

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

February 15, 2023

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, February 15, 2023, via video conference and in person.

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, Meyers, San Antonio, and Watt. It was noted that Director Hahn was absent. It was noted that the meeting was published via teleconference in accordance with Assembly Bill 361, which allows local or state legislative bodies to hold meetings via teleconference, makes meetings accessible electronically, and waives certain Brown Act provisions. As the State of Emergency is ending February 28, 2023, this will be the last hybrid meeting under AB 361.

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; John Carnegie, Customer Service Manager; Jennifer Joslin, Human Resources Manager; Geoff Fulks, Operations Manager; Rainy Selamat, Finance Manager; Lindsey Stephenson, Engineering Manager; Steve Weddle, Engineering Services Supervisor; Leo Mendez, Accounting Supervisor; Brian Sodeman, Customer Service and Public Affairs Supervisor; Jeff Anderson, Park Supervisor; Teresa Chase, Administrative Analyst; Stephanie Kaufmann, Executive Secretary; Don MacFarlane, Consulting Engineer; and consultant Kyle Tanaka from PFM Asset Management.

5. ADOPTION OF AGENDA

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

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

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There was a personal appearance by San Diego LAFCO Commissioner Barron Willis.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

Current Service Awards, Promotions and Honorable Mentions

\*Kristofer Kuenzi – Utility II – Promotion – December

\*Isaiah Zapata – Utility I – New Hire – January

\*Marcus Barard – Cathodic Protection Technician – 15 Years – February

The employees were congratulated by the board.

8. CONSIDER APPROVAL OF THE MINUTES OF THE JANUARY 18, 2023, REGULAR BOARD OF DIRECTORS MEETING

Director San Antonio moved to approve the minutes of the January 18, 2023, Regular Board of Directors meeting, seconded by Director Meyers. The motion failed by the following roll call vote:

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

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 (NOVEMBER AND DECEMBER)

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 (NOVEMBER)

C-c CONSIDER FINALIZING THE ANNUAL OBJECTIVES FOR CALENDAR YEAR 2023

C-d CONSIDER ACCEPTANCE OF THE HARRIS PIPELINES CATHODIC PROTECTION REPLACEMENT PROJECT INTO OMWD'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED

C-e PROVIDE UPDATE ON THE 4S WATER RECLAMATION FACILITY WIRING AND CHEMICAL FEED EMERGENCY REPLACEMENT PROJECT AS AN EMERGENCY PROJECT IN ACCORDANCE WITH CALIFORNIA PUBLIC CONTRACT CODE SECTION 1102, AND CONSIDER APPROVAL OF A CONSTRUCTION CONTRACT WITH JENNETTE COMPANY FOR AN AMOUNT OF \$62,500

C-f CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 418 FOR MICHAEL H. YOKOYAMA AND JAYE S. VENUTI TO ACCESS PROPERTY THROUGH OMWD EASEMENT 387 LOCATED ON PASEO TAXCO AND ORDER THE PERMIT BE RECORDED

C-g CONSIDER ACCEPTANCE OF THE DAVID C. MCCOLLOM WATER TREATMENT PLANT PH CONTROL SYSTEM PROJECT INTO OMWD'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED

C-h CONSIDER SELECTION OF REPRESENTATIVES TO THE ASSOCIATION OF CALIFORNIA WATER AGENCIES JOINT POWERS INSURANCE AUTHORITY BOARD OF DIRECTORS

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

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

10. CONSIDER INFORMATIONAL REPORT FROM PFM ASSET MANAGEMENT ON OLIVENHAIN MUNICIPAL WATER DISTRICT'S INVESTMENT IN CALIFORNIA ASSET MANAGEMENT PROGRAM (CAMP) POOL

Consultant Kyle Tanaka from PFM Asset Management presented the informational report.

11. CONSIDER ADOPTION OF A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT DESIGNATING DEPOSITORIES AND AUTHORIZING INVESTMENTS FOR THE MONEY OF THE DISTRICT AND DESIGNATING THE SIGNATORIES FOR THE MANAGEMENT OF THE DISTRICT DEPOSITS AND RESCINDING RESOLUTION 2021-02

Director Meyers moved to adopt Resolution 2023-02, seconded by Director San Antonio and approved by the following roll call vote:

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

12. CONSIDER UPDATE ON ELFIN FOREST RECREATIONAL RESERVE (INFORMATIONAL ITEM)

Park Supervisor Anderson presented the informational report.

Items 13 and 14 were heard together.

13. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 8 – Water Rates and Charges) TO TAKE EFFECT ON MARCH 1, 2023

Upon motion by Director Watt and a second by President Guerin, Ordinance 507 was adopted by the following roll call vote:

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

14. CONSIDER ADOPTION OF A RESOLUTION MAKING CEQA EXEMPTION FINDINGS FOR THE WATER RATE INCREASES, DEMAND REDUCTION RATE ADJUSTMENTS, AND RATE REIMBURSEMENT CREDITS AND ORDERING A NOTICE OF EXEMPTION BE FILED WITH THE COUNTY CLERK OF THE COUNTY OF SAN DIEGO

Director Watt moved to approve water rate increases, Demand Reduction Rate Adjustments, and Rate Reimbursement Credits for 2023 to cover costs of water operations and maintenance and adopt Resolution 2023-03 to file the Notice of Exemption, seconded by President Guerin and approved by the following roll call vote:

