



CARMEL AREA WASTEWATER DISTRICT

Salary & Benefits Committee Meeting

3945 Rio Road, Carmel, CA 93923

October 16, 2024
Thursday
3:00PM

Plant Classification & Chief Plant Operator (CPO)

Wastewater Operator Certification Program



Introduction

Topic one- Title 23 Waters Quality Control Board.

Topic two- Wastewater Treatment Plant Classification

Topic three- Wastewater Treatment Plant Staffing Requirements

Topic four- Chief Plant Operator vs Legal Responsible Officer



STATUTES, REGULATIONS, AND OTHER APPLICABLE LAWS

Title 23. Waters Quality Control Boards

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 26, Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration

Article 1. General Provisions, section 3670 Purpose

“The primary purpose of the Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration Program is to protect public health and the environment by providing for the effective operation of wastewater treatment plants, including water recycling treatment plants, through the certification of wastewater treatment plant operators and the registration of contract operators.”

CLASSIFICATION OF WASTEWATER TREATMENT PLANTS



Section 13626 of the California Water Code gives the State Water Resources Control Board (State Water Board) responsibility for classifying all publicly owned wastewater treatment plants and privately owned plants regulated by the Public Utility Commission or Waste Discharge Requirements. **Agencies may not classify their own plants, nor can the Regional Boards assign the designations.**

The Wastewater Operator Certification Program (WWOCP) under the State Water Board, determines the classification of a WWTP by reviewing a completed Wastewater Treatment Facility Classification form, in conjunction with any applicable permits for discharge, an organization chart, flow diagram of the plant, job descriptions for all personnel classifications and duty rosters.

Once the WWOCP reviews the information, the WWTP owner will be sent a letter indicating the classification and appropriate operator grades. However, the WWOCP does not specify how many operators must be employed at each grade level.

CLASSIFICATION OF WASTEWATER TREATMENT PLANTS



WWTPs are classified into five different levels: Class I- Class V. Classifications of a WWTP are issued based on the treatment processes used and the amount of wastewater the WWTP is designed to treat. The operator in charge of the plant, called the Chief Plant Operator (CPO) must hold a valid certificate at or above the level the WWTP is classified.

(a) Class I - Class II - Class III - Class IV - Class V -

Note: All water recycling treatment plants are WWTPs.

(b) A wastewater treatment plant may be classified other than as indicated in subdivision (a) if:

- (1) The wastewater treatment plant uses unconventional or innovative approaches due to conditions of flow or unusual requirements for discharge to receiving water;
- (2) The conditions of flow or the use of the receiving waters require an unusually high degree of wastewater treatment plant operational control; or
- (3) The wastewater treatment plant uses an approved method of wastewater treatment not included in subdivision (a)



Class	Wastewater Treatment Process	Design Flow (million gal/day)
I	Primary.....	1.0 or less
	Conventional Treatment Pond.....	All
II	Primary	>1.0 – 5.0
	Biofiltration.....	1.0 or less
	Modified Treatment Pond.....	All
III	Primary.....	>5.0 – 20.0
	Biofiltration.....	>1.0 – 10.0
	Activated Sludge.....	5.0 or less
	Sequencing Batch Reactor.....	1.0 or less
	Tertiary	1.0 or less
IV	Primary.....	>20.0
	Biofiltration.....	>10.0 – 30.0
	Activated Sludge.....	>5.0 – 20.0
	Sequencing Batch Reactor.....	>1.0 – 10.0
	Tertiary.....	>1.0 – 10.0
V	Biofiltration.....	>30.0
	Activated Sludge.....	>20.0
	Sequencing Batch Reactor.....	>10.0
	Tertiary.....	>10.0



WASTEWATER TREATMENT PLANT STAFFING REQUIREMENTS

3670.1 CERTIFICATION REQUIREMENTS FOR OPERATING WASTEWATER TREATMENT PLANTS

(a) Except as provided in subdivision (b), no person shall operate a wastewater treatment plant without a valid, unexpired, State Water Board –issued operator, provisional operator, or operator-in-training certificate at a grade level appropriate for the class of wastewater treatment plant being operated in sections 3680, 3680.1, and 3680.2.

(b) A person certified by the California Department of Public Health as a water treatment plant operator may operate a water recycling treatment plant at a grade level appropriate for the class of wastewater treatment plant being operated as set forth in sections 3680 and 3680.1



Certificate Requirements for Water Recycling Treatment Plants

Wastewater Treatment Plant Classification	Water Treatment Plant Operator Certificate	Wastewater Treatment Plant Operator Certificate
I	T1	Grade I
II	T2	Grade II
III	T3	Grade III
IV	T4	Grade IV
V	T5	Grade V

(c) Any person who owns or operates a wastewater treatment plant without a valid, unexpired certificate as required by subdivisions (a) and (b) is subject to administrative civil liability as set forth in section 3709 and disciplinary action pursuant to sections 3710 and 3719.12.

(d) Any person who owns or operates a wastewater treatment plant that employs, or allows the employment of, any person performing the duties of an operator who does not hold a valid, unexpired certificate as required by subdivisions (a) and (b) is subject to administrative civil liability as set forth in section 3709 (b)2 and disciplinary action pursuant to sections 3710 and 3719.12.



The Chief Plant Operator (CPO) is the operator responsible for the overall operation of the WWTP and must be a certified WWTP operator at the same grade of, or higher than the level of classification of the WWTP.

The Chief Plant Operator (CPO) is responsible for the overall operation of a wastewater treatment plant (WWTP) including compliance with effluent limitations established in the WWTP's waste discharge requirements and ensuring that operators-in-training (OITs) are supervised directly in accordance with the WWTP Operator Certification Regulations. The CPO has a unique position among all certified operators. The CPO's management and supervisory responsibilities at the WWTP include:

- Overall operation of the WWTP and compliance with the regulations regardless of the facility organizational hierarchy
- Notification to the Wastewater Operator Certification Program (WWOCP) regarding any modifications including process changes at a WWTP by submitting a Plant Classification Form,



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The Designated Operator-in-Charge (DOIC) is a certified operator appointed by the CPO to be responsible for the overall operation of a WWTP, including compliance with the applicable waste discharge requirements when the CPO is unable to carry out the responsibilities of the position. The DOIC reports directly to the CPO.

