

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

December 13, 2023

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, December 13, 2023, at the district office, 1966 Olivenhain Road, Encinitas, California.

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; Steve Weddle, Engineering Services Supervisor; Leo Mendez, Accounting Supervisor; Teresa Chase, Administrative Analyst; Joe Jansen, Administrative Analyst; Don MacFarlane, Consulting Engineer; Stephanie Kaufmann, Executive Secretary; Robert Kreutzer, Department Assistant; and OMWD Auditors Ken Pun and Coley Delaney from The Pun Group.

5. ADOPTION OF AGENDA

President Guerin announced that agenda item 15, the Enterprise Asset Management Work Order Backlog informational presentation, was removed from the agenda and will be presented at the January meeting.

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

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

2023 Pure Excellence Award winner:

Rich Riemer – Volunteer of the Year

* George Mileon – Senior Systems Administrator – 20 Years – December

* Evan DeWindt – Water Treatment Facilities Supervisor – Promotion

Volunteer of the Year, Rich Riemer was congratulated and thanked by the board.

The employees were congratulated by the board.

8. CONSIDER APPROVAL OF THE MINUTES OF THE NOVEMBER 15, 2023, REGULAR BOARD OF DIRECTORS

President Guerin moved to approve the minutes of the November 15, 2023, Regular Board of Directors Meeting, seconded by Director Watt, and approved 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; REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS AND STAFF; AND MONTHLY INVESTMENT REPORTS
- 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-d CONSIDER ADOPTION OF A RESOLUTION SUPPORTING THE DISTRICT'S EMPLOYEE SAFETY AND WELLNESS PROGRAMS
- C-e CONSIDER APPROVAL OF ANNUAL REVISIONS TO THE DISTRICT'S RECORDS RETENTION SCHEDULE
- C-f CONSIDER ANNUAL REVIEW OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S INVESTMENT POLICY AND APPROVE THE PROPOSED CHANGES FOR CALENDAR YEAR 2024
- C-g CONSIDER ADOPTION OF A RESOLUTION MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION FINDINGS FOR THE VILLAGE PARK WEST AND GARDENDALE PRESSURE REDUCING STATION REPLACEMENT PROJECT AND AUTHORIZE A NOTICE OF EXEMPTION BE FILED WITH THE COUNTY CLERK, COUNTY OF SAN DIEGO
- C-h CONSIDER ADOPTION OF A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT HONORING TOM ARELLANO FOR OVER 20 YEARS OF SERVICE UPON HIS RETIREMENT AS THE WATER TREATMENT FACILITIES SUPERVISOR

Director Meyers pulled item C-c from the consent calendar for further discussion.

Director Watt moved to approve the Consent Calendar with the exception of item C-c, seconded by Director Meyers, and approved unanimously.

- C-c CONSIDER REVISIONS TO THE LEGISLATIVE GUIDELINES FOR 2024

Director Meyers made a motion to include language in favor of legislation that would support a more equitable voting structure at the San Diego County Water Authority to the Imported Water Supply section of the Legislative Guidelines, seconded by Watt, and carried unanimously.

10. CONSIDER APPROVAL OF THE DISTRICT'S FISCAL YEAR 2022-2023 AUDITED FINANCIAL STATEMENTS, FISCAL YEAR 2022-2023 SINGLE AUDIT, AND ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEARS ENDED JUNE 30, 2023 AND 2022 (FINAL DRAFT)

Consultants Ken Pun and Coley Delaney from The Pun Group presented the district's audit results.

President Guerin moved to approve the fiscal year 2022-2023 audited Financial Statements, fiscal year 2022-2023 Single Audit, and the district's fiscal year 2022-2023 Annual Comprehensive Financial Report final draft, seconded by Director San Antonio, and approved unanimously.

