

**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) 753-1578**

Pursuant to AB 3035, 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 Naomi Sabino, Executive Secretary, for immediate consideration.

DATE: WEDNESDAY, DECEMBER 14, 2011

TIME: 4:00 P.M.

PLACE: DISTRICT OFFICE

*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. CONSIDER DIVISION 2 VACANCY ON THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S BOARD OF DIRECTORS
8. PRESENTATION OF AWARDS AND HONORABLE MENTIONS
 - * John Carnegie – 5 Years of Service
 - * Elfin Forest Recreational Reserve Photo Contest Winners

1 st Place – Water Scenery, Youth Division	Lincoln McKinney
1 st Place – Scenic View, Best in Show	Jason Yusypchuk
1 st Place – Black and White	Karrie McGuigan
Honorable Mention – Plants and Animals	Andrea Bearden-Kuhns
1 st Place – Plants and Animals	Connie Hatfield
1 st Place – Water Scenery	Vicki Hamilton
1 st Place – Scenic View, Employee Category	George Mileon
Employee Mention – Black and White	Janice Shumate

9. CONSIDER APPROVAL OF THE MINUTES OF THE NOVEMBER 9, 2011 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 REPORTS

C-b CONSIDER ADOPTION OF A MOTION APPROVING THE DISTRICT'S "UNAUDITED" STATEMENT OF NET ASSETS, STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS, CONSOLIDATED STATEMENT OF CASH FLOWS, CONSOLIDATED ACTUAL VS BUDGET SUMMARY WITH NOTES EXPLAINING SIGNIFICANT VARIANCES, AND CONSTRUCTION IN PROGRESS REPORT

C-c CONSIDER ACCEPTANCE OF THE MIRA COSTA COMMUNITY COLLEGE PROJECT INTO THE DISTRICT'S SYSTEM AND ORDER THAT A NOTICE OF COMPLETION BE FILED

C-d CONSIDER ACCEPTANCE OF THE CONNEMARA PUMP STATION LANDSCAPING PROJECT INTO THE DISTRICT'S SYSTEM AND ORDER THAT A NOTICE OF COMPLETION BE FILED

C-e CONSIDER ACCEPTANCE OF THE RANCHO CIELO PARCEL "E" PROJECT INTO THE DISTRICT'S SYSTEM AND ORDER THAT A NOTICE OF COMPLETION BE FILED

C-f CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 327 FOR 10055 WINECREST ROAD (TRENT) AND ORDER THE PERMIT TO BE RECORDED

- C-g CONSIDER THE QUITCLAIM OF A PORTION OF A DISTRICT EASEMENT IN ELFIN OAKS ROAD TO KATHLEEN AND RICHARD HAWKES AND ORDER THAT THE QUITCLAIM BE FILED ONCE AN ALTERNATIVE EASEMENT HAS BEEN GRANTED

- C-h CONSIDER A CHANGE ORDER TO PK MECHANICAL FOR ADDITIONAL WORK ON THE MT ISRAEL PIPELINE RELOCATION PROJECT IN THE AMOUNT OF \$200,000, ALLOCATE \$200,000 TO THE PROJECT, AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT

- C-i CONSIDER ANNUAL REVIEW OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S FINANCIAL POLICY (INVESTMENTS)

- C-j CONSIDER ADOPTION OF RESOLUTIONS HONORING MARTIN AMADOR, NANCY MORRISON, AND ERIC PHILLIPS UPON THEIR RETIREMENT FROM THE OLIVENHAIN MUNICIPAL WATER DISTRICT

- 11. CONSIDER APPROVAL OF THE DISTRICT'S FISCAL YEAR 2010-2011 AUDITED FINANCIAL STATEMENTS AND COMPREHENSIVE ANNUAL FINANCIAL REPORT (FINAL DRAFT)

- 12. CONSIDER APPROVAL TO PROCEED WITH PARS RETIREMENT INCENTIVE OFFERS TO APPROVED EMPLOYEES AND AUTHORIZE THE GENERAL MANAGER TO SIGN THE PARS LEGAL AND ADMINISTRATIVE DOCUMENTS ON BEHALF OF THE DISTRICT AS THE PLAN ADMINISTRATOR

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

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

- 15. CONSIDER APPROVAL OF ANNUAL REVISIONS TO THE DISTRICT'S RECORDS RETENTION SCHEDULE AND NEW EMAIL RETENTION POLICY

- 16. CONSIDER EXTENSION OF ELECTRICITY PURCHASE CONTRACT WITH 3 PHASES RENEWABLES AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT

17. CONSIDER APPROVAL OF A CHANGE ORDER TO ARCHER WESTERN (AW) FOR THE LT2 IMPROVEMENTS PROJECT IN THE AMOUNT OF \$246,287 FOR VARIOUS CONTRACT CHANGES, AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT, AND INCREASE THE GENERAL MANAGER'S AUTHORIZATION LIMIT FOR CHANGE ORDERS ON THIS PROJECT TO 4% OF PROJECT BUDGET
18. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE ADMINISTRATIVE AND ETHICS CODE (Article 9 – Rules Relating to Customer Accounts and Article 19 – Association Membership)
19. INFORMATIONAL REPORTS
 - A. PRESIDENT
 - B. GENERAL MANAGER
 - C. CONSULTING ENGINEER
 - D. GENERAL COUNSEL
 - E. SAN DIEGO COUNTY WATER AUTHORITY REPRESENTATIVE
 - F. LEGISLATIVE
 - G. LAFCO ADVISORY COMMITTEE
 - H. TWELVE MONTH CALENDAR / OTHER MEETINGS / REPORTS BY BOARD MEMBERS PER AB 1234
20. CORRESPONDENCE
21. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS
22. FUTURE AGENDA ITEMS
23. CONSIDER PUBLIC COMMENTS
24. CLOSED SESSION
 - A) CONSIDER LITIGATION – PACIFIC TANK & CONSTRUCTION, INC. [PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)] • Additional Facts: Claim filed on September 16, 2011 for damages resulting from alleged negligent OMWD inspections at the 4S Ranch II Potable Water Storage Tank

- B) CONSIDER POTENTIAL LITIGATION – NORTHWEST PIPE [PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)] • Additional Facts: Breach of Contract

- C) CONSIDER CLAIM – RICHARD GARWOOD v OMWD LEAVE TO PRESENT LATE CLAIM [PURSUANT TO GOVERNMENT CODE SECTION 54956.9(3)(C)] • Additional Facts: Injury sustained by a subcontractor while working for Verizon at a cell site at the 4S-1 Reservoir (non-District related)

OPEN SESSION

25. ADJOURNMENT