



**CARMEL AREA WASTEWATER DISTRICT**  
**REGULAR BOARD MEETING MINUTES**  
*Thursday, 9:00 a.m., August 29, 2024*  
**3945 Rio Road**  
**Carmel, California 93950**

*Via Teleconference Webinar & In Person with Proof of Vaccination*

---

**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, Urquhart

**Absent:** None

**A quorum was present.**

**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  
Chris Foley, Maintenance Superintendent, CAWD  
Mark Dias, Safety & Compliance Officer  
Daryl Lauer, Collections Superintendent, CAWD  
Ed Waggoner, Plant Superintendent, CAWD  
Kevin Young, Plant Supervisor, CAWD\*  
Rob Wellington, Wellington Law Offices, CAWD Legal Counsel  
Leo Laska, President, Pebble Beach Community District (PBCSD)  
Nick Becker, General Manager, PBCSD

**In Person Public Attendees:**

Ryan Heron| Labor Relations Representative LiUNA Local 792

**\*Virtual Public Attendees:**

Hunter Leighton| Constituent  
Alexis Schweisinger| Green Infrastructure Design  
Ashley Asta| Green Infrastructure Design  
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.*

*Director Siegfried stated that budget session is approaching and asked that part of the newsletter being converted to an email format. Director Siegfried would like to agendize a discussion about that topic before the budget begins. The Board was in consensus.*

*Ryan Heron made an introduction as the Union Representative of LiUna Local 792 and that he represents the employees of the District and addressed the letter he submitted to the Board. The Board is in receipt of the letter.*

*Hunter Leighton requested the District conduct an audit of Accessory Dwelling Units.*

*Alexis Schweisinger made an introduction and stated they are currently working with District on Geographical Information Systems (GIS) issues.*

*Ed Waggoner, Superintendent of Plant, addressed the Board regarding the laboratory.*

*The information that Mr. Littman submitted to the board was given to all board members. Mr. Littman was not present during the meeting.*

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

*Insertion of the Workplace Violence Staff Report was presented on screen during the presentation of the program to the Board and was posted to the District website as a separate item.*

## 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 July request that any item be placed on the Regular Agenda for separate consideration.*

### **Board Action**

***A Motion To Receive And Approve The Consent Agenda Was Made By Director Urquhart And Seconded By Director Cole. After A Roll Call Vote, The Board Unanimously Received And Approved The Following Consent Calendar/Agenda.***

*Director Cole asked about Page 9 on the meeting notes regarding the July 25 meeting minutes that clarification was needed and that eminent domain was a fallback position and avoid it if at all possible. Director Cole read the Board Action: "A Motion Was Made By President White And Seconded By Director Urquhart To Be Able To Pursue All Possible Options Of All Real Property Acquisition In Furtherance Of This Project."*

*Director Urquhart stated that the legal counsel's language needs to be legally correct, but it does not reflect the intent of the motion or the Board's time. Director Urquhart suggested that something be emphasized in notes that what Director Cole is saying is that eminent domain is that last resort, and the District would attempt to avoid it. As it is shown in the notes it does not reflect the intent of the motion. The Board did not forgo eminent domain, but we were also making a statement that it is the last resort and last choice option.*

3. July 25,2024 Regular Board Meeting Minutes, August 13, and 15 Pension & Investment -Long Term Investments, August 21, 2024 Bridge To Everywhere Minutes
4. Receive and Accept Bank Statement Review by Clifton Larson Allen (CLA)-July 2024
5. Receive and Accept Schedule of Cash Receipts & Disbursements-July 2024
6. Approve Register of Disbursements – Carmel Area Wastewater District-July 2024
7. Approve Register of Disbursements – CAWD/PBCSD Reclamation Project –July 2024
8. Receive and Accept Financial Statements and Supplementary Schedules –July 2024
9. Receive and Accept Collection System Superintendent's Report – July, June & May 2024, & 2024 Sewer System Management Plan Audit Report
10. Receive and Accept Safety and Regulatory Compliance Report –July 2024
11. Receive and Accept Treatment Facility Operations Report – July, June & May 2024
12. Receive and Accept Laboratory/Environmental Compliance Report –July 2024
13. Receive and Accept Capital Projects Report/Implementation Plan
14. Receive and Accept Project Summaries – Capital & Non-Capital
15. Receive and Accept Plant Operations Report July 2024  
*With flyer from Water Awareness Committee of Monterey County, Inc.*
16. Receive and Accept Maintenance Projects Report – July 2024
17. Receive and Accept Source Control-Environmental Compliance Report- July 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**

