

**PEBBLE BEACH COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS  
Regular Meeting of October 29, 2021**

**MINUTES**

**CALL TO ORDER**

A regular meeting of the Board of Directors of the Pebble Beach Community Services District (PBCSD) was held in the PBCSD board room on October 29, 2021. Board President Jeffrey B. Froke called the meeting to order at 9:30 a.m.

**ROLL CALL**

**Present:** Jeffrey B. Froke - President, Leo M. Laska – Vice President, Richard D. Verbanec, and Peter B. McKee

**Directors Absent:** Richard B. Gebhart

**Others Present:**

Mike Niccum, General Manager

Rob Wellington, Legal Counsel

Nick Becker, District Engineer

Chris Simmons, Assistant Engineer

Marianna Pimentel, Finance Director

Yuriana Nuñez, Administrative Coordinator\*

Nijesh Sthapit, Accountant\*

Michael Meddles, Division Chief, CAL FIRE San Benito-Monterey Unit (CAL FIRE)

Roger Rinehart, EMS Coordinator Battalion Chief, CAL FIRE\*

Josh Silveira, Operations Battalion Chief, CAL FIRE

Ray Tongol, Commander, Monterey County Sheriff's Office

Peter Brown, Director of Security, Pebble Beach Company (PBCo)

Shawn Casey, Vice President Resource Management, PBCo\*

Robert Siegfried, Board Director, Carmel Area Wastewater District (CAWD)\*

Barbara Buikema, General Manager, CAWD\*

Domine Barringer, Administrative Assistant/Board Clerk, CAWD\*

Vinod Badani, E2 Consulting Engineers\*

Jacqueline Fobes, Board Director, Del Monte Forest Property Owners (DMFPO)\*

Hampton Stewart, Pebble Beach resident

Jerry Verhasselt, Pebble Beach resident

Emily Hanson, Chief Strategy Officer, GreenWaste Recovery Inc. (GWR)\*

Jim Moresco, General Manager, GWR Santa Cruz Operation\*

Tracy Adams, Co-Chief Executive Officer, GWR\*

Zoe Shoats, Communications Director, Monterey Regional Waste Management District\*

Morgan McCarthy, Project Manager, HF&H Consultants, LLC (HF&H)\*

David Hilton, Project Manager, HF&H\*  
Chris Pia, Sergeant, California Highway Patrol (CHP)\*  
Laura Paxton, Board Clerk\*  
Alayna Gocke, Assistant to Board Clerk  
*\*Signifies virtual attendance*

### **APPEARANCES, ORDER OF BUSINESS, & ANNOUNCEMENTS**

General Manager Niccum and Chief Meddles informed the board that a service will be held 10:00am on Friday, November 5th at Cypress Church for former Coastal Division Chief Mark Edria who passed away last week after battling cancer. Mr. Niccum requested the meeting be adjourned in Chief Edria's memory.

### **AGENDA CHANGES**

The Board concurred with General Manager Niccum's request to move Law Enforcement to the first item of discussion, and the Solid Waste Franchise Amendment Agreement second.

### **LAW ENFORCEMENT**

#### **Pebble Beach Area Crime Statistics and Traffic Enforcement Status Report**

The Board received the Law Enforcement Program Status Report for the quarter ending September 30, 2021. Cmdr. Tongol summarized a report of Pebble Beach crime statistics from August 1 – October 26, 2021 that he provided to the board at the meeting. Doorbell cameras are extremely helpful in the investigation of thefts of packages from porches. Effective January 2nd, Cmdr. Tongol will be transferring to the Community Services Division and Cmdr. Kathy Palazzolo will take over at the Coastal and South County Stations.

Sergeant Pia reported that the past three months were quiet. Additional CHP coverage for the Concours d' Elegance was brought in from Coastal Division and housed by CAL FIRE; the CHP show of force together with PBCo Security efforts greatly reduced speeding and incidents. Speeding by delivery and ride service drivers will be a focus during the holiday season. An upcoming newsletter article will remind to drive safely in the winter months, watch for fallen trees and powerlines, and check tires and windshield wipers. Patrol officers are reporting drivers routinely speeding, being distracted by cell phones, and violating the stop signs at Forest Lake and Viscaino Roads where students cross to athletic facilities and fields.

Reconfiguration of the crossing at Forest Lake Road and Stevenson Drive from the parking lot to the Hay Golf Course/restaurant and the Lodge pathway will be discussed at the November 18<sup>th</sup> DMFPO Roads and Traffic Committee meeting.

