



# CARMEL AREA WASTEWATER DISTRICT REGULAR BOARD MEETING MINUTES

*Thursday, 9:00 a.m., October 31, 2024*

**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 8:59 a.m.

*\*Signifies Virtual Attendance*

**Present:** President Ken White, Pro Tem Bob Siegfried, Directors: Cole, Rachel, Director Urquhart was present at 9:04 a.m.

**A quorum was present.**

**Absent:** *President White left the meeting at 12:07 p.m. and Pro Tem Bob Siegfried completed the meeting.*

- *Roll call was performed by the General Manager, Barbara Buikema, and a quorum was present with Director Urquhart arriving into closed session at 9:04 a.m.*
- *The Appearances/Public comment was announced and occurred after the first closed session was completed to allow more time for comment.*
- *The board room was cleared the Board immediately went into the first closed session on the agenda at 9 a.m.*

**Others:** Barbara Buikema, General Manger Carmel Area Wastewater District (CAWD or District)  
Domine Barringer, Board Clerk, CAWD  
Patrick Treanor, District Engineer, CAWD  
Jeff Bandy, Principal Engineer, CAWD  
\*Carla James, Laboratory Supervisor\* (entered meeting at noon via Zoom)  
Chris Foley, Maintenance Superintendent, CAWD  
Daryl Lauer, Collections Superintendent, CAWD  
Ed Waggoner, Plant Superintendent, CAWD  
\*Kevin Young, Plant Supervisor, CAWD\*  
Rob Wellington, Wellington Law Offices, CAWD Legal Counsel  
\*Richard Gebhart, Vice President, Pebble Beach Community District (PBCSD)\*  
Nick Becker, General Manager, PBCSD

**In Person Public Attendees:**

Steve Wilson| Monterey Bay Engineer's

**\*Virtual Public Attendees:**

- \*Chuck Else | Principal, Osborne Partners Capital Management, LLC
- \*Steve Thomas |TBC Communications

## APPEARANCES, ORDERS OF BUSINESS & ANNOUNCEMENTS

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.*

*Insertion of Monterey Bay Engineer's letter – Steve Wilson  
District Response To The Letter – District Engineer, Patrick Treanor*

*At 9:25 a.m. when the Board came back into open session public comment was made by Steve Wilson, Monterey Bay Engineer's. Mr. Wilson requested that this matter be agendaized for a more thorough presentation at the November 21, 2024 board meeting.*

*The Board was in consensus with the request from Mr. Wilson to add this discussion to the November 21, 2024 board meeting. Director Urquhart indicated that Mr. Wilson had contacted him regarding this topic and for transparency purposes wanted to report this out to the full Board. Director Urquhart also indicated that he will not be present at the November board meeting.*

2. **Agenda Changes:** *Any requests to move an item forward on the agenda will be considered at this time.*
  - *The Clifton Larsen Independent Accountant letter was not available for insertion during the October board meeting. This letter will be presented in the November 21, 2024 board meeting.*
3. **CLOSED SESSION:** *As permitted by Government Code Section 54956 et seq., the Board of Directors may adjourn to a Closed Session to consider specific matters dealing with litigation, certain personnel matters, real property negotiations, or to confer with the District's Meyers-Milias-Brown representative.*

### **A. Conference with Labor Negotiators:**

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

- **Agency Designated Representative:** Barbara Buikema, General Manager, Patrick Treanor, District Engineer, Chris Foley, Maintenance Superintendent, Rick Bolanos Legal Counsel  
**Employee Organization:** LiUNA United Public Employees of California, Local 792

*The board entered into the closed session at 9:00 a.m. to discuss labor negotiations. The Board ended closed session at 9:23 a.m. The Board reconvened into open session at 9:23 a.m. and Legal Counsel reported out that the board took up the item on the agenda and discussed item 3A regarding labor negotiations of the represented employees and the Board concluded their discussion of this item and the direction provided was given to the bargaining team.*

## **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.*

***A Motion To Receive And Approve The Consent Agenda Was Made By Director Urquhart Seconded By President White. After A Roll Call Vote, The Board Unanimously Received And Approved The Following Consent Calendar/Agenda, except for the October 23, 2024 minutes which was pulled from the consent calendar with the Board's consensus for separate consideration later in the meeting.***

