

Domine Barringer

From: Barbara Buikema
Sent: Sunday, January 21, 2024 11:02 AM
To: Domine Barringer
Subject: Additional Public Comment #1
Attachments: Book7.xlsx; Update 04-27-22.docx; 8-22-23 Corona Road Update August Letter Mailed.pdf; 02-28-23 Update.pdf; Corona Road Informational Letter.docx; Property Owners Notice Letter Head 1-Corona Road Lst #2 - signed.pdf; 23 ASMTNO APN241051012-Banijamali & Zendejas-Final.pdf; 09-13-23 Corona Road Meeting v2.pptx; 01-18-24 Neighborhood Mtg slides.pptx; 11-14-23 Neighborhood Mtg slides.pptx

Follow Up Flag: Follow up
Flag Status: Flagged

From: Leila Banijamali <leila@bedrocksf.com>
Sent: Friday, January 19, 2024 6:13 PM
To: Barbara Buikema <Buikema@cawd.org>
Cc: Daniel Rottinghaus <drottinghaus@berdingweil.com>; Fredrick A. Hagen <fhagen@berdingweil.com>
Subject: Re: Public Records Request

This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Barbara,

Thank you for taking the time to host the community meeting last night. Regrettably, many homeowners, including myself, left more disappointed than reassured. How the meeting was run and some of the glib responses from CAWD ("the District is at fault for increasing the costs and not advising you but...that's just the way it is!") has resulted in further divisiveness that has already been brewing in our community and I will communicate those concerns in more detail separately.

For now, I must bring to your attention a significant issue that raises concerns related to due process. Upon further investigation, it has come to our attention that CAWD's practice of updating tax roll records may not have occurred with sufficient frequency. According to confirmation from the Assessor's Office, CAWD requests tax rolls on an annual basis, and detailed records of prior requests have been provided. Unfortunately, this practice has resulted in CAWD sending notices to incorrect addresses for years, including our own. This situation has regrettably limited our ability to equitably participate in advocating for ourselves and our neighborhood.

A tax roll update should have been requested from CAWD each time a notice was sent. This would have ensured that every member of the community, not just those who are proponents of the sewer project, had a fair opportunity to engage in the advocacy process. Regrettably, as CAWD is now significantly advanced in the project timeline, catching up on years of advocacy within the next month presents an enormous challenge.

I would like to emphasize that my email and telephone number have always been easily accessible to you and your staff. It is crucial to facilitate open communication, especially in matters of such importance to our community and particularly when you're talking about a mandatory fee of \$69,000 for the option of connecting to sewer, which many of us will never exercise. There are less than 60 properties in your target of Corona Road - it would not have been unreasonable

for you to take the time and open a dialogue with each property owner before getting to this point. You might have learned about the diverse needs of each property owner and their septic or onsite wastewater treatment systems.

As an example, I recently received a call from another homeowner, with whom I had no prior connection, within 5 minutes of our community meeting. They reached out to express their gratitude because I had raised serious concerns about various aspects of the project, from funding and lack of notice to the elimination of the opt-in sewer option (with fees for new connections reimbursing earlier payers) and the overall process, which continues to raise questions.

In the coming weeks, either personally or through my attorneys, I intend to follow up to invite a constructive conversation and seek a reasonable opportunity for a resolution that serves the diverse needs of our community more equitably.

Thank you once again for your assistance, and I look forward to the opportunity for further dialogue.

Sincerely,

Leila

Leila Banijamali
Principal Attorney
leila@bedrocksf.com

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On Jan 7, 2024, at 2:49 PM, Barbara Buikema <Buikema@cawd.org> wrote:

Attached is in response to your email dated 1/3/24

1. The table attached lists all forms mailed to your address
2. All mailings were sent via USPS. With the exception of the final ballot mailing on January 18, 2024 there was no certified or returned receipt used.
3. The table attached lists the mailing address for each notice
4. The only correspondence with you by email has been in relation to your public records request. Are you asking for copies of that email?

I have also attached the nine documents that were mailed as listed on the attached worksheet.

Regards
Barbara Buikema
Carmel Area Wastewater District
831-624-1248

List of Mailings - Leila Banijamali

Date	Description	Mailing Address	Proof
7/13/20	Corona Road Annexation & Assessment District Community Meeting	1 Hawthorne St. #12G San Francisco, CA 94105	none
6/29/21	Sanitary Sewer System Extensin Plans for the Corona Road Area - Preparation of the Engineer's Report for the Assessment District Formation	1 Hawthorne St. #12G San Francisco, CA 94105	none
4/27/22	Corona Road Assessment District Update	1 Hawthorne St. #12G San Francisco, CA 94105	none
2/28/23	Corona Road Assessment District Update	1 Hawthorne St. #12G San Francisco, CA 94105	none
8/22/23	Corona Road Assessment District Update	1 Hawthorne St. #12G San Francisco, CA 94105	none
9/13/23	Corona Road Area Sewer Extension Project Update	1415 Shrader St. San Francisco, CA 94117	none
10/26/23	Notice of Proposed New Assessments & Assessment Ballot for the Carmel Area Wastewater District	1415 Shrader St. San Francisco, CA 94117	none
11/14/23	Corona Road Area Sewer Extension Project Assessment District Formation	1415 Shrader St. San Francisco, CA 94117	none
1/18/24	Corona Road Area Sewer Extension Project Assessment District Formation	1415 Shrader St. San Francisco, CA 94117	Certified Mail

Note: Exclusive of the Ballot sent in January 2024 none of the mailings had either a Certified mail tag or Return Receipt. All mailing were sent via USPS.



Carmel Area Wastewater District

P.O. Box 221428 Carmel California 93922 ❖ (831) 624-1248 ❖ FAX (831) 624-0811

Barbara Bulkema
General Manager
Ed Waggoner
Operations Superintendent
Robert R. Wellington
Legal Counsel

Board of Directors
Gregory D'Ambrosio
Michael K. Rachel
Robert Siegfried
Charlotte F. Townsend
Ken White

July 13, 2020

**SUBJECT: Corona Road Area Annexation and Assessment District Community Meeting
Via Zoom Platform on Tuesday, July 28th at 4 p.m.**

Dear Corona Road Area Property Owner:

As you may know, because of environmental issues due to failing septic systems, the State of California has voted for stronger regulations for septic system replacements. This will make it very expensive to replace a septic system.