Both the CPO's and DOIC's minimum required certification levels depend on the WWTP classification. Please see the chart listed below.**

WWTP Classification	Minimum Grade Level of CPO	Minimum Grade Level of DOIC
I	I	I
II	II	I
III	III	II
IV	IV	III
V	V	III

The main difference between a Chief Plant Operator (CPO) and a Legal Responsible Officer (LRO) is that a CPO is responsible for the day-to-day operations of a plant, while an LRO is responsible for the organization's legal affairs:

CHIEF PLANT OPERATOR ROLES COMPARED TO LEGAL RESPONSIBLE OFFICER



- **Chief Plant Operator (CPO)**
Responsible for the overall operation of a wastewater treatment plant (WWTP). This includes troubleshooting, maintaining plant records, and ensuring compliance with effluent limitations. CPOs also provide guidance to shift operators and may serve as an LRO in certain circumstances.

- **Legal Responsible Officer (LRO)**
Responsible for monitoring all legal affairs for an organization, including internal and external legal concerns. LROs may perform a variety of duties, including offering legal advice, processing legal documents, and conducting legal research.

CALIFORNIA INTEGRATED WATER QUALITY SYSTEMS

STORMWATER MULTIPLE APPLICATION & REPORTING TRACKING SYSTEM

GEOTRACKER ESI (ELECTRONIC SUBMITTAL OF INFORMATION)

- Legally Responsible Officials (LROs) and Data Submitters have different levels of access in CIWQS. Data Submitters are authorized to enter data into CIWQS for the facility or collection system to which they have been given access by an LRO
- In addition to Data Submitter rights, LROs are authorized to certify and submit reports for the regulated facility or collection system. LROs have the additional ability to manage active Data Submitters under their facility or collection system.

LEGALLY RESPONSIBLE PERSON

- You must be the Legally Responsible Person (LRP) to submit and certify a SMARTS report on the behalf of a facility. In the simplest terms, the LRP is the individual that certifies the Notice of Intent (NOI) and is responsible for reviewing, validating and certifying the annual report for accuracy and correctness before it is submitted.
- The LRP may assign rights to submit and certify the annual report to an Approved Signatory. An approved signatory maybe other employees designated authority to certify documents on behalf of the LRP. An Approved Signatory cannot be a contractor or consultant.
- A Data Submitter is any individual authorized by the LRP to enter data into SMARTS on behalf of the LRP. A data submitter may be other employees, contractors, labs, etc. A data submitter cannot certify the Annual Report

Per Section 5.1 of General Order 2022-0103-DWQ, the Enrollee shall designate a Legally Responsible Official that has authority to ensure the enrolled sanitary sewer system(s) complies with this Order and is authorized to serve as a duly authorized representative. The Legally Responsible Official must have responsibility over management of the Enrollee's entire sanitary sewer system and must be authorized to make managerial decisions that govern the operation of the sanitary sewer system, including having the explicit or implicit duty of making major capital improvement recommendations to ensure long-term environmental compliance. The Legally Responsible Official must have or have direct authority over individuals that:

- Possess a recognized degree or certificate related to operations and maintenance of sanitary sewer systems, and/or
- Have professional training and experience related to the management of sanitary sewer systems, demonstrated through extensive knowledge, training and experience.

For example, a sewer system superintendent or manager, an operations manager, a public utilities manager or director, or a district engineer may be designated as a Legally Responsible Official

THANK YOU



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WASTEWATER TREATMENT PLANT CLASSIFICATION

The treatment of domestic waste (sewage) is vital to maintain the quality of California's ground water and water ways. Wastewater Treatment Plants (WWTP) are crucial to ensuring that raw sewage is treated appropriately before the resulting treated effluent is discharged to land or water.

Section 13626 of the California Water Code gives the State Water Resources Control Board (State Water Board) responsibility for classifying all publicly owned wastewater treatment plants and privately owned plants regulated by the Public Utility Commission or Waste Discharge Requirements. Agencies may not classify their own plants nor can the Regional Boards assign the designations.

The Wastewater Operator Certification Program (WWOCP) under the State Water Board, determines the classification of a WWTP by reviewing a completed Wastewater Treatment Facility Classification form, in conjunction with any applicable permits for discharge, an organization chart, flow diagram of the plant, job descriptions for all personnel classifications and duty rosters. Once the WWOCP reviews the information, the WWTP owner will be sent a letter indicating the classification and appropriate operator grades. However, the WWOCP does not specify how many operators must be employed at each grade level. If there are any changes in the WWTP that may affect its classification (such as upgrades to accommodate more influent or changes in types of treatment processes used), the owner must submit a new classification form and accompanying documents as

listed above within 30 days of the change. Criteria for classification are specified in the following WWTP Classification Table.

WWTP CLASSIFICATION TABLE*

Class	Wastewater Treatment Process	Design Flow (million gal/day)
I	Primary	1.0 or less
	Conventional Treatment Pond	All
II	Primary	>1.0 - 5.0
	Biofiltration	1.0 or less
	Modified Treatment Pond	All
III	Primary	>5.0 - 20.0
	Biofiltration	>1.0 - 10.0
	Activated Sludge	5.0 or less
	Sequencing Batch Reactor	1.0 or less
	Tertiary	1.0 or less
IV	Primary	>20.0
	Biofiltration	>10.0 - 30.0
	Activated Sludge	>5.0 - 20.0
	Sequencing Batch Reactor	>1.0 - 10.0
	Tertiary	>1.0 - 10.0
V	Biofiltration	>30.0
	Activated Sludge	>20.0
	Sequencing Batch Reactor	>10.0
	Tertiary	>10.0

*Section 3675 of Operator Certification Regulations: California Code of Regulations, title 23, division 3, chapter 26, section 3670 et seq.



