

**MINUTES OF THE SPECIAL BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
NOVEMBER 17, 2021**

1. **CALL TO ORDER** - The Special Meeting of the Board of Directors of the Rainbow Municipal Water District on November 17, 2021, was called to order by President Hamilton at 9:32 a.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. *(All meetings are being held with in person attendance following County and State COVID guidelines as well as virtually.)* President Hamilton presiding.

2. **ROLL CALL:**

Present: Director Gasca, Director Hamilton *(via video conference)*, Director Mack, Director Moss *(via video conference)*.

Also Present: General Manager Kennedy, Executive Assistant Washburn, Information Systems Specialist Espino.

Also Present Via Teleconference or Video Conference:

Legal Counsel Smith.

No members of the public were present via teleconference or video conference before Closed Session.

3. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**

Director Gasca requested an item be added to the agenda to discuss about responding to the State Redistricting Commission regarding Assembly Districts. He noted he provided a draft letter for Board consideration. It was noted this item would be added as Item #13A.

Legal Counsel stated for the record this information came to the attention of the District after the agenda was posted and has a need for immediate action prior to the next scheduled Board meeting.

Motion:

To amend the agenda to include discussion of a letter concerning redistricting with the State Commission.

Action: Approve, Moved by Director Gasca, Seconded by Director Moss.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss.

(*) - Asterisk indicates a report is attached.

4. INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE

There were no public members present; therefore, the instructions were not read aloud.

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).

There were no comments.

The meeting adjourned to Closed Session at 9:36 a.m.

6. CLOSED SESSION

A. Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1)

* Rainbow Municipal Water District v. Blum, Inc., et al.

The meeting reconvened at 10:00 a.m.

7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

This item was addressed under Item #12.

Time Certain: 1:00 p.m.

8. REPEAT CALL TO ORDER

The Special Meeting of the Board of Directors of the Rainbow Municipal Water District on November 17, 2021, was called to order by President Hamilton at 10:00 a.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. *(All meetings are being held with in person attendance following County and State COVID guidelines as well as virtually.)* President Hamilton presiding.

9. PLEDGE OF ALLEGIANCE

10. REPEAT ROLL CALL

Present: Director Gasca, Director Hamilton *(via video conference)*, Director Mack, Director Moss *(via video conference)*.

Also Present: General Manager Kennedy, Executive Assistant Washburn, Operations Manager Gutierrez, Finance Manager Largent, Human Resources Manager Harp, Information Technology Manager Khattab.

(*) - Asterisk indicates a report is attached.

Also, Present Via Teleconference or Video Conference:

Legal Counsel Smith, Engineering and CIP Program Manager Williams, Information Systems Specialist Espino, Construction and Maintenance Supervisor Lagunas, Engineering Technician Rubio.

Two members of the public were present for Open Session with one in person and one via teleconference or video conference.

***11. BOARD OF DIRECTORS CONSIDER ADOPTING RESOLUTION NO. 21-21 RENEWING STATE OF EMERGENCY FINDINGS FOR ASSEMBLY BILL 361 (AB 361)**

Mr. Kennedy explained this was a recurring item that must be considered in order to continue allowing virtual attendance.

Motion:

To adopt Resolution No. 21-21.

Action: Approve, Moved by Director Moss, Seconded by Director Hamilton.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss.

12. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

Legal Counsel reported the Board met in Closed Session to discuss one matter and that there was no reportable action.

13. REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)

President Hamilton reported Item #13A was added to the agenda to consider a letter to the State Redistricting Commission regarding state legislative districts.

13A. CONSIDERATION OF A LETTER TO THE STATE REDISTRICTING COMMITTEE REGARDING STATE LEGISLATIVE DISTRICTS

Director Gasca stated he had an opportunity to meet with Marie Waldron's field representative at the Farmer of the Year Dinner who reached out to him later asking that RMWD look at how the State Commission on redistricting was chopping up the Assembly Districts and if RMWD would consider responding to the Commission with how RMWD believes the Assembly Districts should be considered.

Director Gasca explained when looking at how the Assembly District was laid out, it excluded communities east of RMWD as well as Temecula. He stated a letter was crafted to the Commission that tries to address this matter and make a request that the November 10th draft maps include Temecula, Rainbow, Fallbrook, Bonsall, Pala, Pauma Valley, Rincon, Valley Center and Escondido in one Assembly District.

(*) - Asterisk indicates a report is attached.

Motion:

The Board approve the letter signed by the Board President be sent to the Commission.

Action: Approve, Moved by Director Gasca.

Mr. Kennedy inquired as to whether the letter should be signed by all the Board Members as well as the Division 4 Director should there be an appointment made today and the appointee agrees.

Director Gasca amended his motion.

Motion:

The Board approve the letter signed by all the RMWD Board Members as well as the Board Member appointed to Division 4, upon their agreement, be sent to the Commission.

Action: Approve, Moved by Director Gasca. Seconded by Director Mack.

Vote: Motion carried by unanimous roll call vote (**summary:** Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss.

14. REPEAT INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE

President Hamilton read aloud the instructions for those attending the meeting via teleconference and video conference.

15. ORAL/WRITTEN COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING ITEMS ON THIS AGENDA (Government Code § 54954.2).

There were no comments.

BOARD ACTION ITEMS

***16. DISCUSSION AND POSSIBLE SELECTION OF DIVISION FOUR DIRECTOR AND APPROVAL OF RESOLUTION NO. 21-20, A RESOLUTION APPOINTING _____ AS DIRECTOR OF DIVISION FOUR OF THE RAINBOW MUNICIPAL WATER DISTRICT**

It was noted William Stewart was the only interested party who applied for appointment.

Motion:

To adopt Resolution No. 21-20 appointing William Stewart.

Action: Approve, Moved by Director Gasca, Seconded by Director Hamilton.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss.

(*) - Asterisk indicates a report is attached.

Ms. Washburn administered the Oath of Office and William Stewart was officially seated on the Board thereafter.

Director Stewart stated it is a real privilege to be able to serve the community in this manner as it was when he served previously for a three-year period and how excited he was to matters discussed during that time coming into fruition now.

17. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

Ms. Washburn provided an update on the ACWA Fall Conference noting Director Stewart's registration has been completed, Director Gasca's registration has been cancelled, Director Gasca's hotel reservation has been changed to Director Stewart, and Director Mack would be the RMWD representative to vote at the JPIA portion of the conference.

Director Mack confirmed receipt of the JPIA agenda packet. Director Gasca shared his JPIA agenda packet with Director Stewart.

President Hamilton announced a Town Hall Meeting will be held tonight at the FPUD offices at 6:00 p.m. related to the detachment activities for anyone interested to attend.

Director Mack reported the CSDA Legislative Committee held its last meeting the previous week and that he will be applying for appointment in 2022. He noted the meetings in 2022 will be held in-person as opposed to virtually. He clarified CSDA would be paying for hotel and travel accommodations and RMWD would only pay the per diems.

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

There were no suggested agenda items.

19. ADJOURNMENT

The meeting was adjourned by President Hamilton to a regular meeting on December 7, 2021, at 1:00 p.m.

The meeting was adjourned at 10:16 a.m.

Hayden Hamilton, Board President

Dawn M. Washburn, Board Secretary

(*) - Asterisk indicates a report is attached.