11. RECEIVE ANNUAL REPORT ON THE DISTRICT'S PENSION FUNDING STATUS AND CONSIDER APPROVAL OF THE RECOMMENDED PENSION FUNDING PLAN FOR 2023

Director Watt moved to make an annual Additional Discretionary Payment to CalPERS in the amount of \$311,000 from the District's Pension Stabilization Fund by December 31, 2023 to reduce the District's Unfunded Accrued Liability, and to make a contribution of \$550,000 from the Water Operating Fund and Sewer Operating Fund to the Water Pension Stabilization Fund and Wastewater Pension Stabilization Fund, seconded by Director Meyers, and carried unanimously.

12. CONSIDER ANNUAL REVIEW OF RESERVES POLICY AND ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 16 – Non-Restricted Funds, Article 17 – Other Non-Restricted Funds and Article 18 – Restricted and Other Designated Funds)

Upon motion by President Guerin and a second by Director Hahn, Ordinance 512 was approved by the following roll call vote:

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

13. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 4 – Classified Positions)

Upon motion by Director Meyers and a second by President Guerin, Ordinance 513 was approved by the following roll call vote:

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

14. CONSIDER INFORMATIONAL REPORT ON WATER USE EFFICIENCY REGULATIONS

Customer Service and Public Affairs Supervisor Sodeman presented the informational report.

16. CONSIDER AWARD OF A CONTRACT WITH CCL CONTRACTING, INC. IN THE AMOUNT OF \$1,090,000 FOR THE CONSTRUCTION OF THE UNIT A RANCHO SANTA FE POTABLE WATER PIPELINE REPLACEMENT PROJECT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

Director Watt moved to award a contract with CCL Contracting Inc. in the amount of \$1,090,000 to construct the Unit A Rancho Santa Fe Potable Water Pipeline Replacement Project (Project) and authorize the General Manager to sign on behalf of Olivenhain Municipal Water District, seconded by Director Meyers, and approved unanimously.

17. CONSIDER THE OMWD FINANCING AUTHORITY (JOINT POWERS AUTHORITY) BOARD MEETING (See Separate Agenda)

President Guerin conducted the OMWD Financing Authority (Joint Powers Authority) board meeting. The minutes for the OMWD Financing Authority board meeting are attached as Exhibit "A."

18. CONSIDER THE OMWD FINANCE CORPORATION ANNUAL MEETING (See Separate Agenda)

President Guerin conducted the OMWD Finance Corporation annual meeting. The minutes for the OMWD Finance Corporation meeting are attached as Exhibit "B."

19. INFORMATIONAL REPORTS

A. President's Report

President Guerin thanked staff for the end of the year dinner and for the Bob Topolovac Courtyard Dedication event.

B. General Manager's Report

General Manager Thorner provided a written report that was included in the board packet.

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 reported on the U.S. Bureau of Reclamation Imperial Irrigation District, and the Metropolitan Water District of Southern California’s three-party water agreement that will increase water levels in Lake Mead and save money on wholesale water rates. He also reported that there is a rate structure, demand projection, and voting structure workshop on January 11th at the San Diego Central Library.

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

CSDA Quarterly Dinner (Nov 16)

Director San Antonio attended the event.

Debrief RE: November Board Meeting (Nov 16)

President Guerin met with the General Manager.

ACWA JPIA Meeting (Nov 26-28)

Director San Antonio attended the JPIA meeting.

Conference Call RE: Customer Questions on Recycled Water Retrofits (Nov 28)

Director Watt had a conference call with the General Manager.

ACWA Fall Conference (Nov 28-30)

Director Meyers attended the conference.

Document Signing (Nov 29)

Director Guerin signed documents.

Document Signing (Nov 29)

Director Guerin signed documents.

End of the Year Dinner (Dec 1)

Directors Guerin, Hahn, Meyers, and San Antonio attended the dinner.

Facilities Committee Meeting (Dec 4)

Directors Guerin and Watt attended the committee meeting.

Reynolds Groundwater Desalination Facility Tour (Dec 5)

Director Meyers attended the tour.

Bob Topolovac Courtyard Dedication Event (Dec 6)

Directors Guerin, Meyers, San Antonio, and Watt attended the event.

Board Meeting Preparation (Dec 12)

President Guerin met with the General Manager.

