



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/86207519361> 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: 862 0751 9361) (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 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, August 25, 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 4th 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.

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, August 25, 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))
 - * One Item
 - 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. APPROVAL OF MINUTES**

- A. July 28, 2020 - Regular Board Meeting

(*) - Asterisk indicates a report is attached.

***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 Brazier)
- B. Representative Report (Appointed Representative)
 - 1. SDCWA
 - A. Summary of Board Meeting July 23, 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: Water Rates Update - 501668-0002

17. COMMITTEE REPORTS

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

BOARD ACTION ITEMS

18. CONSIDER A CONSTRUCTION AGREEMENT WITH XXXXX FOR THE NORTH RIVER ROAD SEWER PIPE LINING PROJECT IN THE AMOUNT OF \$XXXXX AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT

(The proposed construction contract is the second of three phases for the overall sewer enhancement in North River Road and provides for the lining of approximately 9,000 linear feet of sewer pipeline. NOTE: This Action Letter was prepared prior to the bid opening date and will be updated once bid results are known. Copies of the revised Action Letter will be distributed at the Board meeting.)

***19. CONSIDER A CHANGE ORDER TO THE PROFESSIONAL SERVICES AGREEMENT WITH UTILITY SERVICE CO. (SUEZ), FOR THE INSTALLATION OF ADDITIONAL TANK FALL PROTECTION IMPROVEMENTS, STAIRWAY SECURITY GATES AND NEW ELECTRICAL CONDUITS AND PANELS FOR POWER, DATA AND COMMUNICATIONS**

(This project is a multi-year construction project that includes the construction of security caging/fencing at the base of the stairways, railing systems around the tops of the tanks and new conduits/electrical panels for SCADA. This work will be added to an existing contract with Suez for the maintenance of the District's tanks.)

20. NOTICE OF COMPLETION AND ACCEPTANCE OF FACILITIES CONSTRUCTED UNDER THE MCDOWELL RESIDENCE WATER AND SEWER IMPROVEMENT PLANS

(The facilities included in the McDowell Residence Water and Sewer Improvement Plans have been constructed and tested per the approved plans and District standards. Upon acceptance by the Board, the improvements become part of the District water system and Staff takes over operation and maintenance.)

(*) - Asterisk indicates a report is attached.

21. **CONSIDER A CONSTRUCTION AGREEMENT WITH XXXX FOR THE SAGEWOOD ROAD WATER PIPELINE IMPROVEMENTS PROJECT IN THE AMOUNT OF \$XXXX AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT**
(The proposed construction contract provides for the relocation of a transmission main from an easement with difficult access to Sagewood Road. The pipeline requires replacement because it is currently out of service due to a break. NOTE: This Action Letter was prepared prior to the bid opening date and will be updated once bid results are known. Copies of the revised Action Letter will be distributed at the Board meeting.)
22. **CONSIDER A CONSTRUCTION AGREEMENT WITH XXXX FOR THE NELLA LANE WATER MAIN REPLACEMENT PROJECT IN THE AMOUNT OF \$XXXX AND AUTHORIZE THE GENERAL MANAGER TO SIGN ON BEHALF OF THE DISTRICT**
(The proposed construction contract provides for the replacement of the pipeline in Nella Lane which was identified as a high priority for replacement in the Water Pipeline Condition Assessment. The replacement line will have lower pressure and will be polyvinyl chloride to eliminate the risk from corrosion. NOTE: This Action Letter was prepared prior to the bid opening date and will be updated once bid results are known. Copies of the revised Action Letter will be distributed at the Board meeting.)
23. **DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT; EMPLOYMENT; EVALUATION OF PERFORMANCE; OR COMPENSATION OF THE GENERAL MANAGER**
(The Board may take action regarding the appointment, employment, performance or compensation of the General Manager.)
- *24. **APPROVAL OF RESOLUTION NO. 20-12 ESTABLISHING CHECK SIGNING AUTHORITY**
(The purpose of this Resolution is to update the current established check signing responsibility to the current authorized signers of checks due to a change in staff.)
- *25. **DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 20-08 AMENDING AND UPDATING ADMINISTRATIVE CODE TITLE 2 – BOARD OF DIRECTORS**
(As part of the ongoing process, staff conducted a review of RMWD’s Administrative Code Title 2 and found no significant changes needed to be made, but rather minor typographical, grammatical, and formatting updates.)
26. **BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

BOARD INFORMATION ITEMS

27. **COVID-19 UPDATE**
28. **WATER SERVICE UPGRADE PROGRAM UPDATE**
29. **RECENT CYBER HACK ATTEMPT ON RMWD’S OFFICE 365 ACCOUNT - INFORMATION AND UPDATE**
- *30. **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

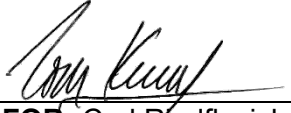
(*) - Asterisk indicates a report is attached.

- 2. Organizational Chart
- E. Finance Comments**
 - 1. Information Report
 - 2. Fund Balance Projections
 - 3. Treasury Report
 - 4. Five Year Demand
 - 5. Water Sales Summary
 - 6. Check Register
 - 7. Directors' Expense
 - 8. Credit Card Breakdown
 - 9. Developer Projections
 - 10. RMWD Properties

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

32. **ADJOURNMENT - To Tuesday, September 22, 2020 at 1:00 p.m.**

ATTEST TO POSTING:



FOR: Carl Rindflesich
Secretary of the Board

8-17-20 @ 9:45 a.m.

Date and Time of Posting
Outside Display Cases

(*) - Asterisk indicates a report is attached.