



CARMEL AREA WASTEWATER DISTRICT
REGULAR BOARD MEETING MINUTES
Tuesday, 2:00 p.m., December 12, 2023
3945 Rio Road
Carmel, California 93950

Via Teleconference Webinar & In Person with Proof of Vaccination

CALL TO ORDER - ROLL CALL - The meeting was called to order at 2:00 p.m.

**Signifies Virtual Attendance*

Present: President Ken White, Pro Tem Bob Siegfried, Directors: Cole, Rachel, and Urquhart
Director Urquhart was excused from the meeting at approximately 4:24 p.m.

Absent:

A quorum was present.

Others: Barbara Buikema, General Manger Carmel Area Wastewater District (CAWD or District)
Domine Barringer, Board Clerk, CAWD
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*
Stephanie Atigh, Wellington Law Offices, CAWD Legal Counsel
Mike Niccum, General Manager, PBCSD*
Nick Becker, Deputy General Manager, District Engineer, PBCSD*

In Person Public Attendees:

Corona Road Residents:

Elliot Roberts, Richard Silver, Mike McCurdy, Brian Krone, And Others
Scott Ferguson | Jones Hall
Greg D'Ambrosio | Bridge To Everywhere Project

***Virtual Public Attendees:**

Albert, Cindy Silver, Ladd, Paul Goldman, Richard, Stan Smith, Carolyn Hardy, Patricia Zendejas, Phone 4159996382, William Daniels, William Godwin, Lisa Falkel, Leila Banijamali

Steve Thomas | TBC Communications

- 1. *Appearances/Public Comments:*** Anyone wishing to address the Board on a matter not appearing on the agenda may do so now. Public comment shall be limited to 3 minutes per person. No action shall be taken on any item not appearing on the agenda. During consideration of any agenda item, public comment shall be limited to 3 minutes per person and will be allowed prior to Board action on the item under discussion.

The Board of Directors received public comments from the following Corona Road Residents Regarding Resolution No. 2023-75:

*Dasha Keig, Gwyn De Amaral, Richard Silver, Mike McCurdy, Elliot Roberts, Claudia Daniels, Brian Krone, Other, Kate Daniels. The Board Clerk confirmed that no one else on line wished to speak via the chat function or raised hand function and the Chair closed the public comment at approximately 3:06 p.m. *Leila Banijamali, who was attending virtual, requested to make public comment after the Chair had closed public comment and the Chair did allow her comments at approximately 3:11 p.m.*

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

Item #3: Request to move the Closed Session immediately after opening the meeting to accommodate legal counsel time constraints.

Item #29: A Resolution Amending Resolution No. 2023-61, Entitled a Resolution Preliminarily Approving Engineer's Report and Directing Related Actions for the Proposed Carmel Area Wastewater District Assessment District No. 23-01 (Corona Road Area Sanitary Sewer System Project)

- Insertion of the protest letters from Corona Road residents received via email related to Resolution No. 2023-75*

Item #5: Removal of the sentence in the adjournment section of the meeting minutes " The next Special Meeting will be held Thursday, September 16 at 9am" in the adjournment section of the meeting minutes.

Item #26: The board agreed to combined item number 26 regarding Resolution No. 2023-73, The Bridge To Everywhere with item number 31 regarding the General Manager comments related to this topic.

- 3. CLOSED SESSION:** *As permitted by Government Code Section 54957 et seq., the Board of Directors will adjourn to a Closed Session:*

A. Conference with Labor Negotiations:

The Board will meet in closed session pursuant to Government Code Section 54957.6:

- **Agency Designated Representative:** Barbara Buikema, Rick Bolanos, Chris Foley
Employee Organization: United Public Employees of California LiUna, Local 792

The Board went into closed session at 2:01 p.m. and discussed agenda item #3 regarding Labor Negotiations. The closed session ended at 2:19 p.m. Legal Counsel reported that during the closed session the Board took up the matter at hand with regard to Labor Negotiations, and no reportable action was taken. The Board reconvened into open session at 2:21 p.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.

