

**MINUTES OF THE SPECIAL BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
JANUARY 6, 2015**

1. PRESENTATIONS OF CERTIFICATES OF ELECTION

- A. Bob Lucy
- B. Tory Walker

Mr. Kennedy presented Directors Lucy and Walker with their respective Certificates of Elections.

2. CALL TO ORDER - The Special Meeting of the Board of Directors of the Rainbow Municipal Water District on January 6, 2015 was called to order by Vice President Sanford at 11:04 a.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. Vice President Sanford presiding.

3. ROLL CALL:

Present: Director Lucy
Director Walker
Director Sanford
Director Brazier
Director Griffiths (*Arrived at 12:00 p.m.*)

Absent: None

Also Present: General Manager Kennedy
Executive Assistant/Board Secretary Washburn
Legal Counsel Moser
Superintendent Maccarrone
Superintendent Walker
Finance Manager Thomas
Operations Manager Atillano
Acting District Engineer Kirkpatrick
Human Resources/Safety Manager Bush
FPUD General Manager Brady

No members of the public were present for Closed Session. One member of the public was present for Open Session.

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

There were no changes to the agenda.

**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).**

(*) - Asterisk indicates a report is attached.

There were no public comments.

The meeting adjourned to Closed Session at 11:06 a.m.

6. CLOSED SESSION

- A. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(2))
 - 2 Potential Cases
- B. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(4))
 - 2 Potential Cases

7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

The meeting reconvened at 1:07 p.m.

Legal Counsel reported the Board approved the claim of Mark Tatch for \$3,400. He noted the vote approving the claim was unanimous with Director Griffiths absent.

Legal Counsel reported the Board, by the same above-referenced vote, directed the General Manager to execute an agreement with the Valley Center Municipal Water District.

Time Certain: 1:00 p.m.

8. PLEDGE OF ALLEGIANCE

9. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

This was addressed under Item #7 herein.

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

There were no changes to the agenda.

**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).**

There were no comments.

(*) - Asterisk indicates a report is attached.

BOARD ACTION ITEMS

12. DISCUSSION AND POSSIBLE APPOINTMENT OF BOARD OFFICERS AND REPRESENTATIVES

Director Brazier mentioned RMWD has a checkered past of Board Presidents expressing their own opinions as Board opinions and vice versa. She said she does not want to infringe upon the Administrative Code's admonition that the President of the Board has every right and benefit according to other members of the Board, but she would like to get a sense of the group, especially in these times where clear communication from this Board is so essential, that the entire Board agree that the Board President will present policies of the Board not his or her own personal opinion. She clarified this would mean the RMWD's Board President's opinions will reflect that of the Board. She noted she considered making an Administrative Code adjustment; however, she does not feel this was necessary just as long as all the Board Members are all on board with the same attitude.

Vice President Sanford introduced Tory Walker as a new RMWD Board Member. He welcomed Director Walker as well as Director Lucy who was reelected.

Director Walker briefed the Board on his background including his being a water resources engineer having practiced water resources engineering for almost thirty years. He noted he was President of Tory Walker Engineering based in Vista, California. He said he was excited to be on this board and looking forward to contributing as a member of this Board to look at the sustainable future of the Board. He stated he was particularly excited about the fact that as a municipal water district, RMWD has some ability to look at going beyond its 100% dependence on imported water as the region is looking toward a sustainable reusable and new water resources.

Action:

Moved by Director Brazier to nominate Dennis Sanford as Board President. Seconded by Director Lucy.

After consideration, the motion CARRIED by the following vote:

AYES:	Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES:	None
ABSTAINED:	None
ABSENT:	None

Action:

Moved by Director Griffiths to nominate Dennis Sanford to serve on the San Luis Rey Watershed Council. Seconded by None. Motion died for lack of a second.

(*) - Asterisk indicates a report is attached.

President Sanford pointed out Director Walker has a very thorough knowledge of that watershed and RMWD might be better served by him in this position. Director Walker stated he would be willing to serve on the Council since he has continues to study the watershed. He mentioned he was on the consultation panel for the water quality improvement plans that the region was putting together. Director Griffiths asked Director Walker if he was being paid for his participation. Director Walker confirmed he was not being paid.

President Sanford briefed Director Walker with what was involved including this was a meeting held in Temecula at the Rancho California Water District offices and was more of a monitoring thing as opposed to a participatory activity. He explained anything important would be brought back to the Board that he or the group feels might have an impact on RMWD.

President Sanford recommended Director Griffiths change his motion to nominate Director Walker for this position.

