



Notice is hereby given that the Rainbow Municipal Water District Board of Directors will hold Closed Session at 11:30 a.m. and Open Session at 1:00 p.m. Tuesday, January 28, 2020, 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: Brazier \_\_\_ Hamilton \_\_\_ Gasca \_\_\_ Mack \_\_\_ Rindfleisch \_\_\_**
  3. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
  4. **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 wishing to address the Board on matters regarding the Closed Session agenda should indicate their desire to speak by filling out and submitting a "Speaker's Slip" to the Board Secretary before the meeting begins. *Speaking time shall generally be limited to three minutes, unless a longer period is permitted by the Board President.*
  5. **CLOSED SESSION**
    - A. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(2))  
\* Four Items
    - B. Conference with Legal Counsel-Existing Litigation Pursuant to Government Code Section 54956.9(d)(1)  
\* Otay Water District v. Rainbow Municipal Water District
  6. **REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**
- Time Certain: 1:00 p.m.
7. **PLEDGE OF ALLEGIANCE**
  8. **REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**
  9. **REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
  10. **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 wishing to address the Board on 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. *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.*
  11. **COMMENTS FROM THE CITY OF POWAY**

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

**\*12. APPROVAL OF MINUTES**

- A. December 3, 2019 - Regular Board Meeting

**\*13. 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 Brazier)
- B. Representative Report (Appointed Representative)
  - 1. SDCWA
    - A. Summary of Board Meeting November 21, 2019
  - 2. CSDA
  - 3. LAFCO
    - A. Special District Advisory Committee Election Results
  - 4. San Luis Rey Watershed Council
  - 5. Santa Margarita River Watershed Watermaster Steering Committee
  - 6. 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: Employment Law Update (501668-0002)

**14. COMMITTEE REPORTS**

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

**PRESENTATION WITH ACTION ITEM**

**\*15. PRESENTATION AND ACCEPTANCE OF THE AUDIT REPORT AND FINANCIAL STATEMENTS FOR FISCAL YEAR ENDING JUNE 30, 2019**

*(The FY 18/19 year end financials for RMWD will be presented by Audit Firm WNDE. The board will be voting on acceptance of the audit.)*

**PRESENTATION**

**16. RATE MODEL PRESENTATION**

**CONSENT CALENDAR ITEMS**

**17. DISCUSSION AND POSSIBLE REAPPOINTMENT OF TREASURER**

*(Per the administrative code section 5.03.070 Investment Policy Delegation of Authority – on an annual basis the District's idle funds are delegated to the Treasurer by the Board of Directors who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires.)*

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

- \*18. **DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 20-02 AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 5.05.050.01 – RECORDS RETENTION – DISTRICT RECORDS**  
*(Upon review of the District's Administrative Code Section 5.05.050.01, rate hearing protests were not included in the updated policy and needs to be added.)*
  
- \*19. **DISCUSSION AND POSSIBLE ACTION TO APPROVE FIRST AMENDMENT TO THE SEWER SERVICE AGREEMENT REGARDING THE TERMS AND CONDITIONS OF THE SEWER CAPACITY FEES AND CREDIT BETWEEN RAINBOW MUNICIPAL WATER DISTRICT AND BEAZER HOMES HOLDING CORPORATION. PALA MESA HIGHLANDS, TM 5187-1**  
*Beazer Homes has requested an amendment to the existing Sewer Agreement for the Pala Mesa Highlands development (TM 5187-1). Subsequent to the original agreement, the size of seven residences in the development were reduced which reduced the totals EDUs and capacity fees due to the District. Accepting the amended sewer service agreement will reduce the remaining 50% sewer capacity fees owed to the District by \$21,190.*
  
- \*20. **DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT FOR THE DENTRO DE LOMAS STREET IMPROVEMENT PROJECT**  
*(This project consists of reconstructing 8,328 square feet of pavement and 431 linear feet curb and gutter. Damage to the public residential street was a result of water flow from a main break in early 2019. Only segments of the street and curb damaged by the main break and water flow will be repaired.)*
  
- \*21. **DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 20-01 — A RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT ESTABLISHING CLASSIFICATIONS AND MONTHLY PAY RANGES FOR DISTRICT EMPLOYEES AND THE GENERAL MANAGER EFFECTIVE JANUARY 28, 2020 THROUGH JUNE 30, 2020**  
*(Several positions have been reevaluated due to vacancies and the recommended pay grades have been adjusted accordingly based on the new job classifications.)*
  
- \*22. **DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 20-01 - AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 1.02.020 – CONFLICT OF INTEREST**  
*(As the positions change at the District, a review of the Conflict of Interest Code is conducted to determine whether those positions listed in the Conflict of Interest Code need to be updated accordingly.)*