- 18. Resolution No. 2024-42; A Resolution Approving A Contribution Of \$100,000 To The District's CalPERS Section 115 Account As Part Of The Budget Process For Fiscal Year 2024-25- Report by General Manager, Barbara Buikema**

*A Motion To Table The Resolution Was Made By Director Siegfried And Seconded By Director Rachel. Following A Roll Call Vote With Ayes From Directors Cole, Rachel, Siegfried, Urquhart, And A No Vote from President White, The Board Tabled Resolution 2024-42 until a more rigorous analysis of what is being done from extracting this money from the public can be presented to the Board.*

- 19. Resolution No. 2024-47; A Resolution Authorizing The General Manager To Purchase A Collections Truck In Fiscal Year 2024-25 In An Amount Not To Exceed \$63,000- Report by Superintendent Of Maintenance, Chris Foley**

*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 2024-47, Authorizing The General Manager To Purchase A Collections Truck In Fiscal Year 2024-25 In An Amount Not To Exceed \$63,000 .*

- 20. Resolution No. 2024-48; A Resolution Authorizing The General Manager To Purchase A Portable Generator In Fiscal Year 2024-25 In An Amount Not To Exceed \$69,828- Report by Superintendent Of Maintenance, Chris 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 2024-48, Authorizing The General Manager To Purchase A Portable Generator In Fiscal Year 2024-25 In An Amount Not To Exceed \$69,828.*

- 21. Resolution No. 2024-49; A Resolution Authorizing The General Manager To Purchase A Pool Vehicle In Fiscal Year 2024-25 In An Amount Not To Exceed \$42,000-Report by Superintendent Of Maintenance, 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 2024-49, Authorizing The General Manager To Purchase A Pool Vehicle In Fiscal Year 2024-25 In An Amount Not To Exceed \$42,000.*

- 22. Resolution No. 2024-50; A Resolution Authorizing The Annual Adjustment Of the District's Reserve Fund Balances By Transferring \$8,255,948 To The Capital Fund And \$4,645,442 To The Capital Fund From the General Operations & Maintenance Fund And Capital Improvement Reserve, Respectively, In Accordance With The District's Reserve Policy-Report by General Manager, Barbara Buikema**

*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 2024-50, Authorizing The Annual Adjustment Of the District's Reserve Fund Balances By Transferring \$8,255,948 To The Capital Fund And \$4,645,442 To The Capital Fund From the General Operations & Maintenance Fund And Capital Improvement Reserve, Respectively, In Accordance With The District's Reserve Policy.*

- 23. Resolution No. 2024-51; A Resolution Authorizing The General Manager To Enter Into A Contract With Osborne Partners For Investment Management Services For The District Legacy Defined Benefit Pension Plan-Report 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 2024-51, Authorizing The General Manager To Enter Into A Contract With Osborne Partners For Investment Management Services For The District Legacy Defined Benefit Pension Plan.*

- 24. Resolution No. 2024-52; A Resolution Authorizing The General Manager To Invite Bids For The Construction Of A Replacement Timber Retaining Wall –Ribera Road-Report by Principal Engineer, Jeff Bandy**

*A Motion To Approve The Resolution Was Made By Director Cole And Seconded By Director Rachel, With Director Urquhart Abstaining. Following A Roll Call Vote, The Board Passed Resolution 2024-52, Authorizing The General Manager To Invite Bids For The Construction Of A Replacement Timber Retaining Wall–Ribera Road.*

## **COMMUNICATIONS**

- 25. General Manager Report- Report by General Manager, Barbara Buikema**

## **OTHER ITEMS BEFORE THE BOARD**

- 26. Ad Hoc Committee Member Selection: Director Concerns & National Association of Corporate Directors**

