



CARMEL AREA WASTEWATER DISTRICT REGULAR BOARD MEETING MINUTES

Thursday, 9:00 a.m., January 26, 2023

Via Teleconference Webinar & In Person with Proof of Vaccination

CALL TO ORDER - ROLL CALL - The meeting was called to order at 9:01 a.m.

Present: Directors: President Ken White, Pro Temp Bob Siegfried, and Directors Greg D'Ambrosio, Mike Rachel, Kevan Urquhart

Absent: None

A quorum was present.

Others: Barbara Buikema, General Manager, Carmel Area Wastewater District (CAWD or District)
Rachél Lather, Principal Engineer, CAWD
Patrick Treanor, Plant Engineer, CAWD
Ed Waggoner, Plant Superintendent, CAWD
Chris Foley, Maintenance Superintendent, CAWD
Daryl Lauer, Superintendent of Collections, CAWD
Domine Barringer, Board Secretary, CAWD
Fanny Mui, Lab Analyst/Environmental Inspector Grade II, CAWD
Kevin Young, Operations Supervisor, CAWD
Robert Wellington, Wellington Law Offices, CAWD Legal Counsel
Richard Gebhart, Vice President of the Board Pebble Beach Community Services District (PBCSD)
Mike Niccum, General Manager, PBCSD
Nick Becker, Deputy General Manager, PBCSD

Public attendees:

David Scopp
Krista Ostoich
Gail Dryden
Keith

1. Appearances/Public Comments: No public comments

2. Agenda Changes:

- Agenda Item#6, Insertion of the December 2022 CLA Independent Audit Letter
- Agenda Item #4 Insertion of the Power Point Presentation
- Agenda Item #19 -correction on the Agenda report covering December 2022 and January 2023

3. **Employee Recognition: Fanny Mui**
The Board gave recognition to Fanny Mui and her achievements and provided congratulations.
4. **An oral storm update was provided by:** Ed Waggoner, Superintendent of Plant, Daryl Lauer, Superintendent of Collections, and Chris Foley, Superintendent of Maintenance regarding the impact at the Treatment Plant. The oral presentation also included the impact of the storm on Scenic Drive. The Collections Superintendent Lauer reported out the excellent interagency cooperation and a solution was implemented for the impacted residents on Scenic.

CONSENT CALENDAR: APPROVAL OF MINUTES, FINANCIAL STATEMENTS AND MONTHLY REPORTS

Consists of routine items for which Board approval can be taken with a single motion and vote.

Board Action

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

Item No. 19 of the Agenda and Consent Calendar was pulled for discussion. In that discussion it was asked how the District recoups costs regarding annexations? Director Siegfried would like to have data gathered regarding costs associated with annexations. A motion to add this item to the next agenda and approve Item #19 was made by President White and seconded by Director Pro Tem Siegfried, there was no objection from the Board.

5. Approve December 8, 2022, Regular Board Meeting Minutes & December 6, Salary & Benefits Meeting Minutes
6. Receive and Accept Bank Statement Review by Hayashi Wayland – November & December *(will insert into the packet at board meeting or when received)*
7. Receive and Accept Schedule of Cash Receipts & Disbursements- November & December, 2022
8. Approve Register of Disbursements – Carmel Area Wastewater District – November & December, 2022
9. Approve Register of Disbursements – CAWD/PBCSD Reclamation Project – November & December, 2022
10. Receive and Accept Financial Statements and Supplementary Schedules – November & December, 2022
11. Receive and Accept Collection System Superintendent’s Report – 2022 December, November, October & Annual Collections Report
12. Receive and Accept Safety and Regulatory Compliance Report – December, 2022

13. Receive and Accept Treatment Facility Operations Report – December, November & October,2022
14. Receive and Accept Laboratory/Environmental Compliance Report –December
15. Receive and Accept Capital Projects Report/Implementation Plan
16. Receive and Accept Project Summaries – Capital & Non-Capital
17. Receive and Accept Plant Operations Report – December
18. Receive and Accept Maintenance Projects Report – November & December
19. Receive and Accept District Engineer’s Report-~~September, October & November~~
(correction – dates covered December 2022 and January 2023)

ACTION ITEMS BEFORE 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, Vote and Action.

RESOLUTIONS

20. **Resolution No. 2023-01;**Report By Principal District Engineer, Rachel Lather

Board Action

After brief discussion, a motion to approve the resolution was made by Director Rachel and seconded by Director Urquhart. Following a Roll Call vote, the Board unanimously passed Resolution 2023-01, authorizing the General Manger to invite bids for the 2022-2023 Pipeline Spot Repair Project #23-02.