4. September 26,2024 Regular Board Meeting Minutes  
September 25,2024 Bridge To Everywhere Minutes  
October 4, 2024 Pension Minutes  
October 16, 2024 Bridge To Everywhere Minutes  
October 16, 2024 Salary & Benefits Minutes  
October 23,2024 Pension Minutes (*pulled for discussion later in the meeting*)

5. Receive and Accept Bank Statement Review by Clifton Larson Allen (CLA)-  
September 2024  
**(note: will insert when received-not available at the time of board meeting)**

*The Bank Statement Review Letter by CLA was not available to insert at the time of the October board meeting. This letter will be presented in the November 21,2024 board meeting.*

*Note: Notification to the public that the CLA letter is available to the public in lieu of the statement listed on the independent accountant response letter stating" it is not used by anyone other than the specified parties"*

6. Receive and Accept Schedule of Cash Receipts & Disbursements- September 2024
7. Approve Register of Disbursements – Carmel Area Wastewater District-September 2024
8. Approve Register of Disbursements – CAWD/PBCSD Reclamation Project –September 2024
9. Receive and Accept Financial Statements and Supplementary Schedules – September 2024
10. Receive and Accept Collection System Superintendent's Report –September, August & July 2024
11. Receive and Accept Safety and Regulatory Compliance Report –September 2024
12. Receive and Accept Treatment Facility Operations Report – September, August & July 2024
13. Receive and Accept Laboratory/Environmental Compliance Report –September 2024
14. Receive and Accept Capital Projects Report/Implementation Plan

15. Receive and Accept Project Summaries – Capital & Non-Capital
16. Receive and Accept Plant Operations Report- September 2024
17. Receive and Accept Maintenance Projects Report – September 2024
18. Receive and Accept Source Control-Environmental Compliance Report-September 2024

## **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**

19. **Resolution No. 2024-53;** A Resolution Authorizing The General Manager To Purchase A Replacement Effluent Pump From JM Squared In Fiscal Year 2024-25 In An Amount Not To Exceed \$86,208- *Report By Maintenance Superintendent, Chris Foley*

*Note: Resolution 2024-53 A Resolution Authorizing The General Manager To Purchase Effluent Pump Rebuild Parts From JM Squared In Fiscal Year 2024-25 In An Amount Not To Exceed \$60,000- was tabled in the September 26, 2024 because additional review was needed.*

***A Motion To Approve The Resolution Was Made By President White And Seconded By Director Urquhart. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2024-53 Authorizing The General Manager To Purchase A Replacement Effluent Pump From JM Squared In Fiscal Year 2024-25 In An Amount Not To Exceed \$86,208 .***

*Going forward Director Urquhart requests that in the staff reports that it explicitly state and provide an explanation as to why a purchase does not go out to bid.*

20. **Resolution No. 2024-59;** A Resolution Authorizing The General Manager To Purchase A Replacement Reclamation Pump From Shape Incorporated In Fiscal Year 2024-25 In An Amount Not To Exceed \$47,565- *Report By Maintenance Superintendent, Chris Foley*

***A Motion To Approve The Resolution Was Made By Director Siegfried And Seconded By Director Urquhart. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2024-59 Authorizing The General Manager To Purchase A Replacement Reclamation Pump From Shape Incorporated In Fiscal Year 2024-25 In An Amount Not To Exceed \$47,565 .***

- 21. Resolution No. 2024-60;** A Resolution Authorizing The General Manager To Execute An Amendment To An Existing Professional Services Agreement With Denise Duffy & Associates, Inc. In An Amount Not To Exceed \$30,000 For Revegetation Maintenance, Monitoring, & Reporting For The Hatton Canyon Sewer Replacement Project (Project #18-17)-*By District Engineer, Patrick Treanor*

*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 2024-60 Authorizing The General Manager To Execute An Amendment To An Existing Professional Services Agreement With Denise Duffy & Associates, Inc. In An Amount Not To Exceed \$30,000 For Revegetation Maintenance, Monitoring, & Reporting For The Hatton Canyon Sewer Replacement Project (Project #18-17).*

