

**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, SEPTEMBER 18, 2024

TIME: 4:00 P.M.

PLACE: HYBRID REGULAR MEETING VIA ZOOM AND IN-PERSON

The meeting is being held virtually as a convenience to the public. The meeting will not stop or suspend its in-person meeting should a technological interruption occur with respect to the Zoom or call-on options listed on the agenda.

For Zoom Participation:

www.zoom.us/join
Meeting ID:819 2276 7621
Passcode: 710367

For Zoom Call-in Only:

Call: (669) 900-9128
Meeting ID: 819 2276 7621
Passcode: 710367

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. ADOPTION OF AGENDA

- 6. PERSONAL APPEARANCES AND PUBLIC COMMENTS
- 7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS
 - * 2024 CSDA Exceptional Public Outreach & Advocacy Award (Large District Category) - Engage and Influence Program
- 8. CONSIDER APPROVAL OF THE MINUTES OF THE AUGUST 14, 2024, 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
C-b	CONSIDER APPROVAL OF A CONTRACT WITH TC CONSTRUCTION COMPANY, INC. IN AN AMOUNT NOT TO EXCEED \$200,000 FOR AS-NEEDED AND EMERGENCY ON-CALL GENERAL CONTRACTOR SERVICES FOR FISCAL YEAR 2025 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD
C-c	CONSIDER ADOPTION OF A RESOLUTION MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION FINDINGS FOR THE 4S RANCH WATER RECLAMATION FACILITY HEADWORKS SCREENING SYSTEM, OFF-SPECIFICATION AND WET WEATHER DIVERSION, AND STRAINER IMPROVEMENTS PROJECT AND AUTHORIZE A NOTICE OF EXEMPTION BE FILED WITH THE SAN DIEGO COUNTY CLERK AND THE STATE CLEARINGHOUSE AT THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

- 10. CONSIDER APPROVAL OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S 2024 WATER CAPACITY FEES AND ADOPTION OF AN ORDINANCE AMENDING SECTION 13.11 OF THE DISTRICT'S ADMINISTRATIVE AND ETHICS CODE - OMWD CAPACITY FEES BY ZONE (Article 13 – Policy for District Facilities)
- 11. CONSIDER ADOPTION OF A RESOLUTION MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION FINDINGS TO ESTABLISH WATER CAPACITY FEES WITHIN ZONES OF BENEFIT IN THE DISTRICT, AND ORDER A NOTICE OF EXEMPTION BE FILED WITH THE COUNTY CLERK OF THE COUNTY OF SAN DIEGO AND THE STATE CLEARINGHOUSE AT THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
- 12. CONSIDER DISCUSSION AND APPROVAL OF PROPOSED ANNUAL REVIEW AND ADJUSTMENTS TO THE OLIVENHAIN MUNICIPAL WATER DISTRICT SHUT-OFF NOTICE FEE, METER TEST FEE, FIRE FLOW TEST FEE, AND METER INSTALLATION FEES AND ADOPT AN ORDINANCE AMENDING OLIVENHAIN MUNICIPAL WATER DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 8 – Water Rate and Charges, and Article 13 – Policy for District Facilities)

13. CONSIDER CANCELLING THE WEDNESDAY, NOVEMBER 13, 2024 REGULAR BOARD MEETING AND SCHEDULING A SPECIAL BOARD MEETING ON WEDNESDAY, NOVEMBER 6, 2024 AT 5:00 P.M.
14. CONSIDER ADOPTION OF AN ORDINANCE AMENDING OLIVENHAIN MUNICIPAL WATER DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 9—Rules Relating to Customer Accounts and Section 13.9 – Policy for District Facilities)
15. CONSIDER INFORMATIONAL REPORT ON WATER USE EFFICIENCY REGULATIONS
16. CONSIDER THE FOLLOWING ACTIONS RELATED TO THE SAN DIEGUITO VALLEY GROUNDWATER PROJECT:
 - A. RECEIVE INFORMATIONAL REPORT ON STATUS OF COMMUNITY PROJECT FUNDING GRANT
 - B. INCREASE THE FISCAL YEAR 2025 APPROPRIATION FOR THE SAN DIEGUITO GROUNDWATER DESALINATION PROJECT IN THE AMOUNT OF \$1,100,000
 - C. APPROVE DRAFT PRINCIPLES OF UNDERSTANDING WITH MR PROPCO, LLC, INCLUDING AUTHORIZING AND APPROVING THE GENERAL MANAGER TO NEGOTIATE EASEMENT PURCHASES IN AN AMOUNT NOT TO EXCEED \$65,000
 - D. AUTHORIZE THE GENERAL MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GEOSCIENCES SUPPORT SERVICES, INC. IN THE AMOUNT OF \$1,209,022
 - E. CONSIDER ADOPTION OF A RESOLUTION MAKING CEQA FINDINGS AND ORDERING A NOTICE OF EXEMPTION BE FILED WITH THE SAN DIEGO COUNTY CLERK AND THE STATE CLEARINGHOUSE AT THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
17. 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
18. CORRESPONDENCE
19. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS
20. FUTURE AGENDA ITEMS
21. CONSIDER PUBLIC COMMENTS

22. CLOSED SESSION

- A) CONSIDER LITIGATION – OLIVENHAIN MUNICIPAL WATER DISTRICT v. COUNTY OF SAN DIEGO [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]
- B) CONSIDER LITIGATION – STANLEY D. JONES ET AL. VS. OLIVENHAIN MUNICIPAL WATER DISTRICT [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]
- C) DISCUSSION OF THE WIEGAND PARCELS [PURSUANT TO GOVERNMENT CODE SECTION 54956.8]
 - PROPERTIES UNDER NEGOTIATION: APN NUMBERS: 257-401-11, 257-401-12
 - NEGOTIATORS: GENERAL MANAGER THORNER AND ASSISTANT GENERAL MANAGER RANDALL
 - UNDER NEGOTIATION: PRICE AND TERMS ON THE ABOVE PARCELS
- D) CONSIDER LITIGATION – CalPERS [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]

23. OPEN SESSION

- 24. AUTHORIZE THE GENERAL MANAGER TO ENTER INTO AMENDMENT NO. 2 TO THE PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS FOR THE SALE OF ADDITIONAL SURPLUS LAND (APNs 257-401-11, 257-401-12)
- 25. CONSIDER AND ADOPT A RESOLUTION OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT BOARD OF DIRECTORS APPROVING AMENDMENTS TO AND DELEGATING DUTIES AND RESPONSIBILITIES OVER DISTRICT-SPONSORED RETIREMENT PLANS
- 26. ADJOURNMENT