

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

APRIL 20, 2022

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, April 20, 2022 via video conference and in person.

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, Meyers, Topolovac, and Watt. Director Guerin 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.

President Watt 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; Geoff Fulks, Operations Manager; Brian Sodeman, Customer Service and Public Affairs Supervisor; Steve Weddle, Engineering Services Supervisor; Tom Arellano, Water Treatment Plant Supervisor; Mark Wilson, Operations Supervisor; Joe Jansen, Administrative Analyst; Teresa Chase, Administrative Analyst; Stephanie Kaufmann, Executive Secretary; Don MacFarlane, Consulting Engineer; George Briest from G. Briest Consulting, Inc; and consultant Julio Morales from Urban Futures, Inc.

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

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

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, Meyers, Topolovac, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	Director Guerin

7. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no public comments.

8. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

* George Lomeli – WTP Operator Level II – Promotion – March

Water Treatment Plant Operator II Lomeli was congratulated by the board on his promotion.

9. CONSIDER APPROVAL OF THE MINUTES OF THE MARCH 16, 2022 REGULAR BOARD OF DIRECTORS MEETING

President Watt had a minor edit to the minutes to note that he did not step away from the meeting and to include that he experienced technical difficulties and was unable to vote on items 9 and 10.

President Watt moved to approve the edited minutes of the March 16, 2022 Regular Board of Directors meeting, seconded by Director Bruce-Lane and approved by the following roll call vote:

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

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 ADOPTION OF A RESOLUTION PROCLAIMING MAY 2022 AS WATER AWARENESS MONTH, MAY 1-7, 2022 AS NATIONAL DRINKING WATER WEEK, AND MAY 15-21, 2022 AS NATIONAL PUBLIC WORKS WEEK

C-d CONSIDER ACCEPTANCE OF THE MANCHESTER AVENUE POTABLE WATER PIPELINE REPLACEMENT PROJECT INTO OMWD’S SYSTEM, AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD, AND ORDER A NOTICE OF COMPLETION BE FILED

C-e CONSIDER 2022 ANNUAL OBJECTIVES AND TIGER TEAM STATUS REPORT

Director Topolovac moved to authorize the Consent Calendar, seconded by Director Meyers and approved by the following roll call vote:

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

11. CONSIDER ANNUAL UPDATE OF THE DISTRICT’S FIVE YEAR STAFFING ANALYSIS

Human Resources Manager Joslin presented the informational report.

President Watt moved to allow for the addition of one Water Treatment Plant Operator Level II and to reclassify the Engineering and Right of Way Coordinator to Engineering Technician I/II, seconded by Director Bruce-Lane and approved by the following roll call vote:

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

12. CONSIDER AN AGREEMENT WITH THE CITY OF ENCINITAS REGARDING COST COLLABORATION ON THE PAVEMENT OF MANCHESTER AVENUE/SOUTH EL CAMINO REAL AS PART OF THE MANCHESTER AVENUE AND SOUTH EL CAMINO REAL RECYCLED WATER PIPELINES PROJECT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

Director Meyers moved to approve an agreement with the City of Encinitas for cost collaboration on the paving of Manchester Avenue and South El Camino Real as part of the Manchester Avenue Recycled Water Pipelines Project and authorize the General Manager to sign on behalf of OMWD, seconded by Director Topolovac and approved by the following roll call vote:

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

13. CONSIDER APPROVAL OF A CONTRACT WITH CCL CONTRACTING, INC. IN THE AMOUNT OF \$3,355,823.50 FOR THE CONSTRUCTION OF THE MANCHESTER AVENUE AND SOUTH EL CAMINO REAL RECYCLED WATER PIPELINES PROJECT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

President Watt moved to approve a contract with CCL Contracting, Inc. in the amount of \$3,355,823.50 for construction of the Manchester Avenue and South El Camino Real Recycled Water Pipelines Project 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 Bruce-Lane, Meyers, Topolovac, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	Director Guerin

14. CONSIDER DISCUSSION ON OLIVENHAIN MUNICIPAL WATER DISTRICT PENSION FUNDING PLAN AND POLICY

Consultant Julio Morales from Urban Futures, Inc. presented the report.

There was board consensus to continue establishing a Pension Stabilization Fund. This item and a proposed Pension Funding Policy will be brought back and voted on at the June board meeting.

15. CONSIDER PRELIMINARY DRAFT OF FISCAL YEARS 2023 AND 2024 OPERATING AND CAPITAL BUDGET

Finance Manager Selamat presented the report. The final budget will be brought back to the June board meeting for approval.

