

Section 3.01.010
Regular Meetings

3.01.010.1 Regular Meetings of the Board of Directors shall be held on the fourth (4th) Tuesday of each calendar month. The November and December meetings shall be combined and held on the third Tuesday in the month of November of each calendar year.

The starting time for the Regular Meeting Open Session Agenda shall be 1:00 p.m.

Prior to the 1:00 p.m. Open Session there may be a Closed Session that is closed to the public for the purpose of discussing confidential matters as allowed by law. The starting time of each Closed Session shall be determined by the General Manager after conferring with District Counsel and the Board President regarding the estimated time necessary to adequately discuss the agenda items. The Closed Session agenda items and starting time will then be published on the Regular Meeting Agenda. Prior to adjourning to the Closed Session there shall be a public comment period to allow interested members of the public the opportunity to comment only on those items on the Closed Session agenda.

The Regular Meeting Open Session will not start before 1:00 p.m. A second public comment period will be held at the beginning of Open Session to allow interested members of the public an opportunity to directly address the Board on any item of interest to the public.

All regular meetings will be conducted in the Board room of the District at 3707 Old Highway 395, Fallbrook, California 92028. The date, time and place of the regular Board meetings shall be reconsidered at least annually at any organizational meeting of the Board.

W:\BOARD\Board Secretary\Administrative Code Working File\Board Admin Code 2005-2006\Regular Meetings 3.01.010.doc\Approved Ordinance 05-07\8-3-05\Revised 1-13-06\Amended and Approved 12-5-06 by Ordinance No. 06-11\Amended and Approved 1-23-07 by Ordinance No. 07-02\Amended and Approved 8-28-07 by Ordinance No. 07-12\Amended and Approved 11-7-07 by Ordinance 07-18\Amended and Approved 12-2-08 by Ordinance No. 08-17\Amended and Approved 5-26-09 by Ordinance No. 09-08\Amended and Approved 7-28-09 by Ordinance No. 09-14\Amended and Approved 1-22-13 by Ordinance No. 13-01\Amended and Approved 11-18-14 by Ordinance No. 14-08

Section 3.01.020
Special, Adjourned and Emergency Meetings

Special, adjourned and emergency meetings of the Board of Directors may be called as provided by law.

Section 3.01.020.01

Bi-Annual Organizational Meeting

The Board of Directors shall hold an organizational meeting at its regular meeting in January of the odd numbered year or as determined by the Board. At this meeting the Board will elect a President and Vice President from among its members to serve until the next biannual meeting and may appoint the Executive Assistant as the Board's Secretary and the Finance Manager as its Treasurer.

Section 3.01.030
Agenda Items Order

The Chairperson of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

Section 3.01.040
Availability of Information

3.01.040.1 The Chairperson and the General Manager shall insure that appropriate information is available for the audience at meetings of the Board of Directors.

3.01.040.1.1 Agenda packages and other materials deemed appropriate by the Board of Directors, e.g. draft budgets for budget workshops, shall be made available to any interested ratepayer who makes a request in writing.

3.01.040.1.2 Said written request shall be in effect for the calendar year in which it is made, and shall be renewed annually to continue regular receipt of the materials.

3.01.040.1.3 Sufficient copies of these materials shall be made to provide for the list of those having made requests.

3.01.040.1.4 One additional copy for each division (5) will be made available to the first non-subscriber from that division requesting one.

3.01.040.1.5 Subscribers will be notified by e-mail, fax, or telephone when materials are available.

3.01.040.1.6 Staff shall provide materials to interested parties within 24 hours of receipt by the Board of Directors.

3.01.040.1.7 A copy of Resolution No. 05-06 shall be kept along with a current list of recipients, at the District's front desk.

Section 3.02.010
Board Meeting Agenda

3.02.010.1 The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Director may call the General Manager and request any item to be placed on the agenda no later than ten (10) business days prior to the meeting date.

