

**RAM FILE**  
**25 Nov 1989**

AGREEMENT  
AMENDING AN AGREEMENT CREATING  
THE SEWER AUTHORITY MID-COASTSIDE

(FIFTH AMENDMENT)

THIS AGREEMENT, dated May 22, 1989, is made and entered into by and between the City of Half Moon Bay, hereinafter referred to as "Half Moon Bay", the Granada Sanitary District, hereinafter referred to as "Granada", and the Montara Sanitary District, hereinafter referred to as "Montara";

W I T N E S S E T H:

WHEREAS, Half Moon Bay, Granada, and Montara have heretofore entered into an agreement entitled "An Agreement Creating the Sewer Authority Mid-Coastside", dated February 3, 1976, the Sewer Authority Mid-Coastside being herein referred to as the "Authority";

WHEREAS, the parties have heretofore four times amended said Agreement; and

WHEREAS, as a condition to Federal and State partial funding of the wastewater interceptor, treatment and disposal facilities heretofore constructed by the Authority, and now operated and maintained by the Authority, it is necessary that uniform wastewater treatment standards and regulations be established throughout the jurisdictions of the member agencies; and

WHEREAS, the member agencies desire to amend said Agreement in order to empower the Authority to adopt uniform regulations establishing the aforesaid standards and regulations, and to enable the Authority to implement and enforce said standards and regulations throughout the jurisdictions of the member agencies;

NOW, THEREFORE, in consideration of the mutual terms, covenants and conditions herein contained, the parties hereto agree to, and they do, hereby, amend said Agreement as follows:

1. Article II, Section C of the Agreement is hereby amended by the addition of a subsection (12) thereto, said subsection to read as follows:

"(12) to adopt regulations establishing uniform wastewater treatment standards and regulations throughout the jurisdictions of the member agencies in order to enable the Authority to comply with its NPDES permit and the federal and state regulations applicable to facilities

constructed under the Clean Water Grant Program; when authorized by a member agency, implement, and enforce through civil or criminal means, such standards and regulations on behalf of said authorizing member agency; and, on its own behalf, implement, and enforce through civil or criminal means, such standards and regulations."

2. Article IV, Section B of the Agreement is hereby amended by the addition of a subsection (9) thereto, said subsection to read as follows:

"(9) Wastewater Treatment Standards and Regulations

Each member agency hereby agrees to adopt wastewater treatment standards and regulations consistent with wastewater treatment standards and regulations adopted by the Authority.

Such standards and regulations shall include provisions related to industrial waste in which there shall be established criteria for, and restrictions on, the nature and quality of industrial waste discharged either directly or indirectly into the Authority's facilities.

The industrial waste standards and regulations shall authorize the issuance of industrial waste discharge permits thereunder and provide that such permits will be issued by the Authority, shall authorize field inspectors or other employees of the Authority to act as enforcement agents of the member agency with the power to inspect and issue notices for violations of the standards and regulations, and shall confer upon, and empower the Authority to seek civil injunctive relief or criminal prosecution, or both, for noncompliance with, or violation of, such standards and regulations by any discharger."

3. The Secretary of the Authority shall file with the Secretary of State a notice of this amendment to the Agreement in accordance with Government Code Section 6503.5.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year first above written.

CITY OF HALF MOON BAY

MONTARA SANITARY DISTRICT

By Naomi Patridge  
Mayor  
Naomi Patridge

By [Signature]  
President

Attest:

Attest:

By Ralphena R. Guest  
City Clerk  
Ralphena R. Guest

By [Signature]  
Secretary

(Page 3 of 3, 5th Amend. to S.A.M. JPA)

(Seal)

GRANADA SANITARY DISTRICT

By [Signature]  
Vice-President

Attest:

By Bonnie A. Mayberry [Signature]  
Secretary

(Seal)