

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

September 20, 2023

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, September 20, 2023, at the district office, 1966 Olivenhain Road, Encinitas, California. It was noted that Director Watt was teleconferencing in from 110 Sagamore Rd. Bolton Landing, NY 12814.

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; Leo Mendez, Accounting Supervisor; John Onkka, Water Reclamation Facilities Supervisor; Brian Sodeman; Customer Service and Public Affairs Supervisor; Teresa Chase, Administrative Analyst; Don MacFarlane, Consulting Engineer; Stephanie Kaufmann, Executive Secretary; Robert Kreutzer, Department Assistant; Adam Schmidt, Systems Administrator; and Chris Cate from 3MC Strategies.

5. ADOPTION OF AGENDA

President Watt moved to adopt the agenda, 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

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

Chondra Brown commented on the overgrowth of brush along Canyon de Oro and requested regular maintenance and brush clearing. President Guerin thanked Ms. Brown for her comments and indicated that staff would follow up with her.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

Administrative Analyst Chase was honored for her 25 years of service under item 10.

8. CONSIDER APPROVAL OF THE MINUTES OF THE AUGUST 16, 2023, REGULAR BOARD OF DIRECTORS

Director Watt moved to approve the minutes of the August 16, 2023, Regular Board of Directors Meeting, 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

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 ADOPTION OF A RESOLUTION MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION FINDINGS FOR THE UNIT A RANCHO SANTA FE ROAD PIPELINE REPLACEMENT PROJECT AND AUTHORIZE A NOTICE OF EXEMPTION TO BE FILED WITH THE COUNTY CLERK, COUNTY OF SAN DIEGO
- C-c CONSIDER ACCEPTANCE OF THE 7760 – 7770 EL CAMINO REAL FIRE DETECTOR CHECK INSTALL (AP BEACON CARLSBAD, L.P.) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-d CONSIDER ACCEPTANCE OF THE 18128 VIA ROSWITHA FIRE DETECTOR CHECK INSTALL (ANN C. KESSLER) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-e CONSIDER ACCEPTANCE OF THE CALLE HERMOSA MAIN EXTENSION 260, FIRE HYDRANT, AND WATER SERVICE INSTALL (DONALD D. ADAIR) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-f CONSIDER ACCEPTANCE OF THE 17082 THORN MINT COURT SEWER LATERAL INSTALL (ASML) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
- C-g CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 422 FOR PHILIP D. WICKHAM AND MALLORY WICKHAM, TO PAVE WITHIN EASEMENT 319 LOCATED AT 1252 BERRYMAN CANYON AND ORDER THE PERMIT BE RECORDED

Director Meyers moved to approve the Consent Calendar, seconded by President Guerin, 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 ADOPTION OF A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT HONORING TERESA CHASE FOR 25 YEARS OF DEDICATED SERVICE

President Guerin moved to adopt Resolution 2023-16, seconded by Director Watt, and approved by the following roll call vote:

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

General Manager Thorner, Customer Services Manager Carnegie, and Customer Service and Public Affairs Supervisor Sodeman presented to Administrative Analyst Chase. The board thanked her for her years of service and presented her the resolution.

11. CONSIDER APPROVAL OF AN AGREEMENT BETWEEN OMWD AND THE PUN GROUP, LLP FOR PROFESSIONAL AUDITING SERVICES FOR THREE YEARS ENDING JUNE 30, 2024, 2025, AND 2026 IN THE AMOUNT OF \$108,182 AND AUTHORIZE THE GENERAL MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE DISTRICT

Accounting Supervisor Mendez presented the report.

Director Meyers moved to approve the professional auditing services agreement for three fiscal years ending June 30, 2024, 2025, and 2026 with The Pun Group, LLP in the amount of \$108,182, with the updated language that includes rotating the lead audit partner for the term of this agreement, and authorize the General Manager to sign on the behalf of the District, seconded by Director Watt, and approved by the following roll call vote:

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

12. CONSIDER STAFF PRESENTATION ON THE PROPOSED PASS-THROUGH INCREASES AND ADJUSTMENTS TO OMWD POTABLE AND RECYCLED WATER RATES AND CHARGES FOR 2024

Finance Manager Selamat presented the report.

President Guerin moved to recommend option 4 to pass through purchased water wholesale cost increases and to pass through annual inflation adjustment to OMWD water rates and charges for 2024, to pass through increases in the SDCWA-Infrastructure Access Charge fee on water meters effective January 1, 2024, make a 5% adjustment to OMWD monthly Fire Meter charges, and look at accelerating the rate reimbursement credit at the

next board meeting, 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

13. CONSIDER STATUS UPDATE ON THE DETACHMENT OF FALLBROOK AND RAINBOW AND THE RECENT LAWSUIT FILED BY THE SAN DIEGO COUNTY WATER AUTHORITY, ASSEMBLY BILL 399, AND THE COMMENCEMENT OF THE MUNICIPAL SERVICE REVIEW ON THE SAN DIEGO COUNTY WATER AUTHORITY (SDCWA)

General Manager Thorner presented the report. San Diego LAFCO Consultant Chris Cate provided a presentation on the Municipal Service Review process.

