

**MINUTES OF THE REGULAR BOARD MEETING  
OF THE BOARD OF DIRECTORS OF THE  
RAINBOW MUNICIPAL WATER DISTRICT  
DECEMBER 5, 2023**

1. **CALL TO ORDER** - The Regular Meeting of the Board of Directors of the Rainbow Municipal Water District on December 5, 2023, was called to order by President Hamilton at 12:31 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. President Hamilton presiding.

2. **ROLL CALL**

**Present:** Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.

**Also Present:** General Manager Wiley, Legal Counsel Smith, District Secretary Washburn, District Secretary Quintanar, Information Technology Manager Khattab.

**Also Present Via Teleconference or Video Conference:**

Legal Counsel Pellman, Legal Counsel Klebaner, Consultant Kennedy.

No members of the public were present in person, via teleconference or video conference before Closed Session.

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

There were no amendments to the agenda.

4. **INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE**

There were no members of the public in attendance via teleconference or video conference; therefore, the instructions were not read aloud.

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).**

There were no comments.

*The meeting adjourned to Closed Session at 12:32 p.m.*

6. **CLOSED SESSION**

A. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(2))

\* One Item

*The meeting was reconvened at 1:05 p.m.*

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

**7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**

This item was addressed under item #11.

Time Certain: 1:00 p.m.

**8. REPEAT CALL TO ORDER** - The Regular Meeting of the Board of Directors of the Rainbow Municipal Water District on December 5, 2023, was called to order by President Hamilton at 1:07 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. President Hamilton presiding.

**9. PLEDGE OF ALLEGIANCE**

**10. REPEAT ROLL CALL**

**Present:** Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.

**Also Present:** General Manager Wiley, Legal Counsel Smith, District Secretary Washburn, District Secretary Quintanar, Engineering and CIP Program Manager Williams, Operations Manager Gutierrez, Interim Finance Manager Poole, Administrative Services Manager Harp, Information Technology Manager Khattab, Technical Services Lead Bradley, Utility Worker Hill.

**Also Present Via Teleconference or Video Conference:**

Auditor Domino, Grant Specialist Kim, Sr. Project Manager Tamimi, Administrative Analyst Barrow, Construction and Meters Supervisor Lagunas, Administrative Analyst Rubio, Administrative Assistant Montano, Customer Service Representative Resendiz, Customer Service Representative Jaeger

Four members of the public were present for the Open Session in person, via teleconference or video conference and several staff members not listed above were present for Item #15.

**11. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**

Legal Counsel reported the Board met in Closed Session to discuss one item for which there was a reportable item. He noted the Board approved a Settlement Agreement between Rainbow Municipal Water District, the San Diego County Water Authority, and the San Diego Local Agency Formation Commission (LAFCO) regarding Rainbow Municipal Water District's detachment from the San Diego County Water Authority and the litigation that was filed by the San Diego County Water Authority on August 21, 2023, against LAFCO, Fallbrook Public Utility District, Eastern Municipal Water District and Rainbow Municipal Water District. He concluded with noting that, once finalized and signed by all parties, the Settlement Agreement will be available to the public upon request.

**12. REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**

There were no amendments to the agenda.

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

**13. REPEAT INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE**

President Hamilton read aloud the instructions for those attending the meeting via teleconference or video conference.

**14. 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).**

President Hamilton read aloud a demand letter for \$200,000 in damages remitted to the Board of Directors at the meeting by Dorothea and Gerald Flanigan.

Dorothea Flanigan addressed the Board noting her and her husband have resided at Gopher Canyon for forty-four years. She claimed they have been victims of RMWD, believing the District has an easement on their driveway, but there is no recorded easement. She stated that their driveway is totally destroyed, and now the District is asking for an encroachment permit, to avoid having to pay rent to drive over the encroachment, also referred to as a “partnership” in the Code. She opined that this is not a partnership and there is no need for them to seek permission from RMWD to put in a new driveway. She pointed out there are three different sections of the Code, one being about a lease up to ten years (if desired) to be in a partnership to keep fixing the driveway that RMWD encourages everyone to utilize and use for seven other properties. She stated that RMWD owes them \$200,000 for their 529’ long driveway with fire truck parking spaces, and more parking spaces behind their house, totaling approximately 8,600 square feet, as opposed to them owing RMWD money to fix, repair, or replace the driveway. She expressed frustration with the continued damage being done, with the explanation that a partnership in the name of a parallel pipe to a fire hydrant located on their next-door neighbor’s property or a 1” pipe connecting to a property located below their property. She concluded by repeating that RMWD owes them, they will not get an encumbrance permit and RMWD needs to remove it from the Code.