Many of your neighbors are interested in pursuing construction of a sewer collection system to replace septic in the neighborhood. Our goal is to work with you to form an Assessment District for the lower Corona Road community to facilitate the transition from septic to sewer. There was a community meeting in 2019 and a petition circulated within your neighborhood since that time.

What is an Assessment District?

An Assessment District is a financing mechanism under the California Streets and Highways Code, Division 10 and 12 which enables special districts to help property owners pay for the construction of improvements that benefit them, within the special district. Approval by a majority of landowners based on financial obligations is required. Typically, a bond is issued to pay for the construction of the improvements and ultimately each property owner will pay their fair share of the costs over a period of years at a reasonable interest rate. This ensures that the cost will be spread to all properties that receive direct and special benefit by the improvements constructed.

What are the benefits of participating in an Assessment District?

Building a sewer through an Assessment District allows property owners to group together to pay for the sewer over time. The payments are included in the property taxes and stay with the property if it is sold. If a property owner does not participate in the Assessment District and connects, the connection fee will be a lump sum amount to the Assessment District. This "lump sum" payment will be used to lower the fund balance for the Assessment District and reduce payments by the participants.

What has been done so far?

In 2019, there were 3 actions that needed to be completed in order to move forward:

1. Hire an engineer to prepare a preliminary plan and an Assessment Engineer's Report.

The Daniel's, Keig's and the Hull's have found a qualified engineer from Monterey Bay Engineering who is willing to prepare an assessment engineer's report, contingent on being paid through the Assessment District that may be formed. His report will provide an estimated cost for the project that will be used for the purposes of forming the Assessment District.

2. Annexation of the parcels in the area to the Carmel Area Wastewater District.

The District is in the process of annexing the Corona Road area and the annexation should be approved by the Local Agency Formation Commission (LAFCO) this fall. Once that is completed, the process for forming an Assessment District can be completed.

3. Circulate a petition to request the formation of an Assessment District and get 75% support.

Since our meeting in 2019, ten additional property owners have requested to be included in the proposed Assessment District which now totals 41 properties. A petition supporting the formation of an Assessment District to pay for the costs of constructing a sewer system has been signed by 30 out of 41 property owners.

What is the next step?

We are hosting a meeting to provide further information regarding the Assessment District formation process, our experience with Assessment Districts in the past, and to answer questions that you may have. In attendance will be the Assessment Engineer, Bond Counsel, and the Principal Engineer for Carmel Area Wastewater District. The meeting date is 4 p.m. on Tuesday July 28, 2020. You may join on your computer or phone by following the link or phone:

Zoom Meeting: Tuesday, July 28th at 4 p.m.

Please click this URL to join. <https://us02web.zoom.us/j/85838714431>

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 346 248 7799

If you have any questions or concerns about the information provided above or its effect on your property, you may contact Rachél Lather, Principal Engineer of the Carmel Area Wastewater District at (831) 624-1248 ext. 203 or by e-mail at lather@cawd.org.

Sincerely,

Barbara Buikema
General Manager
Carmel Area Wastewater District



Corona Road Area Sewer Extension Project Assessment District Formation

JANUARY 18, 2024

Welcome & Introductions

The background of the slide is a photograph of a beach. The top half shows a clear blue sky with some faint, mirrored text visible. The middle section shows the ocean with gentle waves breaking onto a sandy beach. The bottom section shows the sand of the beach, which is a light tan color.

Assessment District Formation

- **October 26 - CAWD Board approved resolution of intention**
- **December 12 – Public Hearing was Postponed to February 22 due to concerns over ballot mailings expressed by the public.**
- **December XX - New Ballots were Sent out.**
- **Assessment District will be formed if 51% Yes Votes Based on Ballots Returned**

No Opt Out Option

- **All parcels in the assessment District will be assessed if the public vote is affirmative and the CAWD Board elects to proceed with the Project.**
- **The issues with septic tank leach fields in the area effects all parcels in the area.**

Assessment Estimates

Construction, Design and Construction Management – Estimate as of September 2023	\$3,360,027
Assessment District Formation Costs	36,400
Capitalized Interest	46,000
Bond Reserve Fund*	275,000
Bond Issuance Costs	165,000
Original Issue Discount/Contingency	50,573
Total Assessment	\$3,933,000

\$69,000 maximum per residential parcel

**\$4,850/year for 30 Years*
Based on Interest Rates on
November 2, 2023**

**Any Construction Costs or
Financing Costs not spent will
reduce the assessment**

* Bond Reserve Fund Applied against final year debt service

Additional Costs to Connect

- **There will be additional costs for each parcel to connect not included in the assessment.**
- **District Connection Fee:**
 - Currently \$9,044.34 and is due at time of connection.
- **Private Lateral Construction:**
 - Construction of pipe from home/business to sewer in street. In some cases may require pumping if topography prevents gravity flow. Cost to construct a new lateral pipe can be around \$10,000. If pumping to the sewer is required the cost can go up to \$30,000 or more.
- **Total Additional Cost to connect would be Estimated between \$20,000 and \$40,000 or more.**

Public Hearing on February 22nd @ 2:00 PM

- **Ballots will be opened and counted in public.**
- **If the majority of ballots are affirmative of the project the CAWD Board will decide whether to approve the assessment.**

Next Steps

If Assessment District approved, the following steps will happen

- **Obtain Coastal and Grading Permits for Construction – (Denise Duffy & Associates) Estimated by June 2024**
- **Plans and Specifications for Construction – (Steve Wilson, Monterey Bay Engineers, Inc.) During Coast Permit Process**
- **Bid Project and Accept Low Bidder (CAWD Board) Estimated September 2024**
- **Construct Project (CAWD Contractor) Estimate September 2024 & Complete June 2025**

Questions & Answers



Carmel Area Wastewater District

P.O. Box 221428 Carmel, California 93922 ❖ (831) 624-1248 ❖ FAX (831) 624-0811

Barbara Buikema
General Manager
Ed Waggoner
Operations Superintendent
Robert R. Wellington
Legal Counsel

Board of Directors
Gregory D'Ambrosio
Michael K. Rachel
Robert Siegfried
Charlotte F. Townsend
Ken White

April 27, 2022

SUBJECT: Corona Road Area Assessment District Update

Dear Corona Road Area Property Owner:

As you may know, because of environmental issues due to failing septic systems, the State of California has voted for stronger regulations for septic system replacements. This will make it very expensive to replace a septic system.

