



**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/84400682195> 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: 844 0068 2195) (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, July 28, 2020**

**Closed Session 11:30 a.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 recorded as a secretarial aid. If you wish to listen to the recordings, they will be available after the draft minutes of the meeting have been prepared. There is no charge associated with copies of recordings. Recordings will be available until the minutes of such meeting are approved. 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 11:30 a.m. and Open Session at 1:00 p.m. Tuesday, July 28, 2020, 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: Brazier \_\_\_ Hamilton \_\_\_ Gasca \_\_\_ Mack \_\_\_ 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))**

\* Two Items

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

\* Robert and Linda Burton v. Rainbow Municipal Water District

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

- C. Appointment, Employment; Evaluation of Performance – General Manager (Government Code §54957(B)(1))

**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.***

- 15. **CSDA PRESENTS DISTRICT OF DISTINCTION AWARD TO RAINBOW MUNICIPAL WATER DISTRICT**

- \*16. **APPROVAL OF MINUTES**

- A. June 23, 2020 - Regular Board Meeting

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

**\*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 Brazier)
- B. Representative Report (Appointed Representative)
  - 1. SDCWA
    - A. Summary of Board Meeting June 25, 2020
  - 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: State Water Board Update 501668-0002

**18. COMMITTEE REPORTS**

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

**CONSENT CALENDAR ITEMS**

**19. NOTICE OF COMPLETION AND ACCEPTANCE OF FACILITIES CONSTRUCTED UNDER THE HELLING HILL RUN IMPROVEMENT PLANS, TPM 20957**

*(The facilities included in the Helling Hill Run improvement plans have been constructed per the approved plans and standards, inspected, tested per specifications, and are ready for acceptance. These facilities include 250' of 8" Ductile Iron Pipe and associated appurtenances.)*

**20. NOTICE OF COMPLETION AND ACCEPTANCE OF FACILITIES CONSTRUCTED UNDER THE MALEK WATERLINE EXTENSION – ENTRADA AL SOL IMPROVEMENT PLANS**

*(The facilities included in the Malek Waterline Extension – Entrada Al Sol improvement plans have been constructed per the approved plans and standards, inspected, tested per specifications, and are ready for acceptance. These facilities include 360' of 8" PVC waterline and a fire hydrant.)*

**21. ACCEPTANCE OF THE 2019 SEWER PIPE LINING PROJECT**

*(The facilities included in the Sewer Pipe Lining Project Change Order #2 have been constructed, including roughly 538 feet of 8-inch diameter sanitary sewer pipe cured in place lining underneath I-15. The liner was installed with 305 ft. of "severe" wrinkles. The Board of directors can accept the facilities and issue a Change Order incorporating a credit pertaining to the severe wrinkles below the centerline.)*

**BOARD ACTION ITEMS**

**22. DISCUSSION AND POSSIBLE ACTION TO CONSIDER REQUEST BY JACK HAGERTY FOR RELIEF FROM WATER BILL DUE TO HIGH WATER CONSUMPTION BILL**

*(Mr. Hagerty is requesting Board consideration for possible relief of a high water bill.)*

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

- \*23. DISCUSSION AND POSSIBLE ACTION ON THIRD AMENDMENT TO THE UNRECORDED JOINT AGREEMENT TO IMPROVE MAJOR SUBDIVISION AND JOINT AGREEMENT TO IMPROVE MAJOR SUBDIVISION COUNTY OF SAN DIEGO TRACT NO. 4736-1 FOR BONSCALL OAKS DEVELOPMENT**  
*(The development known as Bonsall Oaks (previously Polo Club) would like to exclude several parcels from the project, and certain joint agreements with the County need to be amended to reflect the change.)*
- 24. CONSIDER A CONSTRUCTION AGREEMENT WITH SCW CONTRACTING FOR THE NORTH RIVER ROAD SEWER POINT REPAIRS PROJECT IN THE AMOUNT OF \$474,000.00 AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT**  
*(Consider a construction agreement with SCW Contracting for the North River Road sewer point repairs project.)*
- 25. DISCUSSION AND POSSIBLE APPOINTMENT OF JULIE JOHNSON TO SERVE AS A MEMBER AND STEVE STRAPAC AS AN ALTERNATE MEMBER OF THE BUDGET AND FINANCE COMMITTEE**  
*(At their July 14, 2020 meeting, the Budget and Finance Committee voted to recommend that the Board appoint Julie Johnson to serve as a member and Steve Strapac to serve as an alternate member.)*
- 26. CONSIDER RESCHEDULING THE PREVIOUSLY CHANGED REGULAR MEETING DATE OF AUGUST 18, 2020 TO ITS REGULARLY SCHEDULED DATE OF AUGUST 25, 2020**  
*(Due to the current pandemic situation, many conferences have been cancelled and rescheduled for Calendar Year 2020, including the conference scheduled for the last week in August. This item to provide an opportunity for the Board to determine whether to reschedule the previously changed regular meeting date of August 18, 2020 to its regularly scheduled date of August 25, 2020.)*
- 27. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

**BOARD INFORMATION ITEMS**

- \*28. STATEMENT OF AUDITING STANDARDS (SAS) 114 PLANNING LETTER**  
*(This item is to review the planning stages of the audit for the year ended June 30, 2020.)*
- \*29. INITIAL REVIEW OF PROPOSED AMENDMENTS AND UPDATES TO ADMINISTRATIVE CODE TITLE 2 – BOARD OF DIRECTORS**  
*(This item is to provide an opportunity for an initial review of the changes being proposed by staff and provided feedback and input prior to bringing Administrative Code Title 2 back to the Board for approval consideration at the August regular Board meeting.)*
- 30. COVID-19 EMERGENCY UPDATE**
- 31. WATER SERVICES UPGRADE PROGRAM (WSUP) UPDATE**
- \*32. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**
  - A. General Manager Comments**
    - 1. Meetings, Conferences and Seminar Calendar
  - B. Communications**
    - 1. SB 1386 (Moorlach): Protecting Fire Hydrant System Funding- Support
  - C. Operations Comments**
    - 1. Operations Report
  - D. Engineering Comments**
    - 1. Engineering Report
    - 2. As-Needed Services Expenditures Summary

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

- 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. 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' Expense
  - 9. Credit Card Breakdown
  - 10. Developer Projections
  - 11. RMWD Properties

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

**34. ADJOURNMENT - To Tuesday, August 18, 2020 at 1:00 p.m.**

**ATTEST TO POSTING:**

  
 \_\_\_\_\_  
**FOR:** Carl Rindflesich  
 Secretary of the Board

7-20-20 @ 10:15 a.m.  
 \_\_\_\_\_  
 Date and Time of Posting  
 Outside Display Cases

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