

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, January 22, 2013, 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. SWEARING IN CEREMONY OF NEW DIRECTORS

Director Jack Griffiths

2. CALL TO ORDER

3. ROLL CALL: Sanford_____ Griffiths_____ Lucy_____ McManigle_____ Brazier_____

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

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 wishing to address the Board on matters regarding the Closed Session agenda should indicate their desire to speak by filling out and submitting a blue "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.*

6. CLOSED SESSION

A. Appointment; Employment; Evaluation of Performance – General Manager (Government Code §54957)

B. Conference with Labor Negotiators (Government Code §54957.6 and §54957)

Agency Designated Representatives

Dave Seymour

Discussions regarding labor negotiations for:

Rainbow Employee Association

Rainbow Association of Supervisor and Confidential Employees

Rainbow Exempt Employees

7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

Time Certain: 1:00 p.m.

8. PLEDGE OF ALLEGIANCE

9. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

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

(*) - Asterisk indicates a report is attached.

**11. 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 blue "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.*

***12. APPROVAL OF MINUTES**

- A. November 20, 2012 - 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 McManigle)
- B. Representative Report (Appointed Representative)
 - 1. SDCWA
 - 2. CSDA
 - 3. LAFCO
 - 4. San Luis Rey Watershed Council
 - 5. Santa Margarita Watershed Council
- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)
- D. Directors Comments

***14. COMMITTEE REPORTS (Approved Minutes have been attached for reference only.)**

- A. Budget and Finance Committee
 - 1. November 1, 2012 Minutes
 - 2. December 4, 2012 Minutes
- B. Communications Committee
 - 1. November 5, 2012 Minutes
- C. Engineering Committee

***15. CONSENT CALENDAR**

(The consent calendar items are matters voted on together by a single motion unless separate action is requested by a Board member, staff or member of the audience.)

A. DISCUSSION AND POSSIBLE ACTION TO APPOINT BUDGET AND FINANCE COMMITTEE MEMBERS

(The Budget and Finance Committee recommends the Board appoint Peter Hensley and Randy Ross as alternate members of the Committee.

(Staff Recommendation: The Board approves the appointment of Peter Hensley and Randy Ross as members of the Budget and Finance Committee.)

(*) - Asterisk indicates a report is attached.

BOARD ACTION ITEMS

- 16. DISCUSSION AND POSSIBLE APPOINTMENT OF BOARD OFFICERS AND REPRESENTATIVES**
(Staff supports Board direction.)
- *17. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE 13-01 AMENDING AND UPDATING RMWD ADMINISTRATIVE CODE SECTION 3.01.010-REGULAR MEETINGS (REQUESTED BY: PRESIDENT MCMANIGLE)**
(At present the November and December meetings are scheduled to be combined and held on the first Tuesday in the month of December of each calendar year. Due to the holidays and potential lack of a quorum in the month of December, the Board is to consider changing the November and December combined meeting to the third Tuesday in November.)
(Staff Recommendation: The Board adopt Ordinance 13-01 amending and updating Administrative Code Section 3.01.010-Regular Meetings.)
- *18. DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF CHANGE ORDER FOR HIGHWAY 76 EAST SEGMENT REALIGNMENT DESIGN**
(The District has been working closely with Tetra Tech and Caltrans on the Highway 76 East Segment Realignment design. Tetra Tech has been required to expend substantially more effort than planned due to the required coordination with Caltrans and additional conflicts that were encountered during the design. The District also requested additional services to review and prepare easements required once the highway is realigned, design any necessary rehabilitation of the existing sewer from Grid to I-15, and review the scour analysis of the existing sewer at Live Oak once the existing bridge is removed.)
(Staff Recommendation: Authorize staff to execute a contract change order for \$116,680.)
- 19. DISCUSSION AND POSSIBLE ACTION REGARDING RMWD AND FPUD JPA/CONSOLIDATION**
(RMWD and FPUD are currently reviewing a potential consolidation between the two agencies. This Action Item is to provide an opportunity to discuss any issues, concerns or comments regarding the process.)
- *20. DISCUSSION AND POSSIBLE ACTION REGARDING NORTH COUNTY JOINT POWERS AUTHORITY JOINT EXERCISE OF POWER AGREEMENT**
(At the November 2012 meetings both the FPUD and RMWD Boards directed staff to prepare a Joint Powers Agreement for consideration. Attached are a draft Joint Powers Agreement for consideration and a draft of bylaws for the JPA.)
(Staff Recommendation: The Board provide comments/input to the JPA document and direct staff to bring back a final JPA Agreement for consideration and potential Board approval at the February meeting of the Board.)
- 21. DISCUSSION AND POSSIBLE ACTION REGARDING VACANT POSITIONS WITHIN THE ORGANIZATION (REQUESTED BY: DIRECTOR GRIFFITHS)**
(Director Griffiths requests that all positions currently unfilled be defunded.)
(Staff Recommendation: At present the District has 51 employees, which is less than we had five years ago. At that time the Board had just authorized hiring eight more employees. That means we have been able to eliminate those eight new positions and several additional positions. We are able to achieve those reductions through trial and error, adjusting and reassigning staffing levels as necessary. Some of the changes were successful; others were not and eventually required refilling a vacancy. Had staff not been assured that the Board gave us discretion to make adjustments within authorized budget limits I doubt we would be willing to allow positions to go unfilled, fearing we could not rehire staff if the need developed in the future. The Board approves the annual operating and CIP budgets and has ultimate authority regarding staffing levels; the general manager needs to be allowed to make adjustments within that level of authority once the Board approves the budgets. Accordingly, staff recommends the Board deny Director Griffiths' request.)