**\*15. EMPLOYEE RECOGNITIONS**

**A. Service Awards**

1. David Hill - 25 Years

Mr. Wiley stated David Hill started at RMWD as a landscaper and has worked as a janitor, meters, construction, valve maintenance, and was currently back on the meter crew. He commended Mr. Hill for twenty-five years of tenure, which is a testament to his character. He presented Mr. Hill with a plaque, check, and watch in recognition of his dedication and service.

**B. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 23-29 — A RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT COMMENDING EDWARD BRADLEY FOR 35 YEARS OF SERVICE**

***Motion:***

***To approve Resolution No. 23-29.***

***Action: Approve, Moved by Director Gasca, Seconded by Director Johnson.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 5).***

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

**Ayes: Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.**

Mr. Wiley stated in the short time he has been at RMWD, it is very evident the amount of respect Mr. Bradley has from everyone at RMWD and what a value that is for someone who has been a member of the staff for half of the District's existence.

Mr. Khattab shared how he has worked with Mr. Bradley over 5 years. He stated not only is Mr. Bradley great and very knowledgeable at what he does, but he is always willing to lend a hand to all of his colleagues who in return respect him immensely. He noted everyone knows if called upon, Mr. Bradley will assist with anything needed with an awesome attitude and great personality. He concluded with mentioning Mr. Bradley is one of his favorite people with whom he has worked in all his life. He thanked Mr. Bradley and much appreciation for his great attitude with which he brings with him to RMWD every day.

Mr. Wiley presented Mr. Bradley with a watch, plaque, and check in recognition of his tenure.

Mr. Bradley thanked everyone as well as expressed his appreciation for all he has received from RMWD.

**\*16. APPROVAL OF MINUTES**

- A. November 1, 2023 – Adjourned Regular Board Meeting
- B. November 15, 2023 – Special Board Meeting

**Motion:**

**To approve the minutes for both November 1, 2023 and November 15, 2023.**

**Action: Approve, Moved by Director Gasca, Seconded by Director Hamilton.**

**Vote: Motion carried by unanimous roll call vote (summary: Ayes = 5).**

**Ayes: Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.**

**\*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 Hamilton)

President Hamilton spoke about a February 2020 amendment of the Administrative Code policy related to committee participation, requiring committee members to be residents of the District. It stemmed from concern related to efforts to detach from the San Diego County Water Authority. It was prudent at the time, but he suggested amendment to change the policy to allow committee members be ratepayers or residents, so none of the District's customers are precluded. He continued that ratepayers should have a voice and requested this item be on a future agenda for consideration. Mr. Wiley acknowledged this request.

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

**B. Representative Report (Appointed Representative)**

**1. SDCWA**

- A. Summary of Board Meeting October 26, 2023
- B. Summary of Board Meeting November 16, 2023

Mr. Wiley attended the November meeting and reported that the settlement agreement was approved in closed session and a few other items were discussed, such as an effort to update demand projections. The proposal for the work was \$600,000, so the item was pushed to January to allow time to pursue less expensive options. He opined that this is encouraging, because projections in the past decade have been hard to predict.

**2. CSDA**

Director Mack reported that a speaker provided an update on the new airport terminal, which will quadruple the size. The main airline will be Southwest, but will include others. He also reported that additional parking structures will be completed in 2025.

**3. LAFCO**

Mr. Wiley reported that LAFCO approved the Fallbrook and Rainbow settlement agreement with the SDCWA in closed session and that he relayed his gratitude to LAFCO. In addition, they are investigating whether or not the Port of San Diego is under the jurisdiction of LAFCO.