- *Director Urquhart volunteered his participation in a previous board meeting.*
- *Requesting another Director to join and for the Board to provide the naming convention.*

*Director Siegfried stated that the National Association of Corporate Directors at the last meeting was determined to be optional. Director Siegfried stated that Director Urquhart's concerns should be added directly to the agenda going forward instead of establishing another committee.*

*Director Urquhart's recollection is that the Directors were asked what they would like to see evaluated in the future. The suggestion was that there should be the creation of an ad hoc committee be formed to review and come back to the Board, it is up to the Board to decide how they would like to proceed.*

*President White suggested that the ad hoc committee not be formed and agreed to add these items directly to future agendas.*

*Barbara Buikema, General Manager requested that either Director Urquhart or Siegfried get back to her about the outstanding items to be added to future agendas. There was no objection from the Board.*

## **INFORMATION/DISCUSSION ITEMS**

- 27. Wastewater Treatment Plant (WWTP) Bi- Annual Electricity Use Update-** *Report by District Engineer, Patrick Treanor*
- 28. Pebble Beach Community Service District Meeting July 26, 2024,-***Report by General Manager, Barbara Buikema*
- 29. Discussion Regarding The Ordinance Governing Use of Existing Private Laterals,-***Report by District Engineer, Patrick Treanor*
- 30. Presentation to Monterey Peninsula Regional Park District, August 21,2024 ,-***Report by General Manager, Barbara Buikema*
- 31. Work Place Violence Prevention Program Draft,-***Report by Safety and Compliance Officer, Mark Dias*

*Note: PowerPoint Presentation At The Board Meeting*

*The Work Place Violence Prevention Staff Report was added during the meeting and was posted to the District website as a separate item. Mark Dias presented the PowerPoint presentation for the Draft Work Place Violence Prevention Program during the meeting.*

- 32. Post Mortem Corona Road,-***Report by General Manager, Barbara Buikema*

*Note: Informational only*

### 33. **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:  
*August - 2024, – No Scheduled PBCD meeting.*  
*Friday, September 27, 2024, at 9:30 a.m. – Director Rachel is scheduled to attend.*

**Special Districts Association (SDA) of Monterey County** – The next SDA meeting is scheduled for:  
*Tuesday, October 15, 2025, at 6:00 p.m. –Director Rachel is scheduled to attend.*  
*Tuesday, January (TBD), 2025, at 6:00 p.m. –Director Cole 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.*

- *President White requested that the Board follow up on the staff request from the past board retreat.*
- *Director Siegfried attended the Annual California Extreme Precipitation Symposium in July 2024.*
- *Director Siegfried received confirmation that the public is reading the CAWD Connection newsletter.*
- *Director Siegfried commented on open source software with respect to some of the District licensing fees. He stated that some foreign nations have switched to open source software. Perhaps this is something that the District should consider.*
- *Director Cole complimented the District staff on their knowledge and professionalism in their roles at the District.*
- *Director Cole commented on her participation in the CASA conference and that it provided a wealth of information regarding wastewater and sanitary treatment.*

34. **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. 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**

**B. Public Employee Labor Negotiations-Unrepresented Employee**

Pursuant to Government Code Section 54957.6 the Board will meet in closed session to consider a Personnel Matter: **General Manager**

The board took a break at 11:30 am before going into closed session. The board went into closed session at 11:45 a.m. and closed session ended at 1:15 p.m. The Board reconvened into open session at 1:15 p.m., and Legal Counsel reported out that the board took up the items on the agenda and discussed item 34A regarding the performance evaluation of the General Manager and item 34B regarding the negotiation of the unrepresented employee regarding the General Manager. Only time Item 34A was taken up in this session by the Board and was concluded by the Board. Any future negotiations regarding item 34B has been referred to a subcommittee to discuss that matter. There was no reportable action taken.

### 35. ADJOURNMENT

There being no further business to come before the Board, the President adjourned the meeting at 1:17 p.m. The next Regular Meeting will be held at 9:00 a.m., Thursday, September 26, 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