

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

June 19, 2024

A regular meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, June 19, 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; Mark Wilson, Operations Supervisor; Jeff Anderson, Park Supervisor; Jared Graffam, Financial Analyst; Teresa Chase, Administrative Analyst; Melody Colombo, Administrative Analyst; Joe Jansen, Administrative Analyst; George Mileon, Senior Systems Administrator; Stephanie Kaufmann, Executive Secretary; and Robert Kreutzer, Department Assistant.

5. ADOPTION OF AGENDA

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

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

Service Awards, Promotions, and Honorable Mentions

- * WaterSmart Landscape Contest Winner, Rick Whitney
- * Elfin Forest Recreational Reserve Photo Contest Winners
- * American Public Works Association's San Diego and Imperial County Chapter Project of the Year Award - Honor Award – Manchester Avenue Recycled Water Project
- * Lauren Swaiger – Accountant I – New Hire – May
- * Gary Briant – Purchasing/Warehouse Clerk – 5 Years – June
- * David Cope – Utility I – New Hire – June
- * Johny Lamb – Utility I – New Hire – June

Administrative Analyst Chase and President Guerin congratulated the landscape contest winner.

Park Supervisor Anderson congratulated the Elfin Forest Recreational Reserve Photo Contest winners.

The employees were congratulated on their years of service and promotions. New employees were welcomed by the board.

Engineering Services Supervisor Weddle presented the APWA award to the board.

8. CONSIDER APPROVAL OF THE MINUTES OF THE MAY 15, 2024, REGULAR BOARD OF DIRECTORS MEETING

Director Meyers moved to approve the minutes of the May 15, 2024, Regular Board of Directors meeting, seconded by Director San Antonio, 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 REPORT
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 ADOPTION OF A RESOLUTION ESTABLISHING THE APPROPRIATION LIMIT AND AUTHORIZING THE APPLICATION OF PROCEEDS OF TAXES FOR FISCAL YEAR 2024-2025
C-d	CONSIDER APPROVAL OF THE DETACHMENT OF PARCEL 1 OF SAN DIEGO COUNTY TRACT NO. 4558, MAP NO. 11899 (ECKELMAN) FROM OLIVENHAIN MUNICIPAL WATER DISTRICT’S SPHERE OF INFLUENCE
C-e	CONSIDER ACCEPTANCE OF THE FOUR GEE PARK WATER SERVICE INSTALL (GEM INDUSTRIALS, INC.) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
C-f	CONSIDER APPROVAL OF AMENDMENT 2 WITH VALLEY CONSTRUCTION MANAGEMENT FOR CONTINUED CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE 4S RANCH NEIGHBORHOOD 1 SEWER PUMP STATION REPLACEMENT PROJECT IN THE AMOUNT OF \$79,060 AND GRANT A TIME EXTENSION TO CLOSE OUT THE PROJECT
C-g	CONSIDER VOTE FOR SOUTHERN NETWORK (SEAT A) REPRESENTATIVE TO THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION BOARD OF DIRECTORS

President Guerin moved to approve the Consent Calendar, seconded by Director San Antonio, and approved unanimously.

10. CONSIDER DISCUSSION AND DIRECTION TO STAFF ON SAN DIEGO COUNTY WATER AUTHORITY UPFRONT FIXED COST PREPAYMENT OPTION(S)

General Manager Thorner presented the report.

Director Watt moved to not participate in any of the alternatives offered by SDCWA, as the proposal is estimated to be a loss to OMWD based on the analysis and the risks are significant, seconded by President Guerin, and carried unanimously.

11. CONSIDER ADOPTION OF A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT APPROVING THE GENERAL MANAGER'S RECOMMENDED OPERATING AND CAPITAL BUDGET FOR FISCAL YEARS 2025 AND 2026 (RECOMMENDED BUDGET)

Finance Manager Selamat presented the report.

Director Watt moved to adopt Resolution 2024-09 approving the General Manager's Recommended Operating and Capital Budget for Fiscal Years 2025 and 2026, seconded by Director Meyers, and approved unanimously.

12. CONSIDER APPROVAL OF OLIVENHAIN MUNICIPAL WATER DISTRICT'S WASTEWATER SERVICE FEE INCREASES FOR 4S RANCH AND RANCHO CIELO SANITATION DISTRICTS OVER A FIVE-YEAR PERIOD STARTING IN FISCAL YEAR 2024-2025 AND ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 28 – Sanitation Districts and Use of Rules and Regulations)

Finance Manager Selamat presented the report.

Upon motion by President Guerin and a second by Director Watt, Ordinance 517 was approved by the following roll call vote:

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

13. CONSIDER ADOPTION OF A RESOLUTION MAKING CEQA EXEMPTION FINDINGS FOR THE WASTEWATER RATE INCREASES AND ORDERING A NOTICE OF EXEMPTION BE FILED WITH THE COUNTY CLERK OF THE COUNTY OF SAN DIEGO

Director Watt moved to adopt Resolution No. 2024-10, making CEQA exemption findings for the wastewater rate increases and ordering a Notice of Exemption be filed, seconded by Director San Antonio, and carried unanimously.

