

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

FEBRUARY 16, 2022

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, February 16, 2022 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, Topolovac, and Watt. Director Meyers joined the meeting at 4:03 p.m. It was noted that Directors Bruce-Lane, Guerin, Meyers, Topolovac, and Watt attended the meeting via teleconference in accordance with Assembly Bill 361, which allows local or state legislative bodies to hold meetings via teleconference, make meetings accessible electronically, and waives certain Brown Act provisions.

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; Jennifer Joslin, Human Resources Manager; Geoff Fulks, Operations Manager; Brian Sodeman, Customer Service and Public Affairs Supervisor; John Onkka, Water Treatment Plant Supervisor; Steve Weddle, Engineering Services Supervisor; Teresa Chase, Administrative Analyst; Stephanie Kaufmann, Executive Secretary; Don MacFarlane, Consulting Engineer; and Chris Chaffee from Redistricting Partners.

5. CONSIDER IMPLEMENTING ASSEMBLY BILL 361 THAT PROVIDES THE ABILITY TO MEET REMOTELY DUE TO THE GOVERNOR'S PROCLAIMED STATE OF EMERGENCY UNDER MODIFIED BROWN ACT REQUIREMENTS

Director Topolovac moved to implement AB 361, seconded by Director Guerin and approved by the following roll call vote:

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

It was noted that Director Meyers joined the meeting at 4:03 p.m.

6. ADOPTION OF AGENDA

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

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

ABSENT: None

7. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no public comments.

8. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

- \* Josh Westbrook – Inspector I – Transfer – January
- \* Elfin Forest Recreational Reserve Photo Contest Winners

Service Awards, Promotions, and Honorable Mentions from 2021

- \* Christy Guerin – Board Member – 10 Years – January 2021

Mr. Westbrook was congratulated by the board and Director Guerin was congratulated on her years of service.

President Watt and Park Supervisor Anderson introduced the annual Elfin Forest Recreational Reserve photo contest winners. The various categories and winners of the photo contest were announced as listed below. Winners who were in attendance were congratulated by the board.

Best in Show	Peter Montgomery
1st Place – Scenic View	Brandon McDonald
1st Place – Water Scenery	Brandon McDonald
1st Place – Plants	Christine Lothrop
1st Place – Animals	CJ Edingfield-Murphy
1st Place – People’s Choice	Will Getz
1st Place – Youth	Ashley Hahlen
1st Place – Employee	Amy Hill

9. CONSIDER APPROVAL OF THE MINUTES OF THE JANUARY 19, 2022 REGULAR BOARD OF DIRECTORS MEETING

President Watt moved to approve the minutes of the January 19, 2022 Regular Board of Directors meeting, seconded by Director Meyers and approved by the following roll call vote:

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

10. 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 REPORT
- 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 FINALIZING THE ANNUAL OBJECTIVES FOR CALENDAR YEAR 2022
- C-d CONSIDER ACCEPTANCE OF THE CIRCO DIEGUENO COURT EMERGENCY LEAK REPAIR PROJECT (C.E. WILSON CORPORATION) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-e CONSIDER ACCEPTANCE OF THE MAIN EXT. 145B – CALLE PONTE BELLA PROJECT (HCC INVESTORS, LLC) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-f CONSIDER A RESOLUTION GOVERNING THE DISTRICT’S GRANT APPLICATION TO UNITED STATES BUREAU OF RECLAMATION FOR FUNDING UNDER THE WATER INFRASTRUCTURE IMPROVEMENTS FOR THE NATION ACT PROGRAM FOR THE NORTH SAN DIEGO WATER REUSE 2020 PROJECT
- C-g CONSIDER APPROVAL OF THE ELEVENTH 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, SANTA FE IRRIGATION DISTRICT, AND CITY OF ESCONDIDO FOR JOINT FEDERAL LEGISLATIVE OUTREACH EFFORTS PERTAINING TO THE NORTH SAN DIEGO COUNTY REGIONAL RECYCLED WATER PROJECT
- C-h CONSIDER APPROVAL OF THE ELEVENTH AMENDMENT TO THE CONSULTING PROFESSIONAL SERVICES AGREEMENT WITH BLUEWATER STRATEGIES LLC FOR LEGISLATIVE OUTREACH SERVICES PERTAINING TO THE NORTH SAN DIEGO COUNTY REGIONAL RECYCLED WATER PROJECT
- C-i CONSIDER ACCEPTANCE OF THE DAVID C. MCCOLLOM WATER TREATMENT PLANT TRAIN 9 CONTROL WIRING PROJECT (SOUTHERN CONTRACTING COMPANY) INTO THE DISTRICT’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED

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

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

11. CONSIDER ADOPTION OF A RESOLUTION HONORING JEFF SWENERTON FOR 17 YEARS OF SERVICE ON THE ESCONDIDO CREEK CONSERVANCY BOARD OF DIRECTORS

Director Guerin moved to adopt Resolution 2022-05, seconded by President Watt and approved by the following roll call vote:

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

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

Park Supervisor Anderson presented the informational update to the board.

13. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 8 – Water Rates and Charges) TO TAKE EFFECT MARCH 1, 2022

Finance Manager Selamat presented the report.

