

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

DECEMBER 15, 2021

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, December 15, 2021 at the district office, 1966 Olivenhain Road, Encinitas, California in person and via video conference.

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, Guerin, Meyers, Topolovac, and Watt. 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, make 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; Jason Hubbard, Engineering 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; Leo Mendez, Accounting Supervisor; Stephanie Kaufmann, Executive Secretary; Don MacFarlane, Consulting Engineer; Kay Montplaisir from Redistricting Partners; and Ken Pun from The Pun Group.

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

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

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

6. ADOPTION OF AGENDA

Director Guerin moved to adopt the agenda, seconded by Director Meyers and approved by the following roll call vote:

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

7. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no public comments.

8. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

Current Service Awards, Promotions and Honorable Mentions

- \* John Carnegie – Customer Services Manager – 15 years – December
- \* Melody Colombo – Administrative Analyst – New Hire – November
- \* David Valenzuela – Systems Administrator – New Hire – November
- \* Kahlani Wicklund – Department Assistant I – New Hire – November

The employees were thanked and Customer Services Manager Carnegie was congratulated on his years of service.

9. CONSIDER APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2021 REGULAR BOARD OF DIRECTORS MEETING

Director Meyers moved to approve the minutes of the November 17, 2021 Regular Board of Directors meeting, seconded by Director Topolovac and approved by the following roll call vote:

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

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
- 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 REVISIONS TO THE LEGISLATIVE GUIDELINES FOR 2022
- C-d CONSIDER ANNUAL REVIEW OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S INVESTMENT POLICY AND APPROVE THE PROPOSED CHANGES FOR CALENDAR YEAR 2022

- C-e CONSIDER ADOPTION OF A RESOLUTION SUPPORTING THE DISTRICT’S EMPLOYEE SAFETY AND WELLNESS PROGRAMS
- C-f CONSIDER APPROVAL OF ANNUAL REVISIONS TO THE DISTRICT’S RECORDS RETENTION SCHEDULE
- C-g CONSIDER APPROVAL OF THE LOCAL PROJECT PARTICIPANT AGREEMENT BETWEEN SAN ELIJO JOINT POWERS AUTHORITY AND OLIVENHAIN MUNICIPAL WATER DISTRICT FOR THE INTEGRATED REGIONAL WATER MANAGEMENT PROGRAM RELATED TO THE PROPOSITION 1 ROUND 1 INTEGRATED REGIONAL WATER MANAGEMENT IMPLEMENTATION GRANT FOR THE SOUTH EL CAMINO REAL RECYCLED WATER PIPELINE PROJECT
- C-h CONSIDER ACCEPTANCE OF THE MAIN EXTENSION 246 – DESERT ROSE WAY PROJECT (WPG DESERT ROSE, LLC) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-i CONSIDER ACCEPTANCE OF THE MIRA COSTA COLLEGE BUILDING B100 FIRE DETECTOR CHECK INSTALL PROJECT (MIRA COSTA COMMUNITY COLLEGE DISTRICT) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-j CONSIDER APPROVAL OF A LEASE AGREEMENT BETWEEN APC TOWERS III, LLC AND OLIVENHAIN MUNICIPAL WATER DISTRICT TO ALLOW COMMUNICATIONS FACILITIES AT THE 4S-1 RESERVOIR SITE AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD
- C-k CONSIDER ADOPTION OF A RESOLUTION MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS FOR THE LONE JACK PRESSURE REDUCING STATION REPLACEMENT PROJECT AND ORDER A NOTICE OF EXEMPTION BE FILED WITH THE COUNTY CLERK, COUNTY OF SAN DIEGO

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

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

- 11. CONSIDER APPROVAL OF THE DISTRICT’S FISCAL YEAR 2020/2021 AUDITED FINANCIAL STATEMENTS AND ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEARS ENDED JUNE 30, 2021 AND 2020 (FINAL DRAFT)

Accounting Supervisor Mendez and consultant Ken Pun from the Pun Group presented the report.

Director Meyers inquired about the district's pension liability. Mr. Pun stated that the district is at a healthy percentage and ratio of pension liability.

Director Guerin moved to approve the fiscal year 2020/2021 audited Financial Statements and Annual Comprehensive Financial Report, seconded by Director Bruce-Lane and approved by the following roll call vote:

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

12. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (ARTICLE 4 – CLASSIFIED POSITIONS)

Upon motion by Director Topolovac and a second by President Watt, Ordinance 497 was adopted by the following roll call vote:

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

13. CONSIDER APPROVAL OF THE MEMORANDUM OF UNDERSTANDING WITH THE BARGAINING UNIT MEMBERS ASSOCIATION AND THE OLIVENHAIN MUNICIPAL WATER DISTRICT EMPLOYEES ASSOCIATION

General Manager Thorner announced that a minor edit to paragraph six will be made to update the word "expense" to "expensive."