- 22. Resolution No. 2024-61;** A Resolution Authorizing The General Manager To Execute An Amendment To An Existing Professional Services Agreement With MNS Engineers, Inc. In An Amount Not To Exceed \$263,992 For Addition Of The Carmel Woods Sewer Rehabilitation Work Into The Existing Contract For Pescadero Road Sewer (Project #21-05)-*By District Engineer, Patrick Treanor*

*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 2024-61. Authorizing The General Manager To Execute An Amendment To An Existing Professional Services Agreement With MNS Engineers, Inc. In An Amount Not To Exceed \$263,992 For Addition Of The Carmel Woods Sewer Rehabilitation Work Into The Existing Contract For Pescadero Road Sewer (Project #21-05).*

- 23. Resolution No. 2024-62;** A Resolution Authorizing The General Manager To Hire An Additional Lab Analyst Proactively To Manage Attrition-*By District Engineer, Patrick Treanor*

*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 2024-62 Authorizing The General Manager To Hire An Additional Lab Analyst Proactively To Manage Attrition.*

*Director Urquhart requested that the Salary and Benefits Committee develop a universal policy for a six month overlap. President White requested if the board was in consensus to broaden the hiring policy regarding overlap and to establish the appropriate funding. Board was in consensus.*

- 24. Resolution No. 2024-63;** A Resolution Authorizing The General Manager To Execute An Amendment To An Existing Professional Services Agreement With MNS Engineers, Inc. In An Amount Not To Exceed \$121,750 For Additional Inspection Services For The September Ranch Sewer Extension Project (Project #18-29)- *By District Engineer, Patrick Treanor*

*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 2024-63. Authorizing The General Manager To Execute An Amendment To An Existing Professional Services Agreement With MNS Engineers, Inc. In An Amount Not To Exceed \$121,750 For Additional Inspection Services For The September Ranch Sewer Extension Project (Project #18-29).*

- 25. Resolution No. 2024-64;** A Resolution Authorizing An Amendment To The District's Telecommuting Work Policy - *By General Manager, Barbara Buikema*

*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 2024-64 Authorizing An Amendment To The District's Telecommuting Work Policy .*

- 26. Resolution No. 2024-65;** A Resolution Authorizing The General Manager To Categorize The Information Technology Intern As A Part-Time Employee With A One Year Contract- *By General Manager, Barbara Buikema or Foley*

*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 2024-65 Authorizing The General Manager To Categorize The Information Technology Intern As A Part-Time Employee With A One Year Contract .*

- 27. Resolution No. 2024-66;** A Resolution Adopting The Succession Plan And The Propose Organizational Chart Changes Effective With The Retirement Of The Operations Superintendent- *By General Manager, Barbara Buikema*

*A Motion To Approve The Resolution Was Made By Director Cole And Seconded By Director Rachel. Following A Roll Call Vote, With Ayes From President White, And Directors Cole, Rachel, And Siegfried, With Director Urquhart Abstaining. The Boord Passed Resolution 2024-66 Adopting The Succession Plan And TheProposed Organizational Chart Changes Effective With The Retirement Of The Operations Superintendent.*

*Note: Director Rachel requested that that the full Board be provided the Operations Superintendent presentation on plant classification in the December board meeting.*

- 28. Resolution No. 2024-67:** A Resolution Accepting The Lowest Responsible And Responsive Bid For The “Ribera Road Retaining Wall Replacement Project,” Awarding Construction Contract, And Authorizing A Change Order Allowance- *By Principal Engineer, Jeff Bandy*

***A Motion To Approve The Resolution Was Made By Director Urquhart And Seconded By President White. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2024-67 Accepting The Lowest Responsible And Responsive Bid For The “Ribera Road Retaining Wall Replacement Project,” Awarding The Construction Contract To Synergy Builders, And Authorizing A Change Order Allowance.***

- 29. Resolution No. 2024-68:** A Resolution Authorizing Execution Of An Amendment To The Agreement Between Pebble Beach Community Services District And CAWD For Use Of The Wastewater Facilities- *By General Manager, Barbara Buikema*

