



# CARMEL AREA WASTEWATER DISTRICT REGULAR BOARD MEETING MINUTES

*Thursday, 9:00 a.m., July 27, 2023*

Via Teleconference Webinar & In Person with Proof of Vaccination

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**CALL TO ORDER - ROLL CALL** - The meeting was called to order at 8:59 a.m.

**Present:** President Ken White, Pro Tem Bob Siegfried, and Directors Greg D'Ambrosio, and Mike Rachel, Director Urquhart

**Absent:**

**A quorum was present.**

*\*Signifies Virtual Attendance*

**Others:** Barbara Buikema, General Manger Carmel Area Wastewater District (CAWD or District)  
Rachél Lather, Principal Engineer, CAWD  
Patrick Treanor, Plant Engineer, CAWD\*  
Ed Waggoner, Plant Superintendent, CAWD\*  
Kevin Young, Plant Operations Supervisor, CAWD\*  
Chris Foley Maintenance Superintendent, CAWD  
Daryl Lauer, Collections Superintendent \*  
Domine Barringer, Board Secretary, CAWD  
Stephanie Atigh, Wellington Law Offices, CAWD Legal Counsel  
Peter McKee, Director, Pebble Beach Community Services District (PBCSD) \*  
Mike Niccum, General Manager, PBCSD\*  
Nick Becker, Deputy General Manager, District Engineer, PBCSD\*

**In Person Public Attendees:**

**Carmel Meadows Residents: none**

**Bridge to Everywhere Public Attendees:**

Representative Sam Farr |Retired

Laura Bowling |Friends of Mission Trail And Pure Dakota Design, LLC

Doug Schmitz| Friends of Mission Trail

**\*Virtual Public Attendees:**

Steve Thomas, TBC Communications|\*

**1. Appearances/Public Comments: Public Comments (Matters Not on Agenda Any Subject):**

*There were public comments received prior to the board meeting on a non-agendized item regarding the Carmel Meadows Project from Carmel Resident(s) - Chuck Keller, Deborah Ju; and one email from Jenn Pauly-Domus Development Corporation; one email regarding the Pescadero Project from Pescadero Resident-Doug Army. These emails were included in the July board packet.*

**Appearances/Public Comments on Agendized Items: (Matters On Agenda Any Subject):**

*The Board received comments from Representative Sam Farr regarding his support for the Bridge To Everywhere Project. The Board also received comment from Steve Thomas with TBC Communications. At 10:29 am there was a very brief audio silence that was immediately corrected.*

- 2. Agenda Changes:** Any requests to move an item forward on the agenda will be considered at this time.

*The Board was in consensus to move agenda item number 30 page 211, and item number 25, page 195 presented directly after the closed session and before the consent calendar to accommodate attendees.*

- 3. CLOSED SESSION:** As permitted by Government Code Section 54956 et seq., the Board of Directors may adjourn to a Closed Session to consider specific matters dealing with litigation, certain personnel matters, real property negotiations, or to confer with the District's Meyers-Milias-Brown representative.

- A. Conference with Legal Counsel-Potential Litigation:**  
Significant exposure to litigations pursuant to paragraph (2) of subdivision (d) Government Code section 54956.9 - one potential case
- B. Public Employee Performance Evaluation**  
Pursuant to Government Code Section 54957.6 the Board will meet in closed session to consider a Personnel Matter: **Legal Counsel Performance Evaluation**
- C. Public Employee Performance Evaluation**  
Pursuant to Government Code Section 54957.6 the Board will meet in closed session to consider a Personnel Matter: **General Manager Performance Evaluation**

*The Board went into closed session at 9:01 a.m. and discussed agenda item #3 regarding potential litigation and the public employee performance evaluations. The closed session ended at 10:06 a.m. Legal Counsel reported that during the closed session the Board took up the matters at hand with regard to the potential litigation and the public employee evaluations, and no reportable action was taken. After a short break the Board reconvened into open session at 10:12 a.m. and all in person attendees were invited back into the open session and all virtual attendees had access to the audio and visual platform to participation in the meeting.*

## **CONSENT CALENDAR: APPROVAL OF MINUTES, FINANCIAL STATEMENTS AND MONTHLY REPORTS-ALL REPORTS RELATE TO CURRENT YEAR**

*The Consent Agenda consists of routine items for which Board approval can be taken with a single motion and vote. A Board Member may request that any item be placed on the Regular Agenda for separate consideration.*

### **Board Action**

***A motion to receive and approve the consent agenda was made by Director Siegfried and seconded by Director D'Ambrosio. After a Roll Call vote, the Board unanimously received and approved the following Consent Calendar/Agenda items.***

