

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

JANUARY 13, 2021

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, January 13, 2021 at the district office, 1966 Olivenhain Road, Encinitas, California via video conference.

President Watt called the meeting to order at 4:00 p.m. Following the Pledge of Allegiance, the Assistant Secretary called the roll. Directors present were Bruce-Lane, Guerin, Sprague, Topolovac, and Watt. It was noted that Directors Bruce-Lane, Guerin, Sprague, Topolovac, and Watt participated in the meeting via teleconference in accordance with Governor Newsom's Executive Order, which allows for local or state legislative bodies to hold meetings via teleconference, to make meetings accessible electronically, and waives certain Brown Act provisions as stated in Item 11 of the Executive Order.

President Watt declared a quorum present and ordered the meeting to proceed. In attendance via video conference were Kimberly Thorner, General Manager; Alfred Smith, General Counsel; Joey Randall, Assistant General Manager; Rainy Selamat, Finance Manager; Jason Hubbard, Engineering Manager; John Carnegie, Customer Services Manager; Geoff Fulks, Operations Manager; Jennifer Joslin, Human Resources Manager; Don MacFarlane, Consulting Engineer; Teresa Chase, Administrative Analyst; Jesica Cleaver, Administrative Analyst; and Stephanie Kaufmann, Executive Secretary.

Additionally, the following phone numbers called into the meeting: (760) 753-6466, (858) 243-6374, (619) 992-1614, and (619) 838-9065.

5. ADOPTION OF AGENDA

Director Sprague moved to adopt the agenda, seconded by Director Topolovac and approved by the following roll call vote:

AYES:	Directors Bruce-Lane, Guerin, Sprague, Topolovac, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

Customer Gregg Gechoff expressed his concerns with State's water efficiency laws, OMWD rate increases, and the cost of OMWD administrative offices.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

Awards and honorable mentions will be presented at a later date.

8. CONSIDER APPROVAL OF THE MINUTES OF THE DECEMBER 9, 2020 REGULAR BOARD OF DIRECTORS MEETING, MINUTES OF THE DECEMBER 9, 2020 ANNUAL BOARD OF DIRECTORS MEETING OF THE OMWD FINANCE CORPORATION, AND MINUTES OF THE DECEMBER 9, 2020 BOARD OF DIRECTORS MEETING OF THE OMWD FINANCING AUTHORITY (JOINT POWERS AUTHORITY)

Director Guerin moved to approve the December 9, 2020 Regular Board of Directors meeting minutes, minutes of the December 9, 2020 annual Board of Directors meetings of the Finance Corporation, and minutes of the December 9, 2020 Board of Directors meeting of the OMWD Financing Authority, seconded by Director Sprague and approved by the following roll call vote:

AYES:	Directors Bruce-Lane, Guerin, Sprague, Topolovac, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

9. CONSENT CALENDAR

- 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; AND REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS AND STAFF
- C-b CONSIDER ADOPTION OF A MOTION APPROVING THE DISTRICT'S CONSOLIDATED STATEMENT OF NET POSITION, CONSOLIDATED STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION, CONSOLIDATED STATEMENT OF CASH FLOWS, CONSOLIDATED ACTUAL VS BUDGET SUMMARY, AND CONSTRUCTION IN PROGRESS REPORT
- C-c CONSIDER 2020 ANNUAL OBJECTIVES FINAL STATUS REPORT
- C-d CONSIDER ACCEPTANCE OF THE BEACON FIRE HYDRANT AND WATER SERVICE RELOCATION PROJECT (AP BEACON CARLSBAD, LP) INTO THE DISTRICT'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-e CONSIDER THE RELEASE OF A PORTION OF DISTRICT EASEMENT NO. 588 RELATED TO THE BEACON FIRE HYDRANT AND WATER SERVICE RELOCATION PROJECT AND ORDER A QUITCLAIM DEED FILED

- C-f CONSIDER ACCEPTANCE OF THE MAIN EXTENSION 256 – SANTA FE HEIGHTS (SANTA FE VENTURES, LLC) INTO THE DISTRICT’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-g CONSIDER ACCEPTANCE OF AMI EXPANSION PHASE VI (AQUA METRIC SALES COMPANY, INC.) INTO THE DISTRICT’S SYSTEM AND ORDER THAT A NOTICE OF COMPLETION BE FILED