WASTEWATER TREATMENT PLANT STAFFING REQUIREMENTS

The Chief Plant Operator (CPO) is the operator responsible for the overall operation of the WWTP and must be a certified WWTP operator at the same grade of, or higher than the level of classification of the WWTP.

The Designated Operator-in-Charge (DOIC) is a certified operator appointed by the CPO to be responsible for the overall operation of a WWTP, including compliance with the applicable waste discharge requirements when the CPO is unable to carry out the responsibilities of the position. The DOIC reports directly to the CPO.

Both the CPO's and DOIC's minimum required certification levels depend on the WWTP classification. Please see the chart listed below.**

WWTP Classification	Minimum Grade Level of CPO	Minimum Grade Level of DOIC
I	I	I
II	II	I
III	III	II
IV	IV	III
V	V	III

** Section 3680(a) of Operator Certification Regulations: California Code of Regulations, title 23, division 3, chapter 26, section 3670 et seq.

UNCLASSIFIED WASTEWATER TREATMENT FACILITIES

Several types of wastewater treatment facilities are not classified by the WWOCP and therefore, operators working at those facilities are not required to be certified. Those facilities include privately owned Industrial WWTPs, such as winery or food processing facilities; Agricultural WWTPs, such as a dairy farm; and many Tribal-owned WWTPs. Additionally, Onsite Wastewater Treatment Systems (OWTS) that are covered by the State Water Board OWTS Policy do not require certified operators. Operators at these facilities are not required to be certified. Any experience earned while working in

operations is **not** recognized by the WWOCP as qualifying experience for certification.

DISCIPLINARY ACTIONS

In order to ensure proper operation of WWTPs and compliance with current Operator Certification regulations and any applicable discharge permits, the State Water Board may impose administrative civil liability for violations. Fines of \$100 per day may be imposed upon 1) any person who operates a WWTP without holding a valid, unexpired certificate at the appropriate grade level or 2) any person who owns or operates a WWTP that employs, or allows the employment of, a person as an operator who does not hold a valid, unexpired certificate of the appropriate grade level. Furthermore, fines of \$5000 per violation may be imposed upon any person for 1) employing fraud or deception in the course of operating a WWTP, 2) failing to use reasonable care or judgement in the operation of a WWTP, 3) willfully or negligently violating, or causing, or allowing the violation of the waste discharge requirements. In addition to fines, the SWRCB may refuse to grant, suspend, or revoke a certificate.

If a WWTP issues a disciplinary action, are they obligated to report it to the WWOCP? The facility owner (or CPO representing the facility owner) is required to provide written notification to the WWOCP within thirty (30) days of any final disciplinary action. Disciplinary action includes reprimanding or placing on probation, suspending, demoting, or discharging an operator, provisional operator, OIT, or contract operator for performing, or allowing or causing another to perform, any act of violation. Only final disciplinary actions that violate the WWTP Operator Certification Regulations and/or the Water Code are reportable to the WWOCP. Owners are not required to report non-operational disciplinary actions due to a DUI or other action that does not have any bearing on the operation of the WWTP. The notice must include the name of the operator, provisional operator, OIT, or contract operator, the specific violations, and the final disciplinary action taken. The notice also must include the operator's certificate number or the contract operator's registration number.

Any person (e.g., a CPO, operator, OIT, or member of the public) who has reason to suspect a violation of the WWTP Operator Certification Regulations and/or the Water Code is encouraged to contact the WWOCP or the Office of Enforcement directly at reportfraud@waterboards.ca.gov or (916)341-5272. Reports can be made anonymously.

EXEMPTION OF A CLASS I WWTP

Some Class I WWTPs may qualify for an exemption, meaning a certified operator would not be required to operate the plant. The WWTP shall be granted an exemption only if the WWOCP determines that the WWTP could not, due to operator error, violate water quality objectives. For more information on applying for an Exemption, please visit the following website http://www.waterboards.ca.gov/water_issues/programs/operator_certification/exempt_wwtp.shtml

For more information, please see section 3675 of the WWTP Operator Certification Regulations. If you have any questions regarding WWTP Classification, please call (916) 341-5819 or email at wwopcertprogram@waterboards.ca.gov.

FOR ADDITIONAL INFORMATION AND PROGRAM UPDATES VISIT THE WASTEWATER OPERATOR CERTIFICATION WEBSITE AT:

http://www.waterboards.ca.gov/water_issues/programs/operator_certification/operator_certification.shtml

CONTACT INFORMATION

State Water Resources Control Board
Wastewater Operator Certification
P.O. Box 944212
Sacramento, CA 94244-2120
Main Telephone: (916) 341-5819
Fax: (916) 341-5734

Email: wwopcertprogram@waterboards.ca.gov



WASTEWATER TREATMENT PLANT CLASSIFICATION





Central Coast Regional Water Quality Control Board



ORDER NO. R3-2014-0012
NPDES NO. CA0047996

**WASTE DISCHARGE REQUIREMENTS
FOR THE CARMEL AREA WASTEWATER DISTRICT TREATMENT PLANT**

The following Discharger is subject to waste discharge requirements as set forth in this Order.

Table 1. Discharger Information

Discharger	Carmel Area Wastewater District
Name of Facility	Carmel Area Wastewater Treatment Plant
Facility Address	26900 State Route One
	Carmel, CA 93923
	Monterey County

Attachment E – Monitoring and Reporting Program (MRP)..... E-1

E. Federal Standard Provisions – Reporting

1. Duty to Provide Information. The Discharger shall furnish to the Central Coast Water Board, State Water Board, or USEPA within a reasonable time, any information which the Central Coast Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Central Coast Water Board, State Water Board, or USEPA copies of records required to be kept by this Order [40 C.F.R. §122.41(h); Water Code §13267].