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

15. CONSIDER APPROVAL OF THE TWELFTH AMENDMENT TO THE AGREEMENT FOR JOINT COST SHARING BETWEEN OLIVENHAIN MUNICIPAL WATER DISTRICT, CARLSBAD MUNICIPAL WATER DISTRICT, VALLECITOS WATER DISTRICT, CITY OF OCEANSIDE, LEUCADIA WASTEWATER DISTRICT, SAN ELIJO JOINT POWERS AUTHORITY, RINCON DEL DIABLO MUNICIPAL WATER DISTRICT, AND CITY OF ESCONDIDO FOR JOINT FEDERAL LEGISLATIVE OUTREACH EFFORTS PERTAINING TO THE NORTH SAN DIEGO WATER REUSE COALITION PROJECTS

Director Meyers moved to approve the twelfth amendment to the agreement between North San Diego Water Reuse Coalition partner agencies in order to share costs for federal legislative outreach pertaining to Coalition projects, including the North San Diego County Regional Recycled Water Project, seconded by Director San Antonio, and approved by the following roll call vote:

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

16. CONSIDER APPROVAL OF THE TWELFTH AMENDMENT TO THE CONSULTING PROFESSIONAL SERVICES AGREEMENT WITH BLUEWATER STRATEGIES LLC FOR LEGISLATIVE OUTREACH SERVICES PERTAINING TO THE NORTH SAN DIEGO WATER REUSE COALITION PROJECTS

Director Watt moved to approve an amendment to the existing professional services agreement with BlueWater Strategies llc, for federal legislative outreach services for North San Diego Water Reuse Coalition projects, including the North San Diego County Regional Recycled Water Project, seconded by Director Guerin, and approved by the following roll call vote:

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

17. CONSIDER NOMINATION FOR SAN DIEGO COUNTY CONSOLIDATED REDEVELOPMENT OVERSIGHT BOARD

There were not any Board Members interested in serving on the San Diego Consolidated Redevelopment Oversight Board at this time.

18. INFORMATIONAL REPORTS

A. President's Report

President Guerin reported that she participated in the 4S Water Treatment Plant tour for CWEA State Award consideration.

B. General Manager's Report

General Manager Thorner reported that the Governor passed a conservation Executive Order primarily focused on the permitting of new wells for groundwater basins and gives State Water Resources Control Board direction to reevaluate requirements for reservoir releases and diversion limitations to maximize water supplies. It does require water suppliers to continue with efforts to promote conservation but does not introduce any new mandates.

C. Consulting Engineer's Report

Consulting Engineer MacFarlane provided an oral report at the meeting.

D. General Counsel's Report

General Counsel Smith provided a written report that was included in the board packet. He also addressed and cleared Director Meyers of any current potential conflicts of interests for serving on the OMWD Board and the SDCWA Board.

E. San Diego County Water Authority (SDCWA) Report

The San Diego County Water Authority Report was included in the board packet.

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

**Conference Call with the General Manager RE: Finance Committee Questions (Jan 23)**

Director Watt had a call with the General Manager.

**Safety Committee Meeting (Jan 25)**

Directors Hahn and Meyers attended the meeting.

**Finance Briefing (Jan 30)**

Directors Hahn and San Antonio attended the briefing.

**4S WRF CWEA Plant Tour/Inspection (Feb 1)**

President Guerin attended the inspection.

**Conference Call with the General Manager RE: Public Policy Sacramento Issues (Feb 1)**

Director Guerin had a call with the General Manager.

**Board Secretary Document Review (Feb 2)**

Director Watt reviewed documents.

**Operations & HR Briefings (Feb 8)**

Directors Hahn and San Antonio attended the briefing.

**Public Policy Committee Meeting Pre-Brief (Feb 13)**

Directors Guerin and Watt attended the meeting.

**Board Meeting Pre-Brief (Feb 14)**

Director Guerin attended the meeting.

H. Board Comments

Director Watt announced that on behalf of the public policy committee he and President Guerin were participating in meetings with legislators requesting grant funding for OMWD water loss minimization projects.

Director Meyers reported that he attended the SDCWA meeting.

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

There were no future agenda items added.

22. CONSIDER PUBLIC COMMENTS

There were no public comments.

NOTE: The meeting was in recess  
from 5:41 p.m. to 5:51 p.m.

NOTE: The meeting was in Closed Session  
from 5:51 p.m. to 6:31 p.m.

Director Meyers recused himself from the Hillside Patio HOA matter.

23. CLOSED SESSION

A) CONSIDER LITIGATION – 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 POTENTIAL LITIGATION – ONE CASE [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]

24. OPEN SESSION

There was no reportable action from Closed Session.

25. CONSIDER APPROVAL OF CHANGE ORDER NO. 2 WITH ORION CONSTRUCTION CORPORATION FOR \$141,650 FOR THE 4S RANCH NEIGHBORHOOD 1 SEWER PUMP STATION REPLACEMENT PROJECT, AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

Director Watt moved to approve Contract Change Order No.2 for the Neighborhood 1 Sewer Pump Station Replacement Project with Orion Construction Corporation in the amount of \$141,650 and authorize the General Manager to sign on behalf of OMWD, seconded by Director Meyers and approved by the following roll call vote:

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

26. ADJOURNMENT

President Guerin adjourned the meeting at 6:33 p.m.

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Christy Guerin, President  
Board of Directors  
Olivenhain Municipal Water District

ATTEST:

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