

**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, OCTOBER 13, 2021

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

PLACE: Hybrid Regular Meeting VIA TELECONFERENCE AND IN PERSON

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 hybrid of in person and teleconference. Our Boardroom will be open to the public, however, masks must be worn and social distancing must be followed.

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

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

Meeting ID: 822 2782 4680 and Password: 198889

**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. In person participation can also be had by attending the meeting in the Boardroom at 1966 Olivenhain Rd. Encinitas, CA 92024.

*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

Service Awards and Promotions from 2020

- \* Cameron Adams – Utility II – Promotion – October 2020
- \* Jay Turman – Field Services Technician II – Promotion – December 2020
- \* Morgan Ferguson – Field Services Technician II – Promotion – December 2020

Current Service Awards, Promotions and Honorable Mentions

- \* Kris Kuenzi – Utility I – New Hire – September 2021

9. CONSIDER APPROVAL OF THE MINUTES OF THE SEPTEMBER 8, 2021 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; AND REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS AND STAFF
C-b	CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH PETERSON STRUCTURAL ENGINEERS INC. IN THE AMOUNT OF \$169,561.50 FOR INSPECTION, STRUCTURAL AND SEISMIC ANALYSIS, AND DEVELOPMENT OF A REHABILITATION PLAN FOR OMWD’S PRESTRESSED CONCRETE WATER STORAGE TANKS AND AUTHORIZE THE GENERAL MANAGER SIGN ON BEHALF OF THE DISTRICT
C-c	CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 414 FOR 9556 DEL DIOS HIGHWAY (PHILLIPS LIVING TRUST DTD 01-31-06) AND ORDER THE PERMIT BE RECORDED
C-d	CONSIDER ACCEPTANCE OF THE 1509 ENCINITAS BOULEVARD FIRE DETECTOR CHECK AND WATER SERVICE INSTALL PROJECT (DAN FLOIT AND ENC STORAGE, LLC) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
C-e	CONSIDER VOTE TO AMEND BYLAWS OF THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION
C-f	CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH SAN DIEGO BUILDING MAINTENANCE FOR DISTRICT-WIDE JANITORIAL SERVICES IN THE AMOUNT OF \$64,752 PER YEAR FOR 3-YEARS WITH TWO (2) OPTIONAL 1-YEAR EXTENSIONS AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

11. CONSIDER ADOPTION OF A RESOLUTION OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,500,000 REVENUE BONDS, SERIES 2021A AND NOT TO EXCEED \$4,500,000 REFUNDING REVENUE BONDS, SERIES 2021B BY THE OMWD FINANCING AUTHORITY ON BEHALF OF THE DISTRICT AND APPROVING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH AND CERTAIN OTHER MATTERS
12. CONSIDER THE OMWD FINANCING AUTHORITY JPA MEETING (See Separate Agenda)
13. CONSIDER APPROVAL OF CHANGE ORDER NO. 5 IN THE AMOUNT OF \$297,815 WITH TEICHERT ENERGY & UTILITIES GROUP AND ACCEPTANCE OF THE EL CAMINO REAL PIPELINE REPLACEMENT AND GREEN BIKE LANE PROJECT INTO OMWD'S SYSTEM, AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD, AND ORDER A NOTICE OF COMPLETION BE FILED
14. CONSIDER ANNUAL OBJECTIVES AND TIGER TEAM STATUS REPORT
15. CONSIDER A PRESENTATION ON ENTERPRISE ASSET MANAGEMENT WORK ORDER BACKLOG (INFORMATIONAL ITEM)
16. CONSIDER INFORMATIONAL REPORT ON WATER SUPPLY CONDITIONS AND LONG-TERM WATER USE EFFICIENCY LEGISLATION
17. CONSIDER THE CALENDAR FOR THE 2022 OLIVENHAIN MUNICIPAL WATER DISTRICT'S BOARD MEETINGS
18. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 8 - Water Rates & Charges and Article 10 - Encroachment Permits)
19. CONSIDER REVIEW OF OMWD'S POSITIONS ON THE BAY DELTA CONVEYANCE PROJECT, SALTON SEA ISSUES, AND UPDATES ON SDCWA'S PROPOSED REGIONAL CONVEYANCE SYSTEM
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
22. CORRESPONDENCE
23. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS
24. FUTURE AGENDA ITEMS

25. CONSIDER PUBLIC COMMENTS

26. 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]
- D) CONSIDER CLAIM – BRITTNEY BIRANVAND PERSONAL INJURY [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] • Additional Facts: Incident occurred on March 9, 2021. Claim received on September 9, 2021.
- E) CONSIDER GENERAL MANAGER REVIEW [PURSUANT TO GOVERNMENT CODE SECTION 54957] • Additional Facts: Receive packet; full review and compensation discussion to be held on November 17, 2021.

27. OPEN SESSION

28. ADJOURNMENT