President Watt moved to authorize the Consent Calendar items, seconded by Director Topolovac and approved by the following roll call vote:

AYES: Directors Bruce-Lane, Guerin, Sprague, Topolovac, and Watt
NOES: None
ABSTAIN: None
ABSENT: None

10. CONSIDER ADOPTION OF AN ORDINANCE AMENDING OLIVENHAIN MUNICIPAL WATER DISTRICT’S ADMINISTRATIVE AND ETHICS CODE (Article 2—Organization of Board of Directors)

Upon motion by Director Sprague and a second by Director Guerin, confirmation of the officer positions for 2021 and 2022 and Ordinance 482 was adopted by the following roll call vote:

AYES: Directors Bruce-Lane, Guerin, Sprague, Topolovac, and Watt
NOES: None
ABSTAIN: None
ABSENT: None

11. CONSIDER A POTENTIAL NEW PROPOSED BOARD COMMITTEE, FOLLOWED BY COMMITTEE ASSIGNMENTS TO BE MADE BY BOARD PRESIDENT

President Watt appointed the following committee assignments:

Standing Finance Committee – Directors Watt and Guerin
Standing Personnel Committee – Directors Watt and Bruce-Lane
Standing Safety Committee – Directors Topolovac and Sprague
Ad Hoc Facilities Subcommittee – Directors Topolovac and Sprague
Ad Hoc Public Outreach Subcommittee – Directors Guerin and Bruce-Lane
Ad Hoc Cybersecurity Subcommittee – Directors Topolovac and Bruce-Lane
Ad Hoc Public Policy Subcommittee – Directors Topolovac and Guerin
EFRR Executive Committee – Directors Watt and Bruce-Lane
Ad Hoc Conservation Committee – Directors Guerin and Sprague

Director Bruce-Lane moved to form a SDCWA subcommittee. The motion failed for lack of a second.

12. CONSIDER APPROVAL OF AN ORDINANCE TO UPDATE ARTICLE 2 OF THE OMWD ADMINISTRATIVE AND ETHICS CODE PROVIDING CLARIFICATION OF THE SAN DIEGO COUNTY WATER AUTHORITY REPRESENTATIVE SELECTION PROCESS

Director Topolovac requested that the beginning of the third sentence of the ordinance be changed from “Any member of the Board or General Manager” to “Only a member of the Board or General Manager.”

Upon motion by President Watt and a second by Director Guerin, Ordinance 483 was adopted by the following roll call vote to include Director Topolovac’s edit:

AYES:	Directors Bruce-Lane, Guerin, Sprague, Topolovac, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

13. CONSIDER DRAFT ANNUAL OBJECTIVES AND INCENTIVE PAY FOR CALENDAR YEAR 2021

Staff Analyst Chase reviewed this item and requested board input. The final annual objectives will included on the February 10, 2021 consent calendar.

Minor edits were made to the draft annual objectives and the following objectives were added:

Goal 3, Objective 23: Report to board on the status of EFRR parking lot expansion efforts and the safety of ingress and egress at EFRR.

Goal 8, Stretch objective: Engage and influence SDCWA to review education programs to include focus on water infrastructure.

Director Topolovac moved to approve a maximum potential amount of incentive pay of \$7,200 for the General Manager for CY 2021, to be reviewed and determined by the board at the November 2021 board meeting, seconded by Director Guerin and approved by the following roll call vote:

AYES:	Directors Bruce-Lane, Guerin, Sprague, Topolovac, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

14. CONSIDER INFORMATIONAL REPORT ON WATER SUPPLY CONDITIONS AND LONG-TERM WATER USE EFFICIENCY LEGISLATION

Administrative Analyst Cleaver presented the informational report.

15. CONSIDER STAFF PRESENTATION ON PROPOSED 2021 POTABLE AND RECYCLED WATER RATES AND CHARGES (INFORMATIONAL ITEM)

Finance Manager Selamat presented the informational item. Staff will bring the proposal back to the board for final consideration for approval and adoption at the March 17 board meeting.

Director Bruce-Lane asked for clarification of the delayed non-critical water infrastructure projects due to COVID-19 in the presentation. Finance Manager Selamat indicated that the delayed projects were the Residuals Handling Building Canopy Project, the David McCollom Water Treatment Plant Centrifuge Unit 2 project, and the San Dieguito Valley Groundwater Project.