3.02.010.2 Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

3.02.010.2.1 The request must be in writing and be submitted to the General Manager or his/her designee together with supporting documents and information, if any, at least ten (10) business days prior to the date of the meeting;

3.02.010.2.2 The General Manager shall be the sole judge of whether the public request is or is not a "matter directly related to District business";

3.02.010.2.3 No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy;

3.02.010.2.4 The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

3.02.010.3 This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

3.02.010.4 At least 72 hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review within the District office.

3.02.010.4.1 The agenda for a special meeting shall be posted at least 24 hours before the meeting in the same location.

Section 3.02.010.01

Presentations from Board Invited Guests

A Board member may request that a guest be invited to make a presentation to the Board of Directors subject to the approval of the request by the Board of Directors.

A Board member wishing to invite a guest to make a presentation will provide to the General Manager a brief description of the nature of the presentation.

Upon receipt of the request the General Manager will include the request in the next available agenda for Board consideration.

Section 3.02.020

Time Limits

The Board of Directors may place limitations on the total time to be devoted to public request issue at any meeting, and may limit the time allowed for any person to speak on the issue at the meeting.

Section 3.02.030
Items Not on Agenda

This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which a member of the public may wish to bring before the Board which are not on the agenda. However, the Board shall not discuss or take action on such matters at that meeting.

Section 3.02.040
Posting of Agenda

In accordance with the law, at least seventy-two (72) hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review within the District office or as otherwise provided for by law.

The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting in the same location as stated above.

Section 3.03.010
Roberts Rules of Order, Revised

Meetings of the Board of Directors shall be conducted by the Chairperson. The latest of Robert's Rules of Order, Revised shall also be used as a general guideline for meeting protocol. District policies shall prevail whenever they are in conflict with Robert's Rules of Order, Revised.

Section 3.03.020
Time of Meeting

All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

Section 3.03.030
Conduct of Meetings

The conduct of meetings shall, to the fullest possible extent, enable Directors to:

Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

Receive, consider and take any needed action with respect to reports of accomplishment of District operations.

Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as follows:

Three (3) minutes may be allotted to each speaker unless extended by the President.

No conduct which interferes with the meeting shall be permitted at any Board meeting. Persistence in such conduct shall be grounds for summary termination by the Chairperson of that person's privilege to address the Board, and that person may be removed from the meeting.

Oral presentations which include charges or complaints against any District employee, regardless of whether the employee is identified in the presentation by name or by another reference which tends to identify, shall immediately be referred to the General Manager without further comment by the Board.

Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the Chairperson finds that there is in fact willful disruption of any meeting of the Board and that order cannot be restored by the individuals interrupting the meeting, he/she may order the room cleared and subsequently conduct the Board's business without the audience present.

In such an event, only matters appearing on the agenda may be considered in such a session.

After clearing the room, the Chairperson may permit those persons who, in his/her opinion, were not responsible for the willful disruption to re-enter the meeting room.

Duly accredited representatives of the news media, whom the Chairperson finds have not participated in the disruption, shall be admitted to the remainder of the meeting.

Section 3.04.010
Board of Directors Actions

Actions by the Board of Directors include but are not limited to the following:

Adoption or rejection of regulations or policies;

Adoption or rejection of a resolution;

Adoption or rejection of an ordinance; and

Approval or rejection of any contract or expenditure.

Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors must vote affirmatively for any action to be effective (unless a 4/5 vote is required by policy or other law). This policy applies as well to abstentions from voting. A member abstaining in a vote is considered as absent for that vote

Section 3.04.020
Board of Directors Directions

The Board may give directions which are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the General Manager.

The Chairperson shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the Chairperson, a voice vote may be requested.

A formal motion may be made to place a disputed directive on a fixture agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.)

Informal action by the Board is still Board action and shall only occur regarding matters which appear on the agenda for the Board meeting during which said informal action is taken.

Chapter 3.05
MINUTES OF BOARD MEETINGS

Section 3.05.010
Minutes Policy

The Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

Copies of said minutes shall be made for distribution to Directors with the agenda for the next regular Board meeting.

