



CARMEL AREA WASTEWATER DISTRICT (CAWD)
REGULAR BOARD MEETING MINUTES
October 8, 2018

CALL TO ORDER - ROLL CALL

Present: Ken White, President, Directors: Greg D'Ambrosio, Robert Siegfried, Michael Rachel and Charlotte Townsend

Absent: None

Others: Barbara Buikema, General Manager, Carmel Area Wastewater District (CAWD)
Robert Wellington, Wellington Law Offices, District Legal Counsel
Richard D. Verbanec, Board Director, Pebble Beach Community Services District (PBCSD)
Mike Niccum, General Manager, PBCSD
Dan Bertoldi, RMA Management Analyst, Monterey County Resource Management Agency (MCRMA)

APPEARANCES, ORDERS OF BUSINESS & ANNOUNCEMENTS

- 1. Appearances/Public Comments:**
There were no appearances or public comment.
- 2. Agenda Changes:**
There were no agenda changes.

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/ORDINANCES

- 3. Resolution No. 2018-43:** A Resolution Adopting and Authorizing the Contribution of 1/3 Carmel Lagoon Sandbar Management Costs, up to \$100,000, to Assist Monterey County for Fiscal Year 2018-19 Only and to Consider Funding up to 1/3 of Sandbar Management Costs Annually Thereafter Conditioned Upon the Board of Supervisors Approval to Undertake Formation of an Assessment District - *Report by Barbara Buikema, General Manager*

The Director Siegfried initiated the meeting with a request to table Items #1 & 2 until the October Board meeting due to concern that the District has not heard from the Board of Supervisors. Director White agreed with this concern. A resolution was made to divide Items #1 & 2 from #3 & 4 and received unanimous agreement.

Director White questioned if the District would assume any liability for flooding if it participated in Lagoon Management. District counsel, Robert Wellington responded that the contribution would be solely for funding purposes and that we could have a hold harmless clause in an MOU that would state there was no assumption of liability. Additionally, if an Assessment District is formed it is a separate legal entity and CAWD is a contributor only, there is no additional liability.

Director D'Ambrosio felt the District should be sending a message that it wants to address the problem and that our focus should be to protect the plant. There was a suggestion that the County must act, regardless of CAWD's contribution, because of the Monterey Water Resource Agencies' responsibility to provide flood control. Daniel Bertoldi, Monterey County Resource Agency, Management Analyst confirmed that all permits for the coming winter will be ready.

A recommendation was made that a meeting with Supervisor Adams be arranged for President White and Director Siegfried, if possible, prior to the October board meeting. Director Siegfried stated that there is a clear obligation by the County for flood control and that we should not be using ratepayer funds. He recommended we delay the decision until after meeting with our Supervisor, Mary Adams.

There was a recommendation to change Item #4 in the resolution to drop "conditional" and "long term". Director Siegfried commented that the District should go on record as willing to participate in Assessment District. Director D'Ambrosio confirmed only after long term funding is approved or an Assessment District formed. Daniel Bertoldi from the RMA reported that the County has been analyzing an Assessment District formation. He provided information on structure value only of parcels located around the lagoon.

Board Action

*Following a motion made by Director Siegfried and seconded by Director Rachel, the Board agreed to defer Items #1 and #2 in Resolution 2018-43 until the October 2018 regular Board meeting and to meet with Supervisor Mary Adams in the interim. D'Ambrosio: Nay
All Others: Ayes*

Following a motion made by Director Siegfried and seconded by Director White, the Board unanimously approved Item #3 in Resolution 2018-43.

The Board took no action on Item #4 in Resolution 2018-43.

4. ADJOURNMENT

There being no further business to come before the Board, the President adjourned the meeting at 9:00 a.m. The next Regular Meeting will be held at 9:00 a.m., Thursday,

Minutes of the CAWD Board meeting held October 8, 2018 - 8:00 a.m.

October 25, 2018 or an alternate, acceptable date, in the Board Room of the District Office, 3945 Rio Road, Carmel, CA 93923.

Respectfully submitted:



Barbara Buikema, General Manager

APPROVED:



Ken White, President