Many of your neighbors are interested in pursuing construction of a sewer collection system to replace septic systems in the neighborhood. Our goal is to continue to work with you to form an Assessment District for the lower Corona Road community to facilitate the transition from septic to sewer.

What is an Assessment District?

An Assessment District is a financing mechanism under the California Streets and Highways Code, Division 10 and 12 which enables special districts to help property owners pay for the construction of improvements that benefit them, within the special district. Approval by a majority of landowners based on financial obligations is required. Typically, a bond is issued to pay for the construction of the improvements and ultimately each property owner will pay their fair share of the costs over a period of years at a reasonable interest rate. This ensures that the cost will be spread to all properties that receive direct and special benefit by the improvements constructed.

What are the benefits of participating in an Assessment District?

Building a sewer through an Assessment District allows property owners to group together to pay for the sewer over time. The payments are included in the property taxes and stay with the property if it is sold. If a property owner does not participate in the Assessment District and connects, the connection fee will be a lump sum amount to the Assessment District. This "lump sum" payment will be used to lower the fund balance for the Assessment District and reduce payments by the participants.

What has been done so far?

- Corona Road neighbors have submitted a petition to Carmel Area Wastewater District (CAWD) requesting we initiate the Assessment District process for your project.
- Interested neighbors have contributed to pay for an initial engineering and environmental report in the amount of \$67,000.
- CAWD hired an engineer, Steve Wilson of Monterey Bay Engineers (MBE), to prepare a preliminary plan and Assessment Engineer's Report.
- The Local Agency Formation Committee (LAFCO) approved annexation of your neighborhood into the CAWD service area.
- MBE created a first draft of the Engineer's Report.
- The first draft of the Engineer's Report has been reviewed by CAWD and feedback has been provided to MBE.
- Denise Duffy and Associates (DDA) have been contracted by CAWD to complete environmental review of the assessment district formation and proposed alignment of the sewer. Now that preliminary plans are complete, this effort has begun.
- The engineer, MBE, has recommended that all required easements be negotiated with the property owners prior to formation of an Assessment District. Additional funding of \$4,500 has been provided by property owners for this work.

What are the next steps?

- On April 28, 2022, the CAWD Board of Directors will be asked to approve an increase in the scope of work for MBE to add easement acquisition to the contract for the assessment engineer's report.
- Once easements are acquired, MBE will update and complete the Assessment Engineer's Report. (MBE)
- A Draft Environmental Document will be completed, reviewed by the District and circulated for public review. (DDA/CAWD)
- Completion of applications for permits from Monterey County and the Coastal Commission. (CAWD/DDA)
- CAWD to adopt resolutions to initiate the formation of the assessment district and mail notices of public hearing and ballots to parcel owners. A workshop will be held to discuss the proposed assessments and answer any questions. Ballots are then tabulated after the hearing and a majority approval is needed to form the assessment district.
- Once Assessment District is formed, the engineer will finalize construction plans and specifications. (MBE).
- After plans and specifications are completed, CAWD will bid and construct the sewer system.

If you have any questions or concerns about the information provided above or its effect on your property, you may contact Rachél Lather, Principal Engineer of the Carmel Area Wastewater District at (831) 624-1248 ext. 203 or by e-mail at lather@cawd.org.

Sincerely,

Rachél Lather
Principal Engineer
Carmel Area Wastewater District



Carmel Area Wastewater District

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Charlotte F. Townsend
Ken White

June 29, 2021

To: Residents and Property owners in the Corona Road area, Carmel Highlands

Re: Sanitary Sewer System Extension plans for the Corona Road Area
Preparation of the Engineer's Report for the Assessment District Formation

Dear Sir or Madam:

We are pleased to report that interested property owners have deposited funds with the Carmel Area Wastewater District in order to fund the completion of the Preliminary Engineering Report and the Environmental Studies necessary to form a new Assessment District to extend sewer services to your community. Contracts for professional services have been signed with Monterey Bay Engineers, Inc., and with Denise Duffy, and Associates to begin this process.

Surveying is a necessary part of the preliminary engineering design and will occur during the first half of July 2021. This is to advise you that personnel from Monterey Bay Engineers, Inc. (their land surveyors and engineers) will be present in your area from time to time during the first half of July of 2021. In addition to obtaining survey data along the road, it will be necessary to measure the location and ground elevations at the existing homes in this area. This data is necessary to design the sewer system at a location that improves the ability to connect for each property.

If you have questions or concerns relating to these activities, please contact the Carmel Area Wastewater District at (831) 624-1248.

Cordially,

Rachél Lather (Jun 29, 2021 13:45 PDT)

