

MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
OLIVENHAIN MUNICIPAL WATER DISTRICT

May 15, 2024

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, May 15, 2024, at the district office, 1966 Olivenhain Road, Encinitas, California.

President Guerin called the meeting to order at 4:00 p.m. Following the Pledge of Allegiance, the Assistant Secretary called the roll. Directors present were Guerin, Hahn, Meyers, San Antonio, and Watt.

President Guerin declared a quorum present and ordered the meeting to proceed. In attendance were Kimberly Thorner, General Manager; Alfred Smith, General Counsel; Don MacFarlane, Consulting Engineer; Joey Randall, Assistant General Manager; Rainy Selamat, Finance Manager; John Carnegie, Customer Services Manager; Jennifer Joslin, Human Resources Manager; Lindsey Stephenson, Engineering Manager; Jesse Bartlett-May, Operations Manager; Steve Weddle, Engineering Services Supervisor; Brian Sodeman, Customer Service and Public Affairs Supervisor; Leo Mendez, Accounting Supervisor; Jared Graffam, Financial Analyst; Melody Colombo, Administrative Analyst; Joe Jansen, Administrative Analyst; Gabriela Saffiote, Human Resources Analyst; Stephanie Kaufmann, Executive Secretary; and Robert Kreutzer, Department Assistant.

5. ADOPTION OF AGENDA

Director Watt moved to adopt the agenda, seconded by Director Meyers, and approved unanimously.

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

\* Annual Fourth Grade Poster Contest Winners  
Clara Brigden, Olivenhain Pioneer Elementary  
Aria Drelich, Stone Ranch Elementary  
Maia McAllum, La Costa Heights Elementary

Administrative Analyst Colombo announced the award winners. President Guerin and the board congratulated the fourth grade poster contest winners.

8. CONSIDER APPROVAL OF THE MINUTES OF THE APRIL 17, 2024, REGULAR BOARD OF DIRECTORS MEETING

Director Watt moved to approve the minutes of the April 17, 2024, Regular Board of Directors meeting, seconded by Director Hahn, and approved unanimously.

9. CONSENT CALENDAR

- 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 REPORTS
  
- C-c CONSIDER ACCEPTANCE OF THE CAMINO DE ARRIBA FIRE HYDRANT INSTALLATION (CALSHAH CONSTRUCTION) INTO OMWD'S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED

Director Watt moved to approve the Consent Calendar, seconded by Director Hahn, and approved unanimously.

10. CONSIDER APPROVAL OF AN ADDITIONAL WATER SERVICE REQUEST FOR AN ACCESSORY DWELLING UNIT AT 14740 LAS QUINTAS AND DIRECT STAFF ON WHETHER TO BRING BACK CHANGES TO THE ADMINISTRATIVE AND ETHICS CODE TO ADDRESS SIMILAR SITUATIONS IN THE FUTURE

Engineering Services Supervisor Weddle presented the report.

Director Watt moved to bring back changes to the Administrative and Ethics Code and to grant the parcel an additional water service, provided the parcel owner completes the OMWD project submittal process, places a deposit for all associated development fees, and pays the appropriate capacity fees for the new associated meter, seconded by Director San Antonio, and approved unanimously.

11. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 3 – Organization of Staff, Article 4 – Classified Positions, and Article 27 – Conflict of Interest)

Human Resources Analyst Saffiote presented the report.

Upon motion by Director Hahn and a second by Director Watt, Ordinance 516 was approved by the following roll call vote:

AYES: Directors Guerin, Hahn, Meyers, San Antonio, and Watt  
NOES: None  
ABSTAIN: None  
ABSENT: None

12. CONSIDER ESTABLISHING PRIORITIES FOR A STATE CLIMATE BOND AND REVISING THE 2024 LEGISLATIVE GUIDELINES

There was board consensus to keep SB 867, the Climate Resiliency Bond, as a “watch” position.

Director Watt moved to approve the following priorities for a state climate bond and to include the additions to the Legislative Guidelines: Water Storage, Controlling Wholesale Rates, Aging Infrastructure, Cyber Infrastructure Protection (with the addition of “Preventing breaches caused by external state and nonstate actors and threats”), Dam Safety, Regulatory Compliance, Development of New Supplies, Maintenance and Improvement of Open Spaces Surrounding Water Reservoirs, Efficient Procedures, and Centralized Management and Consistent Allocation of Funding, seconded by Director San Antonio, and approved unanimously.

13. CONSIDER STATUS UPDATE ON SEVERAL SAN DIEGO LOCAL AGENCY FORMATION COMMISSION RELATED ITEMS PER THE OLIVENHAIN MUNICIPAL WATER DISTRICT 2024 ANNUAL OBJECTIVES #65 AND #66

General Manager Thorner presented the report. She noted that there will be an update to Objective 65 due to the changes in the Carlsbad Area and Encinitas Area MSRs from SDLAFCO.

14. CONSIDER DISCUSSION AND INPUT TO STAFF ON PRE-BUYING 3,449 ACRE FEET OF WATER AND PLACING IT INTO STORAGE IN DECEMBER 2024

General Manager Thorner presented the report. There was board consensus to support and have the General Manager come back in July or August after SDCWA rates are known to pursue the pre-buying of 3,449 acre feet of water and placing it into storage.

