

**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, NOVEMBER 17, 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 if unvaccinated.

To join this meeting via phone, please dial:

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

Meeting ID: 864 5160 9602 and Password: 483068

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. 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

2021 OMWD Awards Program Winners

- * D&H Water Systems – Business of the Year
- * San Diego Mountain Bike Association – Non-Profit of the Year
- * Donna Walker and Al Bates – Volunteer(s) of the Year
- * Simon Breen – Educator of the Year
- * Sylvia Lopez of JD Richardson Co., representing Stratford Fairbanks HOA – Customer of the Year
- * Poway Unified School District – Customer of the Year–Recycled Water

Current Service Awards, Promotions and Honorable Mentions

- * Brian Keeler – Instrument Control Technician I – 5 years – November
- * Morgan Ferguson – Field Services Technician II – 5 years – November

9. CONSIDER APPROVAL OF THE MINUTES OF THE OCTOBER 13, 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 DESIGNATION OF A DELEGATE FOR THE DECEMBER 1 ELECTION OF OFFICERS TO THE ASSOCIATION OF CALIFORNIA WATER AGENCIES BOARD OF DIRECTORS
C-c	CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 415 FOR SURF CUP SPORTS PARK (SURF CUP SPORTS, LLC) AND ORDER THE PERMIT BE RECORDED
C-d	CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 416 FOR 3312 DOVE HOLLOW ROAD (DIVINE DESIGNS GENERAL CONTRACTING, INC.) AND ORDER THE PERMIT BE RECORDED
C-e	CONSIDER ACCEPTANCE OF THE 3281 POPPY HILLS LANE FIRE HYDRANT INSTALL PROJECT (MUNSCH HOMES CORPORATION) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED

C-f	CONSIDER AWARD OF A CONTRACT WITH JENNETTE COMPANY, INC. IN THE AMOUNT OF \$471,800 FOR THE DAVID C. MCCOLLOM WATER TREATMENT PLANT PH CONTROL SYSTEM AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
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11. CONSIDER SETTING A TIME AND PLACE FOR THREE PUBLIC HEARINGS TO CONSIDER NEW DIRECTOR DIVISION BOUNDARIES (DECEMBER 15, 2021 AT 5:30 P.M., JANUARY 19, 2022 AT 5:30 P.M., AND FEBRUARY 16, 2022 AT 5:30 P.M.) AND PROVIDE DIRECTION TO STAFF AS TO THE DEVELOPMENT OF A MAPPING TOOL
12. CONSIDER ADOPTION OF AN ORDINANCE AMENDING OLIVENHAIN MUNICIPAL WATER DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 8—Water Rates & Charges and Article 9—Rules Relating to Customer Accounts)
13. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH VALLEY CONSTRUCTION MANAGEMENT, INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE 4S RANCH NEIGHBORHOOD 1 SEWER PUMP STATION REPLACEMENT PROJECT IN THE AMOUNT OF \$328,305 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD
14. CONSIDER DISCUSSION AND APPROVAL OF A TREATMENT OPTION FOR THE SECOND RATE REFUND PAYMENT RECEIVED FOR OMWD'S SHARE OF SAN DIEGO COUNTY WATER AUTHORITY'S (SDCWA) AWARD OF DAMAGES FROM METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA (MWD) LAWSUIT IN THE AMOUNT OF \$1,622,584.51
15. CONSIDER STAFF PRESENTATION ON THE PROPOSED OMWD POTABLE AND RECYCLED WATER RATES AND CHARGES FOR 2022 PASS-THROUGH INCREASES AND SDCWA/MWD RATE REFUND PAYMENTS AS A CREDIT ON OMWD CUSTOMERS' MONTHLY WATER BILLS (INFORMATIONAL ITEM)
16. CONSIDER DIRECTION TO STAFF REGARDING THE REQUEST FOR QUOTATIONS FOR GENERAL LIABILITY, PROPERTY, AUTOMOBILE, EQUIPMENT, TERRORISM, EXCESS, AND CYBERSECURITY INSURANCE POLICIES FOR FISCAL YEAR 2023
17. CONSIDER ESTABLISHING A POSITION ON THE WATER INFRASTRUCTURE ACT OF 2022
18. CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION
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
20. CORRESPONDENCE

21. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

Request for Director Guerin to attend the California H2O Women Conference in Santa Barbara, CA January 20-21, 2022.

22. FUTURE AGENDA ITEMS

23. CONSIDER PUBLIC COMMENTS

24. 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 OMWD LABOR NEGOTIATIONS (Negotiation Team – General Manager, Kimberly Thorner; HR Manager, Jennifer Joslin) [PURSUANT TO GOVERNMENT CODE SECTION 54957.6] • Additional Facts: Update on Negotiations.

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.

25. OPEN SESSION

26. ADJOURNMENT