

STAFF REPORT

To: Board of Directors
From: Rachél Lather, Principal Engineer
Date: March 14, 2023
Subject: Acceptance of Revised Easement Agreement and Approval of Revised Sewer Installation Agreement for the September Ranch Sewer Project #18-29



RECOMMENDATION

Adopt Resolution 2023-21 approving the sewer installation agreement with Carmel Reserve LLC, a Delaware Limited liability company (CARMEL RESERVE) to construct sewer system improvements for the September Ranch subdivision, connecting to the District's existing collection system; Adopt Resolution 2023-22 approving the signing of the easement agreements with CARMEL RESERVE for the sewer improvements to be constructed and authorizing the General Manager to sign the agreements in substantially the form presented, subject to such modifications as are necessary, and as are approved by the General Manger, the District Engineer and the District's legal counsel.

DISCUSSION

CARMEL RESERVE has completed permitting and design of the Sewer Extension Project. The District's Principal Engineer has reviewed and approved the project plans prepared by the CARMEL RESERVE's engineer, Whitson Engineers. Don Chapin is the intended Construction Contractor for this project. In order to move forward with construction of facilities that will be owned in the future by the District, CARMEL RESERVE needs to provide easements for the facilities to the District, provide a deposit of \$319,662 to pay for engineering inspection and District staff costs, and sign a sewer installation agreement and easement agreements with the District.

At the February 23, 2023 Board meeting, there was a great deal of discussion regarding accepting all of the September Ranch subdivision into the District. It is staff's understanding that the District plans to own the entire sewer systems except for the private sewer laterals and ejector pumps. The pump station and upstream pipeline on Pine Grove Drive are required to be upgraded to the District standards.

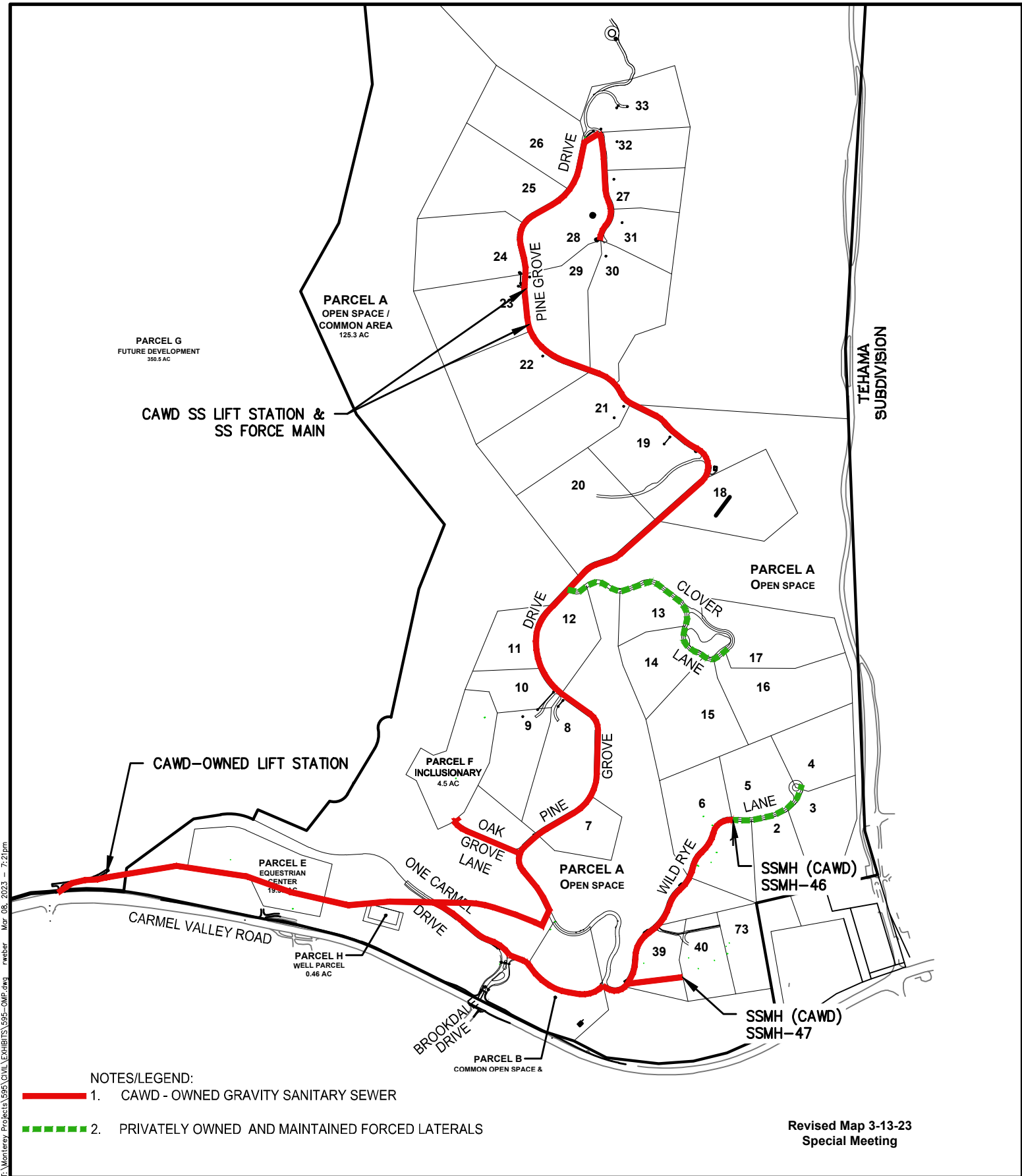
Because the original resolutions, in the February board meeting, 2023-10 and 2023-11 did not stipulate this change it is recommended the Board adopt the attached resolutions 2023-21 and 2023-22 reflecting the additional changes. The attached agreements will be signed after the Board approves the basic form of the agreements and all deposits and agreements signed by the developer have been received by the District.