16. CONSIDER UPDATE ON THE 4S WATER RECLAMATION FACILITY AND CIELO PUMP STATION ENERNOC CONTROLS REMOVAL AND CIELO PUMP STATION AUTOMATIC TRANSFER SWITCH REPLACEMENT EMERGENCY PROJECT AND ORDER THAT A NOTICE OF COMPLETION BE FILED

Director Sprague moved to accept the 4S Water Reclamation Facility and Cielo Pump Station EnerNOC controls removal and Cielo Pump Station automatic transfer switch replacement emergency project into the district's system, seconded by Director Guerin and approved by the following roll call vote:

AYES:	Directors Bruce-Lane, Guerin, Sprague, Topolovac, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

17. CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION

General Manager Thorner presented the informational report. No board action was required.

NOTE: The meeting was in recess
from 6:05 p.m. to 6:15 p.m.

18. INFORMATIONAL REPORTS

A. President's Report

President Watt reported that he was looking forward to working with the rest of the board.

B. General Manager's Report

General Manager Thorner provided a written report that was included in the board packet.

C. Consulting Engineer’s Report

Consulting Engineer MacFarlane’s written report was distributed to the board.

D. General Counsel’s Report

General Counsel Smith provided a written report that was included in the board packet.

E. San Diego County Water Authority Report

General Manager Thorner reported the she was appointed to the Administrative and Finance Committee, the Audit Committee, and the Engineering and Operations Committee. She also reported that Helix Water District’s Dan McMillan will be replacing Kathleen Hedberg on the board. Additionally, she indicated that she, Director Guerin, and several member agencies participated in a meeting with Mayor Gloria.

F. Legislative Report

The Legislative Report was included in the board packet.

G. Twelve Month Calendar/Other Meetings/Reports by Board Members Per AB 1234

Finance Briefing (Dec 15)

Director Bruce-Lane participated in the briefing.

Customer Services Briefing and Legal Briefing (Dec 17)

Director Bruce-Lane participated in the briefing.

Teleconference with the GM - Committee Assignments (Dec 17)

President Watt had a teleconference with the General Manager.

Engineering Briefing (Dec 21)

Director Bruce-Lane participated in the briefing.

EFRR Briefing (Dec 23)

Director Bruce-Lane participated in the briefing.

Meeting with the GM (Dec 23)

President Watt had a teleconference with the General Manager.

Meeting with the GM (Jan 4)

President Watt had a teleconference with the General Manager.

Prep Call for Meeting with Mayor Gloria (Jan 4)

Director Guerin participated in the teleconference.

Teleconference Meeting with Mayor Gloria (Jan 7)

Director Guerin participated in the teleconference.

Special Finance Committee Meeting (Jan 7)

Directors Sprague and Watt participated in the committee meeting.

Teleconference with the GM (Jan 11)

Director Guerin had a teleconference meeting with the General Manager.

Teleconference with the GM (Jan 11)

Director Topolovac had a teleconference meeting with the General Manager.

Teleconference with the GM (Jan 11)

President Watt had a teleconference meeting with the General Manager.

19. **CORRESPONDENCE**

Correspondence was provided in the board packet.

20. **AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

There were no meetings requiring authorization to attend.

21. **FUTURE AGENDA ITEMS**

No future agenda items were requested.

22. CONSIDER PUBLIC COMMENTS

The board thanked customer Gregg Gechoff for expressing his concerns with State's water efficiency laws, OMWD rate increases, and the cost of OMWD administrative offices.

NOTE: The meeting was in closed session
from 6:34 p.m. to 6:44 p.m.

23. CLOSED SESSION

- A) CONSIDER CLAIM – HILLSIDE PATIO HOMES HOA [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] • Additional Facts: Claim received on August 17, 2020. Claim rejected on September 9, 2020.
- B) CONSIDER LITIGATION – LYNXT ENTERPRISES, LLC VS. PARS SORRENTO VALLEY SCIENCE PARK 1, LP [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] • Additional Facts: OMWD was served a complaint as a nominal defendant.

24. OPEN SESSION

The board directed staff in Closed Session.

25. ADJOURNMENT

President Watt adjourned the meeting at 6:44 p.m.

Lawrence A. Watt, President
Board of Directors
Olivenhain Municipal Water District

ATTEST:

Kimberly A. Thorner, Assistant Secretary
General Manager
Olivenhain Municipal Water District