Rachél Lather, MS, PE
Principal Engineer
Carmel Area Wastewater District






Property Onwers Notice Letter Head 1-Corona Road Llst #2

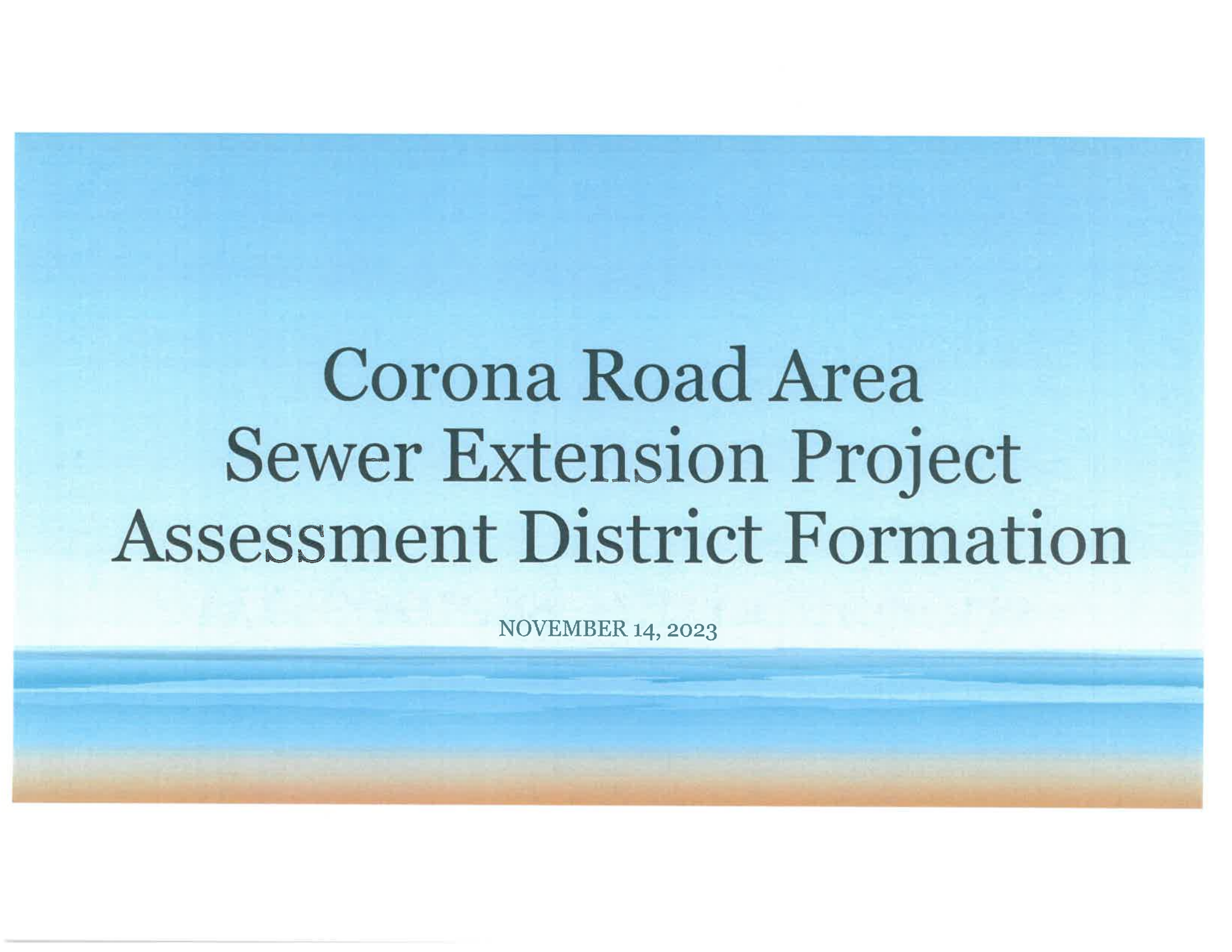
Final Audit Report

2021-06-29

Created:	2021-06-29
By:	Domine Barringer (adobe1@cawd.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAOKuX0NqER1xFD7VLb0jPQtfJK0idDp-U

"Property Onwers Notice Letter Head 1-Corona Road Llst #2" History

-  Document created by Domine Barringer (adobe1@cawd.org)
2021-06-29 - 8:44:10 PM GMT - IP address: 96.76.204.137
-  Document emailed to Rachél Lather (lather@cawd.org) for signature
2021-06-29 - 8:44:25 PM GMT
-  Email viewed by Rachél Lather (lather@cawd.org)
2021-06-29 - 8:45:11 PM GMT - IP address: 96.76.204.137
-  Document e-signed by Rachél Lather (lather@cawd.org)
Signature Date: 2021-06-29 - 8:45:55 PM GMT - Time Source: server- IP address: 96.76.204.137
-  Agreement completed.
2021-06-29 - 8:45:55 PM GMT



Corona Road Area Sewer Extension Project Assessment District Formation

NOVEMBER 14, 2023

The background of the slide is a photograph of a beach. The top half shows a clear blue sky. Below the sky is a thin line of white surf from waves breaking. The middle section is a wide expanse of blue ocean. The bottom section shows a sandy beach with a light tan color.

Welcome & Introductions

KATE DANIELS

Assessment District Formation

- **October 26 - CAWD Board approved resolution of intention**
 - Sent out notices and ballots - 45 day period for ballots to be returned.
- **December 12 – Public Hearing/Canvass the ballots**
- **Assessment District will be formed if 51% Yes Votes**
 - Based on Ballots Returned
 - If formed, all 56 Parcels will be subject to Assessments

Assessment Estimates

Construction, Design and Construction Management – Estimate as of September 2023	\$3,360,027
Assessment District Formation Costs	36,400
Capitalized Interest	46,000
Bond Reserve Fund*	275,000
Bond Issuance Costs	165,000
Original Issue Discount/Contingency	50,573
Total Assessment	\$3,933,000

\$69,000 maximum per residential parcel

**\$4,850/year for 30 Years*
Based on Interest Rates on
November 2, 2023**

**Any Construction Costs or
Financing Costs not spent will
reduce the assessment**

* Bond Reserve Fund Applied against final year debt service

Next Steps

If Assessment District approved, the following steps will happen

- **Obtain Coastal and Grading Permits for Construction – (Denise Duffy & Associates) Estimated by June 2024**
- **Plans and Specifications for Construction – (Steve Wilson, Monterey Bay Engineers, Inc.) During Coast Permit Process**
- **Bid Project and Accept Low Bidder (CAWD Board) Estimated September 2024**
- **Construct Project (CAWD Contractor) Estimate September 2024 & Complete June 2025**

Questions & Answers



Carmel Area Wastewater District

P.O. Box 221428 Carmel, California 93922 ♦ (831) 624-1248 ♦ FAX (831) 624-0811

Barbara Buikema
General Manager
Ed Waggoner
Operations Superintendent
Robert R. Wellington
Legal Counsel

Board of Directors
Gregory D'Ambrosio
Michael K. Rachel
Robert Siegfried
Kevan Urquhart
Ken White

August 22, 2023

SUBJECT: Corona Road Area Assessment District Update

Dear Corona Road Area Property Owner:

As you may know, because of environmental issues due to failing septic systems, the State of California has voted for stronger regulations for septic system replacements. This will make it very expensive to replace a septic system. Many of your neighbors have expressed interest in pursuing construction of a public sewer collection system to replace septic systems in the neighborhood. Approximately 70% signed a petition requesting that the District move forward with an assessment district to pay for the public sewer collection system through your property taxes. We are now finalizing the funding options.

