

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

OCTOBER 16, 2019

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, October 16, 2019 at the District office, 1966 Olivenhain Road, Encinitas, California.

President Sprague called the meeting to order at 4:00 p.m. Following the Pledge of Allegiance, the Assistant Secretary called the roll. Directors present were Guerin, Kephart, Sprague, Topolovac, and Watt.

President Sprague declared a quorum present and ordered the meeting to proceed. In attendance were Kimberly Thorner, General Manager; Alfred Smith, General Counsel; Joseph Randall, Assistant General Manager; Rainy Selamat, Finance Manager; Jason Hubbard, Engineering Manager; John Carnegie, Customer Services Manager; Dave Smith, Operations Manager; Tom Wood, Human Resources Manager; and Stephanie Kaufmann, Executive Secretary.

Also in attendance were Mike Thornton – San Elijo Joint Powers Authority General Manager; Consulting Engineer Don MacFarlane; district employees Brian Sodeman – Customer Service and Public Affairs Supervisor; Karen Ogawa – Engineering Project Administrator; Dan Bean – Construction Supervisor; Mark Wilson – Field Services Supervisor; Leo Mendez – Accounting Supervisor; John Onkka – Water Reclamation Facilities Supervisor; Teresa Chase – Administrative Analyst; Jesica Cleaver – Administrative Analyst; and Shawn Patterson – Department Assistant.

5. ADOPTION OF AGENDA

Director Watt moved to adopt the agenda, seconded by Director Kephart and carried unanimously.

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

- \* Certificate of Achievement for Excellence in Financial Reporting for the 2018 CAFR from the Government Finance Officers Association (GFOA)
- \* Special District Leadership Foundation District of Distinction Silver Accreditation
- \* Special District Leadership Foundation District Transparency Certificate of Excellence
- \* Jaden Arellano – Utility I – New Hire
- \* Dustin Bourgeois – Utility II – Promotion

- \* Tong Tang – Field Services Technician II – GYO Promotion
- \* Adam Calm – Systems Operator III – GYO Promotion
- \* Sean Peterson – Backflow & Cross Connection Coordinator II – GYO Promotion

Finance Manager Selamat presented the GFOA Certificate of Achievement for Excellence in Financial Reporting for the 2018 CAFR. Customer Services Manager Carnegie presented the Special District Leadership Foundation certificates. All employees were recognized and congratulated for their excellent contributions and promotions.

8. CONSIDER APPROVAL OF THE MINUTES OF THE SEPTEMBER 18, 2019 REGULAR BOARD OF DIRECTORS MEETING

Director Topolovac moved to approve the September 18, 2019 meeting minutes, seconded by Director Kephart and carried 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; AND REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS
- C-b CONSIDER ACCEPTANCE OF THE 4S RANCH WATER RECLAMATION FACILITY COVERED STORAGE PROJECT (W.E. HEUSLEIN GENERAL CONTRACTOR, INC.) INTO THE DISTRICT'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-c CONSIDER ACCEPTANCE OF THE 4S RANCH WATER RECLAMATION FACILITY COVERED STORAGE PROJECT (PASCAL STEEL CORPORATION) INTO THE DISTRICT'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-d CONSIDER AWARD OF A CONTRACT WITH SUEZ WATER TECHNOLOGIES AND SOLUTIONS IN THE AMOUNT OF \$68,030 FOR ON-SITE FIELD SERVICES TO SUPPORT TRAIN 8 MEMBRANE REPLACEMENT AT THE DAVID C. MCCOLLOM WATER TREATMENT PLANT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
- C-e CONSIDER ACCEPTANCE OF THE HELEN WOODWARD ANIMAL CENTER FIRE DETECTOR CHECK INSTALL PROJECT (HELEN WOODWARD ANIMAL CENTER) INTO THE DISTRICT'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-f CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 402 FOR SPYGLASS LANE (SD COMMERCIAL HOLDINGS 3, LLC) AND ORDER THE PERMIT BE RECORDED

- C-g CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH IKG ENVIRONMENTAL, INC. IN THE AMOUNT OF \$95,265 FOR MONITORING, DATA REDUCTION, AND REPORTING IN SUPPORT OF THE SAN DIEGUITO VALLEY BRACKISH GROUNDWATER DESALINATION PROJECT PUMP TEST (DESIGN PILOT) AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
  
- C-h CONSIDER UPDATE ON EMERGENCY WORK AT RANCHO SANTA FE ROAD AND EL CAMINO DEL NORTE

President Sprague moved to authorize the Consent Calendar items, seconded by Director Guerin and carried unanimously.

- 10. CONSIDER APPROVAL OF AN AGREEMENT FOR SHARED SAFETY TRAINING RESOURCES AND CERTIFIED WASTEWATER OPERATOR SERVICES BETWEEN OLIVENHAIN MUNICIPAL WATER DISTRICT AND SAN ELIJO JOINT POWERS AUTHORITY AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT

Assistant General Manager Randall and San Elijo Joint Powers Authority General Manager Thornton presented the report.

