

**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, AUGUST 17, 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: 884 9005 6328 and Password: 141886

**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
  - \* Diana Spencer – Customer Service Representative I – New Hire – June
  - \* Cameron Adams – WTP Operator Level II – GYO Promotion – July
  - \* Jymy Briseno – WRF Operator Level III – GYO Promotion – July
  - \* Jymy Briseno – WRF Operator Level III – 5 Years – August
  - \* Shane Sullivan – WTP Operator Level III – 5 Years – August
  - \* Christian Alvarez – Utility I – New Hire – August
  - \* Ernesto Fuentes – Equipment Technician – New Hire – August
  - \* Paul Martinez – Engineering Technician I – New Hire – August
- 9. CONSIDER APPROVAL OF THE MINUTES OF THE JULY 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 UPDATE ON THE COVID-19 EMERGENCY DECLARATION
C-d	CONSIDER A RESOLUTION APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE COUNTY OF SAN DIEGO COMMUNITY ENHANCEMENT PROGRAM FOR THE ELFIN FOREST RECREATIONAL RESERVE EQUINE INCLINE REHABILITATION PROJECT
C-e	CONSIDER AWARD OF A CONTRACT WITH C.E. WILSON CORPORATION IN THE AMOUNT OF \$448,150 FOR THE VALVE REPLACEMENT PROJECT EXCAVATION AND PAVING SUPPORT SERVICES FOR FISCAL YEAR 2023 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

C-f	CONSIDER ADOPTION OF A RESOLUTION MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS TO EXPAND THE OVERFLOW PARKING LOT AT ELFIN FOREST RECREATIONAL RESERVE AND CONSTRUCT A 0.5-MILE LINKAGE TRAIL BETWEEN WAY UP TRAIL AND EQUINE INCLINE TRAIL AT ELFIN FOREST RECREATIONAL RESERVE (IF GRANT FUNDING IS RECEIVED), AND ORDER A NOTICE OF EXEMPTION BE FILED WITH THE COUNTY CLERK, COUNTY OF SAN DIEGO
C-g	CONSIDER APPROPRIATION OF \$176,000 TO FISCAL YEAR 2023 SMALL CAPITAL ITEM BUDGET FOR VEHICLE PURCHASES THAT WERE SCHEDULED TO BE DELIVERED IN FISCAL YEAR 2022 AND WERE DELAYED DUE TO SUPPLY CHAIN CONSTRAINTS
C-h	CONSIDER A RESOLUTION APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM

11. CONSIDER ADOPTION OF A RESOLUTION HONORING LISA MAXWELL FOR 25 YEARS OF DEDICATED SERVICE
12. CONSIDER INFORMATIONAL PRESENTATION FROM METROPOLITAN WATER DISTRICT ON THE FUTURE OF THE COLORADO RIVER
13. CONSIDER ADOPTING A POSITION ON THE DELTA CONVEYANCE PROJECT
14. CONSIDER SETTING A TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER THE OLIVENHAIN MUNICIPAL WATER DISTRICT’S WATER CAPACITY FEES FOR 2022 (September 14, 2022 – 5:30 P.M.)
15. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH IN THE AMOUNT OF \$299,750 FOR PRELIMINARY AND FINAL DESIGN OF THE PROGRAMMABLE LOGIC CONTROLLER REPLACEMENT PROJECT AND CONSIDER AN INCREASED APPROPRIATION BY ACCELERATING THE FUTURE 10 YEAR CIP AND ALLOCATE \$1,360,000 TO FISCAL YEAR 2023 AND 2024 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD
16. CONSIDER DISCUSSION AND APPROVAL OF PROPOSED ADJUSTMENTS TO THE OLIVENHAIN MUNICIPAL WATER DISTRICT WATER RELATED SERVICE FEES FOR 2022 AND ADOPT AN ORDINANCE AMENDING OLIVENHAIN MUNICIPAL WATER DISTRICT’S ADMINISTRATIVE AND ETHICS CODE (Article 8 – Water Rates & Charges)
17. CONSIDER AND APPROVE A TREATMENT OPTION FOR THE THIRD AND FOURTH PAYMENTS RECEIVED FROM SAN DIEGO COUNTY WATER AUTHORITY (SDCWA) OF APPROXIMATELY \$499,000 FOR REFUNDS ON ATTORNEY FEES IN THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA (MWD) LITIGATION OF APPROXIMATELY \$499,000
18. CONSIDER AMENDMENT TO THE CONFLICT OF INTEREST CODE OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT
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
  - H. 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 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.
  - 25. OPEN SESSION
  - 26. ADJOURNMENT