Agenda Item #29 Regarding Resolution No. 2023-75: *was moved immediately after close session and before the consent at approximately 2:36 p.m. to accommodate the public in attendance and to hear public comments on this agenda item.*

- 4. OPEN PUBLIC HEARING: Proposed Carmel Area Wastewater District Assessment District No. 23-01 (Corona Road Area Sanitary Sewer System Project) pursuant to Resolution 2023-61:**

The Public Hearing Was Not Opened.

Pursuant to Agenda Item #29 and proposed Resolution 2023-75, the public hearing previously scheduled for December 12, 2023, will not be opened and will be held on February 22, 2024, at 2:00 pm.

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 Cole. After A Roll Call Vote, The Board Unanimously Received And Approved The Following Consent Calendar/Agenda Items.

- 5.** Approve October 20,2023 Bridge To Everywhere Meeting Minutes & October 26, 2023, Regular Board Meeting Minutes
November 7, 2023 Special Meeting Minutes
November 7, 2023, Salary & Benefits Meeting Minutes
November 13, 2023 Bridge To Everywhere Meeting Minutes
November 16, 2023 Special Meeting Minutes
November 28, 2023 Salary & Benefits Meeting Minutes
December 5, 2023 Salary & Benefits Meeting Minutes
- 6.** Receive and Accept Bank Statement Review by Clifton Larson Allen (CLA)-October 2023
- 7.** Receive and Accept Schedule of Cash Receipts & Disbursements- October,2023
- 8.** Approve Register of Disbursements – Carmel Area Wastewater District – October,2023
- 9.** Approve Register of Disbursements – CAWD/PBCSD Reclamation Project –October,2023
- 10.** Receive and Accept Financial Statements and Supplementary Schedules – October,2023
- 11.** Receive and Accept Collection System Superintendent’s Report – 2023 October, September & August 2023
- 12.** Receive and Accept Safety and Regulatory Compliance Report –November & October,2023
- 13.** Receive and Accept Treatment Facility Operations Report – 2023 October, September & August 2023
- 14.** Receive and Accept Laboratory/Environmental Compliance Report –2023 November& October
- 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 – November & October 2023
- 18.** Receive and Accept Maintenance Projects Report –November & October 2023
- 19.** Receive and Accept District Engineer’s Report-December & November 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

- 20. Resolution No. 2023-67:** A Resolution Authorizing the General Manager to Enter into a Contract with Rockwell Solutions, Inc. for the Purchase of a Portable Sewage Bypass Pump in an Amount not to Exceed \$82,842.51 – *Report by Superintendent of Collections, Daryl Lauer*

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 Authorizing The General Manager To Enter Into A Contract With Rockwell Solutions, Inc. For The Purchase Of A Portable Sewage Bypass Pump In An Amount Not To Exceed \$82,842.51.

- 21. Resolution No. 2023-68:** A Resolution Authorizing the Changes to the Job Description and Salary Table for the Administrative Assistant/Board Clerk –*Report by General Manager, Barbara Buikema*

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 Authorizing The Changes To The Job Description And Salary Table For The Administrative Assistant/Board Clerk.

- 22. Resolution No. 2023-69:** A Resolution Authorizing the Changes to Management staff salary adjustments - *Report by General Manager, Barbara Buikema*

Board Action

A Motion To Approve The Resolution Was Made By Director Urquhart And Seconded By Director Cole. Following A Roll Call Vote, The Board Unanimously Passed Resolution Authorizing The Changes To Management Staff Salary Adjustments.

