



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 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, December 5, 2023 **Closed Session 12:30 p.m.** **Open Session 1:00 p.m.**

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

District Office **3707 Old Highway 395** **Fallbrook, CA 92028**

Board Agenda Policies

Board of Directors Meeting Schedule Regular Board meetings are normally scheduled for the 4th 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.

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 12:30 p.m. and Open Session at 1:00 p.m. Tuesday, December 5, 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. David Hill - 25 Years

- B. **DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 23-29 — A RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT COMMENDING EDWARD BRADLEY FOR 35 YEARS OF SERVICE**
(Resolution No. 23-29 recognizes Ed Bradley for his 35 years of service to the District and its customers.)

(*) - Asterisk indicates a report is attached.

***16. APPROVAL OF MINUTES**

- A. November 1, 2023 – Adjourned Regular Board Meeting
- B. November 15, 2023 – Special Board Meeting

***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 October 26, 2023
 - B. Summary of Board Meeting November 16, 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: Surplus Land Act 62353835-1

18. COMMITTEE REPORTS

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

CONSENT CALENDAR ITEMS

***19. APPROVAL OF RESOLUTION NO. 23-30 ESTABLISHING CHECK SIGNING RESPONSIBILITIES AND DESIGNATING AUTHORIZED SIGNERS OF CHECKS**

(As part of the payroll and accounts payables process, RMWD designates specific individuals as authorized signers of checks.)

***20. CONSIDER ACCEPTANCE OF MINOR FACILITIES CONSTRUCTED BY CUSTOMERS AND FILE NOTICE OF COMPLETIONS (DISTRICT-WIDE)**

(Fire hydrants were constructed, inspected, and tested per District standards and specifications. 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 takes over the operation and maintenance of facilities.)

***21. CONSIDER APPROVAL TO QUITCLAIM EASEMENT FOR THE DOUD WATERLINE EXTENSION (DIVISION 5)**

(The Developer was required to grant an easement to the District for a proposed fire hydrant. The Developer presented the use of a fire access road in lieu of the proposed fire hydrant, which was approved by the fire department. Therefore, the Developer is requesting to quitclaim the easement back to the owner.)

(*) - Asterisk indicates a report is attached.

BOARD ACTION ITEMS

- *22. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 23-31 — A RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT IN COMMEMORATION OF 70 YEARS OF PUBLIC SERVICE**
(Resolution No. 23-31 commemorates the District's 70 years of public service to its customers.)
- *23. PRESENTATION AND ACCEPTANCE OF THE ANNUAL AUDIT REPORT FISCAL YEAR ENDING JUNE 30, 2023**
(Annually, the District contracts for the preparation of an independent audit and compilation of the year-end financial statements with a Certified Public Accountant (CPA) firm. The Board of Directors will consider accepting the June 30, 2023 audit of the District by the CPA firm of Lance, Soll & Lunghard, LLP.)
- *24. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 23-07, OPTING INTO PARTICIPATION IN THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT, AND UPDATE THE PROCUREMENT CODE TO COINCIDE WITH THE INCREASED THRESHOLDS**
(The CUPCCA provides alternative procedures for the bidding and awarding of public contracts that may also be utilized for maintenance work and other work that does not fall within the definition of "public project". Any local California agency may opt into the Act and participation is voluntary.)
- *25. CONSIDER APPROVAL OF CHANGE ORDER #2 WITH VALLEY C.M. FOR CONSTRUCTION MANAGEMENT & INSPECTION SERVICES FOR THE LIFT STATION-1 PROJECT IN THE AMOUNT OF \$216,413 (DIVISIONS 1 & 2)**
(Lift Station -1 Project completion date will be extended due to supply chain issues. The change order is needed to cover unanticipated costs for the extended project completion time and additional geotechnical work.)
- *26. CONSIDER APPROVAL OF CHANGE ORDER #4 WITH HAZARD CONSTRUCTION ENGINEERING FOR THE LIVE OAK PARK ROAD BRIDGE WATER MAIN IMPROVEMENT PROJECT (600037) IN THE AMOUNT OF \$232,500 (DIVISION 5)**
(After multiple weeks of ongoing negotiations, a settlement between the County, Hazard Construction, and the District was reached. The District agreed to pay a settlement offer of \$232,500.00, which includes the resolution of all outstanding claims related to the construction of the 16" waterline on this project.)
- *27. CONSIDER ACTION TO APPROVE A THREE-YEAR CONTRACT RENEWAL WITH SOFTCHOICE, INC. FOR THE LICENSING OF MICROSOFT OFFICE 365, OFFICE ADVANCED THREAT PROTECTION, AZURE SECURITY, SQL SERVER, AND WINDOWS LICENSING**
(The District's existing three-year contract with Microsoft Licensing through Softchoice, slated to end on January 31, 2024, requires approval for a three-year extension to sustain access to Microsoft Services and Products.)
- *28. DISCUSSION AND POSSIBLE ACTION TO APPROVE CONTRACT FOR MANAGED PRINT SERVICES WITH KYOCERA DOCUMENT SOLUTIONS WEST LLC IN THE AMOUNT OF \$2,143.00 PER MONTH FOR 63 MONTHS**
(The District has looked into multiple options for Managed Print Services which will be reviewed for Board consideration.)
- *29. CONSIDER ESTABLISHING THE 2024 REGULAR BOARD MEETING SCHEDULE**
(The Board will consider establishing the 2024 Regular Board Meeting schedule with the November and December combined meeting to be held on the second Tuesday in December to avoid scheduling conflicts due to the 2024 ACWA Fall Conference scheduled for December 3-5, 2024.)