**4. Santa Margarita River Watershed Watermaster Steering Committee**

Director Hamilton had no report, as the next meeting will not take place until January or February of 2024.

**5. ACWA**

Director Gasga reported that the JPIA meeting was held on November 27, 2023. The focus was on cybersecurity, and it was his opinion that RMWD is well ahead in that regard. The Spring ACWA Conference will be held in May.

**C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)**

**1. Board Seminar/Conference/Workshop Training Attendance Reports**

Director Mack attended the JPIA meeting also and reported that a hotline is provided for human resources that is not well utilized by staff. He encouraged taking advantage of the hotline. He inquired about RMWD's benefits and staff confirmed they are contracted through ACWA. He shared additional information related to medical benefits as well as property insurance rates, an anticipated cyber security survey, and improvements made to this year's program that he found enjoyable and beneficial.

Director Gasca talked about a working session he attended related to heavy rain conditions throughout the year that caused silting and damage to facilities. Many agencies are considering forming Joint Power Authorities or taking other measures to protect themselves. It was an interactive process that was beneficial.

Director Johnson reported on her attendance at the ACWA Conference and noted that she has interest in ACWA's foundation to raise money for first generation students in California, for scholarships and to attend California State Universities and to explore water careers. She attended a foundation board meeting to

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

share the interest we have in participating. Eight scholarships were awarded, totaling an impressive amount.

President Hamilton reported that this particular ACWA Conference was different than those in the past and how he appreciated the ability to network with agency officials to understand what is happening in other areas and to build relationships. He shared information he received from attending communications-related sessions, where a presentation was provided by a former media reporter that offered advice about how to disseminate information and how to handle ambush interviews. He shared about an educational group that shares with media education in water. They have a lot of P materials we can use and were interested in our STEM program.

#### **D. Directors Comments**

Director Gasca notified the Board he will be resigning as the Division 3 Director, effective December 31, 2023, to attend to personal commitments. He stated RMWD is one of the best Districts in the County, which is a testament to the staff and the success, and that he has seen a lot of improvement and consistency in efforts to serve our community well. He noted he was moving his primary residence but would be keeping his home in Fallbrook and looks forward to continuing to serve on the Engineering and Operations, if possible.

Director Gasca explained he was taking it upon himself to create a document that will include a map of each division with markups that could serve as a template when onboarding new Board Members and to have available for use as a reference during their tenure. He spoke of establishing protocols for communication between staff and the Board, and when speaking to the media. He offered to help suggest ideas through the EOC to help the Board's communications develop, and to add value.

Mr. Wiley expressed his appreciation for Director Gasca's wisdom and willingness to continue to serve.

Director Gasca stated he will need to leave the meeting between 2:30-3:00 p.m.

#### **E. Legal Counsel Comments**

##### **1. Attorney Report: Surplus Land Act 62353835-1**

Legal Counsel summarized the information provided in the written report regarding recent amendments to the Surplus Lands Act.

### **18. COMMITTEE REPORTS**

#### **A. Budget and Finance Committee**

Mr. Nelson stated he was sad to learn of Director Gasca's resignation, but excited to hear that he will continue to serve on the committee. He expressed his appreciation for Director Gasca's contributions and encouraged the Board to take the necessary steps to keep Director Gasca on a committee and for staff to make the necessary policy changes.

The Committee met on November 14, 2023, and they discussed items on today's agenda. The audit echoes the tremendous improvement in the competency and dedication of staff, with the clean audit.

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



**B. Engineering and Operations Committee**

Mr. Nelson reported that there were two items recommended for Board approval. Item 25, the change order with Valley CM for work on Lift Station No. 1 appears on today's agenda, was discussed and the Committee recommended the Board move forward with that item.

**C. Communications and Customer Service Committee**

Ms. Harp repeated some details from Mr. Cruz's report at the last Communications and Customer Service Committee meeting. Average hold times have held steady, despite an increase in calls due to the rate increase. Staff also reviewed the top ten areas of concern, relayed through responses to the Customer Service Survey. She continued to report on recent outreach events, including an open house on October 14, 2023, at North County Fire, the Bonsall high school STEM field trip on November 2, 2023. She also announced approval of a \$3,000 grant from MWD to fund supplies for STEM field trips in the future. The Plume Program utilization is being monitored and staff are working on solving some obstacles and providing additional outreach. The newsletter content was discussed and, in the most recent article, information was relayed about the detachment from SDCWA and the next steps.