- 4.** Approve June 29, 2023, Regular Board Meeting Minutes &
- 5.** Receive and Accept Bank Statement Review by Clifton Larson Allen (CLA) – June 2023  
*(inserted at time of board meeting)*
- 6.** Receive and Accept Schedule of Cash Receipts & Disbursements- June,2023
- 7.** Approve Register of Disbursements – Carmel Area Wastewater District – June,2023
- 8.** Approve Register of Disbursements – CAWD/PBCSD Reclamation Project –June,2023
- 9.** Receive and Accept Financial Statements and Supplementary Schedules –June,2023
- 10.** Receive and Accept Collection System Superintendent's Report – 2023 June, May & April 2023
- 11.** Receive and Accept Safety and Regulatory Compliance Report –June,2023
- 12.** Receive and Accept Treatment Facility Operations Report – 2023 June May & April 2023
- 13.** Receive and Accept Laboratory/Environmental Compliance Report –June
- 14.** Receive and Accept Capital Projects Report/Implementation Plan
- 15.** Receive and Accept Project Summaries – Capital & Non-Capital
- 16.** Receive and Accept Plant Operations Report – June 2023
- 17.** Receive and Accept Maintenance Projects Report –June 2023
- 18.** Receive and Accept District Engineer's Report-June 2023

## **ACTION ITEMS BEFORE THE BOARD**

*Action Items consist of business which requires a vote by the Board. These items are acted upon in the following sequence: (1) Staff Report (2) Board Questions to Staff (3) Public Comments, and (4) Board Discussion and Action.*

## **RESOLUTIONS**

- 19. Resolution No. 2023-43:** A Resolution Authorizing The General Manager To Execute A Mutual Assistance Agreement Between Carmel Area Wastewater District And The Marina Coast Water District - *Report by Maintenance Superintendent, Chris Foley*

**Board Action**

***A Motion To Approve The Resolution Was Made By Director Urquhart And Seconded By Director Rachel. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-43 Authorizing The General Manager To Execute A Mutual Assistance Agreement Between Carmel Area Wastewater District And The Marina Coast Water District.***

- 20. Resolution No. 2023-44:** A Resolution Authorizing The General Manager To Execute An Amendment To An Existing Professional Services Agreement With Currie Engineers In An Amount Not To Exceed \$105,360 For Construction Management Services For The Wastewater Treatment Plant Electrical/Mechanical Rehabilitation And Sludge Holding Tank Replacement Project (Project #18-01) – *Report by Plant Engineer, Patrick Treanor*

**Board Action**

***A Motion To Approve The Resolution Was Made By Director Urquhart And Seconded By Director D’Ambrosio. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-44 Authorizing The General Manager To Execute An Amendment To An Existing Professional Services Agreement With Currie Engineers In An Amount Not To Exceed \$105,360 For Construction Management Services.***

- 21. Resolution No. 2023-45:** A Resolution Authorizing The General Manager To Enter Into A Memorandum Of Agreement For Central Coast Long Term Environmental Assessment Network – *Report by Barbara Buikema, General Manager*

**Board Action**

***A Motion To Approve The Resolution Was Made By Director Urquhart And Seconded By Director Siegfried. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-45 Authorizing The General Manager To Enter Into A Memorandum Of Agreement For Central Coast Long Term Environmental Assessment Network.***

- 22. Resolution No. 2023-46:** A Resolution Authorizing The General Manager To Enter Into A Contract With West Yost To Provide Engineering Support For Preparation Of A Condition Assessment On The District’s Life Stations In The Amount Of \$89,900 – *Report by Barbara Buikema, General Manager*

**Board Action**

***A Motion To Approve The Resolution Was Made By President White And Seconded By Director Rachel. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-46 Authorizing The General Manager To Enter Into A Contract With West Yost To Provide Engineering Support For Preparation Of A Condition Assessment On The District’s Lift Stations In The Amount Of \$89,900.***

- 23. Resolution No. 2023-47:** A Resolution Authorizing The General Manager To Sign The Initial Letter Of Agreement With United Public Employees Of California (LIUNA) Local 792 – *Report by Barbara Buikema, General Manager*

***Board Action***

***A Motion To Approve The Resolution Was Made By Director Urquhart And Seconded By Director Siegfried. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-47 Authorizing The General Manager To Sign The Initial Letter Of Agreement With United Public Employees Of California (LIUNA) Local 792.***

- 24. Resolution No. 2023-48:** A Resolution Voiding Resolution No. 2023-35 And Approving Contribution Of \$100K To The District's Section 115 Account Along With The Transfer Of All Funds Into Strategy 2 – *Report by Barbara Buikema, General Manager*

***Board Action***

***A Motion To Approve The Resolution Was Made By Director Siegfried And Seconded By Director D'Ambrosio. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-48 Voiding Resolution 2023-35 And Approving A Contribution Of \$100K To The District's CALPERS Section 115 Account Along With The Transfer Of All Funds Into Strategy 2. In Addition, This Contribution Will Be Considered Each Budget Year.***

- 25. Resolution No. 2023-49:** A Resolution Approving A Contract With TBC Communications To Continue Contract Work On Pescadero In The Amount Of \$20K And Carmel Meadows In The Amount Of \$20K, And A New Contract For Carmel Restaurants- Fats, Oil, & Grease In The Amount Of \$20K, Total Amount Of The Combined Tasks Is \$ 60K- *Report by Barbara Buikema, General Manager*

