

**NOTICE OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
OLIVENHAIN MUNICIPAL WATER DISTRICT  
1966 Olivenhain Road, Encinitas, CA 92024  
Tel: (760) 753-6466 • Fax: (760) 753-5640  
VIA TELECONFERENCE**

Pursuant to AB3035, effective January 1, 2003, any person who requires a disability related modification or accommodation in order to participate in a public meeting shall make such a request in writing to Stephanie Kaufmann, Executive Secretary, for immediate consideration.

DATE: WEDNESDAY, FEBRUARY 16, 2022

**TIME: 4:00 P.M.**

PLACE: VIA TELECONFERENCE

Pursuant to the Legislation AB 361, and in the interest of public health, OMWD is temporarily taking actions to mitigate the COVID-19 pandemic by holding Board Meetings electronically or by teleconference. This meeting will be a teleconference meeting.

To join this meeting via phone, please dial:  
(669) 900-9128 or (346) 248-7799  
Meeting ID: 876 3887 0719 and Password: 139764

**Public Participation/Comment:** Members of the public can participate in the meeting by emailing your comments on an agenda item to the Board Secretary at [skaufmann@olivenhain.com](mailto:skaufmann@olivenhain.com) or address the board directly in real-time under either of the public comment sections. If you do not receive a confirmation email that your comment has been received, please call (760) 632-4648 or address the board under either of the public comment sections to ensure that your comments are heard in real-time. The subject line of your email should clearly state the item number you are commenting on and should include your name and phone number. All comments will be emailed to the Board of Directors.

*NOTE: ITEMS ON THE AGENDA MAY BE TAKEN OUT OF SEQUENTIAL ORDER  
AS THEIR PRIORITY IS DETERMINED BY THE BOARD OF DIRECTORS*

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. DETERMINATION OF A QUORUM
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

- 6. ADOPTION OF AGENDA
- 7. PERSONAL APPEARANCES AND PUBLIC COMMENTS
- 8. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

- \* Josh Westbrook – Inspector I – Transfer – January
- \* Elfin Forest Recreational Reserve Photo Contest Winners

Service Awards, Promotions and Honorable Mentions from 2021

- \* Christy Guerin – Board Member – 10 Years – January 2021

- 9. CONSIDER APPROVAL OF THE MINUTES OF THE JANUARY 19, 2022 REGULAR BOARD OF DIRECTORS MEETING
- 10. CONSENT CALENDAR

*NOTE: ANY ITEM MAY BE REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION*

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 REPORT
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 FINALIZING THE ANNUAL OBJECTIVES FOR CALENDAR YEAR 2022
C-d	CONSIDER ACCEPTANCE OF THE CIRCO DIEGUENO COURT EMERGENCY LEAK REPAIR PROJECT (C.E. WILSON CORPORATION) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
C-e	CONSIDER ACCEPTANCE OF THE MAIN EXT. 145B – CALLE PONTE BELLA PROJECT (HCC INVESTORS, LLC) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
C-f	CONSIDER A RESOLUTION GOVERNING THE DISTRICT’S GRANT APPLICATION TO 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-g	CONSIDER APPROVAL OF THE ELEVENTH AMENDMENT TO THE AGREEMENT FOR JOINT COST SHARING BETWEEN OLIVENHAIN MUNICIPAL WATER DISTRICT, CARLSBAD MUNICIPAL WATER DISTRICT, VALLECITOS WATER DISTRICT, CITY OF OCEANSIDE, LEUCADIA WASTEWATER DISTRICT, SAN ELIJO JOINT POWERS AUTHORITY, RINCON DEL DIABLO MUNICIPAL WATER DISTRICT, SANTA FE IRRIGATION DISTRICT, AND CITY OF ESCONDIDO FOR JOINT FEDERAL LEGISLATIVE OUTREACH EFFORTS PERTAINING TO THE NORTH SAN DIEGO COUNTY REGIONAL RECYCLED WATER PROJECT
C-h	CONSIDER APPROVAL OF THE ELEVENTH AMENDMENT TO THE CONSULTING PROFESSIONAL SERVICES AGREEMENT WITH BLUEWATER STRATEGIES LLC FOR LEGISLATIVE OUTREACH SERVICES PERTAINING TO THE NORTH SAN DIEGO COUNTY REGIONAL RECYCLED WATER PROJECT
C-i	CONSIDER ACCEPTANCE OF THE DAVID C. MCCOLLOM WATER TREATMENT PLANT TRAIN 9 CONTROL WIRING PROJECT (SOUTHERN CONTRACTING COMPANY) INTO THE DISTRICT'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED

11. CONSIDER ADOPTION OF A RESOLUTION HONORING JEFF SWENERTON FOR 17 YEARS OF SERVICE ON THE ESCONDIDO CREEK CONSERVANCY BOARD OF DIRECTORS
12. CONSIDER UPDATE ON ELFIN FOREST RECREATIONAL RESERVE (INFORMATIONAL ITEM)
13. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 8 – Water Rates and Charges) TO TAKE EFFECT MARCH 1, 2022
14. CONSIDER ADOPTION OF A RESOLUTION MAKING CEQA EXEMPTION FINDINGS FOR THE WATER RATE INCREASES AND DEMAND REDUCTION RATE ADJUSTMENTS AND ORDERING A NOTICE OF EXEMPTION BE FILED WITH THE COUNTY CLERK OF THE COUNTY OF SAN DIEGO
15. CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION
16. PUBLIC HEARING TO CONSIDER ADJUSTMENTS TO OLIVENHAIN MUNICIPAL WATER DISTRICT'S DIRECTOR DIVISION BOUNDARIES (5:30 P.M.)
17. CONSIDER ADOPTION OF A RESOLUTION ADJUSTING DIRECTOR DIVISION BOUNDARIES
18. CONSIDER APPROVAL OF A CONTRACT WITH ORION CONSTRUCTION CORPORATION IN THE AMOUNT OF \$6,123,000 FOR THE CONSTRUCTION OF THE 4S RANCH NEIGHBORHOOD 1 SEWER PUMP STATION REPLACEMENT PROJECT AND INCREASE THE OVERALL PROJECT BUDGET BY \$2,900,000 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD
19. INFORMATIONAL REPORTS
  - A. PRESIDENT
  - B. GENERAL MANAGER
  - C. CONSULTING ENGINEER
  - D. GENERAL COUNSEL
  - E. SAN DIEGO COUNTY WATER AUTHORITY REPRESENTATIVE
  - F. LEGISLATIVE

- G. TWELVE MONTH CALENDAR / OTHER MEETINGS / REPORTS BY BOARD MEMBERS PER AB 1234 / BOARD COMMENTS
  
- 20. CORRESPONDENCE
  
- 21. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS
  
- 22. FUTURE AGENDA ITEMS
  
- 23. CONSIDER PUBLIC COMMENTS
  
- 24. CLOSED SESSION
  - A) CONSIDER CLAIM – HILLSIDE PATIO HOMES HOA [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] • Additional Facts: Claim received on August 17, 2020. Claim rejected on September 9, 2020.
  
  - B) 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.
  
  - C) CONSIDER LITIGATION – OLIVENHAIN MUNICIPAL WATER DISTRICT VS. GEOMAT TESTING LABORATORIES, INC., ET AL. [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]
  
- 25. OPEN SESSION
  
- 26. ADJOURNMENT