***A Motion To Approve The Resolution, As Amended, Was Made By Director Urquhart And Seconded By President White. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2024-68 Authorizing Execution Of An Amendment To The Agreement Between Pebble Beach Community Services District And CAWD For Use Of Wastewater Facilities .***

*Note: A correction in the formula was presented as the amendment and listed below:*

$$PBCSD \text{ Cost} = C_T \left[ \frac{V_{PB}}{V_T} + 0.075 \right]$$

- 30. Resolution No. 2024-69:** A Resolution Authorizing General Manager Request For Proposal (RFP) legal services-*By General Manager, Barbara Buikema*

***A Motion To Approve The Resolution Was Made By Director Urquhart And Seconded By President White. Following A Roll Call Vote, The Board Unanimously Passed Resolution 2024-69 Authorizing The General Manager To Post An RFP For Legal Services .***

*Director Siegfried requested that Rob Wellington to be on the selection committee. President White, and Director Cole agreed with this request. Mr. Wellington agreed to participating.*

*President White will discuss at a later date who will be appointed to the interview process regarding the RFP for legal services.*

## COMMUNICATIONS

### 31. General Manager Report- *Report by General Manager, Barbara Buikema*

*The Board was requesting additional information on dates regarding Ethics Training. The General Manager, Barbara Buikema, will get back to the Board with some dates. President White, and Directors Cole and Siegfried requested a separate Ethics meeting.*

*Director Urquhart requested the Ad Hoc Committees be posted on the District website so the public will be informed. The Board was in agreement to post who is assigned to Ad Hoc Committees and that they will be posted on the District calendar.*

## OTHER ITEMS BEFORE THE BOARD

*None*

## INFORMATION/DISCUSSION ITEMS

### 32. 9-27-2024 and 10-25-24 Pebble Beach Community Service District Meeting Report- *Report by General Manager, Barbara Buikema*

*Director Siegfried requested information on exit interviews when employees leave the District. In the event of an interview, it would have to occur in a closed session. Director Urquhart suggested hiring a third party to conduct exit interviews.*

*President White suggested that another retreat be looked into with the management employees providing input to the Board. Director Siegfried would like to ask the question to staff to define a plan as to what will be discussed at the retreat. The Board would like some dates presented for the suggested retreat.*

*Director Urquhart requested that the Board should respond to the past suggestions.*

*Director Cole requested that Staff provide more detail on what "Be The Best" means and provide some metrics/goals to define what it is to "Be The Best."*

*Director Rachel brought up the Six Sigma project regarding Fats, Oils, and Grease that once it comes to fruition then perhaps a write up can be submitted that results with in an award/recognition.*

*Superintendent of Collections, Daryl Lauer, requested that the process be started over because of the new faces and new roles that are now in place.*

### 33. Special District Association of Monterey County Report- *Report by General Manager, Barbara Buikema*

*Director Rachel suggested that the County Auditor come speak sometime at the District.*



**34. Laboratory Accreditation Update-Informational Only-Report by, District Engineer, Patrick Treanor**

*District Legal Counsel wanted to remind the Board that questions and or concerns should be framed in a general in manner with what the Board needs to do regarding this item. The General Manager has the purview and oversight of employee discipline related issues, as well as the Supervisors in the chain of command. Do not discuss any employees by name or by position.*

*District Legal Counsel continued to state to the extent that the Board does not get involved at all and deals with any of those matters at all. The Board removes themselves from any consideration if some employee(s) is/are disciplined and wanted to appeal it to the Board the Board would be disqualified from hearing that matter.*

*District Engineer, Patrick Treanor, provided an update on the laboratory and stated a rebuilding process is occurring at the lab. Mr. Treanor stated that there was extensive turnover in the 2023 calendar year. There is a need to increase staff levels to meet the big changes regarding the accreditation for the lab. To meet some of the current challenges samples will be sent to outside labs. In addition, a plan has been established to obtain the reaccreditation for the lab, which will take approximately 18 months. This plan will be approached in tandem with meeting the existing sample requirements, special lab sampling projects, and other daily processes that are required on a daily basis. Staff is asking for assistance from the Board to provide the necessary support to move forward.*