**BOARD ACTION ITEMS**

- \*23. **RATEPAYER REQUEST FOR CREDIT**  
*(Customer Mark Witkower requested a credit for water usage following a meter exchange that resulted in delayed billing.)*
  
- \*24. **DISCUSSION AND POSSIBLE ACTION TO APPROVE A SEWER SERVICE AGREEMENT BETWEEN RAINBOW MUNICIPAL WATER DISTRICT AND BONSALL GROUP, LLC. LILAC DEL CIELO, TM 5427**  
*(Lilac Del Cielo is a subdivision of 73 condominium units located between Camino Del Cielo and West Lilac Road. The project is currently in escrow to be sold to DR Horton. The Developer requested to enter into a sewer service agreement with the District according to the terms of the District's Administrative Code, attached for discussion.)*
  
- \*25. **DISCUSSION AND POSSIBLE ACTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO PROVIDE DESIGN SERVICES FOR PIPELINE UPGRADE PROJECT #2**  
*(The Pipeline Upgrade Project #2 consists of the design of seven (7) pipe replacements or rehabilitations consisting of approximately 7,500 feet of pipeline between 8-inch and 12-inch diameter. These seven projects were identified in the Water Pipeline Condition Assessment. The intent of the design services will be to prepare plans, specifications, and an estimate suitable for bidding by a public agency.)*

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

- \*26. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT FOR THE PHASE I PRESSURE REDUCING STATIONS PROJECT**  
*(This project consists of the installation of three pre-manufactured EFI Pressure Reducing Stations at Pala Mesa Resort and Pala Mesa Fairway Villas Association. Installation of pressure reducing stations are based on recommendations in our recent condition assessment study to help protect our pipelines from future breaks.)*
- 27. COMMITTEE MEMBER REAPPOINTMENTS**  
*(After review of Administrative Code Chapter 2.09 – Committees, it was realized all committee members must be reappointed by the Board after four years of service. Those affected were directed to notify the District in writing of their desire to be reappointed from which a list was prepared for Board consideration.)*
- \*28. LAFCO CALL FOR BALLOTS FOR NOMINATIONS FOR REGULAR SPECIAL DISTRICT MEMBER ELECTION**  
*(RMWD received notice serving as a call to nominations pursuant to Government Code Section 56332(1) to solicit one regular special district member to serve on the San Diego Local Agency Formation Commission (LAFCO)).*
- 29. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

**BOARD INFORMATION ITEMS**

- \*30. BONSALL RESERVOIR UPDATE ON PREVAILING LEASING RATES/ALTERNATIVES**  
*(The Bonsall Reservoir has not been used as a water impoundment for several decades. The site is currently under a long-term lease which expires in 2020. Staff contracted with a local solar company to evaluate the use of the site for solar power. Currently, staff is evaluating bringing the reservoir back into service.)*
- 31. MEMORANDUM OF UNDERSTANDING AMONG RMWD, FPUD, AND EASTERN MUNICIPAL WATER DISTRICT UPDATE**
- \*32. CASH RESERVE POLICY 5.03.220 COMPLIANCE REPORT**  
*(At the end of each fiscal year, compliance with the Reserve Policy will be reported to the District's Board of Directors.)*
- 33. SCHEDULING STRATEGIC PLAN AND LESSONS LEARNED WORKSHOP UPDATE**
- \*34. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**
  - A. General Manager Comments**
    - 1. Meetings, Conferences and Seminar Calendar
  - B. Communications**
    - 1. Staff Training Reports
  - C. Operations Comments**
    - 1. Operations Report
  - D. Engineering Comments**
    - 1. Engineering Report
    - 2. As-Needed Services Expenditures Summary
    - 3. RMWD Sewer Equivalent Dwelling Units (EDU's) Status
  - E. Human Resource & Safety Comments**
    - 1. Human Resources Report
    - 2. Organizational Chart
  - F. Finance Comments**
    - 1. Information Report
    - 2. Monthly Financial Statements

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

3. Treasury Report
4. Five Year Demand
5. Credit Card Breakdown
6. Directors' Expense
7. Check Register
8. Water Sales Summary
9. Developer Projections
10. RMWD Properties

35. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING

36. ADJOURNMENT - To Tuesday, February 25, 2020 at 1:00 p.m.

ATTEST TO POSTING:

  
\_\_\_\_\_  
FOR: Carl Rindfleisch  
Secretary of the Board

1-20-2020 @ 12:44 p.m.  
\_\_\_\_\_  
Date and Time of Posting  
Outside Display Cases

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