It was noted Director Griffiths made a mistake and meant for the nomination to be for the Santa Margarita Watershed Council. It was also confirmed that Director Walker was referring to the San Luis Rey Watershed Council.

Director Griffiths modified his original motion.

Action:

Moved by Director Griffiths to nominate Dennis Sanford to serve on the Santa Margarita Watershed Council. Seconded by Director Walker.

After consideration, the motion CARRIED by the following vote:

AYES: Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES: None
ABSTAINED: None
ABSENT: None

Action:

Moved by Director Lucy to nominate Dennis Sanford to stay on as the LAFCO representative. Seconded by Director Brazier.

After consideration, the motion CARRIED by the following vote:

AYES: Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES: None
ABSTAINED: None
ABSENT: None

Discussion ensued regarding having a representative serve as the RMWD representative at CSDA.

(*) - Asterisk indicates a report is attached.

Action:

Moved by Director Lucy to nominate Tom Kennedy to serve as the CSDA representative for RMWD. Seconded by Director Walker.

After consideration, the motion CARRIED by the following vote:

AYES: Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES: None
ABSTAINED: None
ABSENT: None

Action:

Moved by Director Sanford to nominate Tory Walker to serve at San Luis Rey Watershed Council for RMWD. Seconded by Director Brazier.

After consideration, the motion CARRIED by the following vote:

AYES: Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES: None
ABSTAINED: None
ABSENT: None

Action:

Moved by Director Lucy to nominate Helene Brazier to serve as Board Secretary. Seconded by Director Sanford.

After consideration, the motion CARRIED by the following vote:

AYES: Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES: None
ABSTAINED: None
ABSENT: None

Action:

Moved by Director Griffiths to nominate Midge Thomas to serve as the Treasurer. Seconded by Director Lucy.

(*) - Asterisk indicates a report is attached.

After consideration, the motion CARRIED by the following vote:

AYES: Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES: None
ABSTAINED: None
ABSENT: None

Action:

Moved by Director Sanford to nominate Bob Lucy to serve as Board Vice President. Seconded by Director Brazier.

After consideration, the motion CARRIED by the following vote:

AYES: Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES: None
ABSTAINED: None
ABSENT: None

***13. APPROVAL OF RESOLUTION NO. 15-02 ESTABLISHING CHECK SIGNING AUTHORITY**

Action:

Moved by Director Brazier approve Resolution No. 15-02. Seconded by Director Lucy.

After consideration, the motion CARRIED by the following vote:

AYES: Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES: None
ABSTAINED: None
ABSENT: None

***14. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 15-03 OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT APPOINTING A REPRESENTATIVE TO THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY WATER AUTHORITY**

Director Brazier explained before Dr. Brady became RMWD's general manager, it was the practice of the RMWD Board to send the general manager to the SDCWA due to the fact it provides opportunities to interface with other general managers and such.

(*) - Asterisk indicates a report is attached.

Action:

Moved by Director Brazier that Tom Kennedy be the RMWD representative as San Diego County Water Authority. Seconded by Director Walker.

After consideration, the motion CARRIED by the following vote:

AYES: Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES: None
ABSTAINED: None
ABSENT: None

- *15. RESOLUTION NO. 15-04, DESIGNATING ANOTHER DISTRICT'S REPRESENTATIVE AS PROXY VOTE TO THE SAN DIEGO COUNTY WATER AUTHORITY IN THE ABSENCE OF THE RAINBOW MUNICIPAL WATER DISTRICT REPRESENTATIVE. RESOLUTION NO. 15-04 RESCINDS RESOLUTION NO. 12-13.**

Action:

Moved by Director Brazier to keep the same representation (Gary Arant of Valley Center Municipal Water District) to serve as RMWD's proxy vote at SDCWA. Seconded by Director Lucy.

After consideration, the motion CARRIED by the following vote:

AYES: Director Griffiths, Director Lucy, Director Walker, Director Sanford and Director Brazier
NOES: None
ABSTAINED: None
ABSENT: None

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

It was suggested the LAFCO agenda item be continued as a placeholder.

Director Lucy asked for an update on the groundwater study report. Mrs. Kirkpatrick will bring the presentation provided at the next Board meeting.

(*) - Asterisk indicates a report is attached.

17. ADJOURNMENT - To Tuesday, January 27, 2015, at 1:00 p.m.

The meeting was adjourned with a motion made by Director Brazier and seconded by Director Sanford to a regular meeting on January 27, 2015, at 1:00 p.m.

The meeting was adjourned at 1:31 p.m.

Dennis Sanford, Board President

Dawn M. Washburn, Board Secretary

(*) - Asterisk indicates a report is attached.