***Board Action***

***A Motion To Approve The Amended Resolution Was Made By Director Siegfried And Seconded By Director Urquhart. Following A Roll Call Vote, The Board Unanimously Passed The Amended Resolution 2023-49 Approving A Contract With TBC Communications For New Contract For Carmel Restaurants- Fats, Oil, & Grease In The Amount Of \$20K. In Addition, The Board Requested That Staff Come Forward On A Case By Case For Both Carmel Meadows And Pescadero Projects Regarding Community Outreach To These Neighborhoods As Needed.***

**COMMUNICATIONS**

- 26. General Manager Report – oral report**

***The General Manager announced that the first Union meeting will occur on August 4<sup>th</sup>, 2023.***

## **OTHER ITEMS BEFORE THE BOARD**

- 27.** Annual Disclosure of Reimbursements to staff of at least \$100 – *Report by Barbara Buikema, General Manager*

***Board Action***

***The Board Received And Approved The Annual Disclosure With A Motion Made By Director Siegfried And Seconded By President White. Following A Roll Call Vote, The Board Unanimously Approved The Annual Disclosure Of Reimbursements.***

- 28.** Topics for Upcoming Fall 2023 CAWD Connections –*Report by Barbara Buikema, General Manager*

***Board Action***

***11:13-The Board Was In Consensus For Adding The Following Topics To the District Newsletter; Carmel Valley Manor Invitation To Join The District, Organism Of The Month, User Fee Decrease, If You See Something Say Something, Corona Road Annexation.***

- 29.** Discussion Of The Roll Of The Newly Created Ad Hoc Committee Addressing The \$1M Decrease Is Planned Capital Allocation & The 2023 Update Ad Hoc Committee Assignments- *Report by Barbara Buikema, General Manager*

***Board Action***

***11:25 Am - A Motion Was Made By President White And Seconded By Director D'Ambrosio To Gain More Information. Following A Roll Call Vote, The Board Unanimously Agreed To Obtain Additional Information From The County And The Pension Committee Will Obtain Information From Other Agencies.***

- 30.** Discussion Regarding The Bridge To Everywhere Project And Requesting The Board To Make A Motion To Raise This Ad Hoc Committee To A Standing Committee And Agree To Carmel Area Wastewater District To Act As The Lead Agency-*Report by Barbara Buikema, General Manager*

***Board Action***

***A Motion To Elevate The Ad Hoc Committee For The Bridge To Everywhere To A Standing Committee Was Made By President White And Seconded By D'Ambrosio. Following A Roll Call Vote, The Board Unanimously Agreed To Raise The Bridge To Everywhere To A Standing Committee And Also Agreed To Have The Carmel Area Wastewater District To Act As The Lead Agency.***

***The General Manager Going Forward Will Address The Security Concerns.***

## INFORMATION/DISCUSSION ITEMS

31. June Construction Updates of Project #18-01  
Electrical/Mechanical Rehab and Sludge Holding Tank Replacement – *Report by Plant Engineer, Patrick Treanor*
32. Pacific Gas & Electric Energy Use History – Summary – *Report by Plant Engineer, Patrick Treanor*
33. June 30, 2023, PBCSD Board Meeting Summaries- *Report by General Manager, Barbara Buikema*
34. July 18, 2023 Special Districts Association Meeting – *Report by General Manager, Barbara Buikema*

### 35. **Announcements on Subjects of Interest to the Board Made by Members of the Board or Staff**

*Oral reports or announcements from Board President, Directors or staff concerning their activities and/or meetings or conferences attended.*

**PBCSD Board Public Meeting Notice & Agenda** – The next PBCSD meeting is scheduled for:  
*Friday, August, 2023 – No PBCSD Meeting*  
*Friday, September 29, 2023, at 9:30 a.m. – Director Rachel is scheduled to attend.*

**Special Districts Association of Monterey County – The next SDA meeting is scheduled for:**  
*Tuesday, October TBD, 2023, at 6:00 p.m. – Director Siegfried are scheduled to attend.*  
*Tuesday, January TBD, 2024, at 6:00 p.m. – Director Urquhart are scheduled to attend.*

**Reclamation Management Committee (RMC) Meeting** – The next RMC meeting is scheduled for:  
*Tuesday, November 7, 2023, at 9:30 a.m. President White and Director Rachel is scheduled to attend.*

### 36. **ADJOURNMENT**

*There being no further business to come before the Board, the President adjourned the meeting at 11:54 a.m. The next Regular Meeting will be held at 9:00 a.m., Thursday, September 28, 2023, or an alternate acceptable date, via teleconference webinar.*

**As Reported To:**

*Domine Barringer*  
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**Domine Barringer, Secretary to the Board**

**APPROVED:**

*Ken White*

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**Ken White, President of the Board**