Items 16-20 were heard next on the agenda.

16. INFORMATIONAL REPORTS

A. President’s Report

President Guerin thanked staff for OMWD’s 65<sup>th</sup> Anniversary event.

B. General Manager’s Report

General Manager Thorner’s written report was included in the board packet.

C. Consulting Engineer’s Report

Consulting Engineer MacFarlane’s written report was included in the board packet.

D. General Counsel’s Report

General Counsel Smith provided a written report that was included in the board packet.

E. San Diego County Water Authority (SDCWA) Report

SDCWA representative Meyers reported on the proposed SDCWA rates.

F. Legislative Report

The Legislative Report was included in the board packet.

G. Twelve Month Calendar/Other Meetings/Reports by Board Members Per AB 1234

**I Love a Clean San Diego Earth Day Clean Up (April 20)**

Director San Antonio attended the event.

**65th Anniversary Celebration (April 24)**

Directors Guerin, Hahn, Meyers, San Antonio, and Watt attended the event.

**Two Conference Calls with the General Manager RE: SDCWA Rates Issues (April 25)**

Director Meyers had calls with the General Manager.

**Conference Call with the General Manager RE: SDCWA (May 2)**

Director Meyers had a call with the General Manager.

**Meeting with the General Manager RE: Le Valle Test Well (May 2)**

President Guerin attended the meeting.

**ACWA JPIA Meeting (May 5-7)**

Director San Antonio attended the meeting and conference.

**ACWA Spring Conference (May 7-9)**

Director Meyers attended the conference.

**Finance Committee Meeting (May 13)**

Directors Meyers and Watt attended the committee meeting.

**Meeting with the General Manager RE: Board Meeting Pre-Briefing and ACWA (May 13)**

Director Meyers met with the General Manager.

**Meeting with the General Manager RE: Board Meeting Pre-Briefing (May 14)**

President Guerin met with the General Manager.

**Conference Call with the General Manager RE: Board Meeting Pre-Briefing (May 14)**

Director Watt had a call with the General Manager.

H. **Board Comments**

There were no board comments.

17. **CORRESPONDENCE**

Correspondence was provided in the board packet.

18. **AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

There were no meetings requiring authorization to attend.

19. **FUTURE AGENDA ITEMS**

There were no future agenda items added.

20. **CONSIDER PUBLIC COMMENTS**

There were no additional public comments.

NOTE: The meeting was in Recess  
from 5:27 p.m. to 5:30 p.m.

Item 15 was heard next on the agenda.

15. PUBLIC HEARING TO CONSIDER WASTEWATER SERVICE FEE INCREASES FOR 4S RANCH AND RANCHO CIELO SANITATION DISTRICTS OVER A FIVE-YEAR PERIOD STARTING IN FISCAL YEAR 2025 (5:30 p.m.)

President Guerin announced that this was the time and place for a Public Hearing to consider wastewater service fee increases within the 4S Ranch and Rancho Cielo Sanitation Districts over a five year period starting in fiscal year 2026-2029.

General Manager Thorner stated that the notice of public hearing was published in the San Diego Union Tribune on Friday, May 3, and Friday, May 10, 2024. In addition, mailers were sent to all property owners in the sewer district in accordance with the provisions of Proposition 218, on March 25, 2024. The district retained Raftelis Financial Consultants to conduct a Wastewater Rate Study, and based on the study, is recommending a 5.5% adjustment in wastewater service revenue each year over a five-year period. The driver of the 2024 Wastewater Rate Study was higher capital expenditures that were estimated from historic high inflation rates. The goals of the wastewater rate study are to recover current and projected increases in the cost of operating and maintaining the 4S wastewater collection and treatment facilities, and to fund wastewater capital projects needed to replace and refurbish the aging wastewater collection and treatment facilities.

There were not any members of the public in attendance who wished to speak, and there was one written comment in support received from the public.

President Guerin announced that the public hearing was closed and reconvened the meeting of the Board of Directors.

NOTE: The meeting was in Recess  
from 5:34 p.m. to 5:46 p.m.

NOTE: The meeting was in Closed Session  
from 5:46 p.m. to 5:53 p.m.

21. CLOSED SESSION

- A) CONSIDER LITIGATION – OLIVENHAIN MUNICIPAL WATER DISTRICT v. COUNTY OF SAN DIEGO [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]
- B) CONSIDER GENERAL COUNSEL REVIEW [PURSUANT TO GOVERNMENT CODE SECTION 54957] • Additional Facts: Preliminary input provided on May 15, 2024; full review to be held on June 19, 2024.

22. OPEN SESSION

General Counsel Smith stated that there was no reportable action from Closed Session.

23. ADJOURNMENT

President Guerin adjourned the meeting at 5:54 p.m.

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Christy Guerin, President  
Board of Directors  
Olivenhain Municipal Water District

ATTEST:

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Lawrence A. Watt, Secretary  
Board of Directors  
Olivenhain Municipal Water District