*Director Cole and Urquhart agreed with bringing back after further investigation. Director Siegfried requested consensus on tracking and timing of the notification. However, there was no consensus listed in a motion but Directors Siegfried, Urquhart, and Cole requested information regarding the lab notification.*

*Both Director Siegfried and Urquhart agreed with the tracking and timing of the notification be documented. Director Rachel stated that the Salary and Benefits Committee agreed to have a rebuild plan because that is what is best for the organization and is the most efficient path. Director Rachel stated that there is no one single event that can be called out and the District needs to be moved forward. Director Urquhart requested when the District received the notice and who received it.*

*Director Siegfried would like to agendize that all board members be on the Salary and Benefits committee for the next meeting.*

**Director Urquhart Made The First Motion To Agendize A Discussion Of Continuing The Salary And Benefits Committee:**

- **As Is With Some More Decision Making Feedback Loop With The Board As A Whole.**
- **Or The Board, As A Whole Become The Salary And Benefits Committee.**

***This Motion Was Seconded By Pro Tem Siegfried. Following A Roll Call Vote, With President White Absent, The Board Agreed To Agendize The Salary And Benefits Discussion At The December 19,2024 Regular Board Meeting.***

### **35. 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, November-2024, at 9:30 a.m. – There is no PBSCD meeting .*  
*Friday, December 13, 2024, at 9:30 a.m. – Director Siegfried is scheduled to attend.*

**Special Districts Association (SDA) of Monterey County** – The next SDA meeting is scheduled for:  
*Tuesday, January (TBD), 2025, at 6:00 p.m. –Director Cole is scheduled to attend.*  
*Tuesday, April (TBD), 2025, at 6:00 p.m. –President White is scheduled to attend.*

**Reclamation Management Committee (RMC) Meeting** – The next RMC meeting is scheduled for:  
*Tuesday, November 12, 2024, at 9:30 a.m. President White and Director Rachel are scheduled to attend.*

- *Director Cole’s Report on CASA Conference Information*

*Succession Planning for all other agencies at the CASA conference are in the same boat as this District. At the CASA conference there was a presentation of an algorithmic survey, which seeks compatibility (fitme.com) to find a good fit for new hires into an organizations culture. Director Cole suggested that it might be something to look into.*

*Pro Tem Siegfried stated an adjournment at 12:29 p.m. and then retracted and took a short break instead so the closed session item could be taken up by the Board.*

**36. CLOSED SESSION:** *As permitted by Government Code Section 54956 et seq., the Board of Directors adjourned to a Closed Session to consider specific matters dealing with litigation, certain personnel matters, real property negotiations, or to confer with the District’s Meyers-Millios-Brown representative.*

- A. Public Employee Performance Evaluation:**  
**Pursuant to Government Code Section 54957.6 the Board will meet in closed session to consider a Personnel Matter: General Manager Performance Evaluation**

*The Board entered into the closed session at 12:35 p.m. to discuss the item on the agenda. The Board ended closed session at 12:35 p.m. The Board reconvened into open session at 12:41 p.m. and legal counsel reported out that the board took up the item on the agenda and discussed item and the Board concluded and took action with their approval of the response letter to the union relative to the recent letter that the Union sent to the Board and no further action was taken. Legal counsel then stated the meeting was adjourned.*

*There being no further business to come before the board the meeting was adjourned at 12:41 p.m. then immediately following the first adjournment at 12:41 p.m., Pro Tem Siegfried requested to reconvene back into open session at 12:42 p.m. in order to accept the pulled consent item regarding the November 23, 2024 Pension and Long-Term Investment minutes. These minutes were approved by Directors Cole, Urquhart, and Siegfried, which represented a quorum, President White and Director Rachel were not present. Legal counsel the General Manager and the Board Clerk were present for the final adjournment.*

### **37. ADJOURNMENT (FINAL)**

*There being no further business to come before the Board, the Pro Tem-Siegfried adjourned the meeting at 12:43 p.m. The next Regular Meeting will be held at 9:00 a.m., Thursday, November 21, 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**