Director Topolovac moved to approve a joint Memorandum of Understanding with the Bargaining Unit Members Association and the Olivenhain Municipal Water District Employees Association, seconded by Director Guerin and approved by the following roll call vote:

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

14. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH PARSONS TRANSPORTATION GROUP, INC. IN THE AMOUNT OF \$192,465 FOR PRELIMINARY AND FINAL DESIGN SERVICES FOR THE UNIT A NORTH, RANCHO SANTA FE ROAD POTABLE WATER PIPELINE PROJECT, APPROPRIATE \$156,250 TO THE FY 21/22 PROJECT BUDGET, AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

President Watt moved to approve a professional services agreement with Parsons Transportation Group, Inc. in the amount of \$192,465 for preliminary and final design services for the Unit A North, Rancho Santa Fe Road Potable Water Pipeline Project, appropriate \$156,250 from the fiscal year 2022/2023 project budget to the fiscal year 2021/2022 project budget, and authorize the General Manager to sign on behalf of the district, seconded by Director Meyers and approved by the following roll call vote:

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

15. CONSIDER SETTING A TIME AND PLACE TO HOLD A SPECIAL MEETING OF THE BOARD OF DIRECTOR'S TO CONDUCT A WORKSHOP ON THE SAN DIEGUITO VALLEY BRACKISH GROUNDWATER DESALINATION PROJECT (WEEK OF MARCH 28, 2022 AT 4:00 P.M.) TO CONSIDER THE RESULTS OF RECENT INVESTIGATIONS, AND PROVIDE AN OPPORTUNITY FOR BOARD COMMENT AND INPUT

Director Topolovac noted for the record that he would like to further discuss the minor impacts to groundwater basin at the special meeting.

President Watt moved to hold a special meeting in the boardroom on Wednesday, March 30, 2022 at 4:00 P.M., seconded by Director Topolovac and approved by the following roll call vote:

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

16. CONSIDER STATUS UPDATE ON THE PROPOSED FALLBROOK PUBLIC UTILITIES DISTRICT AND RAINBOW MUNICIPAL WATER DISTRICT DETACHMENT FROM THE SAN DIEGO COUNTY WATER AUTHORITY

This was an informational report. Staff will return with a follow up report in early 2022 once the work by the San Diego LAFCO consultant, Dr. Hanemann, and the Advisory Committee is complete.

Agenda items 18 and 19 were heard next on the agenda.

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

President Watt conducted the OMWD Finance Corporation annual meeting. The minutes for the OMWD Finance Corporation meeting are attached as Exhibit “A.”

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

President Watt conducted the OMWD Financing Authority (Joint Powers Authority) board meeting. The minutes for the OMWD Financing Authority board meeting are attached as Exhibit “B.”

Agenda item 17 was heard next on the agenda.

17. CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION

General Manager Thorner provided the informational report.

NOTE: The meeting was in recess  
from 5:25 p.m. to 5:34 p.m.

20. PUBLIC HEARING TO CONSIDER ADJUSTMENTS TO OLIVENHAIN MUNICIPAL WATER DISTRICT’S DIRECTOR DIVISION BOUNDARIES (5:30 P.M.)

President Watt announced that this was the time and place for Public Hearing #1 to consider adjustments to Olivenhain Municipal Water District’s director division boundaries.

General Manager Thorner stated that the notice of public hearing was published in the San Diego Union Tribune on Wednesday, December 1, 2021 and Wednesday, December 8, 2021. OMWD coordinated with Redistricting Partners to assist in the redistricting process. California Elections Code Section 22000 requires special districts to adjust their division boundaries by a resolution after each federal decennial census. Using the census as the basis, special districts are to adjust the boundaries of the director divisions so that the divisions are as equal in population as possible. Although only one public hearing is required by law, OMWD chose to hold three public hearings at the December 15, 2022, January 19, 2022, and February 16, 2022 board meetings. A resolution will be presented to the board for consideration after the February 16, 2022 public hearing to approve the final division boundaries by the April 17, 2022 deadline.

There were not any members of the public in attendance who wished to speak and there were no comments received from the public.

Kay Montplaisir from Redistricting Partners presented the report.

President Watt announced that the Public Hearing was closed and reconvened the meeting of the Board of Directors.

Director Topolovac (Division 1) noted that equal population, contiguity, and communities of interest were important to him and his division.

Director Bruce-Lane (Division 4) commented that her division is both rural in the Elfin Forest area and very populated in the 4S region. She would prefer that the 4S region stay intact.

President Watt (Division 2) commented that splitting up a street into different divisions was not ideal.

