

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

APRIL 15, 2020

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, April 15, 2020 at the District office, 1966 Olivenhain Road, Encinitas, California via video conference.

President Sprague called the meeting to order at 4:05 p.m. Following the Pledge of Allegiance, the Assistant Secretary called the roll. Directors present were Guerin, Kephart, Sprague, Topolovac, and Watt. It was noted that Directors Guerin, Kephart, Topolovac, and Watt participated in the meeting via teleconference in accordance with Governor Newsom's Executive Order N-29-20, 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 Sprague declared a quorum present and ordered the meeting to proceed. In attendance were Kimberly Thorner, General Manager; Joey Randall, Assistant General Manager; Rainy Selamat, Finance Manager; Jason Hubbard, Engineering Manager; and Stephanie Kaufmann, Executive Secretary. John Carnegie, Customer Services Manager; Steve Weddle, Engineering Services Supervisor; Alfred Smith, General Counsel; and Don MacFarlane, Consulting Engineer participated via video conference.

5. ADOPTION OF AGENDA

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

AYES:	Directors Guerin, Kephart, Sprague, Topolovac, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

All presentations of awards and honorable mentions listed on the agenda will be presented at a later board meeting.

8. CONSIDER APPROVAL OF THE MINUTES OF THE MARCH 18, 2020 REGULAR BOARD OF DIRECTORS MEETING

Director Guerin moved to approve the March 18, 2020 Regular Board of Directors meeting minutes, seconded by Director Kephart and approved by the following roll call vote:

AYES: Directors Guerin, Kephart, 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; REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS AND STAFF; AND MONTHLY INVESTMENT REPORT
- C-b CONSIDER ADOPTION OF A MOTION APPROVING THE DISTRICT’S CONSOLIDATED STATEMENTS OF NET POSITION, CONSOLIDATED STATEMENTS 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 ACCEPTANCE OF THE DAVID C. MCCOLLOM WATER TREATMENT PLANT PLATE SETTLER NO. 2 COATING PROJECT (PARADA PAINTING INC.) INTO THE DISTRICT’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-d CONSIDER ACCEPTANCE OF THE LA COSTA VALE UNIT NO. 3 PIPELINE PROJECT (C.E. WILSON CORPORATION) INTO THE DISTRICT’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-e CONSIDER ACCEPTANCE OF THE RANCHO SANTA FE PIPELINE CONDITION ASSESSMENT EMERGENCY REPAIR PROJECT (C.E. WILSON CORPORATION) INTO THE DISTRICT’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-f CONSIDER ACCEPTANCE OF THE 3456 BUMANN ROAD WATER SERVICE INSTALL PROJECT (ZARCADES) INTO THE DISTRICT’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-g CONSIDER ACCEPTANCE OF THE 7601, 7603, 7605 ROMERIA STREET WATER SERVICE ADJUSTMENTS PROJECT (STEPHENS) INTO THE DISTRICT’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED

C-h CONSIDER ADOPTION OF A RESOLUTION PROCLAIMING MAY AS WATER AWARENESS MONTH, MAY 3-9, 2020 AS NATIONAL DRINKING WATER WEEK, AND MAY 17-23, 2020 AS NATIONAL PUBLIC WORKS WEEK

C-i CONSIDER ANNUAL OBJECTIVES AND TIGER TEAM STATUS REPORT

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

AYES:	Directors Guerin, Kephart, Sprague, Topolovac, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

In regards to item C-i, the board requested revisions to the Annual Objectives to reflect the current COVID-19 pandemic and its effect on completing certain objectives. General Manager Thorner indicated that staff will modify the Annual Objectives and present them at the June board meeting.

Director Topolovac voiced his support of Annual Objective 3 - Review easement monitoring efficiencies using aerial drones in a three-part process: (1) develop scope for outside consultants from an approved vendors list, (2) issue RFP for services, and (3) compare outside costs versus using certified staff. Present findings to the Facilities Committee.

10. CONSIDER AN UPDATE ON THE 4S RANCH WATER RECLAMATION FACILITY ULTRAVIOLET DISINFECTION SYSTEM PROJECT

Engineering Manager Hubbard presented the informational report. No Board action was required.