CARMEL RESERVE, MNS Engineers and the District staff have agreed to complete the inspections services under the contract approved by Resolution 2023-12. If the project construction continues beyond the estimated hours included in the proposal by MNS Engineers the District may request additional funds from CARMEL RESERVE as part of a contract amendment for MNS Engineers.

FUNDING: CARMEL RESERVE is funding both the sewer installation and the District's costs for inspections of the construction.

ATTACHMENTS:

1. Plans showing future CAWD Facilities and Pipelines
2. Resolution 2022-21 Approving Sewer Installation Agreement with CARMEL RESERVE
3. Resolution 2022-22 Approving the Easement Agreement with CARMEL RESERVE



- NOTES/LEGEND:
- 1. CAWD - OWNED GRAVITY SANITARY SEWER
 - - - - - 2. PRIVATELY OWNED AND MAINTAINED FORCED LATERALS

Revised Map 3-13-23
Special Meeting

EXHIBIT 6 - SANITARY SEWER SYSTEM

ONE CARMEL

CARMEL VALLEY, CALIFORNIA

03/08/2023
Project No.: 595.01



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RESOLUTION NO. 2023-21

RESOLUTION TO APPROVE THE UPDATED SEPTEMBER RANCH SEWER
EXTENSION PIPELINE INSTALLATION AGREEMENT WITH CARMEL RESERVE,
PROJECT #18-29

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WHEREAS, CARMEL RESERVE, Inc., (CARMEL RESERVE) is willing to grant an easement to the District to provide access to real property (“the Property”) owned by CARMEL RESERVE, for the purposes of maintaining and operating an underground pump station contained within an underground wet well and an above ground enclosed control panel and generator (“the Pump Station Facility”); the installation of a gravity sewer line and a pump station on and adjacent to the Property; and the installation of a sanitary sewer force main and gravity pipeline within Carmel Valley Road; and WHEREAS, the District will own the entire sewer system except for private laterals and ejector pumps; and

WHEREAS, all the accepted facilities meet the District Standards; and

WHEREAS, construction of the Pump Station Facility on the Property for and on behalf of the District is necessary for the development of the September Ranch Subdivision; and

WHEREAS, an Access Pump Lot and Pipeline Easement Agreement (see Resolution 2023-22) is needed to be signed by CARMEL RESERVE and the District to summarize the understanding and the agreements associated with the facilities within the easement.

WHEREAS, this resolution supersedes Resolution No. 2023-10 based on Direction from the Board of Directors of the Carmel Area Wastewater District.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Carmel Area Wastewater District, hereby authorizes the General Manager to sign the Sewer Extension Pipeline Installation Agreement in substantially the form presented, subject to such modifications as are necessary, and as are approved by the General Manager, the District Engineer and the District’s legal counsel.

PASSED AND ADOPTED by the Board of Directors of the Carmel Area Wastewater District on March 13, 2023 by the following vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

Ken White, President of the Board

ATTEST:

Domine Barringer, Secretary to the Board

RESOLUTION NO. 2023-22

RESOLUTION TO
APPROVE THE REVISED SEPTEMBER RANCH SEWER EXTENSION PROJECT
EASEMENT AGREEMENT FOR SEWER IMPROVEMENTS, FOR THE DISTRICT
TO ACCEPT THE SEPTEMBER RANCH (CARMEL RESERVE) PUBLIC SEWER
IMPROVEMENTS INTO THE DISTRICT PROJECT #18-29

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WHEREAS, the CARMEL RESERVE, LLC., (CARMEL RESERVE) is required to provide easements to the Carmel Area Wastewater District (“District”) for the purposes of operating and maintaining an underground pump station contained within an underground wet well and an above ground enclosed control panel and generator (“the Pump Station Facility”) for the September Ranch Sewer Extension (“the Project”) and the sewer line and pump station on the property, including beneath private roads within the subdivision; and

WHEREAS, construction of the Pump Station Facility and pipelines and pump station on the Property for and on behalf of the District is necessary; and

WHEREAS, a Pump Lot and Pipeline Easement Agreement is needed to be signed by CARMEL RESERVE and the District to summarize the understanding and the agreements associated with the facilities within the easement on the property.

WHEREAS, this resolution supersedes Resolution No. 2023-11 based on Direction from the Board of Directors of the Carmel Area Wastewater District.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Carmel Area Wastewater District, hereby authorizes the General Manager to sign the Pump Lot and Pipeline Easement Agreement.

PASSED AND ADOPTED by the Board of Directors of the Carmel Area Wastewater District on March 13, 2023 by the following vote:

AYES: BOARD MEMBERS:
NOES: BOARD MEMBERS:
ABSENT: BOARD MEMBERS:
ABSTAIN: BOARD MEMBERS:

Ken White, President of the Board

ATTEST:

Domine Barringer, Secretary to the Board