



DUE TO THE COVID-19 STATE OF EMERGENCY AND PURSUANT TO WAIVERS TO CERTAIN BROWN ACT PROVISIONS UNDER THE GOVERNOR'S EXECUTIVE ORDERS, THIS MEETING IS BEING CONDUCTED VIA TELECONFERENCE AND THERE WILL BE NO PHYSICAL LOCATION FROM WHICH MEMBERS OF THE PUBLIC MAY PARTICIPATE.

MEMBERS OF THE PUBLIC ARE ENCOURAGED TO PARTICIPATE IN THE BOARD MEETING OPEN SESSION BY GOING TO <https://us02web.zoom.us/j/87694492372> OR BY CALLING 1-669-900-6833 or 1-346-248-7799 or 1-253-215-8782 or 1-301-715-8592 or 1-312-626- 6799 or 1-929-205-6099 (WEBINAR/MEETING ID: 876 9449 2372). (CLOSED SESSION WILL NOT BE ACCESSIBLE TO MEMBERS OF THE PUBLIC; HOWEVER, INSTRUCTIONS FOR SUBMITTING PUBLIC COMMENT ON CLOSED SESSION ITEMS ARE PROVIDED IN ITEM #4.)

MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE BOARD UNDER PUBLIC COMMENT OR ON A SPECIFIC AGENDA ITEM MAY SUBMIT WRITTEN COMMENTS TO OUR BOARD SECRETARY BY EMAIL AT DWASHBURN@RAINBOWMWD.COM OR BY MAIL TO 3707 OLD HIGHWAY 395, FALLBROOK, CA 92028. ALL PUBLIC 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, May 25, 2021

Closed Session 12:00 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.

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, May 25, 2021, 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___ Mack___ Moss___ Rindfleisch___**
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 wishing to address the Board on matters regarding the Closed Session agenda should email or mailing their comments to the Board Secretary one hour before the Closed Session scheduled start time. All written public comments will be read to the Board prior to their adjournment to Closed Session. Any person wishing to speak to the Board regarding Closed Session agenda items may do so 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

(*) - Asterisk indicates a report is attached.

- B.** Conference with Legal Counsel - Anticipated Initiation of Litigation (Government Code §54956.9(d)(4))

* One Item

- C.** Conference with Labor Negotiators (Government Code §54957.6 and §54957)

Agency Designated Representatives

Tom Kennedy
Karleen Harp
Tracy Largent

Discussions regarding labor negotiations for:

Rainbow Employees Association
Rainbow Association of Supervisors and Confidential Employees
Rainbow Exempt Employees Association

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

* *Kessner et al., v. Rainbow Municipal Water District, et al.*

7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

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."

(*) - Asterisk indicates a report is attached.

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 wishing to address the Board on 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.

Time Certain 1:00 p.m. Public Hearings

***15. PUBLIC HEARINGS**

A. PUBLIC HEARING TO SOLICIT PUBLIC INPUT ON THE DRAFT 2020 WATER SHORTAGE CONTINGENCY PLAN (WSCP) INCLUDING DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF RESOLUTION NO. 21-10, APPROVING THE DISTRICT'S DRAFT 2020 WSCP

(The District has updated its Water Shortage Contingency Plan in accordance with the requirements of the California Urban Water Management Planning Act and California Water Code. A public hearing will be held for public input and the Board may consider approving the draft report and adopting the associated resolution.)

B. PUBLIC HEARING TO SOLICIT PUBLIC INPUT ON THE DRAFT 2020 URBAN WATER MANAGEMENT PLAN (UWMP) INCLUDING DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF RESOLUTION NO. 21-11, APPROVING THE DISTRICT'S DRAFT 2020 UWMP

(The District has updated its Urban Water Management Plan in accordance with the requirements of the California Urban Water Management Planning Act and California Water Code. A public hearing will be held for public input and the Board may consider approving the draft report and adopting the associated resolution.)

16. EMPLOYEE RECOGNITIONS

A. Karleen Harp (5 Years)

***17. APPROVAL OF MINUTES**

A. April 27, 2021 - Regular Board Meeting

***18. 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)

(*) - Asterisk indicates a report is attached.