Consultant Kay Montplaisir indicated that there would be movement in all divisions due to the deviation adjustments that need to be made in order to be under the 10% deviation requirement for the whole district. Three draft maps will be brought to the board at the next public hearing.

21. INFORMATIONAL REPORTS

A. President's Report

President Watt reported that he attended the ACWA Conference in Pasadena and was the district's voting representative at the conference. He reported that Cathy Green will serve as Vice President and Pam Tobin will serve as President for the 2022-2023 term.

B. General Manager's Report

General Manager Thorner's report was included in the board packet.

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 she is on the committee for the recruitment of the new General Counsel. The committee has narrowed it down to two firms.

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 18)**

Director Meyers attended the dinner.

**Meeting with the General Manager (Nov 23)**

President Watt met with the General Manager.

**Nossaman ACWA Reception (Nov 30)**

Directors Guerin, Meyers, and Watt attended the reception.

**ACWA Fall Conference (Nov 30-Dec 3)**

Directors Guerin, Meyers, and Watt attended the conference.

**Individual Conference Calls with the General Manager (Dec 6)**

Directors Bruce-Lane, Guerin, Meyers, and Watt had conference calls with the General Manager.

**AB 1825 – Harassment Training (Dec 10)**

President Watt completed his AB 1825 Harassment Training.

**Facilities Committee Meeting (Dec 14)**

Directors Meyers and Topolovac attended the committee meeting.

22. CORRESPONDENCE

Correspondence was provided in the board packet.



23. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

There were no meetings requiring authorization to attend.

24. FUTURE AGENDA ITEMS

No future agenda items were requested.

25. CONSIDER PUBLIC COMMENTS

There were no public comments.

26. CLOSED SESSION

There was no need for a Closed Session this meeting.

28. ADJOURNMENT

President Watt adjourned the meeting at 6:23 p.m.

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

ATTEST:

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Kimberly A. Thorner, Assistant Secretary  
General Manager  
Olivenhain Municipal Water District

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

December 15, 2021

An annual meeting of the Board of Directors of the OMWD Finance Corporation was held on Wednesday, December 15, 2021 at the district office, 1966 Olivenhain Road, Encinitas, California.

President Watt called the meeting to order at 5:19 p.m. Following the Pledge of Allegiance, the Assistant Secretary called the roll. Directors present were Bruce-Lane, Guerin, Meyers, Topolovac, and Watt. It was noted that the meeting was published via teleconference in accordance Assembly Bill 361, which allows for local or state legislative bodies to hold meetings via teleconference, make 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; Jason Hubbard, Engineering 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; Leo Mendez, Accounting Supervisor; Stephanie Kaufmann, Executive Secretary; Don MacFarlane, Consulting Engineer; Kay Montplaisir from Redistricting Partners; and Ken Pun from The Pun Group.

5. ADOPTION OF AGENDA

Director Meyers moved to adopt the agenda as presented, seconded by Director Bruce-Lane and approved by the following roll call vote:

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

6. PERSONAL APPEARANCE AND PUBLIC COMMENTS

There was no one present to comment.

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 Bruce-Lane and approved the following roll call vote:

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

ABSENT:       None

8.     ADJOURNMENT

President Watt adjourned the meeting at 5:21 p.m.

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

ATTEST:

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Kimberly A. Thorner, Assistant Secretary  
General Manager  
Olivenhain Municipal Water District

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

December 15, 2021

A meeting of the Board of Directors of the OMWD Financing Authority (Joint Powers Authority) was held on Wednesday, December 15, 2021 at the district office, 1966 Olivenhain Road, Encinitas, California.

President Watt called the meeting to order at 5:22 p.m. Following the Pledge of Allegiance, the Assistant Secretary called the roll. Directors present were Bruce-Lane, Guerin, Meyers, Topolovac, and Watt. It was noted that the meeting was published via teleconference in accordance Assembly Bill 361, which allows for local or state legislative bodies to hold meetings via teleconference, make 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; Jason Hubbard, Engineering 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; Leo Mendez, Accounting Supervisor; Stephanie Kaufmann, Executive Secretary; Don MacFarlane, Consulting Engineer; Kay Montplaisir from Redistricting Partners; and Ken Pun from The Pun Group.

5. ADOPTION OF AGENDA

Director Meyers moved to adopt the agenda as presented, seconded by Director Guerin and approved by the following roll call vote:

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

6. PERSONAL APPEARANCE AND PUBLIC COMMENTS

There was no one present to comment.

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 Meyers moved to adopt the agenda as presented, seconded by Director Topolovac and approved by the following roll call vote:

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

8. ADJOURNMENT

President Watt adjourned the meeting at 5:23 p.m.

ATTEST:

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

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Kimberly A. Thorner, Assistant Secretary  
General Manager  
Olivenhain Municipal Water District