



**CARMEL AREA WASTEWATER DISTRICT  
REGULAR BOARD MEETING MINUTES**

**Thursday, 9:00 a.m., August 31, 2023**

**3945 Rio Road**

**Carmel, California 93950**

*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 8:58 a.m.

**Present:** President Ken White, Pro Tem Bob Siegfried, and Directors Greg D'Ambrosio, and Mike Rachel, Director Urquhart (arrived at 9:03 am).

**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  
Ray DeOcampo, Laboratory Supervisor  
Jacob Gams, Laboratory Analyst I/Environmental Compliance Inspector I  
Kevin Young, Plant Operations Supervisor, CAWD\*  
Chris Foley Maintenance Superintendent, CAWD  
Daryl Lauer, Collections Superintendent \*  
Seth Stelle-Frietas, Collection/Maintenance Utility Woker I  
Domine Barringer, Board Secretary, CAWD  
Stephanie Atigh, Wellington Law Offices, CAWD Legal Counsel  
Leo Laska, President, Pebble Beach Community Services District (PBCSD) \*  
Mike Niccum, General Manager, PBCSD\*  
Nick Becker, Deputy General Manager, District Engineer, PBCSD\*

**In Person Public Attendees:**

*None*

**\*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) and were included in the board packet.*

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

*None*

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

***A Motion To Pull Item Number 21 Regarding Resolution 2023-37 Was Made By Director Siegfried And Seconded By Director D'Ambrosio. After A Roll Call Vote, The Board In Attendance Agreed To Pull Item Number 21 From The Agenda.***

3. **New Employee Introduction – Jacob Gams, Laboratory Analyst I/Environmental Compliance Inspector I (in progress)**

***Ray DeOcampo, Laboratory Supervisor, introduced Mr. Gams to the Board. The Board provided a warm welcome to Mr. Gams.***

4. **Employee Recognition – Seth Steele-Freitas passed the California Water Environment Association- Maintenance I exam**

***Chris Foley, Maintenance Superintendent, introduced Mr. Stelle-Frietas to the Board. The Board provided their congratulations to Mr. Stelle-Frietas on his recent accomplishment.***

5. **CLOSED SESSION:** As permitted by Government Code Section 54956 et seq., the Board of Directors will adjourn to a Closed Session:

**A. Conference with Legal Counsel-Potential Litigation:**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) Government Code section 54956.9 - one potential case

*The Board went into closed session at 9:04 a.m. and discussed agenda item #5 regarding potential litigation. The closed session ended at 9:31 a.m. Legal Counsel reported that during the closed session the Board took up, the matter at hand with regard to the potential litigation, and no reportable action was taken. After a short break the Board reconvened into open session at 9:32 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 participate 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 Urquhart And Seconded By Director D'Ambrosio. After A Roll Call Vote, The Board Unanimously Received And Approved The Following Consent Calendar/Agenda Items.***

- 6.** Approve July 27, 2023, Regular Board Meeting Minutes & July 24, 2023 Pension Meeting Minutes  
July 31, 2023 Bridge To Everywhere Minutes  
August 1, 2023 Special Meeting Minutes -Eminent Domain  
August 25,2023 Salary and Benefits Meeting Minutes
- 7.** Receive and Accept Bank Statement Review by Clifton Larson Allen (CLA)-July 2023
- 8.** Receive and Accept Schedule of Cash Receipts & Disbursements-July,2023
- 9.** Approve Register of Disbursements – Carmel Area Wastewater District –July,2023
- 10.** Approve Register of Disbursements – CAWD/PBCSD Reclamation Project-July,2023
- 11.** Receive and Accept Financial Statements and Supplementary Schedules-July,2023
- 12.** Receive and Accept Collection System Superintendent's Report-July, June & May 2023
- 13.** Receive and Accept Safety and Regulatory Compliance Report-July,2023
- 14.** Receive and Accept Treatment Facility Operations Report-July, June & May 2023
- 15.** Receive and Accept Laboratory/Environmental Compliance Report –July 2023
- 16.** Receive and Accept Capital Projects Report/Implementation Plan
- 17.** Receive and Accept Project Summaries – Capital & Non-Capital
- 18.** Receive and Accept Plant Operations Report – July 2023
- 19.** Receive and Accept Maintenance Projects Report –July 2023
- 20.** Receive and Accept District Engineer's Report-July 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

- 21. Resolution No. 2023-37:** A Resolution Of Intention To Make Acquisitions And Improvements For The Proposed Carmel Area Wastewater District Assessment District Project No. 23-01 (Corona Road Area Sanitary Sewer System Project) (Carmel Area Wastewater District Corona Road Project #18-21)- *Report by Rachel Lather, District Engineer*

