

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

March 20, 2024

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, March 20, 2024, at the district office, 1966 Olivenhain Road, Encinitas, California.

President Guerin called the meeting to order at 4:02 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; Erik Harp, IT Supervisor; Steve Weddle, Engineering Services Supervisor; Leo Mendez, Accounting Supervisor; Melody Colombo, Administrative Analyst; Stephanie Kaufmann, Executive Secretary; and Robert Kreutzer, Department Assistant.

5. ADOPTION OF AGENDA

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

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

There were no presentations of awards or honorable mentions.

8. CONSIDER APPROVAL OF THE MINUTES OF THE FEBRUARY 21, 2024, REGULAR BOARD OF DIRECTORS MEETING

President Guerin moved to approve the minutes of the February 21, 2024 Regular Board of Directors meeting, 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 NOMINATIONS FOR THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION BOARD OF DIRECTORS
- C-e CONSIDER ACCEPTANCE OF THE 710 ENCINITAS BOULEVARD REDUCED PRESSURE BACKFLOW PREVENTION ASSEMBLY INSTALLATION PROJECT (SAN DIEGUITO UNION HIGH SCHOOL DISTRICT) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-f CONSIDER ACCEPTANCE OF THE ASPHALT CONCRETE AND CONCRETE PAVING MAINTENANCE AND STORM WATER POLLUTION PREVENTION PLAN DRAINAGE IMPROVEMENT PROJECT INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED

President Guerin requested that consent item C-d be pulled from the Consent Calendar.

Director Watt moved to approve the Consent Calendar items C-a, C-b, C-c, C-e, C-f, seconded by Director Hahn, and approved unanimously.

- C-d CONSIDER FINAL UPDATE OF THE RANCHO SANTA FE ROAD EMERGENCY LEAK REPAIR PROJECT, ACCEPT INTO OMWD’S SYSTEM AND ORDER THE NOTICE OF COMPLETION FILED

President Guerin requested that staff keep a running list of the denied paving claims since switching insurance carriers.

President Guerin moved to approve consent item C-d, seconded by Director Watt, and carried unanimously.

10. CONSIDER UPDATE ON THE STATE CLIMATE BOND

Nossaman Senior Policy Advisor, Ashley Walker presented the report.

There was board consensus to add a future agenda item to establish the district's bond priorities in order to take a position.

11. CONSIDER INFORMATIONAL REPORT REGARDING PROGRESS ON THE WASTEWATER MASTER PLAN UPDATE AND THE PROPOSED WASTEWATER 10-YEAR CAPITAL IMPROVEMENT PLAN

Engineering Manager Stephenson presented the informational report.

12. CONSIDER INFORMATIONAL REPORT ON EASEMENT MAINTENANCE

Engineering Services Supervisor Weddle presented the informational report.

13. CONSIDER SETTING A TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER ADOPTING INCREASES TO THE WASTEWATER ANNUAL SERVICE ACCESS CHARGE AND COMMODITY RATES BEGINNING ON JULY 1, 2024 AND OVER THE NEXT FOUR YEARS (FISCAL YEARS 2025-2029) (Public Hearing for May 15, 2024 – 5:30 p.m.)

Director Watt moved to set the wastewater rate hearing for the May 15, 2024 board meeting at 5:30 p.m., to approve the release of the Proposition 218 Notice, and to continue to collect wastewater service fees through the San Diego County Tax Assessor's Office to reduce billing and administration costs, seconded by Director Meyers, and approved unanimously.

14. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH ROCKWELL CONSTRUCTION SERVICES IN THE AMOUNT OF \$262,200 FOR CONSTRUCTION MANAGEMENT OF THE PROGRAMMABLE LOGIC CONTROLLER (PLC) REPLACEMENT PROJECT, APPROPRIATE AN ADDITIONAL \$362,299 TO THE PROJECT BUDGET, AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

Supervisor Harp presented the report.

Director Meyers moved to approve a professional services agreement with Rockwell Construction Services in the amount of \$262,200 for construction support services of the Project, appropriate \$362,299 from the Capital Reserve Fund to the Project budget, and authorize the General Manager to sign on behalf of OMWD, seconded by Director San Antonio, and approved unanimously.

15. INFORMATIONAL REPORTS

A. President's Report

President Guerin thanked Director Hahn for chairing the last board meeting.

B. General Manager's Report

General Manager Thorner reported that she attended the first of five Municipal Service Review Stakeholder Group meetings and that she was reelected chair of the San Diego LAFCO Special Districts Advisory Committee.

C. Consulting Engineer's Report

Consulting Engineer MacFarlane's written 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 2025 SDCWA interim rate structure. He reported that he was appointed as the vice-chair of the Imported Water Committee and is serving on the SDCWA Metropolitan Water District Steering Committee.

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

Safety Award Luncheon (Feb 28)

Directors San Antonio and Watt attended the luncheon.

Conference Call with the General Manager RE: OMWD Update (Mar 6)

President Guerin had a call with the General Manager.

Facilities Committee Meeting (Mar 7)

Directors Guerin and Watt attended the meeting.

Conference Call with the General Manager RE: SDCWA Issues (Mar 13)

Director Meyers had a call with the General Manager.

Calle Barcelona Recycled Water Expansion Briefing (Mar 14)

Director Meyers attended the briefing.

Personnel Committee Meeting (Mar 18)

Directors Guerin and Hahn attended the meeting.

Conference Call with the General Manager RE: Board Meeting Pre-Briefing (Mar 18)

Director Meyers had a conference call with the General Manager.

Board Meeting Pre-Briefing (Mar 19)

President Guerin attended the meeting.

Board Meeting Pre-Briefing (Mar 19)

Director Watt attended the meeting.

H. **Board Comments**

There were no board comments.

16. **CORRESPONDENCE**

Correspondence was provided in the board packet.

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

There were no meetings requiring authorization to attend.

18. **FUTURE AGENDA ITEMS**

There was board consensus to add a future agenda item to establish the OMWD's bond priorities in order to take a position.

19. **CONSIDER PUBLIC COMMENTS**

There were no additional public comments.

NOTE: The meeting was in Recess
from 5:39 p.m. to 6:00 p.m.

NOTE: The meeting was in Closed Session
from 6:00 p.m. to 7:22 p.m.

20. 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. VS. OLIVENHAIN MUNICIPAL WATER DISTRICT [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] •
Additional Facts: Served December 15, 2023.
- C) CONSIDER ANTICIPATED LITIGATION – ONE CASE [PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(4)]

21. OPEN SESSION

General Counsel Smith provided a report from Closed Session that the board authorized an appeal to CalPERS regarding the reportability of certain compensation.

22. ADJOURNMENT

President Guerin adjourned the meeting at 7:23 p.m.

Christy Guerin, President
Board of Directors
Olivenhain Municipal Water District

ATTEST:

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