21. **Resolution No. 2023-02;** Report By Principal District Engineer, Rachel Lather

Board Action

After brief discussion, 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 2023-02, authorizing the General Manager to execute a contract with Monterey Peninsula Engineering (MPE) for an emergency sewer relocation at Lorca Lane and Del Monte street, for an amount not to exceed \$153,500, project #22-07.

22. **Resolution No. 2023-03;**Report By Principal District Engineer, Rachel Lather

Board Action

A motion to approve the resolution was made by Director Rachel and seconded by Director Urquhart. Following a Roll Call vote, the Board unanimously passed Resolution 2023-03, Resolution Accepting Completed Project And Directing the General Manager To File A Notice Of Completion On The Manhole Rehabilitation Project #21-06.

23. Resolution No. 2023-04; Report By Principal District Engineer, Rachel Lather

Board Action

A motion to approve the resolution was made by President White and seconded by Director Siegfried. Following a Roll Call vote, the Board unanimously passed Resolution 2023-04, A Resolution Authorizing The General Manager To Enter Into A Contract With MNS Engineers To Provide Design Services For The Santa Rita & Guadalupe Pipeline Rehabilitation, In An Amount Not To Exceed \$171,464-Project #23-01.

24. Resolution No. 2023-05; Report By Principal District Engineer, Rachel Lather

Board Action

A motion to approve the resolution was made by Director Siegfried and seconded by Director Rachel. Following a Roll Call vote, the Board unanimously passed Resolution 2023-05, Authorizing The General Manager To Amend A Contract With MNS Engineers To Provide Design Support For Additional Pipeline Segments And Coastal Permitting Support To Be Included In The Scenic Road Pipe Bursting Ocean To Bay Project-#20-08 Amendment #5, In An Amount Not To Exceed \$125,065.

25. Resolution No. 2023-06; Report By Principal District Engineer, Rachel Lather

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 2023-06, Authorizing The General Manager To Execute A Contract With Coastal Paving & Excavating For The Emergency Relocation Of A Sewer Line At Scenic Road On A Time And Materials Basis.

Per District Counsel, Rob Wellington stated that per the Public Contract Code when an emergency situation occurs there is a requirement that subsequent reporting to the Board is required to receive the report out of the stated emergency, which has been covered in this meeting.

26. Resolution No. 2023-07; Report by Plant Superintendent, Ed Waggoner

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 2023-07, Resolution Awarding The Contract To Scinor Water America LLC, For The Purchase Of 160 Microfiltration Modules In An Amount Not To Exceed \$160,000.

27. Resolution No. 2023-08; Report by General Manager, Barbara Buikema

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 2023-08, Resolution Designating Classification Titles In The Carmel Area Wastewater District and Providing For the Number of Positions And Monthly Salary Ranges.

28. Resolution No. 2023-09; Report by General Manager, Barbara Buikema

Board Action

A motion to approve the resolution was made by Director Urquhart and seconded by President White. Following a Roll Call vote, the Board unanimously passed Resolution 2023-09, Resolution Authorizing The General Manager To Amend A Contract With The Pun Group To Provide Additional Audit Services In An Amount Not To Exceed \$15,000.

COMMUNICATIONS

29. General Manager Report – oral report

District staff and President White met with Supervisor Adams to provide an update on the District projects and provide an update regarding the Carmel Meadows and Pescadero projects. Carmel Meadows goes before the Planning Commission March 3rd. Both the General Manager, Barbara Buikema, and the District Engineer, Rachél Lather will be attending the Planning Commission meeting.

OTHER ITEMS BEFORE THE BOARD

30. 2023 Committee Assignments, PBCSD Regular Board Meeting Attendance, and Conference Schedule – Report by Board Secretary, Domine Barringer

Board Action

A motion to accept the 2023 Committee Assignments and PBCSD Regular Board Meeting rotation was made by Director Siegfried and seconded by Director D'Ambrosio.

- 31.** Requesting a Motion to Accept the Carmel Area Wastewater District June 30, 2022 Financial Audit- *Report by Barbara Buikema, General Manager Report is under separate cover (e)*

Board Action

After A Brief Description Concerning The Clean Audit Opinion and The Governmental Accounting Standards Board(GASB) 84 Correction For Fiduciary Reporting A Motion To Accept The Carmel Area Wastewater District June 30,2022 Financial Audit Was Made By Director D'Ambrosio And Seconded By Director Rachel.