RECOMMENDATION

We recommend that the assessment district formation move forward with issuance of a bond for funding the project. In order to present all of the information to you and include everyone in this decision, we propose to meet on **September 13, 2023 at 7pm in the Highlands Fire Station meeting room.**

Grant Funds Unavailable for Private Connections

Because an assessment district would not be able to pay for the private work on each property that is needed to connect to the sewer but the State Septic to Sewer grant program could, CAWD submitted an application for State of California funding for the project. In March 2022, the State announced that it had funding available for Septic to Sewer conversion projects and the deadline to submit a preliminary application was November 1, 2022. In October 2022, the District board approved funding an addendum to the environmental consultant's contract for the Corona Road project to include work needed to be provided by March 1, 2023 for the full grant application. On October 25, 2022 the District submitted the preliminary grant application to the State. The District submitted the full grant application by the April 1,

August 15, 2023

Corona Road Area Assessment District Update

2023 deadline, anticipating that this project would be approved for 50% grant funding and 50% loan funding. However, on August 7, the District Engineer was informed that there was only enough money in the septic to sewer grant program to support financially disadvantaged communities.

Assessment District Formation

CAWD intends to finance the public sewer collection system by moving forward with the formation of an assessment district for the Corona Road Area neighborhood. CAWD would proceed with the required legal process to establish the assessment district in September 2023. This process includes sending a mailed ballot to all of the property owners within the assessment district that specifies each parcel's assessment, which represents that parcel's share of the total project cost. Each property owner will have the opportunity to vote for or against the assessment. The assessment district will be approved if a majority of the assessment ballots are in favor, with each ballot weighted by the dollar amount of the assessment allocated to that parcel.

If the assessment district is approved, the engineer can finalize construction plans and specifications in January-March 2024 while we move forward with obtaining a Coastal Permit. After plans, specifications and permitting are completed, CAWD will bid the project. Construction will begin after financing as been obtained through either an assessment bond or a State Revolving Fund loan.

Because the assessment district can only financing the publicly owned sewer collection system, the property owners would need to finance their connection costs on their own.

The engineer's estimate for the total cost of construction for the publicly owned sewer collection system is approximately \$3.8 million

Assessment Bonds

The fastest and most reliable approach to fund the project is to finance it with a bond or bank loan secured by the assessments levied within the assessment district to be formed in the Corona Road Area neighborhood. Currently it is estimated that the interest rate for assessment bond financing is around 5%. Based on the estimated \$3.8 million cost of the publicly owned sewer collection system, the estimated annual assessment payment for each parcel would be around \$4,414 for 30 years, or an upfront cash payment of \$68,000.

If an assessment bond is used to finance the sewer collection system, staff estimates that construction can start in August 2024 and be completed by February 2025.

State Revolving Fund Loan

We were advised that CAWD can apply for a loan under the State Revolving Fund (SRF) Loan program, which currently have an interest rate of 1.9%. The intent of the funding program is to finance the cost of a public sewer collection system, which would be available for connection to homes currently using septic systems. If a State Revolving Fund loan is approved, the estimated annual assessment payment for each parcel would be around \$3,030 for 30 years, or an upfront cash payment of \$68,000.

August 15, 2023
Corona Road Area Assessment District Update

The State Revolving Fund loan program would require every home to connect at the time the project is completed. We cannot guarantee that every home would connect.

If we want to pursue a State Revolving Fund loan, CAWD can complete and submit an application by the December 2023 deadline. If funding is awarded, the project will not be funded until after July 1, 2024, meaning that construction would be delayed beyond the current timeline. The repayment of the State Revolving Fund loan would be made by assessments levied within the assessment district to be formed in the Corona Road Area neighborhood.

If you have any questions or concerns about the information provided above or its effect on your property, you may contact Rachél Lather, Principal Engineer of the Carmel Area Wastewater District at (831) 624-1248 ext. 203 or by e-mail at lather@cawd.org.

Sincerely,



Rachél Lather
Principal Engineer
Carmel Area Wastewater District

Board Clerk
Carmel Area Wastewater District
P.O. Box 221428
Carmel, California 93922

**NOTICE OF
PROPOSED NEW ASSESSMENTS
and
ASSESSMENT BALLOT**
for the
CARMEL AREA WASTEWATER DISTRICT
Assessment District No. 23-01
(Corona Road Area Sanitary Sewer System Project)

Assessment No.: 23
Assessor Parcel No.: 241051012000

Property Owner of Record:
BANIJAMALI LEILA & ZENDEJAS PATRICIA
1415 SHRADER ST
San Francisco, CA 94117

Proposed Assessment: \$69,000.00.00

<p>ASSESSMENT BALLOT:</p> <p><input type="checkbox"/> IN FAVOR OF ASSESSMENT</p> <p><input type="checkbox"/> OPOSEE ASSESSMENT</p> <p>I hereby declare under penalty of perjury that I am the record owner, or the authorized representative of the record owner, of the parcel identified on this ballot.</p> <p style="text-align: center;">_____ Signature of Record Property Owner</p>

Detach here, fold, seal in the provided envelope, and mail to the Board Clerk at the above address - See Part 4 below

THE CARMEL AREA WASTEWATER DISTRICT GIVES NOTICE that:

1. Purpose of Assessments The District is proposing to levy new assessments in the above Assessment District that includes your property. The purpose of the assessments is to fund the costs of new facilities to provide wastewater service to the Corona Road area, and all related administrative and incidental costs, including the costs of forming the Assessment District and issuing assessment bonds.

2. About the Assessments. The total of all the assessments for the whole Assessment District is \$3,933,000. The proposed assessment for your property is shown above. See the enclosed "Method of Assessment" for the way the proposed assessment is allocated. Please read it carefully.

If the assessments are confirmed, you will receive new notices telling you of your option to pay all or part of the final assessment in cash or allow your assessment to be financed by the issuance of bonds. If you choose to allow your parcel's assessment to go to bond, your parcels' annual assessment amount will consist of a portion of the assessment amount shown above, plus your parcel's share of interest on the bonds, plus your parcel's share of administrative costs. The annual amount cannot be determined until bonds are issued. If the assessments are confirmed, your unpaid assessments (unless you choose to pay them in cash) will continue to be collected against your property, on your regular property tax bill, as long as needed to pay installments of principal and interest on the proposed bonds, but not for more than 40 years.

3. Public Hearing. Before taking final action on the proposed Assessment District and the assessments, the District Board will hold a **Public Hearing at the Board offices, 3945 Rio Road, Carmel, California, on Tuesday, December 12, 2023, starting at 2:00 p.m.**, to take final public testimony and hear protests. At this meeting the Assessment Ballots will be tabulated, the results will be announced, and the District Board will take final action on the assessments.