2. Signatory and Certification Requirements

a. All applications, reports, or information submitted to the Central Coast Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Federal Standard Provisions – Reporting I.E.2.b, I.E.2.c, I.E.2.d and I.E.2.e below [40 C.F.R. §122.41(k)].

b. All permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures [40 C.F.R. §122.22(a)(1)].

c. All reports required by this Order and other information requested by the Central Coast Water Board, State Water Board, or USEPA shall be signed by a person described in Federal Standard Provisions – Reporting I.E.2.b above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

i. The authorization is made in writing by a person described in Federal Standard Provisions – Reporting I.E.2.b above [40 C.F.R. §122.22(b)(1)];

ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall

ment D – Standard Provisions D-6

CARMEL AREA WASTEWATER DISTRICT

ORDER NO. R3-2014-0012
NPDES NO. CA0047996

responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) [40 C.F.R. §122.22(b)(2)]; and

iii. The written authorization is submitted to the Central Coast Water Board and State Water Board [40 C.F.R. §122.22(b)(3)].

e. Any person signing a document under Federal Standard Provisions – Reporting I.E.2.b or I.E.2.c above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [40 C.F.R. §122.22(d)].

Lab Personnel Recruiting

STAFF REPORT



To: Salary and Benefits Committee

From: Patrick Treanor, District Engineer

Date: October 16, 2024

Subject: Lab Analyst Hiring to Maintain Minimum Staffing

RECOMMENDATION

It is recommended that the Salary and Benefits Committee direct the General Manager to bring to the full board a recommendation to hire an additional Lab Analyst to fill the position of an outgoing staff member who has verbally notified management that they plan to resign in early 2025 or sooner.

DISCUSSION

For background, the District currently authorizes the General Manager to hire two Lab Analysts and one Lab Supervisor. The lab must be staffed 7 days a week to meet permit sample collection requirements, so the three lab staff work split schedules to work 7 days a week.

At the current authorized staffing levels, attrition of one staff member in the lab cuts the lab analyst staffing levels in half and total lab staff by a third. It takes 3 to 6 months to hire new staff plus several additional months for new staff to be fully trained.

Management staff currently cannot hire a new staff person until someone resigns. This creates a gap in staffing levels and lab productivity for many months after a resignation. Recent experience has revealed that letting staffing levels drop below 3 people in the lab for an extended period creates issues in meeting basic levels of service for ongoing lab sampling and maintenance of the lab accreditation.

FUNDING

Hiring an additional Lab Analyst I staff member will allow necessary overlap for the staff who is planning to resign. The additional cost to the District will be \$150,000 annually.

RESOLUTION NO. 2024-TBD

A RESOLUTION APPROVING THE HIRE OF AN ADDITIONAL LAB ANALYST I TO FILL THE POSITION OPENING CREATED BY A SEPARATION FROM SERVICE

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WHEREAS, the District has received verbal notice from its current Lab Analyst I of their intent to separate from service; and

WHEREAS, the District has determined that operations in the lab cannot effectively continue with less than a total of three staff members including the time required to hire and train; and

WHEREAS, the current Board authorization allows the General Manager to hire only two Lab Analyst until an individual resigns;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Carmel Area Wastewater District, which is convinced by the staff report on October 31, 2024, For the General Manager to hire an additional Lab Analyst I; now is the most prudent approach to the pending separation of a current Lab Analyst I.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Carmel Area Wastewater District duly held on October 31, 2024, by the following vote:

AYES: BOARD MEMBERS:

NOES:BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

Ken White. President of the Board

ATTEST:

Domine Barriner, Board Clerk

Internet Technology (IT) Intern Shift To Part Time Work

STAFF REPORT



To: Board of Directors
From: Chris Foley, Maintenance Superintendent
Date: October 16, 2024
Subject: Information Technology Internship Update

RECOMMENDATION

It is recommended that the Board of Directors adopt a resolution authorizing the General Manager to categorize the Information Technology (IT) Intern as a part-time employee with a one year contract.

DISCUSSION

The IT intern program has been a success. The IT Intern provides support for mobile device deployment, improved cyber-security, control system programming, and lab instrument software. The intern is gaining valuable real-world experience that will add to their resume when applying to a 4-year universities.

JUSTIFICATION

The average number of intern hours per week is 17 hours with a Monday, Wednesday and Friday schedule. The District has modernized many of the processes such as automation, reporting, purchasing, Smartcover monitors, access control/network cameras, lab instrument software, wireless access points, virtual meetings, redundant network connections at pump stations and mobile work order system.

Exceedio (3rd party support) provides support for the network, Windows platform, network security, hardware upgrades and software installation. This support does not include onsite application support that is very specific to the process. An example would be a networked energy meter is not working and requires troubleshooting. This requires someone onsite with the ability to understand how the system works and also have IT knowledge.

The Maintenance Superintendent has been supporting the onsite applications and as the District moves to a more data centric organization the level of effort to manage the various systems has and will continue to increase. Efficiency of entering data in the field increases but at a lesser cost of requiring more support for the network infrastructure. The level of reporting requirements required by regulatory agencies has increased so it is critical to invest more time in managing data which also provides more insight into processes.

While the Maintenance Superintendent can keep the systems operational there is not time for improvement and many of the resources are under-utilized. The IT intern increases application utilization and provides the additional time required to improve processes which makes other staff more efficient at their jobs.

