



**TO PARTICIPATE IN THE MEETING VIA VIDEO OR TELECONFERENCE, GO TO <https://rainbowmwd.zoom.us/j/85664315900> OR CALL 1-669-900-6833 or 1-669-444-9171 or 1-309-205-3325 or 1-312-626-6799 or 1-564-217-2000 or 1-689-278-1000 (WEBINAR/MEETING ID: 856 6431 5900).**

MEMBERS OF THE PUBLIC WISHING TO SUBMIT WRITTEN COMMENT TO THE BOARD UNDER PUBLIC COMMENT OR ON A SPECIFIC AGENDA ITEM MAY SUBMIT COMMENTS TO OUR BOARD SECRETARY BY EMAIL AT [DWASHBURN@RAINBOWMWD.COM](mailto:DWASHBURN@RAINBOWMWD.COM) OR BY MAIL TO 3707 OLD HIGHWAY 395, FALLBROOK, CA 92028. ALL WRITTEN COMMENTS RECEIVED **AT LEAST ONE HOUR IN ADVANCE OF THE MEETING** WILL BE READ TO THE BOARD DURING THE APPROPRIATE PORTION OF THE MEETING. THESE PUBLIC COMMENT PROCEDURES SUPERSEDE THE DISTRICT’S STANDARD PUBLIC COMMENT POLICIES AND PROCEDURES TO THE CONTRARY.

**RAINBOW MUNICIPAL WATER DISTRICT BOARD MEETING**

**Tuesday, September 26, 2023**

**Closed Session 12:00 p.m. Open Session 1:00 p.m.**

**THE PURPOSE OF THE REGULAR BOARD MEETING IS TO DISCUSS THE ATTACHED AGENDA**

<b>District Office</b>	<b>3707 Old Highway 395</b>	<b>Fallbrook, CA 92028</b>
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**Board Agenda Policies**

Board of Directors Meeting Schedule Regular Board meetings are normally scheduled for the 4<sup>th</sup> Tuesday of the month with Open Session discussions starting time certain at 1:00 p.m.

Breaks It is the intent of the Board to take a ten-minute break every hour and one-half during the meeting.

Public Input on Specific Agenda Items and those items not on the Agenda, Except Public Hearings Any person of the public desiring to speak shall fill out a “Speaker’s Slip”, encouraging them to state their name, though not mandatory. Such person shall be allowed to speak during public comment time and has the option of speaking once on any agenda item when it is being discussed. Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.

Public Items for the Board of Directors' agenda must be submitted in writing and received by the District office no later than 10 business days prior to a regular Board of Directors' Meeting.

Agenda Posting and Materials Agendas for all regular Board of Directors' meetings are posted at least seventy-two hours prior to the meeting on bulletin boards outside the entrance gate and the main entrance door of the District, 3707 Old Highway 395, Fallbrook, California 92028. The agendas and all background material may also be inspected at the District Office.

You may also visit us at [www.rainbowmwd.com](http://www.rainbowmwd.com).

Time Certain Agenda items identified as “time certain” indicate the item will not be heard prior to the time indicated.

Board meetings will be audio and video recorded with copies available upon request. Requests for audio recordings will be fulfilled once draft minutes for such meeting have been prepared. There are no costs associated with obtaining copies of audio and video recordings; however, these recordings will only be retained according to the policies provided in the District’s Administrative Code. Copies of public records are available as a service to the public; a charge of \$.10 per page up to 99 pages will be collected and \$.14 per page for 100 pages or more.

If you have special needs because of a disability which makes it difficult for you to participate in the meeting or you require assistance or auxiliary aids to participate in the meeting, please contact the District Secretary, (760) 728-1178, by at least noon on the Friday preceding the meeting. The District will attempt to make arrangements to accommodate your disability.

(\*) - Asterisk indicates a report is attached.

Notice is hereby given that the Rainbow Municipal Water District Board of Directors will hold Closed Session at 12:00 p.m. and Open Session at 1:00 p.m. Tuesday, September 26, 2023, at the District Office located at 3707 Old Highway 395, Fallbrook, CA 92028. At any time during the session, the Board of Directors Meeting may adjourn to Closed Session to consider litigation or to discuss with legal counsel matters within the attorney client privilege.

## **AGENDA**

1. **CALL TO ORDER**
2. **ROLL CALL: Gasca\_\_\_ Hamilton\_\_\_ Johnson\_\_\_ Mack\_\_\_ Townsend-Smith\_\_\_**
3. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
4. **INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE**

***CHAIR TO READ ALOUD*** - "If at any point, anyone would like to ask a question or make a comment and have joined this meeting with their computer, they can click on the "Raise Hand" button located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.

