

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

November 15, 2023

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, November 15, 2023, at the district office, 1966 Olivenhain Road, Encinitas, California. It was noted that Director Hahn was teleconferencing in from 4535 Commerce Street, Virginia Beach, VA 23462.

President Guerin 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, 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; Steve Weddle, Engineering Services Supervisor; Leo Mendez, Accounting Supervisor; Teresa Chase, Administrative Analyst; Don MacFarlane, Consulting Engineer; Stephanie Kaufmann, Executive Secretary; Robert Kreutzer, Department Assistant; and Tim Schuette, Safety and Risk Compliance Administrator.

5. ADOPTION OF AGENDA

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

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

Current Service Awards, Promotions, and Honorable Mentions

- * John Onkka – Water Reclamation Facilities Supervisor – 15 Years – October
- * Jesus Vasquez – Utility I – New Hire – October
- * Salden Stone – Utility I – New Hire – October
- * Jesse Bartlett-May – Operations Manager – New Hire – October

The employees were congratulated and welcomed by the board.

2023 Pure Excellence Award winners:

Congressman Scott Peters – Legislator of the Year
MiraCosta College – Customer of the Year
California Landscape Technologies – Business of the Year
BCK Programs, LLC – Educator of the Year

President Guerin and Administrative Analyst Chase presented the awards to the Pure Excellence Award Winners.

8. CONSIDER APPROVAL OF THE MINUTES OF THE OCTOBER 18, 2023, REGULAR BOARD OF DIRECTORS

Director Watt moved to approve the minutes of the October 18, 2023, Regular Board of Directors Meeting, seconded by Director Meyers, and approved by the following roll call vote:

AYES:	Directors Guerin, Hahn, Meyers, San Antonio, 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

C-b CONSIDER A RESOLUTION GOVERNING THE DISTRICT'S GRANT APPLICATION SUBMITTED TO THE UNITED STATES BUREAU OF RECLAMATION FOR FUNDING UNDER THE WATER INFRASTRUCTURE IMPROVEMENTS FOR THE NATION ACT PROGRAM FOR THE NORTH SAN DIEGO WATER REUSE 2020 PROJECT

C-d CONSIDER ACCEPTANCE OF THE 20475 ELFIN FOREST ROAD WATER SERVICE INSTALLATION PROJECT (TODD VERWERS) INTO OMWD'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED

Director Watt moved to approve the Consent Calendar, seconded by Director San Antonio, and approved by the following roll call vote:

AYES:	Directors Guerin, Hahn, Meyers, San Antonio, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

10. CONSIDER AWARD OF A CONTRACT WITH GSE CONSTRUCTION COMPANY INC. IN THE AMOUNT OF \$2,315,300 FOR THE CONSTRUCTION OF THE DAVID C. MCCOLLOM WATER TREATMENT PLANT STAGE 4 UPGRADES PROJECT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

Engineering Manager Stephenson presented the report.

Director Watt moved to award a contract with GSE Construction Company, Inc. in the amount of \$2,315,300 to construct the David C. McCollom Water Treatment Plant Stage 4 Upgrades and authorize the General Manager to sign on behalf of the Olivenhain Municipal Water District, seconded by Director Hahn, and approved by the following roll call vote:

AYES:	Directors Guerin, Hahn, Meyers, San Antonio, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

11. CONSIDER APPROVAL OF CHANGE ORDER NO. 5 WITH ORION CONSTRUCTION CORPORATION FOR \$106,763 FOR THE 4S RANCH NEIGHBORHOOD 1 SEWER PUMP STATION REPLACEMENT PROJECT, AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

Engineering Supervisor Weddle presented the report.

President Guerin moved to approve Contract Change Order No. 5 for the 4S Ranch Neighborhood 1 Sewer Pump Station Replacement Project with Orion Construction Corporation in the amount of \$106,763, and authorize the General Manager to sign on behalf of Olivenhain Municipal Water District, seconded by Director Watt, approved by the following roll call vote:

AYES:	Directors Guerin, Hahn, Meyers, San Antonio, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

12. CONSIDER AND DISCUSS OLIVENHAIN MUNICIPAL WATER DISTRICT'S RATE REIMBURSEMENT CREDIT

Finance Manager Selamat presented the report.