	2017	Current
Mobile Devices	10	21
Ethernet Devices	57	169
Ransomware Attacks (Astra)		13% Increase- last 5 years

Another valuable aspect of the IT internship. Small businesses and local government are now targets of hacking due to more limited resources. This requires constant improvements to prevent business disruption. Response plans are key and need to be regularly updated to minimize the impact when a system is compromised. Exceedio is consistently updating the business network, but District staff is responsible for updating the automation network. With the assistance of the IT intern updates are completed multiple times per year instead of once per year and improvements are made on a weekly basis to limit attack surfaces. It is a twofold effect when more information technology resources are added they require maintenance and along with these improvements more security must also be added.

SUMMARY

Staff requests extending pro-rated part-time benefits to the intern including paid holidays, sick, health care and vacation. The state considers an IT Intern an employee even with an intern title. Salary would stay the same at \$25.75 per hour.

FUNDING

Treatment Plant Operation and Maintenance Budget- \$40,000 budgeted

RESOLUTION NO. 2024-TBD

A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO
CATEGORIZE THE INFORMATION TECHNOLOGY INTERN AS A PART-
TIME EMPLOYEE WITH A ONE YEAR CONTRACT

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WHEREAS, the District hired an Information Technology (IT) Intern from Monterey Peninsula Community College and has had great success; and

WHEREAS, the District would like to retain the Information Technology intern but convert the position to part time with a one year term limit. The position would be eligible for all benefits on a pro-rated basis; and

WHEREAS, the position provides benefit to the District by increasing application usage and improving processes to make staff more efficient.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Carmel Area Wastewater District, which is convinced by the staff report on October 31, 2024, that the conversion of the IT intern to a part time position would be of benefit to the District and agrees to maintain pay rate and offer pro-rated benefits.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Carmel Area Wastewater District duly held on October 31, 2024, by the following vote:

AYES: BOARD MEMBERS:

NOES:BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

Ken White. President of the Board

ATTEST:

Domine Barriner, Board Clerk

Collection Department Call Back Pay

MEMORANDUM



To: Barbara Buikema
From: Daryl Lauer, Collections Superintendent
Date: October 16, 2024
Subject: **Adding Additional On-call staffing in the Collections Department**

Due to the complex nature of wastewater collection systems, 24/7 staffing is necessary to respond to emergencies and operational challenges. CAWD collections staff respond to numerous types of calls throughout the workday and during the afterhours of the workday. Collection system callouts examples are sewer main line spills, private lateral spills, odor complaints, equipment failure at pump stations, and power outages to name a few. Most of these call-out events require staff to work in the streets operating large equipment and with the public during high level stress events.

During normal business hours CAWD has the staffing level to meet these demands, however it's the afterhours calls that are a concern. By having two collections staff members, the team can respond quickly and safely during these call-out incidents. Collections department currently has only has one on-call operator to respond during afterhours events. The District has historically had three on-call departments, Operations, Maintenance, and Collections. When Operations and Maintenance merged in the late 2000's, Operations department had two on-call positions and eventually went to one on-call position.

Reasons for adding an additional on-call operator in the collections department.

- Safety – having more staff can minimize risk and improve safety awareness.
- Collections staff are the only CAWD employees that have a commercial driver license which is required to drive the large Class B trucks on California roads. No other departments currently on-call can drive the large trucks.
- Additional on-call staff can help de-escalate conflicts and provide support during high stress events such as sewer spills involving customers.
- Collection staff currently calls in additional support during callouts however there has been times during afterhours callouts when no one is available. By adding an addition on-call in collections this assures that skilled personnel will be readily available to respond to any issues that arise.

Comparison of Local Agencies Collections On-Call Staffing:

Marina Coast Water District: 2 on-call staff	Water & wastewater
Monterey One Water: 2 on-call staff	No collection system
City of Seaside: 2 on-call staff	Public works
City of Monterey: 2 on-call staff	Public works
Pebble Beach Community Services District: 2 on-call staff	No treatment works
City of Pacific Grove: 1 on-call staff	Public works

FUNDING

The addition of the on-call position is \$27,375 annually.

Telecommuting Policy Amendment

Staff Report



TO: Board of Directors

FROM: Barbara Buikema, General Manager

DATE: October 16, 2024

SUBJECT: Telecommuting Amendment

RECOMMENDATION

It is recommended that the Board of Directors adopt a resolution authorizing the attached amended telecommuting work policy.

DISCUSSION

During the COVID-19 emergency the District permitted some employees to work remotely if there was appropriate work that lent itself to remote work and if supervisors were able to adequately monitor and enforce district policies. We found that while very few positions lend themselves to remote work, there are a small group of positions that do. The majority of our employees are not able to work remotely because their jobs are attached to the infrastructure and equipment they operate and are customer service related.

Staff has indicated that they would like the Telecommuting Policy to remain in effect. However, now that COVID-19 emergency is considerably diminished, an amendment to the policy statement on remote work is needed. Staff believes the program should remain available; however, the General Manager believes it should only occur with General Manager approval.

FINANCIAL

Minimal additional cost – it should allow us to gain further productivity inasmuch as those who are unable to come to work will still be able to be productive remotely.

CAWD Policies & Procedures	Topic No.:
Function: Operational	Topic: Telecommuting/Remote Work
	Date: Amend October 2024

REMOTE WORK POLICY

Policy Brief

The District Telecommuting/Remote (Remote) Work Policy outlines our guidelines for employees who work from a location other than our offices/facilities. The intent is to ensure that both employees and CAWD will benefit from this arrangements and is not applicable to employees whose primary job involves serving the public or using special equipment or machinery. The employee must be able to perform normal business operations and perform their assigned work duties.

CAWD Policy

Any remote work must first be approved by the General Manager. It will be solely the General Manager's responsibility to approve.

The District will follow all relevant local, state or federal laws regarding employment even if it is remote work for exempt and non-exempt employees.

CAWD Emergency Telecommuting Policy due to COVID-19



2020

Emergency Telecommuting Policy

The purpose of the Emergency Telecommuting Policy is to ensure that essential CAWD functions continue to be performed at an alternative location during the disruption of normal operations and where telecommuting will be beneficial to the employee and the District. The CAWD will implement this Policy in keeping with the mission of the CAWD and the respective Department. This Policy is an emergency policy and the GENERAL MANAGER has discretion to withdraw the Policy if deemed necessary.