Doheny Ocean Desalination Project Tour (Dec 12)

Directors Meyers and Watt attended the tour.

H. **Board Comments**

Director Meyers requested to include the previous month's Public Records Act Requests in the board packet. The board concurred and staff will include it in the next board packet.

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

There were no future agenda items added.

23. CONSIDER PUBLIC COMMENTS

There were no additional public comments.

NOTE: The meeting was in Recess
from 6:03 p.m. to 6:22 p.m.

NOTE: The meeting was in Closed Session
from 6:22 p.m. to 7:24 p.m.

19. CLOSED SESSION

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

B) EXPOSURE TO LITIGATION – ONE CASE [PURSUANT TO GOVERNMENT CODE
SECTION 54956.9]

20. OPEN SESSION

General Counsel Smith reported that the board authorized litigation against the County of San Diego regarding the district's claim for damages in the Neighborhood 1 Sewer Pump Station Replacement Project.

21. ADJOURNMENT

President Guerin adjourned the meeting at 7:25 p.m.

Christy Guerin, President
Board of Directors
Olivenhain Municipal Water District

ATTEST:

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

MINUTES OF THE BOARD OF DIRECTORS MEETING
OF THE OMWD FINANCING AUTHORITY
(JOINT POWERS AUTHORITY)

December 13, 2023

A meeting of the Board of Directors of the OMWD Financing Authority (Joint Powers Authority) was held on Wednesday, December 13, 2023 at the district office, 1966 Olivenhain Road, Encinitas, California.

President Guerin called the meeting to order at 5:43 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; Steve Weddle, Engineering Services Supervisor; Leo Mendez, Accounting Supervisor; Teresa Chase, Administrative Analyst; Joe Jansen, Administrative Analyst; Don MacFarlane, Consulting Engineer; Stephanie Kaufmann, Executive Secretary; and Robert Kreutzer, Department Assistant.

5. ADOPTION OF AGENDA

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

6. PERSONAL APPEARANCE AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. CONSIDER THE STATUS OF DEBT ISSUED BY THE OMWD FINANCING AUTHORITY (OMWD FINANCING AUTHORITY REVENUE BONDS SERIES 2021A, OMWD FINANCING AUTHORITY REVENUE BONDS SERIES 2021B, OMWD FINANCING AUTHORITY REVENUE BONDS SERIES 2016A, AND OMWD FINANCING AUTHORITY REVENUE BONDS SERIES 2009)

Director Watt moved to receive and accept the staff report, seconded by Director Guerin, and approved unanimously.

8. ADJOURNMENT

President Guerin adjourned the meeting at 5:45p.m.

Christy Guerin, President
Board of Directors
Olivenhain Municipal Water District

ATTEST:

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

MINUTES OF AN ANNUAL MEETING
OF THE BOARD OF DIRECTORS OF THE
OMWD FINANCE CORPORATION

December 13, 2023

An annual meeting of the Board of Directors of the OMWD Finance Corporation was held on Wednesday, December 13, 2023 at the district office, 1966 Olivenhain Road, Encinitas, California.

President Guerin called the meeting to order at 5:46 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; Steve Weddle, Engineering Services Supervisor; Leo Mendez, Accounting Supervisor; Teresa Chase, Administrative Analyst; Joe Jansen, Administrative Analyst; Don MacFarlane, Consulting Engineer; Stephanie Kaufmann, Executive Secretary; and Robert Kreutzer, Department Assistant.

5. ADOPTION OF AGENDA

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

6. PERSONAL APPEARANCE AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. CONSIDER THE STATUS OF DEBT ISSUED BY THE NON-PROFIT CORPORATION (OLIVENHAIN MUNICIPAL WATER DISTRICT SYSTEM REFUNDING REVENUE BONDS SERIES 2015A)

Director Meyers moved to receive and accept the staff report, seconded by Director Hahn, and approved unanimously.

8. ADJOURNMENT

President Guerin adjourned the meeting at 5:47p.m.

Christy Guerin, President
Board of Directors
Olivenhain Municipal Water District

ATTEST:

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