Director Bruce-Lane requested that the record reflect the board's concern about increasing costs and that the board unanimously voted at its November 17, 2021 meeting to create a Rate Reimbursement Credit to refund customers the \$3.6 million as a credit on their monthly water bills. Beginning with March 2022 billing statements, customers will see a credit of 6.9 cents per unit of potable water billed.

Upon motion by Director Topolovac and a second by Director Guerin, Ordinance 499 was adopted by the following roll call vote:

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

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

Director Guerin moved to adopt Resolution 2022-06, seconded by President Watt and approved by the following roll call vote:

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

Item 16 was heard next on the agenda.

16. PUBLIC HEARING TO CONSIDER ADJUSTMENTS TO OLIVENHAIN MUNICIPAL WATER DISTRICT'S DIRECTOR DIVISION BOUNDARIES (5:30 P.M.)

President Watt announced that this was the time and place for the third Public Hearing to consider adjustments to Olivenhain Municipal Water District's director division boundaries.

General Manager Thorner stated that the notice of public hearing was published in the San Diego Union Tribune on Wednesday, February 2, 2022 and Wednesday, February 9, 2022. OMWD coordinated with Redistricting Partners to assist in the redistricting process. California Elections Code Section 22000 requires special districts to adjust their division boundaries by a resolution after each federal decennial census. Using the census as the basis, special districts are to adjust the boundaries of the director divisions so that the divisions are as equal in population as possible. Although only one public hearing is required by law, OMWD chose to hold three public hearings at the December 15, 2022, January 19, 2022, and February 16, 2022 board meetings. A resolution will be presented to the board for consideration after the February 16, 2022 public hearing to approve the final division boundaries by the April 17, 2022 deadline.

There were not any members of the public in attendance who wished to speak and there were no comments received from the public.

President Watt announced that the Public Hearing was closed and reconvened the meeting of the Board of Directors.

Chris Chaffee from Redistricting Partners presented the final map options to the board.

Item 17 was heard next on the agenda.

17. CONSIDER ADOPTION OF A RESOLUTION ADJUSTING DIRECTOR DIVISION BOUNDARIES

Director Guerin moved to adopt Resolution 2022-08 that adopts Map Option C2, seconded by Director Meyers and approved by the following roll call vote:

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

Item 15 was heard next on the agenda.

15. CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION

General Manager Thorner provided the informational report.

18. CONSIDER APPROVAL OF A CONTRACT WITH ORION CONSTRUCTION CORPORATION IN THE AMOUNT OF \$6,123,000 FOR THE CONSTRUCTION OF THE 4S RANCH NEIGHBORHOOD 1 SEWER PUMP STATION REPLACEMENT PROJECT AND INCREASE THE OVERALL PROJECT BUDGET BY \$2,900,000 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

Director Topolovac moved to approve a contract with Orion Construction Corporation in the amount of \$6,123,000 for construction of the 4S Ranch Neighborhood 1 Sewer Pump Station Replacement Project, increase the overall project budget by \$2,900,000, and authorize the General Manager to sign on behalf of OMWD, seconded by President Watt and carried by the following roll call vote:

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

19. INFORMATIONAL REPORTS

A. President's Report

President Watt reported that he attended the Finance Committee where a pension funding policy was discussed. This will be brought back to the full board at a future board meeting.

B. General Manager's Report

Operations Manager Fulks and Water Treatment Plant Supervisor Onkka provided a report on the Crosby Sewer Force Main Leak Emergency Project. There will be a written report and update at the next board meeting.

General Manager Thorner's report 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 that the board voted on a project labor agreement, that she will be serving on the Fiscal Strategy Work Group again, that there is a retreat scheduled for the beginning of March, and that the General Counsel recruitment is still in process and is expected to conclude in June 2022.

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 / Board Comments

**Conference Call with the General Manager RE: Board Meeting Debrief (Jan 20)**

President Watt had a call with the General Manager.

**Conference Call with the General Manager RE: Form 700 Process (Jan 31)**

Director Meyers had a call with the General Manager.

**Conference Call with the General Manager RE: Board Agenda (Feb 1)**

President Watt had a call with the General Manager.

**Document Signing (Feb 1)**

Director Bruce-Lane signed documents with the Executive Secretary.

**Document Signing (Feb 3)**

President Watt signed documents with the Executive Secretary.

**Meeting to Discuss Maps and Update on NBH1SPS (Feb 4)**

President Watt met with the General Manager.

**Meeting to Discuss Maps (Feb 7)**

President Watt met with the General Manager.

**Finance Committee Meeting (Feb 9)**

Directors Guerin and Watt attended the virtual Finance Committee Meeting.

20. **CORRESPONDENCE**

Correspondence was provided in the board packet.

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

There were no meetings requiring authorization to attend.

22. **FUTURE AGENDA ITEMS**

President Watt requested a future presentation on the City of San Diego and San Diego County Water Authority's San Vicente Pump Storage Project, Director Guerin concurred.

23. **CONSIDER PUBLIC COMMENTS**

There were no public comments

It was noted that there was no need for a Closed Session.

24. **ADJOURNMENT**

President Watt adjourned the meeting at 7:15 p.m.



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

ATTEST:

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Robert F. Topolovac, Secretary  
Board of Directors  
Olivenhain Municipal Water District