

NOTICE OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
OLIVENHAIN MUNICIPAL WATER DISTRICT

1966 Olivenhain Road

Encinitas, CA 92024

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Pursuant to AB 3035, effective January 1, 2003, any person who requires a disability related modification or accommodation in order to participate in a public meeting shall make such a request in writing to Naomi Sabino, Executive Secretary, for immediate consideration.

DATE: WEDNESDAY, OCTOBER 28, 2009

TIME: 8:00 A.M.

PLACE: DISTRICT OFFICE

NOTE: ITEMS ON THE AGENDA MAY BE TAKEN OUT OF SEQUENTIAL ORDER AS THEIR PRIORITY IS DETERMINED BY THE BOARD OF DIRECTORS

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. DETERMINATION OF A QUORUM
5. ADOPTION OF AGENDA
6. PERSONAL APPEARANCES AND PUBLIC COMMENTS
7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS
* Bill Duvel – 25 Year Service Anniversary
8. CONSIDER APPROVAL OF THE MINUTES OF THE OCTOBER 14, 2009 REGULAR BOARD OF DIRECTORS MEETING
9. CONSENT CALENDAR

NOTE: ANY ITEM MAY BE REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

- C-a CONSIDER ADOPTION OF A MOTION APPROVING THE PAYMENT OF LISTED WARRANTS FROM THE DISTRICT'S REVOLVING AND REGULAR ACCOUNTS; LISTED TRANSFERS OF FUNDS; REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS AND STAFF; AND MONTHLY INVESTMENT REPORT

- C-b CONSIDER ADOPTION OF A MOTION APPROVING OF THE DISTRICT'S "UNAUDITED" INCOME STATEMENT, BUDGET SUMMARY WITH NOTES EXPLAINING SIGNIFICANT VARIANCES, AND CONSTRUCTION IN PROGRESS REPORT
10. CONSIDER INFORMATIONAL REPORT FROM THE GENERAL MANAGER ON CLIMATE CHANGE ISSUES
 11. CONSIDER AN AGREEMENT WITH THE ELFIN FOREST HARMONY GROVE VOLUNTEER FIRE DEPARTMENT (EFHGVFD) FOR EMERGENCY FIRE AND MEDICAL SERVICES FOR THE ELFIN FOREST RECREATIONAL RESERVE (EFRR) IN THE AMOUNT OF \$20,000 ANNUALLY AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
 12. CONSIDER STATUS REPORT ON STATE AND FEDERAL LEGISLATION
 13. CONSIDER APPROVAL OF REVISED DISTRICT LEGISLATIVE GUIDELINES FOR 2010
 14. CONSIDER ADOPTION OF AN ORDINANCE UPDATING THE DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (ARTICLE 8 – WATER RATES AND CHARGES)
 15. CONSIDER ADOPTION OF A RESOLUTION APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE; AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH
 16. CONSIDER AWARD OF A CONTRACT TO AZTEC LANDSCAPING, INC. FOR THE CONSTRUCTION OF THE DISTRICT HEADQUARTERS' IRRIGATION AND LANDSCAPING IN THE AMOUNT OF \$135,429.75, AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
 17. CONSIDER APPROPRIATING \$450,000 FROM THE RECYCLED WATER CAPITAL FUND FOR THE CONSTRUCTION OF THE SAN DIEGO RECYCLED WATER CONNECTION NO 2
 18. CONSIDER AN INFORMATIONAL REPORT AND SETTING OF A TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S POTABLE WATER CAPACITY FEES FOR CY 2010 (November 18, 2009 – 5:30 P.M.)
 19. CONSIDER APPROVAL OF A MEMORANDUM OF UNDERSTANDING REGARDING SETTLEMENT TERMS AND CONDITIONS BETWEEN THE DISTRICT, SAN DIEGO COUNTY WATER AUTHORITY, AND THE CITY *[PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)]* (CLOSED SESSION)
 20. RECEIVE AND DISCUSS ENGINEER'S REPORT ON ASSESSMENTS FOR THE 2007 REASSESSMENT DISTRICT NO. 96-1 BONDS

21. CONSIDER A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT APPROVING AN ENGINEER'S REPORT ON ASSESSMENTS FOR THE 2007 REASSESSMENT DISTRICT NO. 96-1 BONDS AND APPROVING A SETTLEMENT AGREEMENT WITH THE SAN DIEGO COUNTY WATER AUTHORITY AND CITY OF SAN DIEGO

22. INFORMATIONAL REPORTS
 - A. PRESIDENT
 - B. GENERAL MANAGER
 - C. CONSULTING ENGINEER
 - D. GENERAL COUNSEL
 - E. SAN DIEGO COUNTY WATER AUTHORITY REPRESENTATIVE
 - F. METROPOLITAN WATER DISTRICT REPORT
 - G. IRWMP COMMITTEE REPORT
 - H. TWELVE MONTH CALENDAR / OTHER MEETINGS / REPORTS BY BOARD MEMBERS PERAB 1234
 - I. LEGISLATIVE REPORT
 - J. LAFCO ADVISORY COMMITTEE

23. CORRESPONDENCE

24. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

25. FUTURE AGENDA ITEMS

26. CONSIDER PUBLIC COMMENTS

27. CLOSED SESSION
 - A) CONSIDER LITIGATION ON THE GREGORY CANYON RECYCLED WATER AGREEMENT (BEL ETAGE-SAVENNA) *[PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)]*
 - B) CONSIDER POTENTIAL LITIGATION – SAN DIEGO COUNTY WATER AUTHORITY / HODGES ISSUES *[PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)]*

28. ADJOURNMENT