- 23. Resolution No. 2023-70:** A Resolution Amending Authorizing the Changes to Patrick Treanor’s salary adjustment into two separate votes- *Report by General Manager, Barbara Buikema*

Board Action

A Motion To Amend And Split Resolution 2023-70 Into Two Votes To Parse Out The Salary Adjustment Request And The Title Change To Chief Engineer. The First Motion To Approve The Resolution The Salary Adjustment Was Made By Director Urquhart And Seconded By Director Siegfried. The Second Motion Regarding The Title Change From Plant Engineer To Chief Engineer Was Made By Director Rachel And Seconded By President White, With A No Vote By Director Siegfried, A Yes Vote By Director Urquhart And Director Cole Abstaining. Following A Roll Call Vote, The Board Passed Resolution 2023-70 Authorizing The Changes To Patrick Treanor’s Salary Adjustment And The Title Change To Chief Engineer.

- 24. Resolution No. 2023-71:** A Resolution Authorizing updating of the Designated Classification And Titles - *Report by General Manager, Barbara Buikema*

Board Action

A Motion To Approve The Resolution Was Made By Director Urquhart And Seconded By Director Cole. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-71 Authorizing The Updating of the Designated Classification And Titles.

- 25. Resolution No. 2023-72:** A Resolution Selecting a President and President Pro Tem, and Appointing a Secretary and Secretary Pro Tem of the Carmel Area Wastewater District, for a Term of One Year, Commencing on December 30, 2023 – *Report by Domine Barringer, Board Clerk*

Board Action

A Motion To Approve The Resolution 2023-73 For Ken White To Be The President and Was Made By Director Siegfried And Seconded By Director Rachel. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-72 Designating the President.

A Motion To Approve The Resolution 2023-73 For President Pro Tem Was Made By Director Rachel And Seconded By Director Cole. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-72 Designating The Pro Tem.

A Motion To Approve The Board Clerk To Be Domine Barringer And The Board Clerk Pro Tem To Be Barbara Buikema Was Made By Director Cole And Seconded By Director Urquhart. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-72 Designating the Board Clerk and Board Clerk Pro Tem.

- 26. Resolution No. 2023-73:** A Resolution Authorizing \$100,000 in Local Funding for a State Coastal Conservancy Grant for the Bridge to Everywhere Project-Report by Patrick Treanor, Plant Engineer

Board Action

This Resolution was moved to the end of the resolution section at approximately 4:31 pm. During this period of time Director Urquhart was excused from the board meeting prior to this motion being taken.

A Motion To Approve The Resolution 2023-73 Was Made By Director Rachel And Seconded By Director Siegfried, With Director Urquhart Absent. Following A Roll Call Vote, The Board Passed Resolution The Authorizing \$100,000 in Local Funding for a State Coastal Conservancy Grant for the Bridge to Everywhere Project.

- 27. Resolution No. 2023-60:** A Resolution Authorizing the General Manager to Enter into a Contract with Beth Ingram for a Contract for Human Resource Services for the Fiscal Year 2023-24 in an Amount not to Exceed \$71,660. – Report by, General Manager, Barbara Buikema

Board Action

A Motion To Move Resolution 2023-60 To The Next Board Meeting Was Made By President White And Seconded By Director Urquhart. Following A Roll Call Vote, The Board Unanimously Agreed To Move Resolution 2023-60 To The Next Board Meeting.

- 28. Resolution No. 2023-74:** A Resolution Accepting Completed Project and Directing the General Manager to File a Notice of Completion With the County of Monterey Recorder's Office for the Lorca Lane Emergency Pipe Relocation Project #22-07-Report by Rachél Lather, District Engineer

Board Action

A Motion To Approve The Resolution Was Made By Director Urquhart And Seconded By Director Cole. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-74 Accepting The Completed Project and Directing the General Manager to File a Notice of Completion With the County of Monterey Recorder's Office for the Lorca Lane Emergency Pipe Relocation Project # 22-07.