4. Assessment Ballot. Anytime before the end of the Public Hearing, you may submit the Assessment Ballot, which is the top of this Notice, to the Board Clerk. To do so: cut off the Ballot portion above; mark the Ballot either "In Favor of Assessment" or "Opposed to Assessment;" sign the Ballot; fold and seal the Ballot in the enclosed return envelope; and mail or deliver it to the Board Clerk. If you do not use the envelope provided, the return envelope used should have the words "OFFICIAL BALLOT ENCLOSED -- ASSESSMENT BALLOT -- DO NOT OPEN UNTIL PUBLIC HEARING" printed on the outside. The Ballot may be submitted, changed or withdrawn at any time before the end of the Public Hearing. If you need a replacement Ballot, call the "Contact Person" below.

Any Ballot returned unmarked or unsigned, or not enclosed in a sealed envelope that conceals its contents, or not received by the Board Clerk before the end of the public hearing, will be rejected and not counted. The assessment cannot be imposed if the Ballots submitted in opposition to the assessment exceed the Ballots submitted in favor of the assessment, with each Ballot weighted according to the dollar amount of the proposed assessment on property to which that Ballot relates.

5. Contact Person. For more information contact: Rachél Lather, MS, PE, Principal Engineer, Carmel Area Wastewater District, 3945 Rio Road, Carmel, California 93922, Telephone: (831) 624-1248. The Engineer's Report, assessment diagram and other written material about the Assessment District may be reviewed at this address during regular business hours or on the District's web site at www.cawd.org.

EXHIBIT A

CARMEL AREA WASTEWATER DISTRICT Assessment District No. 23-01 (Corona Road Area Sanitary Sewer System Project)

METHOD OF ASSESSMENT SPREAD

The assessment district area contains 56 privately owned properties that could connect to a sanitary sewer collection system. Of those 56 properties, 50 are presently improved with single family dwelling structures and one with a commercial business. All developed parcels have existing septic systems. The single family dwelling properties will benefit equally with the ability to eliminate use of their septic systems and have the capability of connecting to a public sanitary sewer system. Based on water use, the commercial property has the benefit of two single family dwellings. Therefore, each property, whether developed with a single-family residence, or vacant, will be assessed equally with the exception of the commercial property which will be assessed as two equivalent dwelling units.

Three existing properties within the Assessment District Boundaries are owned by the State of California as open spaces. Those properties were not annexed into the District and will not be able to be developed. Certain other properties more than 300 feet from the proposed sanitary sewer collection line will not be assessed because those properties are not feasibly able to connect to the Improvements.

The proposed Improvements are for the sole purpose of providing sanitary sewer services to the properties within the Assessment District. As a result, these parcels will each receive a "special benefit" for the ability to connect to the Improvements.

Any "general benefit" to the public at large from the construction of the new septic system constituting the Improvements are intangible and not quantifiable. Therefore, none of the costs of the improvements are apportioned to general benefit.

The Assessment District is being formed, and the Assessments will be levied, under the Act and Article XXXIII D of the California Constitution, which require that only special benefits may be assessed, and that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The law does not specify a method to use when determining the amount of special benefit to each parcel. The Engineer of Work is responsible for conducting the benefit analysis and then making a recommendation to the District Board, who then makes the final determination. Therefore, the assessments within this report have been apportioned by the Engineer of Work in accordance to the proportionate special benefits received by the lots and parcels of land within the Assessment District. The Assessment apportioned to each lot represents its prorated share of the total estimated capital cost of the Improvements. No assessment has been apportioned on any parcel that exceeds the reasonable cost of the proportional special benefit provided to that parcel.



Carmel Area Wastewater District

P.O. Box 221428 Carmel, California 93922 ♦ (831) 624-1248 ♦ FAX (831) 624-0811

Barbara Buikema
General Manager
Ed Waggoner
Operations Superintendent
Robert R. Wellington
Legal Counsel

Board of Directors
Gregory D'Ambrosio
Michael K. Rachel
Robert Siegfried
Kevan Urquhart
Ken White

February 28, 2023

SUBJECT: Corona Road Area Assessment District Update

Dear Corona Road Area Property Owner:

As you may know, because of environmental issues due to failing septic systems, the State of California has voted for stronger regulations for septic system replacements. This will make it very expensive to replace a septic system. In March 2022, the State of California announced that the State Revolving Fund had funding available for Septic to Sewer conversion projects and the deadline to submit a preliminary application was November 1, 2022. In October 2022, the District board approved funding an addendum to the environmental consultant's contract for the Corona Road project to include work needed to be provided by March 1, 2023 for the full grant application. On October 25, 2022 the District submitted the preliminary grant application to the State Water Resources Control Board. In January 2023, the District was informed that the State had selected this project for 50% grant funding and 50% loan funding if we submit the full grant application by April 1, 2023.

The intent of the funding is to connect homes using septic systems to a newly-constructed public sewer collection system. The funding includes paying for all work and permits needed to construct the public sewer collection system as well as the work on private property to connect to the new sewer line. The engineer's estimate for the total cost of construction for the public and private portions of the project is approximately \$6 million. The \$3 million loan portion would be required to be paid back by the benefitting homeowners over 30 years and the interest rate is currently 1.6%.

Many of your neighbors have expressed interest over the past few years in pursuing construction of a public sewer collection system to replace septic systems in the neighborhood. About 70% signed a petition requesting that the District move forward with an assessment district to pay for the work through your property taxes. An assessment district would not be able to pay for the private work on each property that is needed to connect to the sewer but the State Revolving Fund grant program can.

February 22, 2023
Corona Road Area Assessment District Update

The annual assessments paid by each property would be used to repay the loan portion of the State's funding, while the grant portion would cover the connection fees, cost of materials, the costs of a plumber to connect your home to the sewer collection system and other costs to your property to connect. Our goal is to continue to work with you to create an assessment district to repay the loan and ensure full financing for the project.

What are the next steps?

- A Draft Environmental Document will be completed and circulated for public review.
- A full State Revolving Fund grant/loan application will be submitted prior to the April 1, 2023 deadline.
- Once the State Revolving Fund grant/loan application has been filed, CAWD will proceed with the required legal process to establish the assessment district, which will include a mailed ballot through which all of the property owners that will connect to the new sewer collection system will vote for or against the assessments.
- If the assessment district is approved by a majority of the property owners who submit ballots, the District will sign the funding agreement with the State and proceed with obtaining County permits for the project.
- At that time, the engineer will finalize construction plans and specifications.
- After plans and specifications are completed, CAWD will bid and construct the sewer system.

