

**MINUTES OF THE SPECIAL BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
AUGUST 11, 2023**

1. **CALL TO ORDER** - The Special Meeting of the Board of Directors of the Rainbow Municipal Water District on August 11, 2023, was called to order by President Hamilton at 2:01 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. President Hamilton presiding.

2. **ROLL CALL:**

Present: Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.

Also Present: General Manager Kennedy, Executive Assistant Washburn, Finance Manager Largent, Information Technology Manager Khattab.

Also Present Via Teleconference or Video Conference:

Legal Counsel Smith, Legal Counsel Pellman

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

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

Mr. Kennedy stated should the Board desire, Items #18, #19, #20 can be deferred. There were no objections.

Mr. Kennedy also pointed out the words "County of San Diego" has been added to the title of Resolutions #23-20 and #23-23, respectively.

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

There were no members of the public in attendance via teleconference or video conference; 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 2:03 p.m.

Director Townsend-Smith recused herself from Closed Session at 2:12 p.m.

(*) - Asterisk indicates a report is attached.

6. CLOSED SESSION

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

* One Item

The meeting reconvened at 2:31 p.m.

7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

This item was addressed under Item #11.

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 August 11, 2023, was called to order by President Hamilton at 2:31 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. President Hamilton presiding.

9. PLEDGE OF ALLEGIANCE

10. REPEAT ROLL CALL

Present: Director Gasca, Director Hamilton, Director Johnson, Director Mack.

Also Present: General Manager Kennedy, Executive Assistant Washburn, Billing Specialist Kilmer, Finance Manager Largent, Information Technology Manager Khattab.

Absent: Director Townsend-Smith.

Also Present Via Teleconference or Video Conference:

Legal Counsel Smith, Legal Counsel Pellman, Engineering and CIP Program Manager Williams, Administrative Services Manager Harp.

Four members of the public were present for Open Session in person, via teleconference or video conference.

11. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

Legal Counsel Smith reported the Board met in Closed Session to discuss one item and there was no reportable action. He stated for the record that Director Townsend-Smith recused herself from the discussion.

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

President Hamilton noted per Item #3, agenda Items #18, #19, and #20 would be deferred to a future Board meeting.

(*) - Asterisk indicates a report is attached.

Ms. Washburn stated there was an amendment to the titles of both Resolutions Nos. 23-20 and 23-23 to include the words "County of San Diego". Mr. Kennedy noted Resolution No. 23-23 has been deferred per agenda Item #3.

13. 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 or video conference.

14. ORAL/Written COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING ITEMS ON THIS AGENDA

There were no comments.

BOARD ACTION ITEMS

***15. CONSIDER ADOPTING RESOLUTION NO. 23-18, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT, SAN DIEGO COUNTY CALIFORNIA, CALLING FOR THE PLACEMENT OF A MEASURE ON THE BALLOT AT THE NOVEMBER 7, 2023 SPECIAL DISTRICT ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF A PROPOSED RESOLUTION DETACHING THE DISTRICT FROM THE SAN DIEGO COUNTY WATER AUTHORITY**

Mr. Kennedy noted this was the first of three resolutions needed in order to instruct the Registrar of Voters to put a ballot measure out for ratepayers in the Rainbow service area this November. He pointed out today was the last day to file these resolutions; therefore, assuming they are approved by the Board, a staff member will be taking these documents to be recorded immediately thereafter.

Motion:

To approve Option 1 – Approve Resolution No. 23-18.

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 Johnson, Director Mack.

Absent: Director Townsend-Smith.

(*) - Asterisk indicates a report is attached.

- *16. CONSIDER ADOPTING RESOLUTION NO. 23-19, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT, SAN DIEGO COUNTY, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO RENDER FULL SERVICES TO THE DISTRICT RELATING TO THE CONDUCT OF A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 7, 2023 FOR THE DISTRICT'S VOTERS TO CONSIDER A BALLOT MEASURE DETACHING THE DISTRICT FROM THE SAN DIEGO COUNTY WATER AUTHORITY**

President Hamilton clarified this item was to consider approval of Resolution No. 23-19.

Motion:

To approve Option 1 – Approve Resolution No. 23-19.

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

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

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

Absent: Director Townsend-Smith.

- *17. CONSIDER ADOPTING RESOLUTION NO. 23-20, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT, SAN DIEGO COUNTY CALIFORNIA, PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A DISTRICT MEASURE TO BE SUBMITTED AT THE NOVEMBER 7, 2023 SPECIAL DISTRICT ELECTION**

Motion:

To approve Option 1 - Approve Resolution No. 23-20.

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

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

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

Absent: Director Townsend-Smith.

- *18. CONSIDER ADOPTING RESOLUTION NO. 23-21, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT, SAN DIEGO COUNTY CALIFORNIA, CALLING FOR THE PLACEMENT OF A MEASURE ON THE BALLOT AT THE MARCH 5, 2024 SPECIAL DISTRICT ELECTION PURSUANT TO WATER CODE SECTION 71450(C) FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF A PROPOSED RESOLUTION DETACHING THE DISTRICT FROM THE SAN DIEGO COUNTY WATER AUTHORITY**

This item was deferred per agenda Item #3.

(*) - Asterisk indicates a report is attached.

- *19. CONSIDER ADOPTING RESOLUTION NO. 23-22, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT, SAN DIEGO COUNTY, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO RENDER FULL SERVICES TO THE DISTRICT RELATING TO THE CONDUCT OF A SPECIAL ELECTION PURSUANT TO WATER CODE SECTION 71450(C) TO BE HELD ON TUESDAY, MARCH 5, 2024 FOR THE DISTRICT'S VOTERS TO CONSIDER A BALLOT MEASURE DETACHING THE DISTRICT FROM THE SAN DIEGO COUNTY WATER AUTHORITY**

This item was deferred per agenda Item #3.

- *20. CONSIDER ADOPTING RESOLUTION NO. 23-23, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT, SAN DIEGO COUNTY, CALIFORNIA, PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A DISTRICT MEASURE TO BE SUBMITTED AT THE MARCH 5, 2024 SPECIAL DISTRICT ELECTION PURSUANT TO WATER CODE SECTION 71450 (C)**

This item was deferred per agenda Item #3.

- 21. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

There were no requests.

- 22. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING**

It was noted Resolution Nos. 23-21, 23-22, and 23-23 may be on the next Board meeting agenda.

- 23. ADJOURNMENT**

The meeting was adjourned by President Hamilton to a regular meeting on September 26, 2023, at 1:00 p.m.

The meeting was adjourned at 2:39 p.m.

Hayden Hamilton, Board President

Dawn M. Washburn, Board Secretary

(*) - Asterisk indicates a report is attached.