The GENERAL MANAGER shall designate and authorize specific times in which an Emergency Telecommuting Agreement (“ETA” or “Agreement”) shall apply. Any ETA is subject to the terms and conditions set forth in this Policy below.

Eligibility Criteria

Telecommuting is not suitable for all employees and/or positions. The GENERAL MANAGER has the discretion to determine the employees and positions who may telecommute on an emergency basis utilizing criteria that includes, but is not limited to:

1. The operational needs of the employee’s department and the CAWD;
2. The potential for disruption to the CAWD’s functions;
3. The ability of the employee to perform their specific job duties from a location separate from his or her CAWD worksite (‘Alternate Worksite’) without diminishing the quantity or quality of the work performed;
4. The degree of face-to-face interaction with other CAWD employees and the public that the employee’s position requires;
5. The portability of the employee’s work;
6. The ability to create a functional, reliable, safe, and secure Alternate Worksite for the employee at a reasonable cost;
7. The risk factors associated with performing the employee’s job duties from a location separate from their CAWD Worksite;
8. The ability to measure the employee’s work performance from a location separate from their CAWD Worksite;
9. The employee’s supervisory responsibilities;
10. The employee’s need for supervision;
11. Other considerations deemed necessary and appropriate by the employee’s immediate supervisor, Department Head, and the Personnel Officer.

Telecommute Assignment:

1. Any ETA is only valid for the time period specified in the Agreement. The Agreement is invalid after this time unless the CAWD approves an extension in writing. The CAWD may, in its discretion, decide to terminate the Agreement earlier.
2. Employee acknowledges and agrees that the ETA is temporary and subject to the discretion of management. Telecommuting will be approved on a case-by-case basis consistent with the eligibility criteria above.
3. Non-exempt employees who receive overtime shall be assigned a work schedule in the ETA, including rest and meal breaks (“Work Schedule”). Any deviation from the Work Schedule must be approved in advance, in writing, by management. Non-exempt employees must take meal and rest breaks while telecommuting, just as they would if they were reporting to work at their CAWD worksite. Non-exempt employees may not telecommute outside their normal work hours without prior written authorization from their supervisor. A non-exempt employee who fails to secure written authorization before telecommuting outside their normal work hours may face discipline in accordance with the CAWD’s policy for working unauthorized overtime.
4. Telecommuting employees are required to be accessible in the same manner as if they are working at their CAWD worksite during the established telecommuting Work Schedule, regardless of the designated location for telecommuting, or “Alternate Worksite.” Employees must be accessible via telephone, email, and/or network access to their supervisor and other CAWD employees while telecommuting, as if working at their CAWD worksite. Employees shall check their CAWD-related business phone messages and emails on a consistent basis, as if working at their CAWD worksite.
5. Employees shall work on a full-time basis, according to the Work Schedule. Employees are required to maintain an accurate record of all hours worked at the Alternate Worksite and make that record available to their supervisor upon request. Employees shall record all non-productive work time on their timesheet.
6. While telecommuting, employees shall adhere to the following:
 - a. Be available to the department via telephone and/or email during all ETA designated work hours.
 - b. Have the Alternate Worksite be quiet and free of distractions, with reliable and secure internet and/or wireless access.
 - c. All periods of employees’ unavailability must be approved in advance by management in accordance with department policy and documented on the appropriate leave of absence slip.
 - d. Employees shall ensure dependent care will not interfere with work responsibilities.

- e. Employees must notify their supervisor promptly when unable to perform work assignments because of equipment failure or other unforeseen circumstances.
- f. If the CAWD has provided CAWD owned equipment, employees agree to follow the CAWD's Policy for the use of such equipment. Employees will report to their supervisor any loss, damage, or unauthorized access to CAWD owned equipment, immediately upon discovery of such loss, damage, or unauthorized access.

General Duties, Obligations and Responsibilities:

Employees must adhere to the provisions set forth in this Policy and the terms of the ETA. Any deviation from the ETA requires prior written approval from the CAWD.

1. All existing duties, obligations, responsibilities and conditions of employment remain unchanged. Telecommuting employees are expected to abide by all CAWD and departmental policies and procedures, rules and regulations, applicable Memoranda of Understanding, and all other official CAWD documents and directives.
2. Employees authorized to perform work at an Alternate Worksite must meet the same standards of performance and professionalism expected of CAWD employees in terms of job responsibilities, work product, timeliness of assignments, and contact with other CAWD employees and the public.
3. Employees shall ensure that all official CAWD documents are retained and maintained according to the normal operating procedures in the same manner as if working at a CAWD worksite.
4. Employees may receive approval to use personal computer equipment or be provided with CAWD issued equipment at the discretion of the GENERAL MANAGER.
5. The CAWD shall not be responsible for costs associated with the use of computer and/or cellular equipment, including energy, data or maintenance costs, network costs, home maintenance, home workspace furniture, ergonomic equipment, liability for third party claims, or any other incidental costs (*e.g.*, utilities associated with the employee's telecommuting).
6. Employees may receive a virtual private network ("VPN") account, as approved by the GENERAL MANAGER.
7. Employees shall continue to abide by practices, policies and procedures for requests of sick leave, vacation, and other leaves of absences. Requests to work overtime, declare vacation or take other time off from work must be pre-approved in writing by each employee's supervisor. If an employee becomes ill while working under an ETA, they shall notify their supervisor immediately and record on their timesheet any hours not worked due to incapacitation.