If you have any questions or concerns about the information provided above or its effect on your property, you may contact Rachél Lather, Principal Engineer of the Carmel Area Wastewater District at (831) 624-1248 ext. 203 or by e-mail at lather@cawd.org.

Sincerely,



Rachél Lather
Principal Engineer
Carmel Area Wastewater District

The background of the slide is a photograph of a beach. The top half shows a clear, bright blue sky. The middle section shows the horizon line where the sky meets the ocean. The bottom half shows the sandy beach, which is a light tan color. The overall scene is bright and serene.

Corona Road Area Sewer Extension Project Update

SEPTEMBER 13, 2023

Welcome & Introductions

KATE DANIELS

Why Care About Sewers?

**Connor Cappi, Environmental Health Specialist III
Monterey County Environmental Health Bureau**

- What happens if septic fails?
- What are the regulations regarding failed septic systems?
- What are the benefits to having sewers?
- If sewer is available, when are you required to “hook up”?

Carmel Highlands Onsite Wastewater Management Plan (OWMP)

ESTABLISHED IN 2009 DUE TO PROLIFERATION OF PRIVATE WELLS IN AREA WITH HIGH DENSITY OF OWTS.

TYPICAL CONSTRAINTS IN CARMEL HIGHLANDS:

- Steep slopes (in excess of 20 to 30%)
- Unfavorable geologic conditions (thin soil mantle overlying fractured granitic bedrock)
(Subsurface sheeting water)
- Setbacks to slopes, creeks, property lines, residential dwellings, domestic wells and the Pacific Ocean.

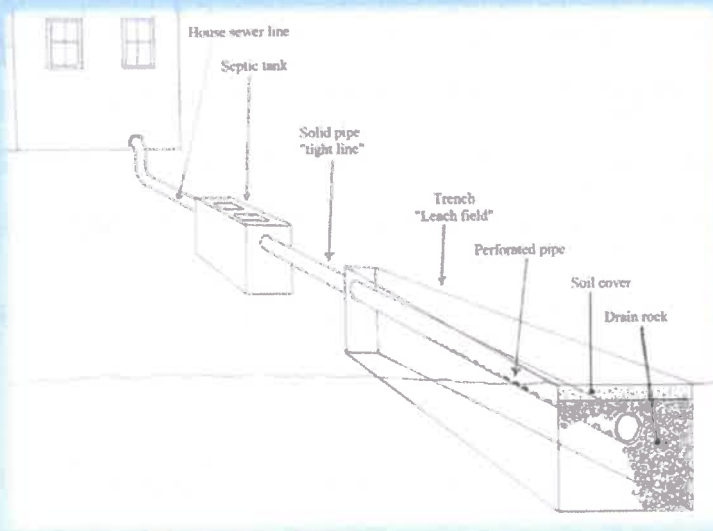
Regulations

- ✓ Local Agency Management Program (LAMP), for Onsite Wastewater Treatment Systems (OWTS) May 10, 2018

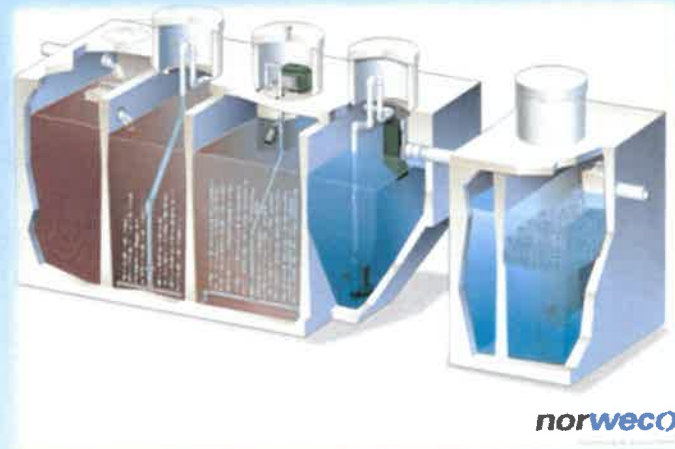
- ✓ Monterey County Code, Chapter 15.20, Sewage Disposal, July 14, 2023.
 - Established qualified professional registration program
 - Establish operating permit program for certain OWTS
 - Codify septic tank pumper reporting program
 - Reorganization and refinement of MCC 15.20 to align with new elements of the LAMP and lessons learned since its implementation
 - Consolidation of rainwater and gray water system requirements for consistency with current plumbing code standards

Type of OWTS


CONVENTIONAL



ALTERNATIVE (SUPPLEMENTAL)



Effluent Quality 

Construction Costs 

O & M Costs 

Effluent Quality 

Construction Costs 

O & M Costs 

Requirements for Existing OWTS

None, provided the system in good working order and there is no plan to increase in wastewater volume or strength.

- *Existing, non-compliant systems will need to be upgraded or replaced before accepting more or stronger wastewater.*

(Includes seepage pits, dispersal systems installed under impermeable surfaces)

Liquid Waste Haulers are required to file a report with the EHB of all septic tank pump-outs in Monterey County

- *Not for enforcement purposes, rather to be incorporated into EHB septic records and referenced at time of future OWTS or construction permit review.*

New and Replacement OWTS Permits

A property must connect to sewer unless:

- Structure to be served is more than 300' from sewer main.
- Sewer purveyor refuses connection or annexation.
- Property owner is unable to obtain necessary easement for connection pipe.
- For replacements only, when the connection fees and construction costs to connect to sewer are greater than twice (2x) the cost of the replacement OWTS (either conventional or alternative, as applicable), provided continued use of an OWTS will not impact groundwater or surface water.

OWTS Permit Site Evaluation

Items to be completed and submitted with OWTS Permit Application:

- Deep, groundwater verification boring, including soil profile description.
- Percolation testing to establish Soil Application Rate
- Distance to sanitary sewer system (in feet)

EHB staff conducts site inspection with the Qualified Professional to determine adequacy of proposal.