*Those who have joined by dialing a number on their telephone, will need to press \*6 to unmute themselves and then \*9 to alert us that they would like to speak.*

*A slight pause will also be offered at the conclusion of each agenda item discussion to allow public members an opportunity to make comments or ask questions."*

5. **ORAL/Written COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING CLOSED SESSION AGENDA ITEMS (Government Code § 54954.2).**

***Under Oral Communications, any person in attendance wishing to address the Board regarding Closed Session agenda items should indicate their desire to speak by filling out and submitting a "Speaker's Slip" to the Board Secretary before the meeting begins. Any person attending the meeting remotely wishing to address the Board regarding Closed Session agenda items may email or mail in their comments to the Board Secretary one hour before the Closed Session scheduled start time to be read to the Board prior to their adjournment to Closed Session or may speak to the Board by calling (760) 728-1178, listening for "Thank you for calling Rainbow Municipal Water District ....", dialing Extension 429, and entering pin 8607 at the Closed Session scheduled start time. Once all public comment is heard, this call will be disconnected, and the Board will adjourn to Closed Session. To participate in the Open Session portion of the meeting, please follow the instructions provided at the top of Page 1 of this agenda. Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.***

6. **CLOSED SESSION**
  - A. **Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(2))**

\* One Item

7. **REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**

(\* ) - Asterisk indicates a report is attached.

Time Certain: 1:00 p.m.

8. REPEAT CALL TO ORDER
9. PLEDGE OF ALLEGIANCE
10. REPEAT ROLL CALL
11. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION
12. REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)
13. REPEAT INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE

**CHAIR TO READ ALOUD** - *"If at any point, anyone would like to ask a question or make a comment and have joined this meeting with their computer, they can click on the "Raise Hand" button located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.*

*Those who have joined by dialing a number on their telephone, will need to press \*6 to unmute themselves and then \*9 to alert us that they would like to speak.*

*A slight pause will also be offered at the conclusion of each agenda item discussion to allow public members an opportunity to make comments or ask questions."*

14. ORAL/WRITTEN COMMUNICATIONS FROM THE PUBLIC  
OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING ITEMS NOT ON THIS AGENDA (Government Code § 54954.2).

**Under Oral Communications, any person in attendance wishing to address the Board regarding matters not on this agenda should indicate their desire to speak by filling out and submitting a "Speaker's Slip" to the Board Secretary before the meeting begins. Any person attending remotely wishing to address the Board regarding matters not on this agenda should indicate their desire to speak or may email or mail their comments to the Board Secretary one hour before the Open Session scheduled start time. All written public comments received will be read to the Board during the appropriate portion of the meeting. No action will be taken on any oral communications item since such item does not appear on this Agenda, unless the Board of Directors makes a determination that an emergency exists or that the need to take action on the item arose subsequent to posting of the Agenda (Government Code §54954.2). Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.**

15. EMPLOYEE RECOGNITIONS

- A. Service Awards
  1. Robert Gutierrez – 5 Years

- \*16. APPROVAL OF MINUTES

- A. August 22, 2023 - Regular Board Meeting
- B. September 6, 2023 – Special Board Meeting

(\*) - Asterisk indicates a report is attached.

**\*17. BOARD OF DIRECTORS' COMMENTS/REPORTS**

Directors' comments are comments by Directors concerning District business, which may be of interest to the Board. This is placed on the agenda to enable individual Board members to convey information to the Board and to the public. There is to be no discussion or action taken by the Board of Directors unless the item is noticed as part of the meeting agenda.

- A. President's Report (Director Hamilton)
- B. Representative Report (Appointed Representative)
  - 1. SDCWA
    - A. Summary of Board Meeting August 24, 2023
  - 2. CSDA
  - 3. LAFCO
  - 4. Santa Margarita River Watershed Watermaster Steering Committee
  - 5. ACWA
- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)
  - 1. Board Seminar/Conference/Workshop Training Attendance Reports
- D. Directors Comments
- E. Legal Counsel Comments
  - 1. Attorney Report: Public Officials and Social Media 62162196\_1

**18. COMMITTEE REPORTS**

- A. Budget and Finance Committee
- B. Engineering and Operations Committee
- C. Communications and Customer Service Committee

**PRESENTATIONS**

- 19. CONGRESSMAN ISSA'S OFFICE (ALAN PELLACANI)
- 20. GROUNDWATER STUDY PRESENTATION
- 21. GROUNDWATER STUDY FINANCIAL PRESENTATION (DOUG GILLINGHAM)