The official minutes of the regular and special meetings of the Board shall be kept in a fire-proof vault or in fire-resistant, locked cabinets.

An audio recording of all regular and special meetings of the Board of Directors will be made and kept for a period of two years from the date of the meeting. After two years have past the recordings shall be destroyed.

A notice will be visible that a recording is being made at all Board meetings, and the recording device shall be placed in plain view of all present, so far as is possible;

There will be no recordings made during closed sessions of the Board; and

Recordings, tapes, discs or other electronic data/information storage devices shall be kept in fire-resistant, locked cabinets or in a fire-proof, locked vault. These recordings are made for the convenience of the Secretary and shall be retained for two years; they are not permanent records.

Motions, resolutions or ordinances shall be recorded as having passed or failed and individual votes will be recorded unless the action was unanimous.

The minutes of Board meetings shall be maintained as hereinafter outlined.

Procedure:

Date, place and type of each meeting;

Directors present and absent by name;

Call to order;

Arrival/Departure of tardy Directors by name and time;

Adjournment of the meeting;

Record of written notice of special meetings; and,

Record of items to be considered at special meetings.

Board Actions: Approval or amended approval of the minutes of preceding meetings;

Complete information as to each subject of the Board's deliberation;

Complete information as to each subject including the roll call record of the vote on a motion if not unanimous;

All Board resolutions and ordinances in complete context, numbered serially for each calendar year;
A record of all contracts entered into;
All employments and resignations or terminations of employment within the District;
A record by number of all warrants approved for payment;
Adoption of the annual budget;
Approval of all policies and Board-adopted regulations;
and, A record of all visitors and delegations appearing before the Board.



BOARD MEETING

RAINBOW MUNICIPAL WATER DISTRICT
Tuesday, March 24, 2015
Closed Session – Time: 12:00 p.m.
Open Session - Time: 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 on CD's 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 CD's. Recordings will be kept for two years. 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, March 24, 2015, 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: Sanford_____ Griffiths_____ Lucy_____ Walker_____ Brazier_____**
 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 indicate their desire to speak by filling out and submitting a "Speaker's Slip" to the Board Secretary before the meeting begins. *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))
 - 1 Potential Case
 - B. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(4))
 - 2 Potential Cases
 6. **REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**
- Time Certain: 1:00 p.m.
7. **PLEDGE OF ALLEGIANCE**
 8. **REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**
 9. **REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
 10. **ACKNOWLEDGEMENTS AND RECOGNITIONS**
 - A. Marc Walker (10 Years)

(*) - Asterisk indicates a report is attached.

**11. 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 by filling out and submitting a "Speaker's Slip" to the Board Secretary before the meeting begins. *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.*

***12. APPROVAL OF MINUTES**

- A. February 24, 2015 - Regular Board Meeting

***13. 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 Sanford)
- B. Representative Report (Appointed Representative)
 - 1. SDCWA
 - 2. CSDA
 - 3. LAFCO
 - 4. San Luis Rey Watershed Council
 - 5. Santa Margarita Watershed Council
- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)
- D. Directors Comments

***14. COMMITTEE REPORTS (Approved Minutes have been attached for reference only.)**

- A. Budget and Finance Committee
 - 1. February 5, 2015 Minutes
- B. Communications Committee
 - 1. February 2, 2015 Minutes
- C. Engineering Committee
 - 1. February 4, 2015 Minutes

BOARD ACTION ITEMS

***15. DISCUSSION AND POSSIBLE ACTION ACCEPTING THE AUDIT REPORT FOR FISCAL YEAR
ENDING JUNE 30, 2014**

(The District contracts with an independent CPA to have its financial statement audited.)

(Staff Recommendation: That the Board of Directors accept the June 30, 2014 audit of the District by CPA firm Hosaka, Rotherham & Co.)

(*) - Asterisk indicates a report is attached.

