

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

January 17, 2024

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, January 17, 2024, at the district office, 1966 Olivenhain Road, Encinitas, California.

President Guerin called the meeting to order at 4:00 p.m. Following the Pledge of Allegiance, the Assistant Secretary called the roll. Directors present were Guerin, Hahn, Meyers, San Antonio, and Watt.

President Guerin declared a quorum present and ordered the meeting to proceed. In attendance were Kimberly Thorner, General Manager; Alfred Smith, General Counsel; Joey Randall, Assistant General Manager; Rainy Selamat, Finance Manager; John Carnegie, Customer Services Manager; Jennifer Joslin, Human Resources Manager; Lindsey Stephenson, Engineering Manager; Jesse Bartlett-May, Operations Manager; Leo Mendez, Accounting Supervisor; Teresa Chase, Administrative Analyst; Joe Jansen, Administrative Analyst; Don MacFarlane, Consulting Engineer; Stephanie Kaufmann, Executive Secretary; Robert Kreuzer, Department Assistant; Tim Schuette, Safety and Risk Compliance Administrator, and San Diego County Water Authority General Manager Dan Denham.

5. ADOPTION OF AGENDA

Director Watt moved to adopt the agenda, seconded by Director Meyers, and approved unanimously.

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

Current Service Awards, Promotions, and Honorable Mentions

* Jason Emerick – Collection System Operator III – New Position

* Jonathan Zeller – Park Ranger I – 10 Years

The employees were congratulated by the board.

8. CONSIDER APPROVAL OF THE MINUTES OF THE DECEMBER 13, 2023, REGULAR BOARD OF DIRECTORS MEETING, MINUTES OF THE DECEMBER 13, 2023 ANNUAL BOARD OF DIRECTORS MEETING OF THE OMWD FINANCE CORPORATION, AND MINUTES OF THE DECEMBER 13, 2023 BOARD OF DIRECTORS MEETING OF THE OMWD FINANCING AUTHORITY (JOINT POWERS AUTHORITY)

Director Hahn moved to approve the minutes of the December 13, 2023 Regular Board of Directors meeting, minutes of the December 13, 2023 annual Board of Directors meeting of the OMWD Finance Corporation, and the minutes of the December 13, 2023 Board of Directors meeting of the OMWD Financing Authority, seconded by Director Watt, and approved unanimously.

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; REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS AND STAFF; AND MONTHLY INVESTMENT REPORTS
- 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 REPORTS
- C-c CONSIDER APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH SUBRECIPIENTS OF THE TITLE XVI WATER RECLAMATION AND GRANT AWARD FOR THE NORTH SAN DIEGO WATER REUSE COALITION REGIONAL RECYCLED WATER PROGRAM

President Guerin moved to approve the Consent Calendar, seconded by Director Meyers, and approved unanimously.

10. CONSIDER INFORMATIONAL PRESENTATION FROM SAN DIEGO COUNTY WATER AUTHORITY GENERAL MANAGER DENHAM

San Diego County Water Authority General Manager Denham presented the informational item.

11. CONSIDER ADOPTION OF AN ORDINANCE AMENDING SECTIONS 8.1, 8.2, AND 8.3 OF THE WATER RATES AND CHARGES SECTION OLIVENHAIN MUNICIPAL WATER DISTRICT’S ADMINISTRATIVE AND ETHICS CODE (Article 8 – Water Rates and Charges) TO TAKE EFFECT ON MARCH 1, 2024

Upon motion by Director Watt and a second by Director San Antonio, Ordinance 514 was approved by the following roll call vote:

AYES:	Directors Guerin, Meyers, San Antonio, and Watt
NOES:	Director Hahn
ABSTAIN:	None
ABSENT:	None

12. CONSIDER DISCUSSION AND ADOPTION OF AN ORDINANCE AMENDING SECTIONS 8.9, 8.10, AND 8.11 IN THE WATER RELATED CHARGES SECTION OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT’S ADMINISTRATIVE AND ETHICS CODE (Article 8 – Water Rates and Charges)

Upon motion by Director Watt and a second by Director San Antonio, Ordinance 515 was approved by the following roll call vote:

AYES:	Directors Guerin, Hahn, San Antonio, and Watt
NOES:	Director Meyers
ABSTAIN:	None
ABSENT:	None

13. CONSIDER PRESENTATION ON ENTERPRISE ASSET MANAGEMENT WORK ORDER BACKLOG (INFORMATIONAL ITEM)

Operations Manager Bartlett-May presented the informational item.