### **Board Action**

***During The Agenda Change Discussion At The Beginning Of The Meeting A Motion To Pull Item Number 21 Regarding Resolution 2023-37 Was Made By Director Siegfried And Seconded By Director D'Ambrosio. After A Roll Call Vote, The Board In Attendance Agreed To Pull Item Number 21 From The Agenda.***

- 22. Resolution No. 2023-53:** A Resolution Accepting The Completion for the 2022-23 Spot Repairs Project #23-02 and Directing The General Manager to File a Notice of Completion with the County of Monterey Recorder's Office-*Report by Rachel Lather, District Principal Engineer*

### **Board Action**

***A Motion To Approve The Resolution Was Made By Director D'Ambrosio And Seconded By Director Siegfried. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2023-53 Accepting The Completion For The 2022-23 Spot Repairs Project #23-02 And Directing The General Manager To File A Notice Of Completion With The County Of Monterey Recorder's Office.***

*Director D'Ambrosio suggested that any future Request For Proposal for any project include language that the project being undertaken avoids working during a holiday or community event that could impact traffic.*

- 23. Resolution No. 2023-54;** A Resolution Authorizing The Annual Adjustment Of the District's Reserve Fund Balances By Transferring \$3,753,324 To The Capital Fund And \$4,254,215 To The Capital Fund From the General Operations & Maintenance Fund And Capital Improvement Reserve, Respectively, In Accordance With The District's Reserve Policy-*Report by General Manager, Barbara Buikema*

### **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 2023-54 Authorizing The Annual Adjustment Of The District's Reserve Fund Balances By Transferring \$3,753,324 To The Capital Fund And \$4,254,215 To The Capital Fund From The General Operations & Maintenance Fund And Capital Improvement Reserve.***

***Director Siegfried is anticipating negative on line item(s) and requested an analysis of the impact by the initial tightening of the budget and then the subsequent tightening in the budget by the anticipated interest income compensation.***

## COMMUNICATIONS

### 24. General Manager Report – oral report (*Letter regarding Pun Group*)

- *The General Manager will arrange a meeting with the Board and the Pun Group on Zoom.*
- *There was also the announcement of the annual employee barbeque occurring on October 20, 2023.*

## OTHER ITEMS BEFORE THE BOARD

### 25. Cybersecurity PowerPoint Presentation-Report by *Chris Foley, Superintendent of Maintenance*

### 26. Waste Discharge Requirements (WDR)- *Power Point - Report by Rachel Lather, District Principal Engineer*

*The Salary and Benefits Committee would like to have a staffing estimate analysis presented on what is needed to get the Fats, Oil, and Grease Program up to speed. The General Manager suggested this information could be presented sometime in October or November to the Salary and Benefits Committee.*

### 27. Eminent Domain-Report by *Barbara Buikema, General Manager*

*District Legal Counsel will follow up directly with the General Manager, who will provide additional information to the Board.*

*Mike Niccum, General Manager of PBCSD recommended that a Sea Level Rise Committee Meeting occur before additional conversation is devoted to Eminent Domain.*

### 28. Monterey County Treasurer's Report as of June 30,2023 Summary –Report by *Barbara Buikema, General Manager*

#### **Board Action**

***A Motion To Approve The Monterey County Treasurer's Report Was Made By Director Urquhart And Seconded By President White . Following A Roll Call Vote, The Board Unanimously Accepted The Report.***

### 29. General Manager's Salary Adjustment-Report by *Barbara Buikema, General Manger*

#### **Board Action**

***A Motion To Approve The General Manager's Salary Adjustment Was Made By Director Siegfried And Seconded By Director Urquhart . Following A Roll Call Vote, The Board Unanimously Approved The General Manager's Salary Adjustment.***

### 30. Pension Meeting Report July 24,2023- Report by *Barbara Buikema, General Manager*

#### **Board Action**

***A Motion To Approve The Pension Report Was Made By Director D'Ambrosio And Seconded By President White . Following A Roll Call Vote, The Board Unanimously Accepted The Report.***

## ***INFORMATION/DISCUSSION ITEMS***

- 31.** July Construction Updates of Project #18-01 Electrical/Mechanical Rehab and Sludge Holding Tank Replacement – *Report by Plant Engineer, Patrick Treanor*
- 32.** July 28, 2023, Pebble Beach Community Service District Board Meeting Summary-  
*Report by General Manager, Barbara Buikema*
- 33. 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, General Manager  
**Employee Organization:** United Public Employees of California, Local 792

*The Board went into closed session at 10:42 a.m. and discussed agenda item #33 regarding potential litigation. The closed session ended at 11:52 a.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 11:53 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 participate in the meeting.*

### **34. 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.*

**35. ADJOURNMENT**

*There being no further business to come before the Board, the President adjourned the meeting at 11:55 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*  
**Domine Barringer, Secretary to the Board**

**APPROVED:**

*Ken White*  
**Ken White, President of the Board**