Director Meyers asked why there is a need for laptop and desktop replacements in the budget. Finance Manager Selamat explained that during COVID, we acquired laptops for remote use. These laptops are at the end of their warranty and may no longer be supported for security updates and operation at the speed at which our operating systems require. In addition to the expiring warranties, many desktops are being replaced with laptops to decrease the use of multiple devices per employee. Finance Manager Selamat reported that IT will provide an update to the board as to whether we are able to extend the warranties on the expiring laptops or if it is more cost effective to purchase new computers.

President Watt inquired as to why there are both V-6 and V-8 trucks on the proposed equipment purchase list and if it was necessary to purchase the V-8 trucks as opposed to the V-6. Operations Manager Fulks indicated that V-8 trucks are required to haul heavy loads, such as hydraulic valve turning equipment. Staff will return with the exact specifications on the trucks to justify the proposed purchase.

Director Bruce-Lane asked if there was any way to extend the use and life of the district's dump trucks. Finance Manager Selamat stated that the district's fleet maintenance program monitors and services these dump trucks and evaluates all trucks to ensure they are not costing more to maintain than their value. She will report back to the board with a list of maintenance performed on the two older dump trucks in question.

16. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER IN THE AMOUNT OF \$234,549 FOR THE DAVID C. MCCOLLOM WATER TREATMENT PLANT FOURTH STAGE CENTRIFUGE ADDITION PROJECT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT

Director Topolovac moved to approve an agreement with Hazen and Sawyer in the amount of \$234,549 for the David C. McCollom Water Treatment Plant Fourth Stage Centrifuge Project and authorize the General Manager to sign behalf of the district. The motion died for lack of a second.

President Watt made a motion to direct staff to meet with Dudek to confirm their understanding of the project, and confirm they can complete the David C. McCollom Water Treatment Plant Fourth Stage Centrifuge Project within OMWD's proposed timeframe within Dudek's proposed dollar amount, seconded by Director Meyers and approved by the following roll call vote:

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

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

Administrative Analyst Jansen presented the informational report.

18. CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION

General Manager Thorner provided the informational report.

19. INFORMATIONAL REPORTS

A. President's Report

President Watt reported that he is attending the ACWA JPIA meeting.

B. General Manager's Report

General Manager Thorner's report was included in the board packet. General Manager Thorner declared an emergency for The Lakes Sewer Force Main Emergency. A formal report will be provided at the subsequent board meeting.

Wastewater Supervisor Onkka presented an update on the emergency.

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 Mel Katz was voted in as Vice Chair and that there will be an imported water closed session in June to discuss what to do with the awarded attorney's fees for the most recent Metropolitan Water District litigation. She also reported that she is again serving on the Fiscal Sustainability Task Force.

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

Board Meeting Debrief Call (Mar 17)

President Watt had a call with the General Manager.

Personnel Committee Meeting (Mar 21)

Directors Bruce-Lane and Watt attended the Personnel Committee Meeting.

Meeting with the General Manager RE: CWA Issues OMWD Offices (Mar 21)

Director Guerin met with the General Manager.

Efficient Water Use Event Home Depot (Mar 26)

Director Meyers attended the event.

Special OMWD Board Meeting (Mar 30)

Directors Bruce-Lane, Guerin, Meyers, Topolovac, and Watt attended the special meeting.

Conference Call with the General Manager RE: Board Meeting Debrief (Mar 31)

President Watt had a call with the General Manger.

Conference Call with the General Manager RE: CWA meeting and CSDA Training (Mar 31)

Director Guerin had a call with the General Manager.

Conference Call with the General Manager RE: Insurance (Mar 31)

Director Meyers had a call with the General Manager.

DCMWTP 20th Anniversary Video Filming (Apr 1)

President Watt was filmed for the video.

CSDA Special District Leadership Academy (Apr 4-6)

Director Guerin completed the training.

Insurance Subcommittee (Apr 12)

Directors Guerin and Meyers attended the meeting.

Finance Committee Meeting (Apr 12)

Directors Guerin and Watt attended the 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**

Director Meyers requested a Conservation Committee meeting to research, explore, and discuss a hydroponic farming program with indoor pod farming using the district’s water and easements. Director Topolovac and Bruce-Lane approved a future Conservation Committee meeting to discuss the item.

23. CONSIDER PUBLIC COMMENTS

There were no public comments.

24. 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 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.
- C) CONSIDER LITIGATION – OLIVENHAIN MUNICIPAL WATER DISTRICT VS. GEOMAT TESTING LABORATORIES, INC., ET AL. [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]

25. ADJOURNMENT

President Watt adjourned the meeting at 7:21 p.m.

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

ATTEST:

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