



**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/85830956215> 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: 858 3095 6215) (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](mailto: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, February 23, 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 4<sup>th</sup> 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](http://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 12:00 p.m. and Open Session at 1:00 p.m. Tuesday, February 23, 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))
    - \* Three Items
  - B. 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.

(\*) - Asterisk indicates a report is attached.

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

Agency Designated Representatives

Tom Kennedy  
Karleen Harp

Discussions regarding labor negotiations for:

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

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."*

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.*

(\*) - Asterisk indicates a report is attached.

**\*15. APPROVAL OF MINUTES**

- A. January 26, 2021 - Regular Board Meeting

**\*16. 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 – January 28, 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 - New COVID-19 Regulations 501668-0002

**17. COMMITTEE REPORTS**

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

**CONSENT CALENDAR ITEMS**

**18. NOTICE OF COMPLETION AND ACCEPTANCE OF NELLA LANE WATER MAIN REPLACEMENT PROJECT**

*(All facilities for the Nella Lane Water Main Replacement Project have been constructed per plans, inspected, and tested per specifications. Upon acceptance by the Board, the improvements become part of the District's water distribution system and Staff takes over operation and maintenance.)*

**19. NOTICE OF COMPLETION AND ACCEPTANCE OF THE SAGEWOOD ROAD WATER PIPELINE IMPROVEMENTS PROJECT**

*(All facilities for the Sagewood Road Water Pipeline Improvements Project have been constructed per plans, inspected, and tested per specifications. Upon acceptance by the Board, the improvements become part of the District's water distribution system and Staff takes over operation and maintenance.)*

**\*20. NOTICE OF COMPLETION AND ACCEPTANCE OF THE VISTA VALLEY VILLAS PRESSURE REDUCING STATION PROJECT**

*(Request that the Board of Directors accept the Vista Valley Villas Pressure Reducing Station project as complete and to approve filing the project Notice of Completion. Installation of one new pressure reducing station, two new plug valves, and removal of a pipeline cross connect and connection of two pipe runs were completed within budget.)*

(\* ) - Asterisk indicates a report is attached.

**21. CONSENT TO THE OMISSION OF SIGNATURES FROM THE FINAL MAP FOR THE FAIRVIEW DEVELOPMENT, COUNTY OF SAN DIEGO TRACT NO. 5427-1, AND MAKE A FINDING THAT THE FINAL MAP WILL NOT UNREASONABLY INTERFERE WITH THE FREE AND COMPLETE EXERCISE OF THE DISTRICT'S EASEMENTS**

*(The Developer of the Fairview Development has requested a letter from the District stating that the Final Map for the Fairview development will not unreasonably interfere with the free and complete exercise of any easements, held by Rainbow Municipal Water District within the boundaries of the map. This finding by the District will allow the Final Map to be recorded without the signature and acknowledgement by the District on the Final Map itself.)*

**BOARD ACTION ITEMS**

**\*22. ADOPT RESOLUTION NO. 21-07 FIXING THE TIME AND PLACE OF HEARING AND MEETING ON PROPOSED WATER AVAILABILITY CHARGES FOR IMPROVEMENT DISTRICT NO. 1**

*(As part of the annual process for setting the water availability charges for Improvement District No. 1, it is necessary to hold a public hearing on the proposed charges. Upon approval of Resolution No. 21-07, the public hearing will be set for June 22, 2021 at 1:00 p.m. at the District Headquarters.)*

**23. FISCAL YEAR 2020-21 MID-YEAR BUDGET REVIEW AND BUDGET ADJUSTMENTS**

*(Mid-year is customarily a suitable time to compare budget estimates with the first half of actual data and make appropriate adjustments where deemed necessary for the balance of the Fiscal Year. The District's budget for the year has come in as expected with the exception of some unexpected expenses.)*

**\*24. CONSIDER ADOPTION OF 2021 REVISION TO THE RAINBOW MUNICIPAL WATER DISTRICT STRATEGIC PLAN**

*(Since the Strategic Plan is a living document, we had planned to update it every four to five years.)*

**\*25. DISCUSSION AND POSSIBLE ACTION REGARDING CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS: SEAT A**

*(CSDA's Elections and Bylaws Committees notifies each of the CSDA voting member presidents and general managers when there is a call for nominations to the CSDA Board of Directors.)*

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

**BOARD INFORMATION ITEMS**

**27. UPDATE ON WATER SERVICE UPGRADE PROJECT (WSUP) AND IMPACTS ON WATER LOSS**

**28. DISCUSSION REGARDING POSSIBLY AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 2.03.010 – REMUNERATION AND REIMBURSEMENT POLICY**

*(This item is to provide the Board with an opportunity to consider amending and updating RMWD's Administrative Code Section 2.03.010 with an updated list of compensable meetings and allowable reimbursements.)*

**PRESENTATIONS**

**29. CIP STRATEGIC PLAN PRESENTATION**

**\*30. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**

**A. General Manager Comments**

1. Meetings, Conferences and Seminar Calendar

(\*) - Asterisk indicates a report is attached.

- B. Communications**
  - 1. Staff Training Report-D. Rubio
- C. Operations Comments**
  - 1. Operations Report
- D. Engineering Comments**
  - 1. Engineering Report
  - 2. As-Needed Services Expenditures Summary
  - 3. RMWD Sewer Equivalent Dwelling Units (EDU's) Status
- E. Human Resource & Safety Comments**
  - 1. Human Resources Report
  - 2. Organizational Chart
- F. Finance Comments**
  - 1. Board Information Report
  - 2. Budget vs. Actual Fund 1, 2, and 3
  - 3. Fund Balance Projections
  - 4. Treasury Report
  - 5. Five Year Demand
  - 6. Water Sales Summary
  - 7. Check Register
  - 8. Directors' Expenses
  - 9. Credit Card Breakdown
  - 10. Developer Projections
  - 11. RMWD Properties

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

32. **ADJOURNMENT - To Tuesday, March 23, 2021 at 1:00 p.m.**

**ATTEST TO POSTING:**

*Pam Moss*

\_\_\_\_\_  
Pam Moss  
Secretary of the Board

2-16-21 @ 11:30 a.m.

\_\_\_\_\_  
Date and Time of Posting  
Outside Display Cases

(\*) - Asterisk indicates a report is attached.