INFORMATION/DISCUSSION ITEMS

- 32.** Carmel Meadows Storm Report- *Report by General Manager, Barbara Buikema*

General Manager, Barbara Buikema reported out that the District hiked the Carmel Meadows terrain with staff and Director Rachel and Director Urquhart. The General Manager requested the District Plant Engineer review the terrain due to the emergency on hand. Superintendent of Collections, Daryl Lauer was requested to purchase enough lay flat to do a bypass up to 1,000 feet and pump if needed. The District Purchased two Smart Covers to monitor both the upstream and downstream manhole for any unusual movement. The marking of the pipe will be done to show if there is any movement. The General Manager, Barbara Buikema, stated this is an area of concern and the Supervisor was informed that if the pipe moves that the District would move in immediately to ensure that there is no spill into the lagoon. The District will practice "watchful waiting" and will continue interface with the Planning Commission. A flyer was sent out to residents that this may be coming.

- 33.** Electrical Vehicle Charging Stations - *Report by Maintenance Superintendent, Chris Foley*

Superintendent of Maintenance, Chris Foley stated the District is moving toward developing a policy and the future of the District using electric vehicles. President White asked who is paying for the electricity? Mr. Foley stated the employee will be paying for the charge and the District will be tracking the usage.

- 34.** December Construction Updates of Project #18-01 Electrical/Mechanical Rehab and Sludge Holding Tank Replacement – *Report by Plant Engineer, Patrick Treanor*

District Plant Engineer informed the Board of the following: The sludge tank is on line and working well. The old structures have been demoed and are being cleaned up. The motor control centers (electrical equipment) will be delivered in February. The project is moving along.

35. Bi-Annual Wastewater Treatment Plant Electricity Usage- Report by Plant Engineer, Patrick Treanor

District Plant Engineer informed the Board of the following: The improvements on electricity usage have reduced the electricity usage at the plant. This past six month period has shown a savings of 12,000 *kwh* each month, which is annual savings of approximately \$22K due to increased efficiencies. It is expected that similar improvements will continue after all of the remaining equipment has been installed and have run for several months.

36. December 9, 2022, PBCSD Board Meeting Summaries-Report by General Manager, Barbara Buikema

37. Topics For the Spring 2023 Newsletter- Report by General Manager, Barbara Buikema

The Board discussed a few items to include in the next newsletter.

38. Reclamation Agreement Discussion-Discussion by Legal Counsel, Rob Wellington
Legal Counsel, Rob Wellington, provided a table of contents as an exhibit of the amended and restated four way agreement in the packet. In early 1990's bond certificates of participation were issued in the amount of \$33.9M issued by the Water Management District and underwritten by the Pebble Beach Company. The term of the agreement shall last and continue until terminated by mutual agreement by all parties. Going forward, CAWD may need to consider the orders coming down from the Coastal Commission regarding sea level rise (SLR). Items that should be considered are what might come next. Director D'Ambrosio would like to discuss with the board in advance condemnation rules. Mr. Wellington stated that further discussion could move forward and that the proper expertise will need to be obtained regarding eminent domain including easements in that discussion. President White commented on the Meadows project and he is not sure about the demarcation of the property line and that needs to be addressed.

39. 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, January 27, 2023, at 9:30 a.m. – President White is scheduled to attend.
Friday, February 24, 2023, at 9:30 a.m. – Director D'Ambrosio is scheduled to attend.

Special Districts Association of Monterey County – The next SDA meeting is scheduled for:
Tuesday, April 18, 2023, at 6:00 p.m. – Director D'Ambrosio is scheduled to attend.
Tuesday, July TBD, 2023, at 6:00 p.m. – Director Rachel is scheduled to attend.

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

40. 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.*

The Board adjourned 11:00 a.m. and took a 5 minute break. The Board then convened into closed session at 11:05 a.m. The Board came out of closed session at 11:55 a.m. and Legal Counsel reported that during the closed session the Board took up. With regard to the performance evaluation matter, the employee evaluation was completed, and no reportable action was taken. The Board came back into open session at 11:55 a.m. and the meeting was convened at 11:56 a.m.

41. ADJOURNMENT

The next Regular Meeting will be held at 9:00 a.m., Thursday, February 26, 2023, or at an alternate acceptable date. NOTE: The meeting will have a teleconference option hosted through Zoom. You may access the Zoom link by visiting our website, www.cawd.org. If you need assistance, please call the District office at 831-624-1248 or send an email to downstream@cawd.org. After staff reports have been distributed, if additional documents are produced by the District and provided to the Board regarding any item on the agenda, they will be made available on the District website.

As Reported To:



Domine Barringer, Secretary to the Board

APPROVED:



Ken White, President of the Board