(*) - Asterisk indicates a report is attached.

INFORMATION ITEMS

- *22. LEGAL UPDATE ON 2013 RALPH M. BROWN ACT CHANGES**
- *23. LEGAL UPDATE ON NEW ATTORNEY GENERAL OPINION ON VOTING AT SAN DIEGO COUNTY WATER AUTHORITY**
- *24. RECEIVE AND FILE INFORMATION ITEMS FOR NOVEMBER AND DECEMBER 2012**
 - A. General Manager Comments**
 - 1. Meetings, Conferences and Seminar Calendar
 - B. Construction & Maintenance Comments**
 - 1. Construction and Maintenance Report (November)
 - 2. Construction and Maintenance Report (December)
 - 3. Valve Maintenance Report (November)
 - 4. Valve Maintenance Report (December)
 - 5. Garage/Shop Repair (November)
 - 6. Garage/Shop Repair (December)
 - C. Engineering & Wastewater Comments**
 - 1. Engineering Report (November)
 - 2. Engineering Report (December)
 - 3. Wastewater Report (November)
 - 4. Wastewater Report (December)
 - D. Customer Service & Water Operations Comments**
 - 1. Water Operations Report (November)
 - 2. Water Operations Report (December)
 - 3. Electrical/Telemetry Report (November)
 - 4. Electrical/Telemetry Report (December)
 - 5. Water Quality Report (November)
 - 6. Water Quality Report (December)
 - 7. Field Customer Service Report (November)
 - 8. Field Customer Service Report (December)
 - 9. Meters Report (November)
 - 10. Meters Report (December)
 - 11. Cross Connection Control Program Report (November)
 - 12. Cross Connection Control Program Report (December)
 - E. Human Resource & Safety Comments**
 - 1. Safety Report (November and December)
- *25. RECEIVE AND FILE FINANCIAL STATEMENTS AND INFORMATION FOR NOVEMBER AND DECEMBER 2012**
 - A. Finance Manager Comments**
 - 1. Interim Financial Statement
 - 2. Monthly Investment Report
 - 3. Visa Breakdown (November Only)
 - 4. Directors' Expense
 - 5. Check Register
 - 6. Water Purchases & Sales Summary
 - 7. Statistical Summary
 - 8. Metropolitan IAWP Reduction Programs

(*) - Asterisk indicates a report is attached.

9. San Diego County Water Authority SAWR Reduction Program
10. RMWD Domestic Reduction Program
11. Projected CIP Cash Flow Report
12. RMWD Sewer Equivalent Dwelling Units (EDU's) Status
13. Budget Calendar FY 2013/14
14. Five-Year Cash Forecast

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

27. ADJOURNMENT - To Tuesday, February 26, 2013 at 1:00 p.m.

ATTEST TO POSTING:

Helene Brazier
Secretary of the Board

Date and Time of Posting
Outside Display Cases

(*) - Asterisk indicates a report is attached.