



MONTARA WATER & SANITARY DISTRICT

REGULAR BOARD OF DIRECTORS MEETINGS February 5, 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
District Clerk, Tracy Beardsley

Others Present: District Counsel Christine Fitzgerald
District Accountant Peter Medina
District Water Engineer, Tanya Yurovski
District Sewer Engineer, Pippin Cavagnaro
Kastama Consulting, Alison Kastama

PRESIDENT'S STATEMENT

Director Boyd emphasized the importance of thanking the crew for their hard work and reminded the public to address comments with courtesy and respect. Due to pending claims, the Board will only receive public comments and not respond to questions or statements.

ORAL COMMENTS

Michelle Dragony reported ongoing issues with the district's website prior to October 2025, including 404 errors on internal links and agenda items.

Gregg Dieguez shared provisional information about Caltrans' approval of funding for wildfire mitigation in the Caltrans bypass, noting the project's cost and the need for a project plan.

Amy Cowgill wanted clarification on potential issues with her permit for a project in Seal Cove from Montara Sewer and Water District (MWSD).

Director Young mentioned the compost giveaway at Recology on March 7th.

Director Champion introduced Vetiver grass, a drought-tolerant grass suitable for stabilizing cliffs and potentially useful for fire suppression.

PUBLIC HEARING

CONSENT AGENDA

1. Approve Minutes for Regular meeting January 15, 2026 and January 22, 2026 Special Meeting
2. Approve Financial Statements for December 2025
3. Approve Warrants for February 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 November 2025

Director Softky made a motion to approve the Consent agenda. Director Slater-Carter seconded the motion. Roll call vote: Director Champion: Aye, Director Young: No, Director Boyd: Aye, Director Slater-Carter: Aye, Director Softky: Aye. The motion passes 4-1.

OLD BUSINESS - none

NEW BUSINESS

1. Review and Possible Action Concerning Approval of Agreement for Construction and Acquisition of Sewer Main Extension at Cypress Point Development.

District Sewer Engineer, Pippin Cavagnaro introduced the main sewer extension agreement for the Cypress Point development, explaining the project's details and the district's role in overseeing construction and maintenance.

Gregg Dieguez questioned the connection fees and the long-term financial implications of replenishment for the district. He asked for a financial assessment for the project.

Director Young questioned if the pipe will be adequate for 71 units.

District Sewer Engineer Pippin Cavagnaro responded that the project engineer designed the pipe to meet the development's capacity needs. He added that MWSD has approved the standards and materials, and both MWSD and San Mateo County will review the construction methods.

Director Young noted that the Local Coastal Program (LCP) limits development to 60 units per year, yet this project includes 71 units, in addition to the Big Wave project. She expressed concern that these large developments may consume the District's available allocation, potentially affecting permit availability for the general public.

General Manager Clemens Heldmaier explained that the LCP has designated this site for development since its inception. Because it is a priority allocation, the 1% annual growth limitation for new development does not apply. MWSD is required to reserve capacity for such priority projects before serving other customers. He also clarified that the growth limitation is a County requirement, not an MWSD policy.

Director Boyd emphasized that responsibility for these allocations lies with the County, and MWSD is not the agency determining or limiting the accounting.

General Manager Clemens Heldmaier, District Sewer Engineer Pippin Cavagnaro, and District Counsel Christine Fitzgerald addressed the Directors' concerns about the warranty period, the structural integrity of the pipe in an area possibly prone to erosion, faults, seismic activity, etc., and the potential need for a longer warranty or additional insurance.

Director Softky argued against standardization which forces small, tiny communities like Montara to follow the same rules designed for much larger jurisdictions.

General Manager Clemens Heldmaier explained the standard practices and the district's obligation to provide water and sewer services.

The Board discussed the importance of maintaining standard practices to avoid setting precedents for future developers.

Director Slater-Carter made a motion to adopt the Resolution of the Montara Water and Sanitary District approving a main sewer extension and authorizing execution of agreement for construction and acquisition of sewer main extension (APN 037-022-070). Director Champion seconded the motion. Roll call vote: Director Champion: Aye, Director Young: No, Director Boyd: Aye, Director Slater-Carter: Aye, Director Softky: No. The motion passes 3-2.

2. Review and Action Concerning Ratification of Portola Tank Roof Emergency Repair

General Manager Clemens Heldmaier explained the emergency repair needed for the Portola tank due to storm damage. Staff recommendation is to adopt the Resolution of the Board of Directors of the Montara Water and Sanitary District ratifying an emergency expenditure authorized by the General Manager.

The Board discussed the repair costs and the need for a quick fix to prevent further damage.

Director Young asked whether MWSD had solicited bids.

General Manager Clemens Heldmaier explained that, because the situation was an emergency, the District did not conduct a formal bidding process. Instead, they hired a reputable local contractor, Green Jones Roofing, who is capable of completing the work promptly. He added that the District will be purchasing the materials directly.

Director Softky made a motion to adopt the Resolution of the Board of Directors of the Montara Water and Sanitary District ratifying an emergency expenditure authorized by the General Manager. Director Slater-Carter 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. Executive Summary – December 31, 2025, Mid-Year Budget vs. Actual

District Accountant Peter Medina presented the mid-year budget vs. actual comparison, highlighting key areas of variance, including sewer and water fees and the Capital Improvement programs (CIP).

