

**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, DECEMBER 14, 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.

To join this meeting via phone, please dial:

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

Meeting ID: 837 8540 5964 and Password: 343795

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. OATH OF OFFICE AND SWEARING IN OF DIRECTOR MEYERS
4. ROLL CALL
5. DETERMINATION OF A QUORUM

6. 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
7. ADOPTION OF AGENDA
8. PERSONAL APPEARANCES AND PUBLIC COMMENTS
9. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

Current Service Awards, Promotions and Honorable Mentions

- *Michelle McMahon – IT Coordinator – 5 Years – August
- *Amy Hill – Customer Service Representative II – GYO Promotion – November
- *Phillip Reed – Water Treatment Plant Operator II – Transfer – November
- *George Lomeli – Water Treatment Plant Operator III – Promotion – November

10. CONSIDER APPROVAL OF THE MINUTES OF THE NOVEMBER 16, 2022, REGULAR BOARD OF DIRECTORS MEETING
11. 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 REPORTS
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 ANNUAL REVIEW OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT’S INVESTMENT POLICY AND APPROVE THE PROPOSED CHANGES FOR CALENDAR YEAR 2023
C-d	CONSIDER ANNUAL REVIEW OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT’S BOARD DESIGNATED FUND BALANCES (RESERVES) POLICY
C-e	CONSIDER ADOPTION OF A RESOLUTION SUPPORTING THE DISTRICT’S EMPLOYEE SAFETY AND WELLNESS PROGRAMS
C-f	CONSIDER APPROVAL OF ANNUAL REVISIONS TO THE DISTRICT’S RECORDS RETENTION SCHEDULE
C-g	CONSIDER REVISIONS TO THE LEGISLATIVE GUIDELINES FOR 2023

C-h	CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION
C-i	CONSIDER ADOPTION OF A RESOLUTION APPROVING THE UPDATED FLEXIBLE BENEFITS PLAN DOCUMENTS FOR THE DISTRICT ACCORDING TO SECTION 125 OF THE INTERNAL REVENUE CODE
C-j	CONSIDER ACCEPTANCE OF THE RIO VISTA ROAD MAIN EXTENSION 244A (RICHARD D. BAGLEY) INTO OMWD'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
C-k	CONSIDER ACCEPTANCE OF THE AVENIDA DE POMPEII MAIN EXTENSION 255 (THOMAS BACHE) INTO OMWD'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
C-l	CONSIDER APPROVAL OF A LANDLORD CONSENT AND RELEASE AGREEMENT BETWEEN T-MOBILE USA, INC AND OLIVENHAIN MUNICIPAL WATER DISTRICT ALLOWING ASSIGNMENT OF THE EXISTING T-MOBILE CELLULAR COMMUNICATIONS LEASE AND FACILITIES AT THE GATY 2 RESERVOIR SITE TO DISH WIRELESS, LLC AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD
C-m	CONSIDER APPROVAL OF A SECOND AMENDMENT TO A LEASE BETWEEN THE OLIVENHAIN MUNICIPAL WATER DISTRICT AND NEXTEL COMMUNICATIONS TO ALLOW RELOCATED COMMUNICATIONS FACILITIES AT THE 4G RESERVOIR SITE AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD
C-n	CONSIDER ADOPTION OF A RESOLUTION FOR THE LUSARDI CREEK MAIN EXTENSION 153 RECYCLED WATER VALVE REPLACEMENT AND FLOW METER INSTALLATION PROJECT AND AUTHORIZE A NOTICE OF EXEMPTION BE FILED WITH THE COUNTY CLERK, COUNTY OF SAN DIEGO
C-o	CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 419 FOR PLANTING OF WATER WISE AND NATIVE PLANTS ON OMWD EASEMENT 632 BETWEEN THE LA COSTA OAKS COMMUNITY ASSOCIATION AND THE ARTERRO COMMUNITIES AND ORDER THE PERMIT BE RECORDED

12. CONSIDER DISCUSSION OF BOARD OFFICERS AND COMMITTEE ASSIGNMENTS TO TAKE PLACE AT THE JANUARY 2023 BOARD MEETING
13. CONSIDER A RESOLUTION NOMINATING A CANDIDATE AS A MEMBER OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES REGION 10 BOARD OF DIRECTORS
14. CONSIDER APPROVAL OF THE DISTRICT'S FISCAL YEAR 2021-2022 AUDITED FINANCIAL STATEMENTS AND ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEARS ENDED JUNE 30, 2022 AND 2021 (FINAL DRAFT)
15. CONSIDER ANNUAL REPORT ON DISTRICT PENSION FUNDING STATUS AND APPROVAL OF THE RECOMMENDED PENSION FUNDING PLAN FOR 2022, INCLUDING A FUND TRANSFER FROM WATER OPERATING FUND TO WATER PENSION STABILIZATION FUND IN THE AMOUNT OF \$715,000 AND A FUND TRANSFER FROM WASTEWATER OPERATING FUND TO WASTEWATER PENSION STABILIZATION FUND IN THE AMOUNT OF \$71,000 PER THE BOARD APPROVED PENSION FUNDING POLICY

16. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 4 – Classified Positions and Article 5 – Working Hours, Employee Benefits)

ADJOURN TO FINANCING AUTHORITY ANNUAL MEETING

17. CONSIDER THE OMWD FINANCING AUTHORITY (JOINT POWERS AUTHORITY) BOARD MEETING (See Separate Agenda)

ADJOURN TO FINANCE CORPORATION ANNUAL MEETING

18. CONSIDER THE OMWD FINANCE CORPORATION ANNUAL MEETING (See Separate Agenda)

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. PRESENTATION HONORING PRESIDENT WATT FOR HIS 2021-2022 TERM AS BOARD PRESIDENT

25. 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.

26. OPEN SESSION

27. ADJOURNMENT