

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

SEPTEMBER 9, 2020

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, September 9, 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, Sprague, Topolovac, and Watt participated in the meeting via teleconference in accordance with Governor Newsom's Executive Order N-35-20, 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 via video conference were Kimberly Thorner, General Manager; Joey Randall, Assistant General Manager; Rainy Selamat, Finance Manager; Jason Hubbard, Engineering Manager; John Carnegie, Customer Services Manager; Geoff Fulks, Operations Manager; Jennifer Joslin, Acting Human Resources Manager; Don MacFarlane, Consulting Engineer; Jesica Cleaver, Administrative Analyst; and Stephanie Kaufmann, Executive Secretary.

Additionally, the following phone numbers called into the meeting: (619) 994-4175 and (858) 243-6374.

5. ADOPTION OF AGENDA

President Sprague 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

* 2020 WaterSmart Landscape Contest Winner, Laura Lisauskas

- * 27th Annual Fourth Grade Poster Contest
1st Place: Ruchika Kench, Stone Ranch Elementary
2nd Place: Kylie Barbosa, Stone Ranch Elementary
3rd Place: Ryan King, Flora Vista Elementary

President Sprague and Administrative Analyst Cleaver presented the awards to the winners.

8. CONSIDER APPROVAL OF THE MINUTES OF THE AUGUST 19, 2020 REGULAR BOARD OF DIRECTORS MEETING

President Sprague moved to approve the August 19, 2020 Regular Board of Directors meeting minutes, 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

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; AND REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS AND STAFF

C-b CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 402A FOR SPYGLASS LANE, APN 303-060-44-00 (SD COMMERCIAL HOLDINGS 3, LLC) AND ORDER THE PERMIT BE RECORDED

C-c CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 405 FOR 6893 SPYGLASS LANE (DAVID W. HEARST, JR. INTER VIVOS TRUST DTD 01-12-98) AND ORDER THE PERMIT BE RECORDED

Director Guerin moved to authorize the Consent Calendar items, 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

10. CONSIDER APPROVAL OF CHANGE ORDER NO. 4 WITH STANEK CONSTRUCTORS FOR \$75,000 FOR THE 4S RANCH WATER RECLAMATION FACILITY ULTRAVIOLET DISINFECTION SYSTEM PROJECT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT

Director Topolovac moved to approve Change Order No. 4 with Stanek Constructors for \$75,000 for the 4S Ranch Water Reclamation Facility Ultraviolet Disinfection System Project and authorize the General Manager to sign on behalf of the District, 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

11. CONSIDER A DRAFT LETTER TO THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION ON THE PROPOSED FALLBROOK PUBLIC UTILITIES DISTRICT AND RAINBOW MUNICIPAL WATER DISTRICT DETACHMENT FROM THE SAN DIEGO COUNTY WATER AUTHORITY

General Manager Thorner presented the report.

Director Guerin moved to submit the comment letter to the San Diego Local Agency Formation Commission on the proposed Fallbrook Utilities District and Rainbow Municipal Water District detachment from the San Diego County Water Authority without any proposed edits, 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

12. CONSIDER UPDATE ON THE GENERAL MANAGER'S DECLARED COVID-19 EMERGENCY

This was an informational update. No board action was required.

13. INFORMATIONAL REPORTS

A. President's Report

President Sprague did not have anything to report.

B. General Manager's Report

General Manager Thorner reported that OMWD sent a letter to Metropolitan Water District of Southern California encouraging the minimization of rate increases in wake of the COVID-19 pandemic. She also reported that a large customer leak will be discussed in closed session at the October 14, 2020 board meeting.

Consulting Engineer's Report

Consulting Engineer MacFarlane's written report was distributed to the board.

C. General Counsel's Report

General Counsel Smith provided a written report that was included in the board packet.

D. San Diego County Water Authority Report

Director Guerin provided an update on the Regional Conveyance System Study vote from the last SDCWA board meeting. She also announced that Gary Croucher will serve as the SDCWA Chair and she will serve as Vice Chair beginning in October for a two-year term. The Secretary position will be voted on at the next SDCWA board meeting.

E. Legislative Report

The Legislative Report was included in the board packet.

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

GM Teleconference - Regional Conveyance (Aug 20)

Director Guerin had a teleconference meeting with the General Manager.

GM Teleconference - Regional Conveyance (Aug 21)

Director Guerin had a teleconference meeting with the General Manager.

GM Teleconference - SDCWA Issues (Aug 24)

Director Guerin had a teleconference meeting with the General Manager.

GM Teleconference - SDCWA Issues (Aug 26)

Director Guerin had a teleconference meeting with the General Manager.

Document Signing and Tour OMWD HQ (Aug 26)

Director Kephart toured the facility and signed documents with Executive Secretary Kaufmann.

GM Teleconference - Regional Conveyance (Aug 27)

Director Guerin had a teleconference meeting with the General Manager.

Safety Committee Meeting (Aug 27)

Directors Kephart and Topolovac participated in the Safety Committee Meeting.

EFRR Executive Committee Meeting (Aug 31)

Directors Kephart and Watt participated in the EFRR Executive Committee Meeting.

Meeting with the GM and Document Signing (Aug 31)

President Sprague met with the General Manager and signed documents with Executive Secretary Kaufmann.

Meeting with the GM and Tour (Sep 2)

Director Topolovac met with the General Manager.

14. **CORRESPONDENCE**

Correspondence was provided in the board packet.

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

There were no meetings requiring authorization to attend.

16. **FUTURE AGENDA ITEMS**

No future agenda items were requested.

17. **CONSIDER PUBLIC COMMENTS**

There were no public comments.

NOTE: The meeting was in recess

from 5:08 p.m. to 5:18 p.m.

NOTE: The meeting was in closed session
from 5:18 p.m. to 6:37 p.m.

18. 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.
- B) CONSIDER CLAIM FROM HILLSIDE PATIO HOMES HOA [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] • Additional Facts: Claim received on August 17, 2020.

18. OPEN SESSION

After discussion by the board, there was unanimous consent to reject the Hillside Patio Homes HOA Claim.

19. ADJOURNMENT

President Sprague adjourned the meeting at 6:37 p.m.

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

ATTEST:

Robert M. Kephart, Secretary
Board of Directors
Olivenhain Municipal Water District