## **SOLID WASTE MANAGEMENT**

### **Solid Waste Franchise Agreement Amendment**

The Board reviewed the *General Manager Report* on solid waste franchise agreement amendment. Mr. Niccum and David Hilton, HF&H Project Manager apprised the board of expected and unknown GreenWaste Recovery operational and cost impact from inflation and SB1383 effective January 2022 that requires household organic waste to be placed into green waste bins. Zoe Shoats, MRWMD SB1383 program director and Technical Advisory Committee coordinator, detailed SB1383 program implementation and challenges. General Manager Niccum suspected contamination may become an issue for area agriculture using the compost made from the new organics stream.

Emily Hanson, GWR clarified GWR is technically undergoing a change in control that triggers an assignment review assuring serviced jurisdictions that the contract is not being assigned to another entity. GWR remains the same legal entity with no change in the management team or the executive team. A change in control on the board however allows an injection of capital to grow the company primarily operationally to offer more services including those addressing SB1383. Effectively a recapitalization and consolidation of business operations with sister company Zanker Road Resource Management will allow more seamless operations than in the past.

### **MOTION 21-10-01**

**It was moved by Director McKee and seconded by Director Laska to adopt *Resolution 21-26* approving Amendment No. 3 to the solid waste franchise agreement with GreenWaste Recovery which includes:**

- 1. Provisions bringing PBCSD and Green Waste Recovery into compliance with the requirements of SB 1383,**
- 2. Resolving GreenWaste Recovery's claims for extraordinary rate adjustment related to unanticipated events that impacted the franchise agreement,**
- 3. Clarifying the process and results of the cost-based rate adjustment, and**
- 4. Approving an assignment of the franchise agreement resulting from a change in ownership of GreenWaste Recovery.**

**Froke - Aye; Verbanec - Aye; Laska - Aye; McKee - Aye; Motion carried 4-0.**

## **MINUTES AND FINANCIAL MATTERS**

### **MOTION 21-10-02**

**Moved by Director Verbanec and seconded by Director Laska to approve, as presented, the minutes of the regular board meeting held September 24, 2021. Froke - Aye; Verbanec - Aye; Laska - Aye; McKee - Aye; Motion carried 4-0.**

### **Statement of Receipts and Disbursements**

The Board received and reviewed the *Statement of Receipts and Disbursements* for September 2021. Finance Director Pimentel presented slides and responded to questions from the board.

### **Cash Basis Budget Report**

The Board received and reviewed the September 2021 report.

### **Check Register**

#### **MOTION 21-10-03**

**Moved by Director Verbanec and seconded by Director Laska to approve the *Check Register* for September 2021. Froke - Aye; Verbanec - Aye; Laska - Aye; McKee - Aye; Motion carried 4-0.**

### **FIRE DEPARTMENT**

#### **Fire Chief's Monthly Report**

The Board received and reviewed the *Monthly Fire Department Activity Report* for September 17 – October 22, 2021. Battalion Chief Silveira reviewed the report, noting that fire fuel reduction mastication aided in containing a recent fire at the Lopez and Sunridge Road intersection. Division Chief Meddles added that the delivery truck that hooked a phone line on the pole pulling it down and starting the fire was identified by Pebble Beach Gate Security and the driver returned to the scene. LE 100 inspections are well underway, with 782 completed by fire inspectors, 159 completed by engine crews, and 684 by self-inspection.

### **MAINTENANCE, ENGINEERING AND CONSTRUCTION**

#### **Wastewater Collection, Treatment and Disposal System**

The Board received and reviewed the *Engineering Report of Utilities Operations and Maintenance* for September 15 – October 20, 2021. District Engineer Becker presented slides. Forest Lake Reservoir water storage is at 34% capacity, slightly above the 5-year average. The three alternative source water wells are now off-line with well recovery being tracked. The 4th fairway diversion facility remains in service. A 5th PBCo facility, the Pebble Beach Golf Links 18th green diversion facility, is being commissioned. Emergency sewer repair at P-827 replaced with plastic an old terracotta line near Old 17 Mile Drive and Sloat Road.

#### **PBCSD Capital Improvement Projects**

The Board received and reviewed the *Engineering Report*. Mr. Becker presented slides. A Phase III Undergrounding contract change order for Sombria Lane design additions, and a utility fee due to PG&E that incorporates the additions, will be presented at the next board meeting. Mr. Becker noted that PBCo, with Stevenson School input, will repaint the roadway crosswalk markings and striping at the

Stevenson Drive / Viscaino Road intersection obscured by underground project trenching. Director McKee requested the long-term plan and timeline of phases for the undergrounding project be included in a PBCSD newsletter. Director Verbanec suggested once the main power line undergrounding project is complete, next priority be undergrounding or removing trees near lines that run through forested areas and not along road rights-of-way. Data from the new weather station will be made available to residents on-line through the PBCSD website.