8. Employees must take reasonable precautions to ensure their devices (*e.g.*, computers, laptops, tablets, smart phones, etc.) are secure before connecting remotely to the CAWD's network and must close or secure all connections to CAWD desktop or system resources (*e.g.*, remote desktop, VPN connections, etc.) when not conducting work for the CAWD. Employees must maintain adequate firewall and security protection on all such devices used to conduct CAWD work from the Alternate Worksite. All are prohibited from working on public Wi-Fi.
9. Employees shall exercise the same precautions to safeguard electronic and paper information, protect confidentiality, and adhere to the CAWD's records retention policies, especially as it pertains to the Public Records Act. Employees must safeguard all sensitive and confidential information (both on paper and in electronic form) relating to CAWD work they access from the Alternate Worksite or transport from their CAWD worksite to the Alternate Worksite. Employees must also take reasonable precautions to prevent third parties from accessing or handling sensitive and confidential information they access from the Alternate Worksite or transport from their CAWD worksite to the Alternate Worksite. Employees must return all records, documents, and correspondence to the CAWD at the termination of the ETA or upon request by their supervisor, Department Head or Human Resources.
10. Employees' salary and benefits remain unchanged. Workers' Compensation benefits will apply only to injuries arising out of and in the course of employment as defined by Workers' Compensation law. Employees must report any such work-related injuries to their supervisor immediately. The CAWD shall not be responsible for injuries or property damage unrelated to such work activities, including injuries to third persons when said injuries occur at the Alternate Worksite.
11. All of Employees' existing supervisory relationships, lines of authority and supervisory practices remain in effect. Prior to the approval of this Agreement, supervisors and employees shall agree upon a reasonable set of goals and objectives to be accomplished. Supervisors shall use reasonable means to ensure that timelines are adhered to and that goals and objectives are achieved.
12. Any breach of the telecommuting agreement by the employee may result in termination of the Agreement and/or disciplinary action, up to and including termination of employment.

Emergency Telecommuting Agreement

Employee Acknowledgement:

I, the undersigned employee (“Employee”), have read the Emergency Telecommuting Policy and the Emergency Telecommuting Agreement (“ETA” or “Agreement”) in their entirety and I agree to abide by the terms and conditions they contain. I understand and agree that the ETA is temporary and contingent upon GENERAL MANAGER approval. Approval does not imply entitlement to a permanently modified position or a continued telecommute arrangement.

I understand and agree that the ETA is voluntary and may be terminated at any time. I further understand that the CAWD may, at any time, change any or all of the conditions under which approval to participate in the ETA is granted, with or without notice.

I agree to and understand my duties, obligations and responsibilities. I also understand it is my responsibility to provide adequate advance notification to my supervisor if I am unable to keep any of the agreed upon commitments and/or deliverables. If I fail to do so, I understand this Agreement may be immediately terminated.

The Agreement is valid from _____ to _____. I understand this Agreement expires on _____ and may not continue unless the CAWD approves a new ETA in writing. The CAWD may rescind this Agreement at any time.

Regularly Assigned Place of Employment: The days and hours the CAWD expects the Employee to be physically present at the CAWD Worksite are the following:

Day	Morning		Lunch	Afternoon		Total Hours
	Start	End		Start	End	
Sunday						
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						

Alternate Worksite: The location and address of the Alternate Worksite is:

Street	CAWD
Zip Code	State

The phone number to reach Employee at the Alternative Worksite while working under this Agreement is:

_____.

The days and hours (“Work Schedule”) the CAWD permits the Employee to be physically present at the Alternate Worksite are the following:

Day	Morning		Lunch	Afternoon		Total Hours
	Start	End		Start	End	
Sunday						
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						

The Employee agrees to report work-related injuries to the Employee’s supervisor at the earliest reasonable opportunity. The Employee agrees to hold the CAWD harmless for injury to third parties at the Alternate Worksite.

I hereby affirm by my signature that I have read this Emergency Telecommuting Agreement, and understand and agree to all of its provisions.

Employee's Name and Title Date

Employee's Supervisor's Name and Title Date

General Manager Date

Submit the completed and executed Agreement to HR

RESOLUTION NO. 2024-TBD

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE DISTRICT'S
TELECOMMUTING WORK POLICY

-oOo-

WHEREAS, the District on occasion requires the work of employees who work from a location other than our offices/facilities; and

WHEREAS, the District reviewed the attached policy and is in agreement that remote work should only occur when it is approved by the General Manager; and

WHEREAS, the District acknowledges that any remote work must follow existing district work policy; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Carmel Area Wastewater District, which is convinced by the amended policy attached to this resolution, Remote Work as amended October 2024 is permissible under approval from the General Manager.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Carmel Area Wastewater District duly held on October 31, 2024, by the following vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

Ken White, President of the Board

ATTEST:

Domine Barringer, Board Clerk

Succession Plan

Staff Report



TO: Board of Directors

FROM: Barbara Buikema, General Manager

DATE: October 16, 2024

SUBJECT: Succession Plan

RECOMMENDATION

It is recommended that the Board of Directors adopt a resolution authorizing the attached Organization Chart changes.

DISCUSSION

Over two years ago staff began the process of updating the Organization Chart in anticipation of retirement in a key position. The resulting changes have been reported to the Salary/Benefits Committee and discussed over the course of the last two years. Some changes have already been implemented, but the larger reorganization outlook for the District is now being brought to the full Board for a broader discussion and possible final decisions. Unfortunately, we were not aware that the Board's preferred approach was to present to the full Board. This action is intended to correct that error.

Operations Superintendent, Ed Waggoner is projected to retire in April 2025, which is a significant position at the facility. What staff agreed upon was a facility model that harkens back to 2011 when Superintendent Mark Scheiter left the District's employment. At that time the Operations Superintendent managed the facility operations, maintenance, and the lab. After Mr. Scheiter's departure the District shifted Operations such that we eliminated double Operations Supervisors and double Lead Operators – frankly the structure was too confusing for the operators. We also set up a separate Maintenance Superintendent position, which proved wise given the failure of the effort to combine operations and maintenance duties with the operators.