- B. Representative Report (Appointed Representative)
 - 1. SDCWA
 - A. Summary of Board Meeting April 22, 2021
 - 2. CSDA
 - 3. LAFCO
 - 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: Brown Act and CEQA Update 150152-0005

19. COMMITTEE REPORTS

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

PRESENTATIONS

20. COST OF SERVICE PRESENTATION

21. OPERATING AND CAPITAL BUDGET PRESENTATION

BOARD ACTION ITEMS

- *22. DISCUSSION AND POSSIBLE ACTION TO CHANGE PROPERTY AND LIABILITY COVERAGE LIMITS TO MITIGATE DRASTIC PREMIUM INCREASES**
(This item is to provide the Board with an opportunity to consider directing staff to reduce the liability coverage from \$10 million to \$5 million per occurrence.)
- 23. DISCUSSION AND POSSIBLE ACTION TO APPROVE A THREE-YEAR PROFESSIONAL SERVICES AGREEMENT FOR THE PROCUREMENT AND INSTALLATION OF SUPERVISORY CONTROL AND DATA ACQUISITION RELATED INSTRUMENTATION, RADIOS, SWITCHES, ENCLOSURES AND THE PROGRAMMING OF THIS EQUIPMENT**
(Parts of the District's (SCADA) system are outdated and are in need of upgrade. To date, Staff has been working on the required SCADA upgrades; however, these staff are often called off to assist on emergency situations and attend to higher priority failures within the system. The proposed professional services agreement will allow for the necessary upgrades to be completed by a consultant.)
- *24. DISCUSSION AND POSSIBLE ACTION TO APPROVE A LEASE AGREEMENT FOR THE SITE OF THE BONSALL RESERVOIR**
(The Bonsall Reservoir has not been utilized as a part of the District's potable water distribution system for many years. The proposed lease agreement allows for use of the property for agricultural purpose for the appraised market rate.)

(*) - Asterisk indicates a report is attached.

- *25. **CONSIDER APPROVAL OF AN AGREEMENT FOR OUT OF AGENCY SERVICE TO TRANSFER WATER AND WASTEWATER SERVICE FUNCTIONS FOR APN 123-230-46-00 FROM RAINBOW MUNICIPAL WATER DISTRICT TO FALLBROOK PUBLIC UTILITIES DISTRICT**
(A property owner within the RMWD Service Area has requested to be served by FPUD because the FPUD facilities are more accessible for their specific property. Approval of an Agreement for Out-of-Agency Service by both RWMD and FPUD will allow the customer to be served by FPUD.)
- 26. **DISCUSSION AND POSSIBLE ACTION TO APPROVE THE INSTALLATION OF A HELI-HYDRANT FIRE PROTECTION SYSTEM AT PALA MESA TANK SITE**
(Over the last six months, staff from RMWD, Cal-Fire, and North County Fire have worked diligently to find an ideal site for a Heli-Hydrant. If approved, this will be the first Heli-Hydrant in the County and will supply unprecedented protection against wildfires to North San Diego County.)
- *27. **DISCUSSION AND POSSIBLE ACTION REGARDING SPECIAL DISTRICT BALLOT FORM FROM SAN DIEGO LOCAL AGENCY COMMISSION (LAFCO) ALTERNATE SPECIAL DISTRICT MEMBER ON LAFCO COMMISSION**
(RMWD received an election packet from LAFCO inviting each special district to cast a ballot. Each district is to cast only one vote for each nominee on the ballot and vote certification form to avoid being disregarded. The deadline for receipts of the ballots is Friday, July 2, 2021.)
- 28. **BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

BOARD INFORMATION ITEMS

- *29. **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
 - D. **Human Resource & Safety Comments**
 - 1. Human Resources Report
 - E. **Finance Comments**
 - 1. Board Information Report
 - 2. Budget vs. Actuals
 - 3. Fund Balance & Developer Projections
 - 4. Treasury Report
 - 5. Five Year Water Purchases Demand Chart
 - 6. Water Sales Summary
 - 7. Check Register
 - 8. Directors' Expenses Report
 - 9. Credit Card Breakdown
 - 10. RMWD Properties
- 30. **LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING**

(*) - Asterisk indicates a report is attached.

31. **ADJOURNMENT - To Tuesday, June 22, 2021 at 1:00 p.m.**

ATTEST TO POSTING:

Pam Moss

Pam Moss
Secretary of the Board

5-19-21 @ 800 a.m.

Date and Time of Posting
Outside Display Cases

(*) - Asterisk indicates a report is attached.