The Board expressed appreciation for the detailed budget analysis and the opportunity to address any discrepancies.

4. Review and Action Concerning Receipt of Funding for FEMA-Declared Disasters on Behalf of Sewer Authority Mid-Coastside (SAM)

District Accountant Peter Medina explained the receipt of additional funds from the California Governor's Office of Emergency Services (Cal OES) and the Federal Emergency Management Agency (FEMA) for SAM's electrical building relocation. These funds are to be acknowledged by the District and remitted back to SAM.

The Board discussed the importance of the project and the district's role in facilitating the transfer of funds. The funds will be used for the design of an electrical building, which has been a priority for 15 years, with more resources needed for construction.

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)

Director Slater-Carter said the next meeting is in April.

5. Attorney's Report (Fitzgerald)-none
6. Directors' Report

Director Young reported the Coastside Fire Protection District voted for new meeting compensation.

7. General Manager's Report (Heldmaier)

General Manager Clemens Heldmaier highlighted the February/March newsletter edition, particularly a picture of the crew.

FUTURE AGENDAS

BREAK

CONVENE IN CLOSED SESSION

ADJOURNMENT at 9:13 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, March 2026

Signed _____
President

Tracy Beardsley

From: Clemens Heldmaier
Sent: Friday, February 6, 2026 8:07 AM
To: Tracy Beardsley
Subject: FW: Written Public Comment for MWSD Board Meeting – 2/5/26

Hi Tracy,

Please attach this email to the minutes for yesterday's meeting.

Thanks,

Clemens

From: Andrew Boston [REDACTED]
Sent: Monday, February 2, 2026 4:37:06 PM
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 – 2/5/26

Members of the Board,

Please include this in the public record for the upcoming meeting.

For over ten months, the District has claimed the Seal Cove infrastructure is "private" while failing to produce a single shred of evidence to support it.

You have produced 238 documents confirming this system was publicly financed and maintained for decades. You have produced **zero** documents showing a lawful transfer to private hands.

Your "always private" narrative is a fiction unsupported by your own records. If an ordinance or resolution reclassifying this system exists, produce it. If it doesn't, admit it.

Furthermore, stop using the Public Records Act as an evasion tactic. If a document doesn't exist, state that clearly and within the legal deadline. The District's continued lack of transparency is a direct threat to public health and basic accountability.

Andrew Boston

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[REDACTED]

Tracy Beardsley

From: Clemens Heldmaier
Sent: Friday, February 6, 2026 8:09 AM
To: Tracy Beardsley
Subject: FW: Supplemental Record: Conflict Between Local Claims and Federal Funding
Attachments: montara-water-and-sanitary-district-disclosure-letter.pdf

Hi Tracy,

Please add the below email and the attachment to the minutes for yesterday's meeting.

Thanks,

Clemens

From: Andrew Boston [REDACTED]
Sent: Monday, February 2, 2026 9:59:41 PM
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: Supplemental Record: Conflict Between Local Claims and Federal Funding

Dear Members of the Board,

Please include this supplement in the public record.

The District's claim that Seal Cove infrastructure is "private" directly contradicts its recent federal funding request. On January 8, 2026, the House passed a **\$1,092,000** appropriation for the "Seal Cove Utilities Relocation Project."

To secure these funds, the District officially certified a federal nexus under **42 U.S.C. 300j-12**, representing the sewer pressure pipelines as "**critical public wastewater systems.**" The District cannot legally accept federal "public-use" funds for infrastructure it simultaneously claims is private to avoid maintenance.

To protect the District and the integrity of this \$1.1 million appropriation, this contradiction must be resolved immediately.

Sincerely,

Andrew Boston

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Congress of the United States
House of Representatives
Washington, DC 20515-0516

May 2, 2025

The Honorable Tom Cole
Chairman
Committee on Appropriations
H-305, the Capitol
Washington, D.C. 20515

The Honorable Rosa DeLauro
Ranking Member
Committee on Appropriations
1036 Longworth House Office Building
Washington, D.C. 20515

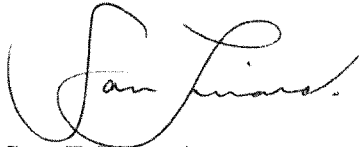
Dear Chairman Cole and Ranking Member DeLauro,

I am requesting funding for the Seal Cove Utilities Relocation and Coastal Protection Project in Fiscal Year 2026. The entity to receive funding for this project is the Montara Water and Sanitary District, located at 8888 Cabrillo Highway, Montara, California 94037. The funding would be used for replacing and relocating potable water and sewer pressure pipelines in the Seal Cove area located on the bluffs of the Fitzgerald Marine Preserve where seismically active fault traces are currently moving and causing the pipelines to break and may potentially cause further damage to the bluffs, personal property of the residents in the area, the public, and coastal environment. This project is an appropriate use of taxpayer funds because it will protect the coastal environment and utilities that serve residents in San Mateo County.

The project has a federal nexus because the funding provided is for purposes described in Section 1452 of the Safe Drinking Water Act, 42 U.S.C. 300j-12.

I certify that I have no financial interest in this project, and neither does anyone in my immediate family.

Sincerely,



Sam T. Liccardo
Member of Congress