

**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 ONLY**

**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, JUNE 16, 2021

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

PLACE: Remote Regular Meeting VIA TELECONFERENCE ONLY

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. The Boardroom will not be open to the public for this meeting.

**To join this meeting via phone, please dial:**

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

Meeting ID: 840 4985 3148 and Password: 447518

**Public Participation/Comment:** Members of the public can participate in the meeting by emailing your speaker slip on an agenda item to the Board Secretary at [skaufmann@olivenhain.com](mailto:skaufmann@olivenhain.com) by 3:00 P.M. the day of the meeting. If you do not receive a confirmation email that your comment has been received, please call (760) 632-4648. The subject line of your email should clearly state the item number you are commenting on and should include your name and phone number to ensure you are called on and have the opportunity to comment. 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. ADOPTION OF AGENDA

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

APPEARANCE FROM BARON WILLIS FROM SAN DIEGO LAFCO

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

Service Awards and Promotions from 2020

- \* Jymy Briseno – Water Reclamation Operator II – Promotion – June 2020
- \* Warren Wilson – Utility I – New Hire – June 2020
- \* Jaime Tovar – Utility II - Rehire – June 2020 and Utility III – GYO Promotion – October 2020

Current Service Awards, Promotions and Honorable Mentions

- \* 28th Annual Fourth Grade Poster Contest
  - 1<sup>st</sup> Place: Norah Shin, Stone Ranch Elementary
  - 2<sup>nd</sup> Place: Rishika Varma, Stone Ranch Elementary
  - 3<sup>rd</sup> Place: Aila Ocampo, Stone Ranch Elementary
- \* California Water Environment Association’s State 2020 Plant of the Year Award - 4S Ranch Water Reclamation Facility
- \* John McCaw – Inspector I – GYO Promotion – May 2021
- \* Special District Leadership Academy Certificate – Director Bruce-Lane

8. CONSIDER APPROVAL OF THE MINUTES OF THE MAY 19, 2021 REGULAR BOARD OF DIRECTORS MEETING

9. 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 ADOPTION OF A RESOLUTION ESTABLISHING THE APPROPRIATION LIMIT AND AUTHORIZING THE APPLICATION OF PROCEEDS OF TAXES FOR FISCAL YEAR 2021-2022
C-d	CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 411 FOR 7822 ESTANCIA STREET (ELLIOTT FAMILY TRUST DTD 8-25-2006) AND ORDER THE PERMIT BE RECORDED
C-e	CONSIDER APPROVAL OF DISTRICT INSURANCE POLICIES FOR FISCAL YEAR 2022 WITH ALLIED WORLD IN AN AMOUNT NOT TO EXCEED \$310,871 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT

C-f	CONSIDER APPROVAL OF A SECOND AMENDMENT TO THE LEASE AGREEMENT BETWEEN CELLCO PARTNERSHIP (DBA VERIZON WIRELESS) AND OLIVENHAIN MUNICIPAL WATER DISTRICT FOR COMMUNICATIONS FACILITIES AT THE MARYLOYD RESERVOIR SITE AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
C-g	CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 410 FOR 16969 DOVE CANYON ROAD (4S RANCH & LAND DOVE CANYON SERIES, A SEPARATE AND DISTINCT SERIES OF 4S RANCH & LAND, LLC) AND ORDER THE PERMIT BE RECORDED

10. 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, 2021 TO JUNE 30, 2022 AND TO CERTIFY SAID FEES WITH THE SAN DIEGO COUNTY ASSESOR
11. 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, 2021 TO JUNE 30, 2022 AND TO CERTIFY SAID FEES WITH THE SAN DIEGO COUNTY ASSESOR
12. 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, 2021 TO JUNE 30, 2022 AND TO CERTIFY SAID FEES WITH THE SAN DIEGO COUNTY ASSESOR
13. CONSIDER APPROVAL OF OLIVENHAIN MUNICIPAL WATER DISTRICT’S FISCAL YEARS 2021 AND 2022 BUDGET UPDATE AND MID-TERM BUDGET ADJUSTMENTS
14. CONSIDER SETTING A TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER THE OLIVENHAIN MUNICIPAL WATER DISTRICT’S WATER CAPACITY FEES FOR 2021 (July 14, 2021 – 5:30 P.M.)
15. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT’S ADMINISTRATIVE AND ETHICS CODE (Article 2 – Organization of Board of Directors) AND CONSENSUS ON DIRECTOR TOPOLOVAC’S REQUEST TO SERVE AS SECRETARY
16. CONSIDER A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT ADOPTING ITS 2020 URBAN WATER MANAGEMENT PLAN, WATER SHORTAGE CONTINGENCY PLAN, AND ADDENDUM NUMBER 1 TO THE OLIVENHAIN MUNICIPAL WATER DISTRICT URBAN WATER MANAGEMENT PLAN
17. CONSIDER ADOPTION OF AN ORDINANCE OF OLIVENHAIN MUNICIPAL WATER DISTRICT’S BOARD OF DIRECTORS REGARDING ADOPTING A WATER SHORTAGE CONTINGENCY PLAN
18. CONSIDER VOTE FOR THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION ALTERNATE SPECIAL DISTRICT MEMBER POSITION
19. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT’S ADMINISTRATIVE AND ETHICS CODE (Article 3 – Organization of Staff and Article 4 – Classified Positions)

20. REVIEW GENERAL MANAGER’S DECLARATION OF THE STRATFORD HOME OWNERS ASSOCIATION PIPELINE REPAIR AND PAVING RESTORATION PROJECT AS AN EMERGENCY PROJECT IN ACCORDANCE WITH CALIFORNIA PUBLIC CONTRACT CODE SECTION 1102, INCLUDING APPROVAL OF A TIME AND MATERIAL CONSTRUCTION CONTRACT WITH PIPERIN CORPORATION FOR AN AMOUNT NOT TO EXCEED \$108,675, APPROPRIATE \$213,050 TO THE STRATFORD BUDGET FROM THE PIPELINE REPLACEMENT PROJECT BUDGET, AND AUTHORIZATION OF THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT, AND CONSIDER ADOPTION OF A RESOLUTION MAKING CEQA FINDINGS AND ORDERING THAT A NOTICE OF EXEMPTION BE FILED WITH THE COUNTY CLERK, COUNTY OF SAN DIEGO
21. CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION
22. 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
23. CORRESPONDENCE
24. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS
25. FUTURE AGENDA ITEMS
26. CONSIDER PUBLIC COMMENTS
27. 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 POTENTIAL LITIGATION – ONE CASE [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]
  - D) CONSIDER POTENTIAL LITIGATION – ONE CASE [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]
  - E) CONSIDER LITIGATION – OLIVENHAIN MUNICIPAL WATER DISTRICT VS. GEOMAT TESTING LABORATORIES, INC., ET AL. [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]

- F) CONSIDER GENERAL COUNSEL REVIEW [PURSUANT TO GOVERNMENT CODE SECTION 54957] • Additional Facts: Preliminary input provided on May 19, 2021; full review to be held on June 16, 2021.

OPEN SESSION

- 28. OPEN SESSION DISCUSSION OF GENERAL COUNSEL COMPENSATION
- 29. ADJOURNMENT