- 29. Resolution No. 2023-75:** A Resolution Amending Resolution No. 2023-61, Entitled a Resolution Preliminarily Approving Engineer's Report and Directing Related Actions for the Proposed Carmel Area Wastewater District Assessment District No. 23-01 (Corona Road Area Sanitary Sewer System Project) including the setting of the public hearing for the ballot count for the proposed assessments to occur on February 22, 2024, at 2:00 pm.–
Report by Principal Engineer, Rachél Lather

Board Action

This Resolution was moved right after the closed session and before the consent calendar at approximately 2:36 p.m. to accommodate the public in attendance and to hear public comments on this agenda item.

A Motion To Approve Resolution 2023-75 Was Made By Director Urquhart And Seconded By Director Rachel. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-75 Amending Resolution No. 2023-61, Entitled a Resolution Preliminarily Approving Engineer's Report and Directing Related Actions for the Proposed Carmel Area Wastewater District Assessment District No. 23-01 (Corona Road Area Sanitary Sewer System Project) including the setting of the public hearing for the ballot count for the proposed assessments to occur on February 22, 2024, at 2:00 pm.

- 30. Resolution No. 2023-76:** A Resolution Recognizing Principal Engineer Rachel Lather For Her 5 Years Of Public Service To The District And The Community– *Report by, General Manager, Barbara Buikema*

Board Action

A Motion To Approve The Resolution Was Made By Director Urquhart And Seconded By Director Cole . Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-76 Recognizing Principal Engineer Rachel Lather For Her 5 Years Of Public Service To The District And The Community.

COMMUNICATIONS

31. General Manager Report – oral report

Required harassment prevention training will be conducted at the administrative office on December 15, 2023.

OTHER ITEMS BEFORE THE BOARD

Board Action

The Board Agreed To Move Both Agenda Items 32 and 33 Regarding The Manager's Goals and Consultant Hire To The Next Board Meeting As A Closed Session. A Motion Was Made By Director Siegfried And Seconded By President White. The Board Was In Consensus, With Director Urquhart Absent.

32. General Manager Goals- Report by General Manager, Barbara Buikema

33. Consultant Hire- Report by General Manager, Barbara Buikema

INFORMATION/DISCUSSION ITEMS

34. Pebble Beach Community Service District Meeting October 27, 2023,-Report by General Manager, Barbara Buikema

35. Monterey County Treasurer Investment Report 09-30-23- Report by General Manager, Barbara Buikema

Board Action

The Board Agreed To Accept The 09-30-2023 Monterey County Treasurer's Report. A Motion Was Made By Director Siegfried And Seconded By Director Rachel. The Board Was In Consensus, With Director Urquhart Absent.

36. 2024 Board Committee Assignment, PBCSD Meetings, SDA Meetings, and conference schedule- Report by Board Clerk, Domine Barringer

Board Action

The Board Agreed To Move the 2024 Board Committee Assignments, PBCSD and SDA Meetings To The Next Board Meeting. The Board Was In Consensus, With Director Urquhart Absent.

37. 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 26, 2024, at 9:30 a.m. – President White is scheduled to attend.
Friday, February 23, 2024, at 9:30 a.m. – Director Siegfried is scheduled to attend.

Special Districts Association of Monterey County – The next SDA meeting is scheduled for:
Tuesday, January 16, 2024, at 6:00 p.m. – Director Urquhart is scheduled to attend.
Tuesday, April TBD, 2024, at 6:00 p.m. – President White is scheduled to attend.

Reclamation Management Committee (RMC) Meeting – The next RMC meeting is scheduled for:
Tuesday, February 13, 2024, at 9:30 a.m. President White and Director Rachel are scheduled to attend.

38. ADJOURNMENT

There being no further business to come before the Board, the President adjourned the meeting at 4:51 p.m. The next Regular Meeting will be held at 9:00 a.m., Thursday, January 25, 2024, or an alternate acceptable date, via teleconference webinar.

As Reported To:

Domine Barringer
Domine Barringer, Board Clerk

APPROVED:

Ken White
Ken White, President of the Board