

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

November 6, 2024

A special meeting of the Board of Directors of Olivenhain Municipal Water District was held on Wednesday, November 6, 2024, at the district office, 1966 Olivenhain Road, Encinitas, California.

President Guerin called the meeting to order at 5:00 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; Joey Randall, Assistant General Manager; Rainy Selamat, Finance Manager; Jennifer Joslin, Human Resources Manager; John Carnegie, Customer Services 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; Teresa Chase, Administrative Analyst; Liz Kostas, Senior Systems Administrator; Stephanie Kaufmann, Executive Secretary; and Robert Kreutzer, Department Assistant.

5. ADOPTION OF AGENDA

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

6. PERSONAL APPEARANCES AND PUBLIC COMMENTS

There were no personal appearances or public comments.

7. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

2024 Pure Excellence Award winners:

HASA, Inc. – Business of the Year

Begone Graffiti – Business of the Year

Walter Haslop – Volunteer of the Year

Ariel Reed – Educator of the Year

The Grauer School – Customer of the Year

Lawrence A. Watt – Presidential

President Guerin and Administrative Analyst Chase presented the awards to the Pure Excellence Award winners.

8. CONSIDER APPROVAL OF THE MINUTES OF THE OCTOBER 16, 2024, REGULAR BOARD OF DIRECTORS MEETING

Director Watt moved to approve the minutes of the October 16, 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
C-b	CONSIDER ACCEPTANCE OF THE BERRYMAN CANYON WATER SERVICES AND FIRE HYDRANT INSTALLATION PROJECT (MCCULLOUGH DESIGN & DEVELOPMENT, INC.) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED
C-c	CONSIDER APPROVAL OF THE 2024 POTABLE AND RECYCLED WATER MASTER PLAN UPDATE
C-d	CONSIDER A RESOLUTION APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE COUNTY OF SAN DIEGO COMMUNITY ENHANCEMENT PROGRAM FOR ELFIN FOREST RECREATIONAL RESERVE TRAIL AND EMERGENCY ACCESS ROAD REHABILITATION

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

10. CONSIDER ADOPTION OF A RESOLUTION HONORING LAWRENCE A. WATT FOR HIS YEARS OF SERVICE REPRESENTING DIVISION 2 ON THE BOARD OF DIRECTORS

Director Meyers moved to adopt Resolution 2024-19, seconded by Director San Antonio, and approved with Director Watt abstaining.

11. CONSIDER AND ADOPT AN ORDINANCE REVISING THE OLIVENHAIN MUNICIPAL WATER DISTRICT’S ADMINISTRATIVE AND ETHICS CODE (Article 8 – Water Rates and Charges) TO TAKE EFFECT ON JANUARY 1, 2025 AND AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT AUTHORIZING PASS-THROUGH INCREASES IN PURCHASED WATER WHOLESAL COSTS, SAN DIEGO WATER AUTHORITY INFRASTRUCTURE ACCESS CHARGE, INCREASES TO THE DISTRICT’S OPERATIONS AND CAPITAL FACILITIES, AND REVISING ARTICLE 8.4 OF THE DISTRICT’S ADMINISTRATIVE AND ETHICS CODE

Finance Manager Selamat presented the report.

Upon motion by Director Meyers, and a second by Director Watt, Ordinances 522 and 523 were approved by the following roll call vote:

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

12. CONSIDER ADOPTION OF A RESOLUTION MAKING CEQA EXEMPTION FINDINGS FOR THE WATER RATE AND CHARGE INCREASES AND ORDERING A NOTICE OF EXEMPTION FILED WITH THE COUNTY CLERK OF THE COUNTY OF SAN DIEGO AND THE STATE CLEARINGHOUSE

Finance Manager Selamat presented the report.

President Guerin moved to adopt Resolution 2024-22, seconded by Director Watt, and approved unanimously.

13. CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S ADMINISTRATIVE AND ETHICS CODE (Article 20 – Employer-Employee Relations)

Human Resources Manager Joslin presented the report.

Upon motion by Director Hahn, and a second by President Guerin, Ordinance 524 was approved by the following roll call vote:

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

14. CONSIDER APPROVAL OF CONSTRUCTION CHANGE ORDER 2 WITH CCL CONTRACTING, INC. IN THE AMOUNT OF \$158,692 FOR THE CONSTRUCTION OF THE UNIT A RANCHO SANTA FE POTABLE WATER PIPELINE REPLACEMENT PROJECT, ADD 20 ADDITIONAL CONTRACT DAYS, AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

Engineering Services Supervisor Weddle presented the report.