**Pump Station P1 (Cypress Grove) & P2 (Fanshell Beach) Rehabilitation Project**

The Board reviewed the *District Engineer's Report* on the Pump Station P1 & P2 Rehabilitation Project. Mr. Becker presented slides.

**MOTION 21-10-04**

**It was moved by Director Laska, Seconded by Director Verbanec and unanimously carried 4-0 to adopt *Resolution 21-25* declaring the bid from Tesco Controls, Inc. as the lowest responsible bid and authorize award of a fabrication contract for new electrical, motor control, and instrumentation panels for an amount not to exceed \$240,000 for the P1 & P2 Pump Station Rehabilitation Projects.**

**CAWD Board Meeting**

The Board received and reviewed the *Agenda Information* for the CAWD board meeting held September 30, 2021, attended by Director McKee and General Manager Niccum. There was nothing of PBCSD note from the meeting. The October 28, 2021 meeting was attended by Director Gebhart and General Manager Niccum. The \$7.4M Plant Infrastructure Phase II Project is being tracked by Plant Engineer Patrick Treanor via a detailed reporting system. The CAWD board will not have a combined November/December meeting as in the past. Director Laska is assigned to the November 18, 2021 meeting, and Director Verbanec to the December 30, 2021 meeting.

**SOLID WASTE MANAGEMENT (Continued)**

**Monterey Regional Waste Management District (MRWMD) Board Meeting**

The Board received and reviewed the *Agenda Information* for the MRWMD board and authority meetings held October 22, 2021. Director Laska reported \$25 million in bonds issued in 2015 and 2018 were refinanced reducing costs by \$1 million. A 6-year extension of the agreement with GWR for disposal of out-of-county waste was approved, assuring continued \$9 million in revenues. General manager candidate interviews were held October 6<sup>th</sup> and final selection from two remaining candidates is being considered.

### **Hazardous Household Waste and E-Waste Collection Event**

The Board received and reviewed the *Administrative Coordinator's Report* on the event held September 25, 2021. Mr. Niccum commended Coordinator Nuñez for her exemplary management efforts and a well-organized, successful event.

### **GENERAL GOVERNMENT**

#### **California Special Districts Association Meeting**

The board received *General Manager Report* on the October 19<sup>th</sup> CSDA meeting.

#### **Maintenance Department Position**

The Board received and reviewed the *General Manager's Report* on revised organization chart, salary schedule, and maintenance department position.

### **MOTION 21-10-05**

**It was moved by Director Laska, Seconded by Director Verbanec and unanimously carried 4-0 to authorize recruitment of one maintenance department position, increasing District staffing to 13 employees.**

### **MISCELLANEOUS INFORMATION AND COMMUNICATIONS**

#### **Oral reports from General Manager**

There was board consensus for Mr. Niccum to submit to PBCo a letter of support for a four-way-stop at the intersection of Stevenson Drive and Forest Lake Road. A staff Christmas party is planned for December 22<sup>nd</sup>. The annual legal counsel and general manager review will be held in closed session next meeting.

#### **Reports Or Announcements from Board President, Directors, or Staff**

Director McKee inquired of the vaccination status of PBCSD employees, members of the public and partner agencies that attend board meetings, and vendors providing services to PBCSD. Mr. Niccum indicated current District policy requires anyone that is not vaccinated is required to wear a mask for indoor contact on District facilities. He indicated that all District employees and Board members are vaccinated. Remote access to meetings is provided so anyone unvaccinated can participate in meetings without wearing a mask. Compliance with the policy for members of the public and partner agencies has been on the honor system to date. Most vendors wear masks while at District facilities and public contact at the front counter has been moved to the front entrance door. Masking requirements from the state and county can change from week to week and staff will provide more information on the issue at the next board meeting.

**CLOSED SESSION**

It was determined that a closed session of the board was not required.

**ADJOURNMENT**

**MOTION 21-10-06**

**M/S/C (unanimous) to adjourn in memory of Chief Mark Edria at 12:02 p.m. to a regular Board meeting to be held on Friday, December 10, 2021 at 9:30a.m., in person/virtual.**



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**Mike Niccum, Board Secretary**