11. CONSIDER APPROVAL OF AMENDMENT #2 TO CAROLLO ENGINEERS (CAROLLO) IN THE AMOUNT OF \$27,373 FOR ADDITIONAL DESIGN ELEMENTS FOR THE 4S RANCH WATER RECLAMATION FACILITY ULTRAVIOLET DISINFECTION SYSTEM PROJECT, INCREASE THE OVERALL PROJECT BUDGET BY \$145,000 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT

Director Guerin moved to approve amendment #2 to Carollo in the amount of \$27,373 for additional design elements for the Ultraviolet Disinfection Replacement Project at the 4S Ranch Water Reclamation Facility, increase the overall project budget by \$145,000, and authorize the General Manager to sign on behalf of the District, seconded by Director Topolovac and approved by the following roll call vote:

AYES: Directors Guerin, Kephart, Sprague, Topolovac, and Watt  
NOES: None  
ABSTAIN: None  
ABSENT: None

12. CONSIDER APPROVAL OF DISTRICT INSURANCE POLICIES FOR FISCAL YEAR 2021 WITH ALLIED WORLD IN AN AMOUNT NOT TO EXCEED \$269,280 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT

Director Kephart moved to approve a quote for \$269,280 from Allied World Specialty Insurance Company for general liability, property, automobile, equipment, terrorism, excess, and cybersecurity insurance policies for FY 2021 and authorize the General Manager to execute an insurance agreement on OMWD’s behalf, seconded by Director Watt and approved by the following roll call vote:

AYES: Directors Guerin, Kephart, Sprague, Topolovac, and Watt  
NOES: None  
ABSTAIN: None  
ABSENT: None

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

This was an informational report. No Board action was required.

14. CONSIDER MAKING AN ADDITIONAL DISCRETIONARY PAYMENT (ADP) TO CALIFORNIA PUBLIC EMPLOYEE’S RETIREMENT SYSTEM (CALPERS) ANNUALLY, NOT TO EXCEED 50% OF OLIVENHAIN MUNICIPAL WATER DISTRICT (DISTRICT) PLAN’S MINIMUM UNFUNDED ACCRUED LIABILITY (UAL) CONTRIBUTION AMOUNT, TO REDUCE POTENTIAL IMPACT ON FUTURE MINIMUM REQUIRED EMPLOYER CONTRIBUTION VOLATILITY DUE TO INVESTMENT RETURN

Finance Manager Selamat presented the report.

Director Kephart moved to approve an Additional Discretionary Payment in a lump sum each year to CalPERS from the District’s Operating Fund not to exceed 50% of the District’s minimum Unfunded Accrued Liability payment every year in order to smooth out the District’s future total minimum required employer contribution to CalPERS, seconded by Director Guerin and approved by the following roll call vote:

AYES: Directors Guerin, Kephart, Sprague, Topolovac, and Watt  
NOES: None  
ABSTAIN: None  
ABSENT: None

15. CONSIDER UPDATE ON THE GENERAL MANAGER’S DECLARED COVID-19 EMERGENCY

General Manager Thorner presented the report. No Board action was required.

16. INFORMATIONAL REPORTS

A. President’s Report

President Sprague did not have anything to report.

B. General Manager’s Report

General Manager Thorner provided a report under item 15.

C. Consulting Engineer’s Report

Consulting Engineer MacFarlane’s written report was provided to the Board at the meeting.

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

Director Guerin provided an update on the Rainbow/FPUD detachment that will be on the May San Diego LAFCO agenda. She also provided a brief update on the Regional Conveyance Project.

F. Legislative Report

The Legislative Report is attached.

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

**GM Teleconference (Mar 19)**

Director Guerin had a teleconference meeting with the General Manager.

**GM Teleconference (Mar 24)**

Director Topolovac had a teleconference meeting with the General Manager.

**GM Teleconference (Mar 25)**

Directors Guerin and Kephart had individual teleconferences with the General Manager.

**GM Teleconference (Mar 26)**

Director Kephart had a teleconference meeting with the General Manager.

**GM Teleconference (Mar 30)**

Directors Guerin and Watt had individual teleconferences with the General Manager.

**Personnel Committee Meeting (Mar 30)**

Directors Guerin and Sprague attended the Personnel Committee Meeting via teleconference.

**AB 1825 Harassment Training (Apr 4)**

Directors Sprague and Topolovac completed the training.

**AWWA Legal Aspects of COVID and Water Utilities Webinar (Apr 6)**

Director Watt participated in the webinar.

**GM Teleconference (Apr 10)**

Director Guerin had a teleconference meeting with the General Manager.

**GM Teleconference (Apr 13)**

Directors Sprague and Watt had a teleconference meeting with the General Manager.

**GM Teleconference (Apr 14)**

Directors Kephart and Topolovac had a teleconference meeting with the General Manager.

17. **CORRESPONDENCE**

Correspondence was provided in the board packet.

18. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

There were no meetings requiring authorization to attend.

19. FUTURE AGENDA ITEMS

No future agenda items were requested.

20. CONSIDER PUBLIC COMMENTS

There were no public comments.

NOTE: The meeting was in closed session  
from 5:40 p.m. to 5:46 p.m.

21. CLOSED SESSION

- A) 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.

22. OPEN SESSION

There was no reportable action from closed session.

23. ADJOURNMENT

President Sprague adjourned the meeting at 5:46 p.m.

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Edmund K. Sprague, President  
Board of Directors  
Olivenhain Municipal Water District

ATTEST:

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