- *16. DISCUSSION AND POSSIBLE ACTION REGARDING CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS, SEAT A**
(RMWD received notification that the CSDA Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2016-2018 term. RMWD received a request from Jo MacKenzie seeking the District's support in her nomination to the CSDA Board of Directors, Seat A.)
(Staff supports Board direction.)
- *17. DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION NO. 15-10 NOMINATING DENNIS SANFORD AS A CANDIDATE FOR ELECTION TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS**
(On January 23, 2015 the Special District Risk Management Authority (SDRMA) sent a letter calling for nominations for candidates to run for three open seats of the SDRMA Board of Directors. At their February 24, 2015 meeting, the Board voted to have a Resolution brought back to them nominating Dennis Sanford. Resolution No. 15-10 and all other nomination documents must be received by SDRMA by May 1, 2015.)
(Staff supports Board direction.)
- 18. DISCUSSION AND POSSIBLE ACTION REGARDING COMMITTEE APPOINTMENTS AND CHANGES**
(The Budget and Finance Committee recommends the Board appoint Midge Thomas as an alternate member. The committee also recommends Board approval to remove Don Fagan from the committee, changing Bob Lucy to an Alternate Member, and elevating Peter Hensley to Member. The Engineering Committee recommends the Board appoint Harry Stittle to serve as a Member. The Communications Committee recommends the Board appoint Helene Brazier to serve as a Member.)
(Staff Recommendation: The Board approve proposed appointments to the respective committees as well as the removal of Don Fagan, changing Bob Lucy to an Alternate and elevating Peter Hensley to Member on the Budget and Finance Committee.)
- 19. DISCUSSION AND POSSIBLE ACTION REGARDING MATTERS RELATED TO THE FPUD REORGANIZATION AND DISSOLUTION APPLICATION TO LAFCO**
- A. Ad Hoc Committee
 - B. Public Relations Consultant Update
 - C. LAFCO Consultant Update
- *20. RECEIVE AND FILE INFORMATION ITEMS FOR FEBRUARY 2015**
- A. General Manager Comments**
 - 1. Meetings, Conferences and Seminar Calendar
 - 2. Groundwater Study Update
 - 3. Strategic Planning Update
 - B. Communications**
 - 1. SDRMA Reports
 - C. Construction & Maintenance Comments**
 - 1. Construction and Maintenance Report
 - 2. Valve Maintenance Report
 - 3. Garage/Shop Repair
 - D. Water Operations Comments**
 - 1. Water Operations Report
 - 2. Electrical/Telemetry Report
 - E. Wastewater Comments**
 - 1. Wastewater Report

(*) - Asterisk indicates a report is attached.

- F. Operations Comments**
 - 1. Water Quality Report
 - 2. Cross Connection Control Program Report
- G. Engineering Comments**
 - 1. Engineering Report
- H. Customer Service**
 - 1. Field Customer Service Report
 - 2. Meters Report
- I. Human Resource & Safety Comments**
 - 1. Changes in Personnel
 - 2. Organizational Chart
 - 3. Safety Report


***21. RECEIVE AND FILE FINANCIAL STATEMENTS AND INFORMATION FOR NOVEMBER 2014 & FEBRUARY 2015**

- A. Finance Manager Comments**
 - 1. Interim Financial Statement
 - 2. Monthly Investment Report
 - 3. Visa Breakdown
 - 4. Directors' Expense
 - 5. Check Register (November 2014 and February 2015)
 - 6. Office Petty Cash
 - 7. Water Purchases & Sales Summary
 - 8. Projected CIP Cash Flow Report
 - 9. RMWD Sewer Equivalent Dwelling Units (EDU's) Status

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

23. ADJOURNMENT - To Tuesday, April 28, 2015 at 1:00 a.m.

ATTEST TO POSTING:



 Helene Brazier
 Secretary of the Board

3-17-15 @ 8:30 A.M.

 Date and Time of Posting
 Outside Display Cases

(*) - Asterisk indicates a report is attached.