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

Administrative Analyst Jansen presented the informational item.

15. CONSIDER DRAFT ANNUAL OBJECTIVES AND INCENTIVE PAY FOR CALENDAR YEAR 2024

General Manager Thorner and Administrative Analyst Chase reviewed this item and requested board input. The final annual objectives will be included on the February 21, 2024 agenda.

Director Meyers requested the following annual objectives be added or modified. The board concurred.

Under Goal 2, Objective 11 – modify to include language to have staff give a comprehensive presentation on OMWD’s recycled water program to the Board, including current status, grant funding, and plans for expansion of the system.

Under Goal 3 – add a goal that refers the Nossaman memorandum regarding how the Americans with Disabilities Act applies at Elfin Forest Recreational Reserve back to Elfin Forest Executive Committee for consideration and then a presentation to the board.

Under Goal 9, add a goal that includes exploring potential expense reduction options as part of the annual budget process.

Under Goal 12, Objectives 64 and 66 – modify to include language to have staff make a presentation to the board.

The 2024 managers and supervisors goal incentive pay amount will be considered at the next board meeting.

16. REVIEW OF GENERAL MANAGER’S DECLARATION OF THE RANCHO SANTA FE ROAD LEAK REPAIR PROJECT AS AN EMERGENCY PROJECT IN ACCORDANCE WITH CALIFORNIA PUBLIC CONTRACT CODE SECTION 1102, INCLUDING APPROVAL OF A TIME AND MATERIAL CONSTRUCTION CONTRACT WITH C.E. WILSON CORPORATION FOR AN AMOUNT OF \$22,646.45, APPROPRIATE \$105,000 TO THE PROJECT BUDGET FROM THE PIPELINE REPLACEMENT PROJECT BUDGET, AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT, AND CONSIDER ADOPTION OF A RESOLUTION MAKING CEQA FINDINGS AND ORDERING A NOTICE OF EXEMPTION BE FILED WITH THE SAN DIEGO COUNTY CLERK AND THE STATE CLEARINGHOUSE AT THE GOVERNOR’S OFFICE OF PLANNING AND RESEARCH

President Guerin moved to adopt Resolution 2024-01, seconded by Director Watt, and approved unanimously.

17. INFORMATIONAL REPORTS

A. President’s Report

President Guerin thanked staff for volunteering with Water for People and the Adopt a Family over the holidays.

B. General Manager’s Report

General Manager Thorner did not have anything to add to her written report.

C. Consulting Engineer’s Report

Consulting Engineer MacFarlane’s report was included in the board packet.

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 (SDCWA) Report

SDCWA representative Meyers provided an update on the SDCWA board workshop where the SDCWA Legislative Policy Guidelines, Governance, and the SDCWA rate structure was discussed. He also reported that the Fallbrook Public

Utilities District and Rainbow Municipal Water District detachment settlement agreements have been signed.

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

Document Signing (Dec 18)

Director Watt signed documents.

Site Visit and Conference Call RE: RSF Rd. Leak (Jan 5)

Director Meyers visited the site and had a conference call with the General Manager.

SDCWA Briefing (Jan 9)

Director Meyers met with the General Manager.

Council of Water Utilities Meeting (Jan 16)

Directors Hahn and Meyers attended the meeting.

Board Meeting Pre-Briefing (Jan 16)

President Guerin met with the General Manager.

H. Board Comments

There were no board comments.

18. CORRESPONDENCE

Correspondence was provided in the board packet.

19. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

There were no meetings requiring authorization to attend.

20. FUTURE AGENDA ITEMS

There were no future agenda items added.

21. CONSIDER PUBLIC COMMENTS

There were no additional public comments.

NOTE: The meeting was in Recess
from 6:08 p.m. to 6:20 p.m.

NOTE: The meeting was in Closed Session
from 6:20 p.m. to 6:35 p.m.

22. CLOSED SESSION

A) CONSIDER LITIGATION – OLIVENHAIN MUNICIPAL WATER DISTRICT v. COUNTY OF SAN DIEGO [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]

B) CONSIDER LITIGATION – STANLEY D. JONES ET AL. [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] • Additional Facts: Served December 15, 2023.

23. OPEN SESSION

General Counsel Smith stated that there was no reportable action from Closed Session.

24. ADJOURNMENT

President Guerin adjourned the meeting at 6:35 p.m.

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

ATTEST:

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