**BOARD ACTION ITEMS**

- \*22. **DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 23-24 — A RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT COMMENDING TOM KENNEDY FOR HIS LEADERSHIP AND DEDICATION**  
*(Resolution No. 23-24 recognizes Tom Kennedy for his nine-year leadership and dedication to the District and its customers.)*
- 23. **CONSIDER APPROVAL OF AN AMENDMENT TO THE STANDARD SEWER SERVICE AGREEMENT BETWEEN RAINBOW MUNICIPAL WATER DISTRICT (DISTRICT) AND PAPPAS INVESTMENTS FOR THE PALA RANCH (FKA) CAMPUS PARK WEST) DEVELOPMENT TO IMPROVE MAJOR SUBDIVISION COUNTY OF SAN DIEGO TRACT NO. 5424-1 (DIVISION 4)**  
*(Pala Ranch development formally known as Campus Park West is a proposed mixed-use residential and commercial project. The Developer, Pappas Investments, is requesting an amendment to the District's standard Sewer Service Agreement. Documentation related to this item will be provided under separate cover.)*
- 24. **BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

(\*) - Asterisk indicates a report is attached.

## **CONSENT CALENDAR ITEMS**

- \*25. APPROVAL OF RESOLUTION NO. 23-25 ESTABLISHING CHECK SIGNING AUTHORITY**  
*(The purpose of this resolution is to update the current established check signing responsibility to the current authorized signers of checks due to the changing of general managers.)*
- \*26. ACCEPTANCE OF INFRASTRUCTURE FOR RICE CANYON TANK TRANSMISSION MAIN PROJECT BY CASS ARRIETA ON BEHALF OF TRI-POINTE HOMES (DIVISION 4 & 5)**  
*(Cass Arrieta under contract with Tri-Pointe Homes constructed a new 18" transmission main to deliver water from the Rice Canyon Tank Zone to Horse Ranch Creek Road. Upon acceptance by the Board, the installation costs will be added to the District's total valuation. Following a one year warranty period, the District will take over operation and maintenance of facilities.)*
- \*27. NOTICE OF COMPLETION AND ACCEPTANCE OF INFRASTRUCTURE FOR RAINBOW WATER QUALITY IMPROVEMENT PROJECT – WATER MAIN AND SERVICE RELOCATIONS PROJECT BY ORTIZ CORPORATION INC. (DIVISION 5)**  
*(A County project resulted in utility conflicts with District facilities, Ortiz Corporation relocated four (4) water mains and 21 service laterals. Upon acceptance by the Board, the installation costs will be added to the District's total valuation. Following a one year warranty period, the District will take over operation and maintenance of facilities.)*

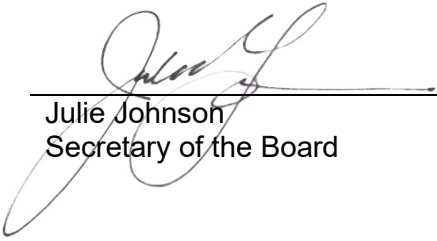
## **BOARD INFORMATION ITEMS**

- \*28. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**
- A. General Manager Comments**
    - 1. Meetings, Conferences and Seminar Calendar
  - B. Operations Comments**
    - 1. Operations Report
  - C. Engineering Comments**
    - 1. Engineering Report
    - 2. As-Needed Services Expenditures Summary
    - 3. RMWD Sewer Equivalent Dwelling Units (EDU's) Status
  - D. Administrative Services Comments**
    - 1. Administrative Services Report
  - E. Finance Comments**
    - 1. Board Information Report
      - A.** Budget vs. Actuals (August and September)
      - B.** Fund Balance & Developer Projections (August and September)
      - C.** Treasury Report (August and September)
      - D.** Five Year Water Purchases Demand Chart (August and September)
      - E.** Water Sales Summary (August and September)
      - F.** Check Register (August and September)
      - G.** Directors' Expenses Report (August and September)
      - H.** Credit Card Breakdown (August and September)
      - I.** RMWD Properties (August and September)
      - J.** Grant Progress Report (August and September)
- 29. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING**

(\*) - Asterisk indicates a report is attached.

30. ADJOURNMENT - To Tuesday, October 24, 2023, at 1:00 p.m.

**ATTEST TO POSTING:**



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Julie Johnson  
Secretary of the Board

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9-19-23 @ 12:30 p.m.  
Date and Time of Posting  
Outside Display Cases

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