Director Watt moved to approve of an agreement for shared safety training resources and certified wastewater operator services between Olivenhain Municipal Water District and San Elijo Joint Powers Authority, seconded by Director Guerin and carried unanimously.

- 11. CONSIDER THE CALENDAR FOR THE 2020 OLIVENHAIN MUNICIPAL WATER DISTRICT'S BOARD MEETINGS

Director Kephart moved to approve the 2020 Olivenhain Municipal Water District's Board Meeting Calendar, seconded by Director Guerin and carried unanimously.

- 12. CONSIDER ANNUAL OBJECTIVES AND TIGER TEAM STATUS REPORT

Administrative Analyst Chase presented the informational report.

- 13. CONSIDER ADOPTION OF AN ORDINANCE AMENDING OLIVENHAIN MUNICIPAL WATER DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 8—Water Rates & Charges, Article 9—Rules Relating to Customer Accounts, and Article 13—Policy for District Facilities)

Upon motion by Director Watt and a second by President Sprague, Ordinance 468 was adopted by the following roll call vote:

AYES: Directors Guerin, Kephart, Sprague, Topolovac, and Watt

NOES: None  
ABSTAIN: None  
ABSENT: None

14. CONSIDER A STATUS UPDATE ON THE NEW AND REMODELED OPERATIONS AND ADMINISTRATION FACILITIES (BUILDING D) PROJECT AND APPROVAL OF CHANGE ORDER NO. 4 TO KEETON CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$250,076 FOR REVISIONS REQUIRED DUE TO UNKNOWN SITE CONDITIONS, DISTRICT REQUEST AND CHANGES TO THE PLANS AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT

Engineering Manager Hubbard and Engineering Project Administrator Ogawa presented the report.

Director Topolovac moved to approve Change Order No. 4 with Keeton Construction Company, Inc. in the total amount of \$250,076 for additional work required for the New and Remodeled Operations and Administration Facilities Project (Building D) and authorize the General Manager to sign on behalf of the District in addition to pursuing remuneration from Sillman Wright Architects up to and including the involvement of the General Counsel, seconded by Director Watt and carried unanimously.

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

Administrative Analyst Cleaver presented the informational report.

21. INFORMATIONAL REPORTS

A. President's Report

President Sprague had nothing to report.

B. General Manager's Report

General Manager Thorner provided an update that the SDLAFCO Special Districts Advisory Committee is considering the issue of recycled water service rights of a North County golf course. She also reported that she will be emceeding the Water for People Luncheon at the Town and Country Hotel this month.

C. Consulting Engineer's Report

Consulting Engineer MacFarlane provided a written report that 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 Report

Director Guerin reported on the success of the AB 1588 News Conference, that SDLAFCO is adopting an MOU on the Rainbow/FPUD detachment, and that the General Manager search is still ongoing with the hopes of having a new General Manager in January 2020.

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

**GM Meeting (Sep 25)**

President Sprague participated in a conference call with the General Manager.

**CSDA Annual Conference (Sep 27)**

Director Watt attended the conference.

**Health and Wellness Expo (Oct 2)**

Director Kephart attended the expo.

22. CORRESPONDENCE

Correspondence was provided in the board packet.

23. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

There were no requests.

24. FUTURE AGENDA ITEMS

General Manager Thorner reported that staff will work on developing the metrics for impacted easements along with an evaluation of the projects visited on Board escorted tours that will be included on the 2020 Annual Goals. General Manager Thorner will also analyze the options of annual goals vs. fiscal year goals before the end of the year. Additionally, staff will look into the use of drones to assist the district with special projects.

25. CONSIDER PUBLIC COMMENTS

There were no public comments.

NOTE: The meeting was in recess  
from 6:06 p.m. to 6:28 p.m.

NOTE: The meeting was in closed session  
from 6:28 p.m. to 6:39 p.m.

26. 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 LITIGATION – SAN DIEGO GAS & ELECTRIC COMPANY VS. SC VALLEY ENGINEERING, INC; OMWD [PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1)] • Additional Facts: Lawsuit received on May 16, 2019.
- C) CONSIDER GENERAL MANAGER REVIEW [PURSUANT TO GOVERNMENT CODE SECTION 54957] • Additional Facts: Receive packet; full review and compensation discussion to be held at subsequent Board Meeting.

27. OPEN SESSION

- A) CONSIDER GOAL INCENTIVE PAY FOR 2019 ANNUAL GOALS (IF ANY)

There was Board consensus to defer the goal incentive item to the November Board Meeting.

28. ADJOURNMENT

President Sprague adjourned the meeting at 6:39 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