OWTS Design Criteria

- Variable dispersal system capacity requirements, depending on measured percolation rate of soil
- Shallow dispersal systems required (no seepage pits)
 - New systems: 2' rock depth
 - Replacement systems: Up to 5' rock depth
- Must consider vertical setback to impermeable layer and groundwater
- Cannot be covered by impermeable surface unless supplemental treatment incorporated
- Must be designed by a qualified professional

Why Form an Assessment District?

Scott Ferguson, Jones Hall Bond Attorney

Rachél Lather, CAWD Principal Engineer

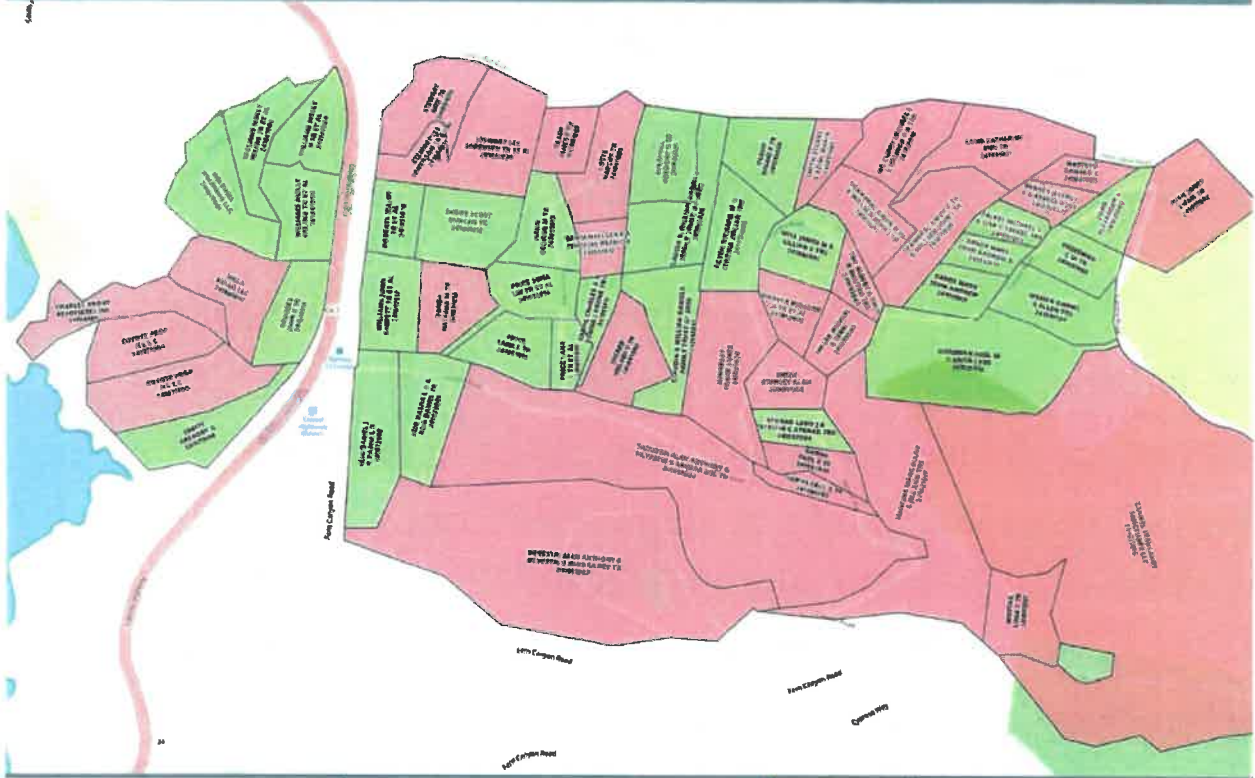
- Shared Cost for construction among benefitting parcels
- Costs are paid through a bond and repaid over 20-30 years on tax roll
- Payments stay with the property
- Joining later requires a lump sum payment. This will offset payments by others.

Current Status of Bringing Sewer to the Area

Rachél Lather, CAWD Principal Engineer

1. ANNEXATION OF PROPERTIES INTO CAWD- **Completed**
2. SIGNED PETITION- **Completed w/68% supporting**
3. ENGINEER'S REPORT & ENVIRONMENTAL- **Completed**
4. CAWD BOARD REQUESTED COUNTY APPROVAL TO FORM ASSESSMENT DISTRICT- **Completed**
5. START ASSESSMENT DISTRICT FORMATION VOTE – **next step**
September 28, 2023 CAWD Board Meeting

Carmel Area Wastewater District - Corona Road Annexation Survey





CARMEL AREA WASTEWATER DISTRICT
 3945 RD RD, CARMEL, CA 93922
 TELEPHONE 831-424-0400
 davis@camard.org
 14003 State Plane CA Zone 43US Feet

LEGEND

- Current
- Surveyed

1 inch = 150 feet





Map is unlicensed. © 2009. All rights reserved.
 This map is not intended to be used as a substitute for a professional survey. The map is not intended to be used as a substitute for a professional survey. The map is not intended to be used as a substitute for a professional survey.
 Checked by: 10/20/09
 Date: 10/20/09



Annexed Parcels

Assessment District Formation Process

Scott Ferguson, Jones Hall Bond Attorney

Process Summary

- CAWD Board approves resolution of intention to make acquisitions and improvements. Send out notices and ballots and provide a 45 day period for ballots to be returned.
- Assessment Engineer determines the share of and amount of assessment in their report.
- 51% Yes Votes Minimum-each parcel's vote is weighted by its share of the total assessments
- Current Bond Environment/SRF Loan
- <https://www.cawd.org/files/oodcf1721/Assessment+District+Proceedings+Outline.pdf>

Next Steps

- **Form an Assessment District for Corona Road- (CAWD Board)**
 - CAWD Board request amended Assessment District approval September 28, 2023
 - Start with October 26, 2023 Board Meeting approving sending ballots to each property owner
 - Count Votes on December 14, 2023 CAWD meeting
- If approved, the following steps will happen
 - Obtain Coastal and Grading Permits for Construction – (Denise Duffy & Associates) **Est. 6 months**
 - Plans and Specifications for Construction – (Steve Wilson, Monterey Bay Engineering) **Est. 6 months**
 - Bid Project and Accept Low Bidder (CAWD Board) **Estimate June/July 2024**
 - Construct Project (CAWD Contractor) **Estimate starting August/September 2024 & Complete June 2025.**
- Final Accounting of Costs to Determine Actual Annual Assessment
 - Must be equal to or less than approved assessment amount

Questions & Answers