Agenda items 14, 15, and 16 were heard together.

14. CONSIDER ADOPTION OF A RESOLUTION ELECTING TO HAVE WASTEWATER SERVICE FEES WITHIN THE 4S RANCH SANITATION DISTRICT COLLECTED ON THE COUNTY TAX ROLLS FOR THE FISCAL YEAR JULY 1, 2024 TO JUNE 30, 2025 AND TO CERTIFY SAID FEES WITH THE SAN DIEGO COUNTY ASSESSOR

President Guerin moved to group agenda items 14, 15, and 16 together and adopt Resolution No. 2024-11, Resolution No. 2024-12, and Resolution No. 2024-13, seconded by Director Watt, and carried unanimously.

15. CONSIDER ADOPTION OF A RESOLUTION ELECTING TO HAVE WASTEWATER SERVICE FEES WITHIN THE RANCHO CIELO SANITATION DISTRICT COLLECTED ON THE COUNTY TAX ROLLS FOR THE FISCAL YEAR JULY 1, 2024 TO JUNE 30, 2025 AND TO CERTIFY SAID FEES WITH THE SAN DIEGO COUNTY ASSESSOR

16. CONSIDER ADOPTION OF A RESOLUTION ELECTING TO HAVE WASTEWATER SERVICE FEES FOR THE SANTA LUZ AFFORDABLE HOUSING AREA, BLACK MOUNTAIN RANCH EAST CLUSTERS PROJECT, AND AVION AREA WITHIN THE 4S RANCH SANITATION DISTRICT COLLECTED ON THE COUNTY TAX ROLLS FOR THE FISCAL YEAR JULY 1, 2024 TO JUNE 30, 2025 AND TO CERTIFY SAID FEES WITH THE SAN DIEGO COUNTY ASSESSOR

17. INFORMATIONAL REPORTS

- A. President's Report

President Guerin thanked staff for their work on the budget.

- B. General Manager's Report

General Manager Thorner reported that the district was featured in the news for efforts to mitigate wholesale water rate increases to OMWD customers.

- 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 under item 10 and provided an update on the proposed SDCWA rate increase.

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

CSDA Quarterly Meeting (May 16)

Directors Hahn and Meyers attended the event.

Conference Call with the General Manager RE: SDCWA (May 21)

Director Meyers had a call with the General Manager.

National Public Works Week Luncheon (May 22)

Directors Meyers, San Antonio, and Watt attended the luncheon.

Safety Committee Meeting (May 22)

Directors Hahn and Meyers attended the meeting.

Conference Call with the General Manager RE: General Counsel Input (May 23)

President Guerin had a call with the General Manager.

Conference Call with the General Manager RE: General Counsel Input (May 30)

Director Watt had a call with the General Manager.

Conference Call with the General Manager RE: SDCWA Issues and Pre-buy Water (June 7)

Director Meyers had a call with the General Manager.

Conference Call with the General Manager RE: Fixed Cost Pre-Payment and Central Basin (June 10)

Director Meyers had a call with the General Manager.

Conference Call with the General Manager RE: General Counsel Review Input (June 11)

President Guerin had a call with the General Manager.

APWA Awards Luncheon (June 13)

Director Watt attended the luncheon.

Conference Call with the General Manager RE: Board Meeting Pre-Briefing (June 17)

Director Watt had a call with the General Manager.

Board Meeting Pre-Briefing (June 18)

President Guerin met with the General Manager.

H. **Board Comments**

There were no board comments.

18. **CORRESPONDENCE**

Correspondence was provided in the board packet.

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

There were no meetings requiring authorization to attend.

20. **FUTURE AGENDA ITEMS**

There were no future agenda items added.

21. **CONSIDER PUBLIC COMMENTS**

There were no additional public comments.

NOTE: The meeting was in Recess
from 5:32 p.m. to 5:53 p.m.

NOTE: The meeting was in Closed Session
from 5:53 p.m. to 6:21 p.m.

22. CLOSED SESSION

- A) CONSIDER LITIGATION – OLIVENHAIN MUNICIPAL WATER DISTRICT v. COUNTY OF SAN DIEGO [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]
- B) CONSIDER LITIGATION – STANLEY D. JONES ET AL. VS. OLIVENHAIN MUNICIPAL WATER DISTRICT [PURSUANT TO GOVERNMENT CODE SECTION 54956.9]
- C) 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.

23. OPEN SESSION

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

24. OPEN SESSION DISCUSSION OF GENERAL COUNSEL COMPENSATION

After discussion by the board, President Guerin moved to approve a 4% rate increase to the General Counsel’s regular hourly rate to \$357.76 effective July 1, 2024, seconded by Director Watt, and approved unanimously.

25. ADJOURNMENT

President Guerin adjourned the meeting at 6:25 p.m.

Christy Guerin, President
Board of Directors
Olivenhain Municipal Water District

ATTEST:

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