President Guerin provided the following comments to Consultant Chris Cate to be considered for the SDCWA Municipal Service Review:

- Review the voting structure at SDCWA.
- Review the rate model dashboard and pass through allocations from MWD to SDCWA and SDCWA to member agencies.
- Review SDCWA's debt issuance in the amount of debt SDCWA has, how the debt is recorded, and how they are proposing to pay the debt back.
- Review the take-or-pay supplies.

Director Meyers concurred with Director Guerin in reviewing the voting structure at SDCWA. He also provided comments to Consultant Chris Cate:

- Discuss the topic of consolidation.
- Attend future facilitator-led sessions.

There was board consensus to explore the advantages and disadvantages in the form of a strengths, weaknesses, opportunities, and threats (SWOT) analysis of a consolidation with Leucadia Wastewater District (LWWD). After this analysis, the board could decide whether to send a letter to LWWD.

14. CONSIDER AWARD OF A CONTRACT WITH TEICHERT ENERGY AND UTILITIES GROUP INC. DBA TEICHERT UTILITIES IN THE AMOUNT OF \$2,897,777 FOR THE CONSTRUCTION OF THE RECYCLED WATER PIPELINE EXTENSIONS FOR CALLE BARCELONA, VILLAGE PARK, AND SUMMERHILL PROJECT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

Director Watt moved to award a contract with Teichert Energy and Utilities Group Inc. in the amount of \$2,897,777 to construct the Recycled Water Pipeline Extensions for Calle Barcelona, Village Park, and Summerhill Project, and authorize the General Manager to sign on behalf of OMWD, 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

15. CONSIDER AN UPDATE ON THE 4S WATER RECLAMATION FACILITY DIGESTER BLOWER FIRE AND CONSIDER APPROVAL FOR A \$200,000 INCREASE TO FISCAL YEAR 2024 APPROPRIATION AND BUDGET FROM THE WASTEWATER CAPITAL RESERVE FUND

Water Reclamation Facilities Supervisor Onkka presented the report.

Director Meyers moved to approve the Fiscal Year 2024 appropriation and an increase of \$200,000 to the Wastewater Capital Budget, seconded by President Guerin, and approved by the following roll call vote:

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

16. INFORMATIONAL REPORTS

A. President's Report

President Guerin reported that she attended the outreach and facilities committee meetings along with an HOA site visit.

B. General Manager's Report

General Manager Thorner's report was included in the board packet. She reported that the new Operations Manager should be on board in the near future.

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 SDCWA retreat.

F. Legislative Report

The Legislative Report was included in the board packet. General Manager Thorner indicated that OMWD is monitoring AB 1594 closely.

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

**HOA Site Visit (Aug 18)**

President Guerin attended the site visit.

**Conference Call with the General Manager RE: LAFCO MSR & Garden (Aug 18)**

Director Watt had a conference call with the General Manager.

**Conference Call with the General Manager RE: Status of OMWD and Hurricane (Aug 21)**

Director Watt had a conference call with the General Manager.

**Conference Call with the General Manager RE: CWA Board Meeting (Aug 23)**

Director Meyers had a conference call with the General Manager.

**Conference Call with the General Manager RE: CWA Request on AB 399 (Aug 24)**

President Guerin had a conference call with the General Manager.

**Hydroponic Gardening Workshop (Aug 25)**

Director Meyers attended the workshop.

**Meeting with the General Manager (Aug 25)**

Director Watt had a meeting with the General Manager.

**Document Signing and Meeting with the General Manager (Aug 28)**

President Guerin signed documents and met with the General Manger.

**Elfin Forest Executive Committee Meeting (Aug 31)**

Directors San Antonio and Watt attended the committee meeting.

**Conference Call with the General Manager RE: SDCWA Board Meeting (Sep 6)**

Director Meyers had a conference call with the General Manager.

**San Dieguito Valley Brackish Groundwater Project Community Meeting (Sep 7)**

Director Meyers and San Antonio attended the community meeting.

**Vista Irrigation District 100<sup>th</sup> Anniversary Event (Sep 9)**

Directors Hahn and Watt attended the event.

**San Diego Botanic Garden’s “Garden Party” (Sep 9)**

Director Meyers attended the event.

**Facilities Committee Meeting (Sep 12)**

Directors Guerin and Watt attended the committee meeting.

**Ad Hoc Public Outreach and Conservation Committee Meeting (Sep 14)**

Directors Guerin and San Antonio attended the committee meeting.

**CWA Board Packet Review (Sep 15)**

Director Meyers met with the General Manager.

**Board Meeting Briefing (Sep 19)**

President Guerin met with the General Manager.

**Conference Call with the General Manager RE: OMWD Board Meeting (Sep 19)**

Director Meyers had a conference call with the General Manager.

**Conference Call with the General Manager RE: OMWD Board Meeting  
(Sep 19)**

Director Watt had a conference call with the General Manager.

H. Board Comments

There were no board comments.

17. CORRESPONDENCE

Correspondence was provided in the board packet.

18. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

There were no meetings requiring authorization to attend.

19. FUTURE AGENDA ITEMS

Director Meyers reported that SDCWA General Manager Denham was interested in coming to present at a future board meeting. President Guerin concurred and requested that General Manager Thorner reach out to coordinate with him.

20. CONSIDER PUBLIC COMMENTS

There were no additional public comments.

21. ADJOURNMENT

President Guerin adjourned the meeting at 6:48 p.m.

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Christy Guerin, President  
Board of Directors  
Olivenhain Municipal Water District

ATTEST:

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