Director Meyers moved to select Alternative 2 and to review the Rate Reimbursement Credit Program again with the board in 2024 as part of Water Cost of Service Study, seconded by Director Hahn. The motion failed by the following roll call vote:

AYES: Directors Hahn and Meyers
NOES: Directors Guerin, San Antonio, and Watt
ABSTAIN: None
ABSENT: None

President Guerin moved to select Alternative 1 and to review the Rate Reimbursement Credit Program in 2024 for a March 1, 2025 credit and thereafter as part of Water Cost of Service Study, seconded by Director Watt, and approved by the following roll call vote:

AYES: Directors Guerin, San Antonio, and Watt
NOES: Directors Hahn and Meyers
ABSTAIN: None
ABSENT: None

13. INFORMATIONAL REPORTS

A. President's Report

President Guerin reported that she attended SDCWA's Quantification Settlement Agreement's 20th Anniversary Celebration.

B. General Manager's Report

General Manager Thorner did not have anything to report.

C. Consulting Engineer's Report

Consulting Engineer MacFarlane's 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 attended Quantification Settlement Agreement's 20th Anniversary Celebration and reported on the new SDCWA operations building agreement.

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

Conference Call with the General Manager RE: NBH1 Sewer Pump Station and Board Meeting Comments (Oct 19)

Director Watt had a call with the General Manager.

NBH1 Sewer Pump Station Project Site Tour (Oct 20)

Director Watt toured the project site.

Conference Call with the General Manager RE: Sun Vista Park and OMWD (Oct 26)

President Guerin had a call with the General Manager.

Meeting with the General Manager RE: CWA Issues (Oct 30)

Director Meyers met with the General Manager.

Finance Committee Meeting (Nov 2)

Directors Meyers and Watt attended the meeting.

Employee Motivational Speaker Event (Nov 8)

Directors Meyers and Watt attended the presentation.

Quantification Settlement Agreement's 20th Anniversary Celebration (Nov 8)

President Guerin attended the event.

Board Meeting Pre-Briefing (Nov 14)

President Guerin met with the General Manager.

H. Board Comments

There were no board comments.

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

There were no future agenda items added.

17. CONSIDER PUBLIC COMMENTS

There were no additional public comments.

NOTE: The meeting was in Recess
from 5:15 p.m. to 5:29 p.m.

NOTE: The meeting was in Closed Session
from 5:29 p.m. to 6:18 p.m.

18. CLOSED SESSION

A) CONSIDER POTENTIAL LITIGATION – ONE CASE [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]

B) CONSIDER LITIGATION – SIMEK [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] • Additional Facts: Claim received on March 9, 2023. Claim rejected and tendered to OMWD’s insurance on March 9,2023.

C) CONSIDER EXISTING LITIGATION – CLASS ACTION SETTLEMENT WITH 3M COMPANY AND DUPONT [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]

D) CONSIDER GENERAL MANAGER REVIEW [PURSUANT TO GOVERNMENT CODE SECTION 54957] • Additional Facts: Receive packet; full review and compensation discussion to be held on November 15, 2023.

19. OPEN SESSION

The board received a report and directed staff in Closed Session. There was no reportable action.

20. CONSIDER GENERAL MANAGER’S (A) 2023 INCENTIVE AND (B) 2024 COMPENSATION

After discussion by the board, General Manager Thorner was awarded \$7,596 for superior performance goal incentive pay for calendar year 2023, payable in November 2023. General Manager Thorner will receive a base pay increase of 5%, effective January 1, 2024.

Director Meyers moved to grant the aforementioned goal incentive pay and compensation as stated, seconded by President Guerin, and carried unanimously by the following roll call vote:

AYES:	Directors Guerin, Hahn, Meyers, San Antonio, and Watt
NOES:	None
ABSTAIN:	None
ABSENT:	None

It was noted that the 2024 goal incentive amount would be established after the Annual Objectives presentation in January 2024.

21. ADJOURNMENT

President Guerin adjourned the meeting at 6:32 p.m.

Christy Guerin, President
Board of Directors
Olivenhain Municipal Water District

ATTEST:

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