President Guerin moved to approve Construction Change Order 2 with CCL Contracting, Inc. for changed conditions encountered on the Unit A Rancho Santa Fe Potable Water Pipeline Replacement Project in the amount of \$158,692, add 20 additional contract days, and authorize the General Manager to sign on behalf of Olivenhain Municipal Water District, seconded by Director Watt, and carried unanimously.

15. CONSIDER APPROVAL OF CONSTRUCTION CHANGE ORDER 11 WITH ORION CONSTRUCTION CORPORATION FOR \$81,937 FOR THE 4S RANCH NEIGHBORHOOD 1 SEWER PUMP STATION REPLACEMENT PROJECT, APPROPRIATE AN ADDITIONAL \$200,000 TO THE PROJECT, AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF OMWD

Engineering Services Supervisor Weddle presented the report.

Director Meyers moved to approve Construction Change Order 11 for the 4S Ranch Neighborhood 1 Sewer Pump Station Replacement Project with Orion Construction Corporation in the amount of \$81,937, authorize the General Manager to sign on behalf of Olivenhain Municipal Water District, and appropriate an additional \$200,000 to the project, seconded by Director San Antonio, and carried unanimously.

16. RECEIVE ANNUAL REPORT ON THE DISTRICT'S PENSION FUNDING STATUS AND CONSIDER APPROVAL OF THE RECOMMENDED PENSION FUNDING PLAN FOR 2024

Finance Manager Selamat presented the report.

President Guerin moved to approve making an annual Additional Discretionary Payment to CalPERS in the amount of \$311,000 from the District's Pension Stabilization Fund by December 31, 2024 to reduce the District's Unfunded Accrued Liability, and transfer \$550,000 from the Water Operating Fund (\$500,000) and Wastewater Operating Fund (\$50,000) to the Water Pension Stabilization Fund and Wastewater Pension Stabilization Fund, seconded by Director Watt, and carried unanimously.

17. INFORMATIONAL REPORTS

- A. President's Report

President Guerin thanked Director Watt for his service and complimented staff on the Water Career Day event held at San Elijo Joint Powers Authority.

- B. General Manager's Report

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

- C. Consulting Engineer's Report

Consulting Engineer MacFarlane's report will be provided at the next board meeting.

- 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 a presentation about the State Water Project single tunnel.

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

EFRR Volunteer Appreciation BBQ (Oct 19)

Director Meyers attended the event.

Document Signing (Oct 21)

Director Watt signed the documents.

Conference Call with the General Manager RE: SDCWA & Customer Issues (Oct 24)

Director Meyers had a call with the General Manager.

Water for People Luncheon (Oct 30)

Directors Guerin and Meyers attend the event.

Finance Committee Meeting (Nov 4)

Directors Meyers and Watt attended the meeting.

Board Meeting Pre-Briefing (Nov 4)

President Guerin attended the meeting.

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

The General Manager will provide an update to the board on SB 366 along with an update on the Bay Delta.

21. CONSIDER PUBLIC COMMENTS

There were no additional public comments.

NOTE: The meeting was in Recess
from 6:39 p.m. to 6:55 p.m.

NOTE: The meeting was in Closed Session
from 6:55 p.m. to 7:31 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 MANAGER PERFORMANCE EVALUATION [PURSUANT TO GOVERNMENT CODE SECTION 54957] • Additional Facts: Receive packet; full review and compensation discussion to be held on November 6, 2024.

23. OPEN SESSION

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

24. CONSIDER GENERAL MANAGER’S (A) 2024 INCENTIVE AND (B) 2025 COMPENSATION

Director Hahn moved to approve General Manager Thorner’s base pay increase of 5%, commencing on December 28, 2024, which is payable on January 16, 2025, seconded by Director San Antonio, and approved unanimously.

Director Meyers moved to award General Manager Thorner \$7,596 to a 401(a) account for superior performance goal incentive pay for calendar year 2024, payable in late November/early December 2024, seconded by President Guerin, and approved unanimously.

President Guerin adjourned the meeting at 7:49 p.m.

25. ADJOURNMENT

Christy Guerin, President
Board of Directors
Olivenhain Municipal Water District

ATTEST:

Kimberly A. Thorner, Assistant Secretary
Board of Directors
Olivenhain Municipal Water District