(*) - Asterisk indicates a report is attached.

- *30. CONSIDER ADOPTING RESOLUTION NO. 23-28 DESIGNATING VALLEY CENTER MUNICIPAL WATER DISTRICT AS PROXY VOTE TO THE SAN DIEGO COUNTY WATER AUTHORITY IN THE ABSENCE OF THE RAINBOW MUNICIPAL WATER DISTRICT REPRESENTATIVE**
(The Board will consider adopting Resolution No. 23-28 designating a proxy vote to the SDCWA in the absence of RMWD's representative.)
- *31. DISCUSSION AND POSSIBLE APPOINTMENT OR RAINBOW MUNICIPAL WATER DISTRICT'S REPRESENTATIVE AT THE LOCAL AGENCY FORMATION COMMISSION (LAFCO)**
(Due to the October 4, 2023, retirement of General Manager Tom Kennedy, resulting in a vacancy to the Board-appointed representative to LAFCO and in accordance with Administrative Code Section 3.01.030, the Board may want to consider appointing a new RMWD representative to LAFCO.)
- 32. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**
 - A. Director Johnson Appointment to California Special Districts Association Financial Corporation (CSDAFC) Board of Directors

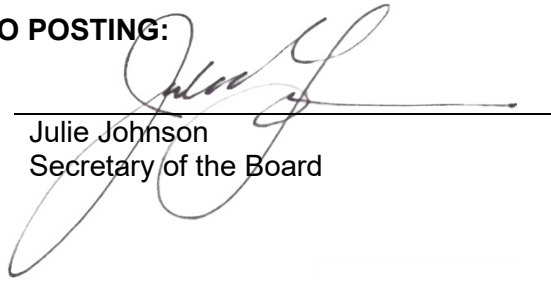
BOARD INFORMATION ITEMS

- 33. CROPSWAP PROGRAM UPDATE PRESENTATION**
- *34. 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
 - E. Administrative Services Comments**
 - 1. Administrative Services Report
 - F. Finance Comments**
 - 1. Board Information Report
 - A. Budget vs. Actuals
 - B. Fund Balance & Developer Projections
 - C. Treasury Report
 - D. Five Year Water Purchases Demand Chart
 - E. Water Sales Summary
 - F. Check Register
 - G. Directors' Expenses Report
 - H. Credit Card Breakdown
 - I. RMWD Properties
 - J. Grant Progress Report
- 35. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING**

(*) - Asterisk indicates a report is attached.

36. ADJOURNMENT - To Tuesday, January 23, 2024, at 1:00 p.m.

ATTEST TO POSTING:



Julie Johnson
Secretary of the Board

11-30-23 @ 10:00 a.m.
Date and Time of Posting
Outside Display Cases

(*) - Asterisk indicates a report is attached.