderon as an assistant to Supervisor Mueller for Coastside issues. She noted that a major geotechnical study will be released on December 15, 2025, with a community meeting planned. She also expressed concerns about the fairness and legality of discontinuing sewer services to only a few homes, emphasizing that all customers should be treated consistently across the district.

PUBLIC HEARING

1. Review and Possible Action Concerning Establishment of Prop 218 Limits for Solid Waste Disposal Fee Increase and Adoption of a Revised Master Fee Schedule to Amend Solid Waste Disposal Fees

Director Boyd outlined the public hearing procedure, noting that it includes staff presentations, public testimony, and board votes on motions. He opened the Public Hearing.

General Manager Clemens Heldmaier stated the proposed 16.67% increase in solid waste rates, capped at a 6% overall rate adjustment. Under the proposal, the monthly cost for a 32-gallon waste container would rise from $42.98 to $45.56 dollars. He referenced the Prop 218 process and emphasized the need to update the Master Fee Schedule. Staff recommendation is to Open the public hearing, allow relevant testimony, close the public hearing and count all allowable Prop 218

protests received. Determine whether or not the proposed rate limits should be approved in accordance with Prop 218 then adopt the Ordinance of the Montara Water and Sanitary District establishing maximum rats for the collection, removal, and disposal of refuse and recycling services effective January 1, 2026; and adopt the Ordinance of the Montara Water and Sanitary District restating and amending the Master Fee Schedule effective January 1, 2026.

Director Slater-Carter made a motion to close the Public Hearing. Director Softky seconded the motion. All were in favor and the motion passed 5-0.

District Clerk stated there are zero written protests and no majority exists.

Director Young reported that she learned that Recology does not provide special bottles nor accept motor oil at the quarterly recycling events, contrary to what is referenced in item 3. She also recommended that Recology's information be displayed prominently on the MWSD website.

Director Boyd asked if this item about the motor oil is included in their contract.

General Manager Clemens Heldmaier said he would review the contract.

Ryan Gordon confirmed that motor oil is not collected at the quarterly events but can be brought to the recycling yard for disposal.

Director Boyd proposed that the board review and approve the fee schedule with the condition that references to motor oil in the bulky pickup be removed.

Ryan Gordon agreed to follow up with drivers to ensure batteries are collected properly.

Director Young made a motion to adopt the Ordinance of the Montara Water and Sanitary District establishing maximum rates for the collection, removal, and disposal of refuse and recycling services effective January 1, 2026; Director Softky seconded the motion. Roll call vote: Director Boyd: aye, Director Slater-Carter: aye, Director Softky: aye, Director Champion: aye, and Director Young: aye. The motion passes 5-0.

Director Slater-Carter made a motion to adopt the Ordinance of the Montara Water and Sanitary District restating and amending the Master Fee Schedule effective January 1, 2026. Director Champion seconded the motion. Roll call vote: Director Boyd: aye, Director Slater-Carter: aye, Director Softky: aye, Director Champion: aye, and Director Young: aye. The motion passes 5-0.

CONSENT AGENDA

1. Approve Minutes for Regular meeting November 6, 2025

2. Approve Financial Statements for October 2025
3. Approve Warrants for December 1, 2025
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 September 2025

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

OLD BUSINESS - none

NEW BUSINESS

1. Executive Summary – June 30, 2025, fiscal year-end audit Budget vs. Actual

   District Accountant Peter Medina highlighted the executive summary of the June 30, 2025, fiscal year-end audit and discussed the budget versus actual spending, including significant deviations and the reasons behind them. The district performed well, showing an operating surplus and maintaining a healthy fund balance. He emphasized the importance of planning for future projects and preserving a strong financial position.

2. Review and Action Concerning Proposed Sale of Surplus Chevrolet Colorado Truck

   General Manager Clemens Heldmaier discussed plans to dispose of one old surplus truck and authorize its sale.

   Director Slater-Carter made a motion to Adopt the Resolution of the Montara Water and Sanitary District declaring certain property as surplus and authorizing its sale. Director Softky seconded the motion. All were in favor and the motion passed 5-0.

3. Anticipated Cancellation of Next Regular Scheduled Board Meetings.

   General Manager Clemens Heldmaier anticipates canceling the next regular meetings of December 18, 2025, and January 1, 2026, and suggests calling a special meeting if necessary.

REPORTS

1. Sewer Authority Mid-Coastside Meeting (SAM) (Slater-Carter)- none

2. Mid-Coast Community Council (MCC) Meeting- none

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

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

5. Attorney's Report (Fitzgerald)

   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. She further explained that when a board member has a disqualifying financial interest in a matter, they may not make, participate in making, or use their official position to influence the other Board members in any way, including through Public Comment. She cautioned board members to keep this in mind when making statements about any agenda item from which they are recused. As legal counsel to the District, District Counsel Christine Fitzgerald stated that it is her responsibility to advise the Board when recusal is required based on the facts and the applicable FPPC regulations implementing the Political Reform Act. She reiterated that Director Young has a disqualifying financial interest in the Seal Cove matter, and that any participation or attempt to influence the Board would place both Director Young and the District at risk for violation and potential invalidation of any actions the Board takes with regard to the matter.

   Director Slater-Carter asked if District Counsel Christine Fitzgerald could explain the updates of the Brown Act effective this year.

6. Directors' Report

   Director Young thanked the District for getting the grease bags for the public to dispose of grease properly.

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

FUTURE AGENDAS

BREAK 9:10 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 10:00 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 15th, January 2026

Signed_____
President