

RESOLUTION NO. 15-12

A RESOLUTION OF SUPPORT OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT OF OPTION 2 SET FORTH IN THE SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION'S JULY 6, 2015 STAFF REPORT REGARDING THE PROPOSED "FALLBROOK PUBLIC UTILITY DISTRICT AND RAINBOW MUNICIPAL WATER DISTRICT REORGANIZATION"

WHEREAS, on March 10, 2014, the Fallbrook Public Utility District ("FPUD") passed Resolution No. 4813, which purported to be a Resolution of Application by the Fallbrook Public Utility District Requesting the San Diego County Local Agency Formation Commission to Take Proceedings for a Reorganization with the Rainbow Municipal Water District and Making Certain Findings Under the California Environmental Quality Act, in violation of the notice and hearing requirements of law, and thereafter improperly submitted said resolution together with an Application for Reorganization to the San Diego Local Agency Formation Commission ("LAFCO") on March 11, 2014;

WHEREAS, FPUD thereafter noticed a public hearing pursuant to Government Code § 56824.12, and on April 28, 2014, passed Resolution No. 4815, which amended Resolution No. 4813. Resolution No. 4815, Amended Resolution of Application by the Fallbrook Public Utility District Requesting the San Diego County Local Agency Formation Commission to Take Proceedings for a Reorganization with the Rainbow Municipal Water District and Making Certain Findings Under the California Environmental Quality Act (the "FPUD Resolution"), was submitted to LAFCO together with an Application for Reorganization ("Application for Reorganization") on April 29, 2014;

WHEREAS, the FPUD Resolution and Application for Reorganization seek the dissolution of Rainbow Municipal Water District ("RMWD"), a district annexation of Rainbow territory to FPUD, a reduction of Rainbow's sphere of influence to a zero sphere, and an expansion of FPUD's latent sewer powers to include RMWD territory, and is not a special reorganization as defined by Government Code § 56075.5;

WHEREAS, the Board of Directors of the RMWD passed a Resolution of Objection of the Board of Directors of the RMWD to the Fallbrook Public Utility District's Resolution and Application for Reorganization to the San Diego County Local Agency Formation Commission on July 22, 2014, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, with specific reference to Sections 56668.3(a)(4) and 56668.3(b) of the California Government Code, and submitted this resolution to LAFCO on July 23, 2014; for the purpose of objecting to the FPUD Resolution and Application for Reorganization;

WHEREAS, RMWD is an affected local agency and an affected district as defined by Government Code sections 56014 & 56013, respectively;

WHEREAS, the Executive Officer and Local Government Consultant submitted to LAFCO, for consideration at its July 6, 2015 meeting, a staff report comprised of a Municipal Service Review, Sphere of Influence Review, and Reorganization Proposal involving FPU and RMWD (“Staff Report”), a true and correct copy of which is attached hereto as Exhibit 1 and incorporated by reference;

WHEREAS, the Staff Report contains two reorganization options: Reorganization Option 1: Approve the proposed reorganization of the Rainbow MWD and Fallbrook PUD (“Option 1”); and Reorganization Option 2: Disapprove the proposed reorganization of the Rainbow MWD and Fallbrook PUD (“Option 2”);

WHEREAS, RMWD finds the terms and conditions contained in Option 2 to be superior and in the best interests of its ratepayers and the inhabitants of the district, and further finds that Option 2 is most consistent with RMWD’s purpose and goals.

NOW THEREFORE, BE IT RESOLVED THAT, this Resolution of Support of the Board Of Directors of the RMWD for Option 2 Set Forth in the San Diego County Local Agency Formation Commission’s July 6, 2015 Staff Report Regarding the Proposed “Fallbrook Public Utility District And Rainbow Municipal Water District Reorganization” is hereby approved and adopted by the Board of Directors of the Rainbow Municipal Water District.

PASSED AND ADOPTED by the Board of Directors of the Rainbow Municipal Water District at a regular meeting thereof held on June 23, 2015, by the following roll call vote:

AYES:	Directors Brazier, Griffiths, Lucy, Sanford, and Walker
NOES:	None
ABSENT:	None
ABSTENTIONS:	None

ATTEST:



Dawn Washburn, Board Secretary



Dennis Sanford, Board President