

**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 AND IN PERSON**

**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, MAY 18, 2022

TIME: 4:00 P.M.

PLACE: HYBRID REGULAR MEETING VIA TELECONFERENCE AND IN PERSON

Pursuant to the State of California Executive Order, 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 hybrid of in person and teleconference. Our Boardroom will be open to the public, however, masks must be worn if unvaccinated.

To join this meeting via phone, please dial:

(669) 900-9128 or (346) 248-7799

Meeting ID: 851 4700 4342 and Password: 090676

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 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
 - * Annual Fourth Grade Poster Contest Winners
 Indira Jayanti, Stone Ranch Elementary
 Ariana Lemle, Flora Vista Elementary
 Emalyn Negrea, Flora Vista Elementary
 - * Jeff Fuchs – Utility II – Promotion – April
 - * Jaime Tovar – Utility III – 5 Years – April
 - * Shawn Patterson – Records & Contracts Coordinator – 5 Years – May
 - * Paul Zamora – Field Services Technician I – New Hire – May
 - * Omar Martinez – Utility III – New Hire – May
9. CONSIDER APPROVAL OF THE MINUTES OF THE MARCH 30, 2022, SPECIAL MEETING AND THE APRIL 20, 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 AWARD OF A CONTRACT WITH EXPO TECHNOLOGIES CORPORATION IN THE AMOUNT OF \$71,966 FOR THE HARRIS PIPELINES CATHODIC PROTECTION REPLACEMENT PROJECT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
C-d	CONSIDER UPDATE ON THE LAKES SEWER FORCE MAIN EMERGENCY PROJECT, AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD, AND ORDER A NOTICE OF COMPLETION BE FILED

11. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT’S ADMINISTRATIVE AND ETHICS CODE (Article 3 – Organization of Staff and Article 4 – Classified Positions)
12. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT’S ADMINISTRATIVE AND ETHICS CODE (Article 26 – Regulations of the Elfin Forest Recreational Reserve and other District Parks)
13. CONSIDER APPROVAL OF OLIVENHAIN MUNICIPAL WATER DISTRICT’S BIENNIAL OPERATING AND CAPITAL BUDGET FISCAL YEARS 2023 AND 2024 (FINAL DRAFT)

14. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER IN THE AMOUNT OF \$234,549 FOR THE DAVID C. MCCOLLOM WATER TREATMENT PLANT FOURTH STAGE CENTRIFUGE ADDITION PROJECT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
15. CONSIDER APPROVAL OF AMENDMENT NO. 1 TO CANYON HYDRO IN THE AMOUNT OF \$200,375 FOR CHANGES TO THE DAVID C. MCCOLLOM WATER TREATMENT PLANT ENERGY RECOVERY TURBINE REHABILITATION PROJECT, APPROPRIATE \$200,000 TO THE PROJECT BUDGET, AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
16. CONSIDER APPROVAL OF GENERAL LIABILITY, PROPERTY, AUTOMOBILE, EQUIPMENT, TERRORISM, EXCESS, AND CYBERSECURITY INSURANCE POLICIES FOR FISCAL YEAR 2023 WITH ALLIED WORLD SPECIALTY INSURANCE COMPANY IN AN AMOUNT NOT TO EXCEED \$420,078 AUTHORIZING THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT, AND DIRECTING STAFF TO CONSIDER QUOTES FROM RISK-SHARING POOLS IN FUTURE REQUESTS FOR QUOTATIONS
17. CONSIDER ADOPTION OF A RESOLUTION ELECTING TO HAVE SEWER SERVICE FEES FOR THE SANTA LUZ AFFORDABLE HOUSING AREA AND BLACK MOUNTAIN RANCH EAST CLUSTERS PROJECT WITHIN THE 4S RANCH SANITATION DISTRICT COLLECTED ON THE COUNTY TAX ROLLS FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023 AND TO CERTIFY SAID FEES WITH THE SAN DIEGO COUNTY ASSESSOR
18. CONSIDER ADOPTION OF A RESOLUTION ELECTING TO HAVE SEWER SERVICE FEES WITHIN THE RANCHO CIELO SANITATION DISTRICT COLLECTED ON THE COUNTY TAX ROLLS FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023 AND TO CERTIFY SAID FEES WITH THE SAN DIEGO COUNTY ASSESSOR
19. CONSIDER ADOPTION OF A RESOLUTION ELECTING TO HAVE SEWER SERVICE FEES WITHIN THE 4S RANCH SANITATION DISTRICT COLLECTED ON THE COUNTY TAX ROLLS FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023 AND TO CERTIFY SAID FEES WITH THE SAN DIEGO COUNTY ASSESSOR
20. CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION
21. 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
22. CORRESPONDENCE
23. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS
24. FUTURE AGENDA ITEMS

25. CONSIDER PUBLIC COMMENTS

26. CLOSED SESSION

- A) CONSIDER LITIGATION – 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]
- D) CONSIDER CLAIM – PALMER CLAIM [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] • Additional Facts: Claim received on May 5, 2022.
- E) CONSIDER GENERAL COUNSEL REVIEW [PURSUANT TO GOVERNMENT CODE SECTION 54957] • Additional Facts: Preliminary input provided on May 18, 2022; full review to be held on June 22, 2022.

27. OPEN SESSION

28. ADJOURNMENT