



**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/82574060000> 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: 825 7406 0000) (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.

**BOARD MEETING/BUDGET AND FINANCE COMMITTEE SPECIAL MEETING**

**Tuesday, June 23, 2020**

**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 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 12:00 p.m. and Open Session with the Budget and Finance Committee at 1:00 p.m. Tuesday, June 23, 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:**

#### **A. BOARD OF DIRECTORS:**

Brazier\_\_\_\_ Hamilton\_\_\_\_ Gasca\_\_\_\_ Mack\_\_\_\_ Rindfleisch\_\_\_\_

#### **B. BUDGET AND FINANCE COMMITTEE:**

Flint Nelson \_\_\_\_\_ Randy Ross \_\_\_\_\_ Peter Hensley \_\_\_\_\_ Miguel Gasca \_\_\_\_\_ Pam Moss \_\_\_\_\_

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

### **4. 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.*

### **5. 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)**

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

### **6. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**

Time Certain: 1:00 p.m.

### **7. REPEAT CALL TO ORDER**

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

8. **PLEDGE OF ALLEGIANCE**
9. **REPEAT ROLL CALL**
  - A. Board of Directors
  - B. Budget and Finance Committee
10. **REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**
11. **REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
12. **ORAL/WITTEN 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.*
13. **EMPLOYEE RECOGNITIONS**
  - A. Carlos Ramos (5 Years)
  - B. Ricardo Zaragoza (5 Years)
- \*14. **APPROVAL OF MINUTES**
  - A. May 26, 2020 - Regular Board Meeting
- \*15. **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 May 28, 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

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

- E. Legal Counsel Comments
  - 1. Attorney Report: National Pollutant Discharge Elimination Systems (“NPDES”) Program Update 57497789

**16. COMMITTEE REPORTS**

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

Time Certain: 1:00 p.m. Public Hearing

**\*17. PUBLIC HEARING**

**A. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 20-07 FOR ID 1 STANDBY CHARGES**

*(Ordinance No. 20-07 establishes water availability charges for all of the Rainbow Municipal Water District Improvement District – Improvement District No. 1.)*

**BOARD ACTION ITEMS**

**\*18. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 20-10 APPROVING FISCAL YEAR 2020-2021 OPERATING & CAPITAL IMPROVEMENT BUDGET**

*(This proposed FY 2020-2021 Budget is now presented to the Board for final adoption. The proposed budget will be provided under a separate cover.)*

**\*19. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 20-11 — A RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT ESTABLISHING CLASSIFICATIONS AND MONTHLY PAY RANGES FOR DISTRICT EMPLOYEES AND THE GENERAL MANAGER EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2021**

*(The grade structure included in Resolution No. 20-11 is revised to reflect a 2.4% cost of living adjustment for eligible pay grades. Resolution No. 20-11 rescinds Resolution No. 20-08.)*

**\*20. AWARD OF PROFESSIONAL SERVICES AGREEMENT WITH HOCH CONSULTING FOR NORTH RIVER ROAD LAND OUTFALL REHABILITATION**

*(The Board will consider entering a Professional Services Agreement (PSA) with Hoch Consulting in an amount not to exceed \$151,180 for their services to both prepare bidding documents as well as provide engineering support during each phase of the North River Road Land Outfall rehabilitation.)*

**\*21. DISCUSSION AND POSSIBLE ACTION TO AWARD CONSTRUCTION CONTRACT FOR THE VISTA VALLEY VILLAS PRESSURE REDUCING STATION PROJECT**

*(The Board will consider awarding a construction contract to SCW Contracting Corporation in accordance with the California Public Contracting Code for a not to exceed amount of \$334,700 which includes the installation of a pressure reducing station to help minimize pressure related leaks in the area.)*

**22. DISCUSSION AND POSSIBLE ACTION REGARDING “AS NEEDED” CIVIL ENGINEERING SERVICES CHANGE ORDER**

*(The Board will consider approving change orders in the amount of \$150,000 each for Omnis Consulting, Inc. for civil engineering professional services under their existing “As Needed” contracts.) projects.*

**\*23. DISCUSSION AND POSSIBLE ACTION TO AWARD A PROFESSIONAL SERVICES AGREEMENT TO MASTERCRAFT HOMES GROUP, LLC FOR HQ DEVELOPMENT STUDY SERVICES**

*(The HQ Development Study Services project will evaluate the feasibility of developing the headquarters site and building a new facility.)*

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

- \*24. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 20-06 AMENDING AND UPDATING ADMINISTRATIVE CODE TITLE 1 – GENERAL PROVISIONS**  
*(As part of the ongoing process of providing clarification as well as updates that are in line with current practices and procedures, staff conducted a thorough review of RMWD’s Administrative Code Title 1 and have prepared proposed changes for Board consideration.)*
- \*25. CSDA 2020 BOARD OF DIRECTORS ELECTIONS SEAT C**  
*(Each of CSDA’s six (6) networks has three seats on the Board and the candidates are either a board member or management-level employee of a member district located in our Network. Each Regular Member (district) in good standing shall be entitled to vote for one (1) person to represent its Network in Seat C.)*
- 26. DISCUSSION AND POSSIBLE APPOINTMENT OF TRACY LARGENT TO SERVE AS AN ALTERNATE MEMBER ON THE ENGINEERING AND OPERATIONS COMMITTEE**  
*(At their June 3, 2020 meeting, the Engineering and Operations Committee voted to recommend the Board appoint Tracy Largent to serve as an alternate member.)*
- 27. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

**BOARD INFORMATION ITEMS**

- 28. COVID-19 EMERGENCY UPDATE**
- 29. WATER SERVICES UPGRADE PROGRAM (WSUP) UPDATE**
- \*30. INFORMATIONAL UPDATE ON POTENTIAL SOURCES OF GRANT FUNDING FOR DISTRICT CAPITAL PROJECTS**  
*(Staff has conducted a review of potential grant funding sources for capital projects and will provide the results of that analysis.)*
- \*31. 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. Information Report
    - 2. Budget vs. Actual Fund 1, 2, and 3
    - 3. Fund Balance Projections
    - 4. Treasury Report
    - 5. Five Year Demand
    - 6. Credit Card Breakdown
    - 7. Directors’ Expense
    - 8. Check Register
    - 9. Water Sales Summary
    - 10. Developer Projections
    - 11. RMWD Properties

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

- 32. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING
- 33. ADJOURNMENT - To Tuesday, July 28, 2020 at 1:00 p.m.

**ATTEST TO POSTING:**



---

**FOR:** Carl Rindfleisch  
Secretary of the Board

6/16/20 @ 8:00 a.m.

---

Date and Time of Posting  
Outside Display Cases

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