

**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, FEBRUARY 8, 2012

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 DISTRICT LEGAL COUNSEL INTERVIEWS, SELECT NEW GENERAL COUNSEL, AND AUTHORIZE AD HOC BOARD PERSONNEL COMMITTEE TO NEGOTIATE A CONTRACT WITH SELECTED FIRM TO BE CONSIDERED AT MARCH 14, 2012 REGULAR BOARD MEETING
8. PRESENTATION OF AWARDS AND HONORABLE MENTIONS
* Wes W. Peltzer Retirement – 34 Years of Service

9. CONSIDER PRESENTATION BY THE SAN DIEGO COUNTY WATER AUTHORITY REGARDING WATER RATES AND STATUS OF LITIGATION WITH THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
10. CONSIDER APPROVAL OF THE MINUTES OF THE JANUARY 18, 2012 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; AND REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS AND STAFF
- C-b CONSIDER APPROVAL OF A 2 YEAR EXTENSION TO THE PROFESSIONAL SERVICES AGREEMENT WITH RON GAINES INSPECTIONS, INC FOR PROVISION OF OUTSOURCED AS-NEEDED INSPECTION SERVICES FOR THE OLIVENHAIN MUNICIPAL WATER DISTRICT AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
- C-c CONSIDER APPROVAL OF PRIVATE ENCROACHMENT PERMIT NO. 264 FOR 18545 ALISO CANYON ROAD (PACIFICA) AND ORDER THE PERMIT TO BE RECORDED
- C-d CONSIDER APPROVAL OF THE ANNUAL OBJECTIVES FOR 2012
12. CONSIDER MID-YEAR BUDGET REVIEW PROCESS AND ADJUSTMENTS FOR FY 11-12
13. CONSIDER ADOPTION OF A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO SIGN FUNDING AGREEMENT, AMENDMENTS, AND CERTIFICATIONS FOR FUNDING UNDER THE SAFE DRINKING WATER STATE REVOLVING FUND; AUTHORIZING THE ENGINEERING MANAGER TO EXECUTE BUDGET AND EXPENDITURE SUMMARY; AUTHORIZING THE GENERAL MANAGER TO SIGN THE CONTRACTOR'S RELEASE FORM; AUTHORIZING THE ENGINEERING MANAGER TO SIGN THE CERTIFICATION OF PROJECT COMPLETION; AND DEDICATING NET REVENUES FROM ITS WATER SYSTEM AS THE SOURCE OF REVENUE TO REPAY SAID LOAN

14. CONSIDER ADOPTION OF A RESOLUTION AUTHORIZING THE ISSUANCE OF A \$5,000,000 TERM LOAN (VARIABLE RATE) WITH CALIFORNIA BANK AND TRUST FOR CERTAIN CAPITAL EXPENDITURES AND AUTHORIZE THE GENERAL MANAGER TO SIGN THE TERM LOAN AGREEMENT ON BEHALF OF THE DISTRICT
15. CONSIDER ADOPTION OF A RESOLUTION AUTHORIZING THE APPLICATION FOR FUNDING FROM THE BUREAU OF RECLAMATION'S WATERSMART PROGRAM AND DESIGNATING AN OFFICER TO SIGN AND SUBMIT THE APPLICATION
16. CONSIDER APPROVAL OF A TIME AND MATERIALS CHANGE ORDER TO ARCHER WESTERN FOR THE UNIT AA PIPELINE PROJECT IN THE AMOUNT OF \$1,200,000 FOR CONSTRUCTION OF A 108"/48" TEE FOR CONNECTION TO THE SAN DIEGO COUNTY WATER AUTHORITY AQUEDUCT PIPELINE 5 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
17. CONSIDER APPROVAL OF A CHANGE ORDER TO UTAH PACIFIC CONSTRUCTION COMPANY FOR THE REMOVAL OF HEAVY METALS RELATED TO DEWATERING OPERATIONS AT ESCONDIDO CREEK FOR THE UNIT AA RAW WATER PIPELINE PROJECT IN THE AMOUNT OF \$200,000 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
18. CONSIDER AN AGREEMENT WITH OBR ARCHITECTURE FOR THE DESIGN OF THE OLIVENHAIN SITE IMPROVEMENTS, BUILDING X UPGRADE, EMERGENCY OPERATIONS CENTER ELECTRICAL IMPROVEMENTS, AND SUSTAINABILITY DEMONSTRATION GARDEN IN THE AMOUNT OF \$195,000 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT
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 – RICHARD GARWOOD v OMWD
[PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)] •
Additional Facts: Injury sustained by a subcontractor while working
for Verizon at a cell site at the 4S-1 Reservoir (non-District related);
Board did not grant leave on 12/14/11
- OPEN SESSION
25. ADJOURNMENT