The result in 2011 was a somewhat top-heavy organization with three superintendents (Operations, Maintenance, Collections). The recommendation with Mr. Waggoner's retirement is to consolidate the Operations and Maintenance Superintendents positions and create a Facilities Manager to oversee those employees and to transfer lab operations to the District Engineer. The supervision of the lab has already been transferred to the District Engineer. The "Facilities Manager" will be responsible for 11 employees. Approximately 20 percent of the Safety Officers hours will be supervised by the District Engineer. The current Operations Supervisor will become the Chief Plant Operator/Supervisor.

Where do we go in the future after this proposed change? Over the next few years we need to incentivize at least one of our current Grade III operators to earn their Grade IV certification. We will also need to take a closer look at the maintenance department and possibly promote or hire someone into a Maintenance Superintendent position.

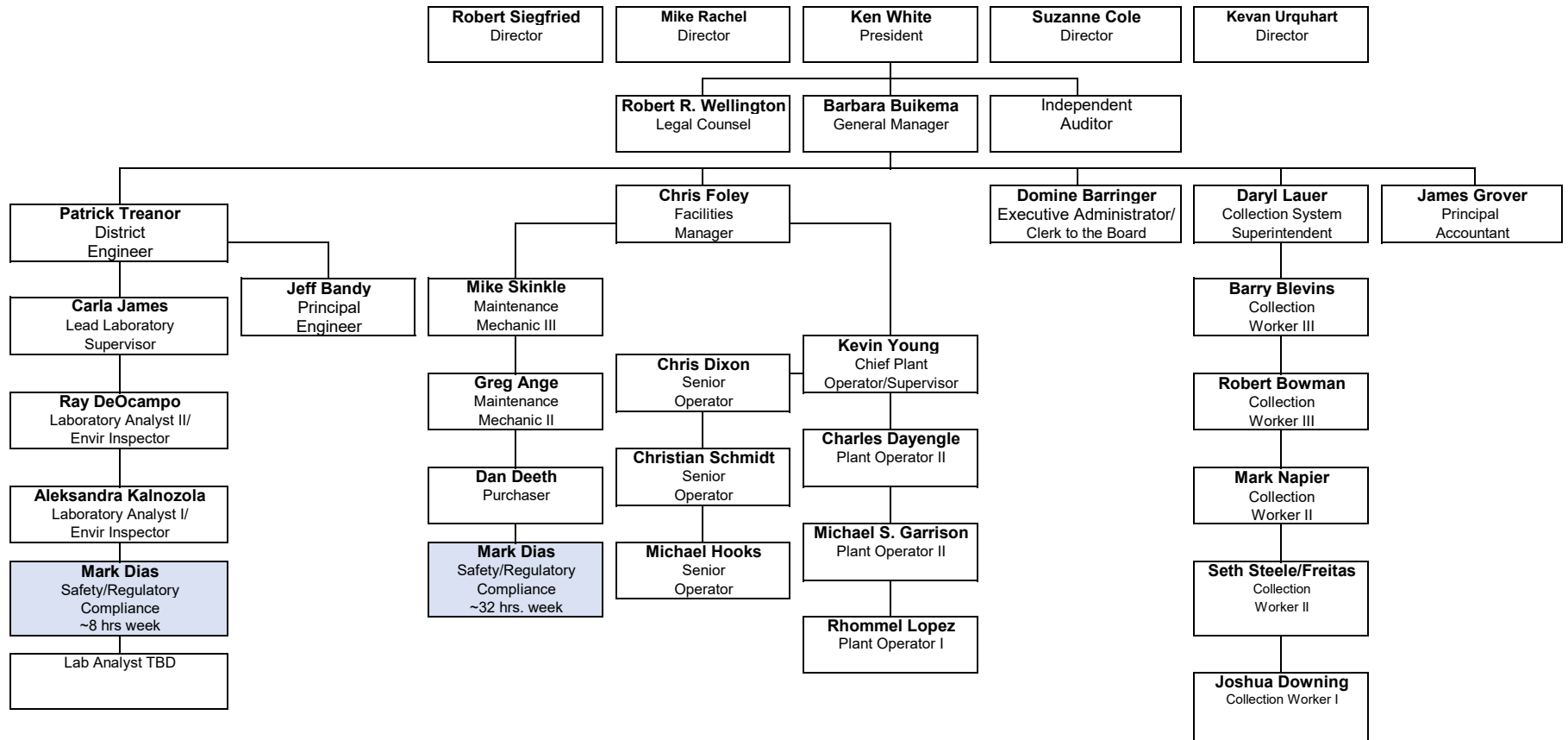
The District will also need to recruit an external candidate for the Principal Accountant position as this individual is also nearing retirement.

FINANCIAL

None at this time – we are reallocating existing salaries.

CARMEL AREA WASTEWATER DISTRICT

PROPOSED ORGANIZATION CHART



RESOLUTION NO. 2024-TBD

A RESOLUTION ADOPTING THE PROPOSED ORGANIZATIONAL
CHART CHANGES EFFECTIVE WITH THE RETIREMENT OF THE
OPERATIONS SUPERINTENDENT

-oOo-

WHEREAS, the District Operations Superintendent will be retiring in April 2025 which will necessitate a change in the organizational structure; and

WHEREAS, the District has determined that combining Maintenance and Operations under a single manager is the most efficient path forward; and

WHEREAS, the current Maintenance Superintendent and Operations Supervisor have the skills necessary along with the track record to ensure the proposed change will be successful.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Carmel Area Wastewater District, which is convinced by the staff report on October 31, 2024, and the attached organization chart that this proposal has merit and hereby authorizes the General Manager to implement.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Carmel Area Wastewater District duly held on October 31, 2024, by the following vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

Ken White. President of the Board

ATTEST:

Domine Barriner, Board Clerk

Adjournment