**CONSENT CALENDAR ITEMS**

- \*19. APPROVAL OF RESOLUTION NO. 23-30 ESTABLISHING CHECK SIGNING RESPONSIBILITIES AND DESIGNATING AUTHORIZED SIGNERS OF CHECKS**
- \*20. CONSIDER ACCEPTANCE OF MINOR FACILITIES CONSTRUCTED BY CUSTOMERS AND FILE NOTICE OF COMPLETIONS (DISTRICT-WIDE)**
- \*21. CONSIDER APPROVAL TO QUITCLAIM EASEMENT FOR THE DOUD WATERLINE EXTENSION (DIVISION 5)**

***Motion:***

***To approve Option 1 for each of the Consent Calendar Items.***

***Action: Approve, Moved by Director Johnson, Seconded by Director Mack.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 5).***

***Ayes: Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.***

**BOARD ACTION ITEMS**

- \*22. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 23-31 — A RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT IN COMMEMORATION OF 70 YEARS OF PUBLIC SERVICE**

Ms. Harp announced that Rainbow Municipal Water District was formed on December 28, 1953, and the resolution commemorates RMWD's 70<sup>th</sup> anniversary.

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

***Motion:***

***Action: To adopt Resolution No. 23-31. Moved by Director Gasca, Seconded by Director Johnson.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 5).***

***Ayes: Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.***

**\*23. PRESENTATION AND ACCEPTANCE OF THE ANNUAL AUDIT REPORT FISCAL YEAR ENDING JUNE 30, 2023**

Ms. Poole announced that the audit was completed, and this is the second year with no findings on the Management Letter; it was a clean audit. Ryan Domino from LSL attended virtually to provide a presentation explaining the processes and procedures followed during RMWD's audit as well as the results. He reviewed changes in regulatory requirements for accounting principles from the prior year and reiterated the District's financial position, as referenced in the meeting packet.

Discussion ensued regarding CalPERs reporting and future funding pension liabilities.

Mr. Wiley expressed appreciation for the team and their professionalism throughout the audit process.

***Motion:***

***Action: To accept the June 30, 2023 audit of the District by the CPA firm of Lance, Soll & Lunghard, LLP. Moved by Director Johnson, Seconded by Director Gasca.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 5).***

***Ayes: Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.***

**\*24. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 23-07, OPTING INTO PARTICIPATION IN THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT, AND UPDATE THE PROCUREMENT CODE TO COINCIDE WITH THE INCREASED THRESHOLDS**

Mr. Wiley requested that this item be deferred until the January Board meeting noting a resolution must be adopted for RMWD to opt into the Act. He noted there was no urgency for this item to be adopted today and how RMWD may be one of the last agencies to opt into this program. There were no objections to deferring this item.

There was no action.



**\*25. CONSIDER APPROVAL OF CHANGE ORDER #2 WITH VALLEY C.M. FOR CONSTRUCTION MANAGEMENT & INSPECTION SERVICES FOR THE LIFT STATION-1 PROJECT IN THE AMOUNT OF \$216,413 (DIVISIONS 1 & 2)**

Mr. Williams explained how this item was for other disciplines working for Valley C.M. He noted the anticipated completion date is March 2024, and how the delays have been mostly related to delays in supply chain orders and not a result of rainy weather.

President Hamilton asked if there were reliable delivery times for the outstanding items that were ordered. Mr. Williams confirmed this was correct which was helpful to keep RMWD in compliance.

**Motion:**

***Action: Approve Option 1, Ordinance 23-07, opting into participation in CUPCCAA, and approve the changes to the Administrative Code Section 5.02 - Purchasing. Moved by Director Hamilton, Seconded by Director Gasca.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 5).***

***Ayes: Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.***

**\*26. CONSIDER APPROVAL OF CHANGE ORDER #4 WITH HAZARD CONSTRUCTION ENGINEERING FOR THE LIVE OAK PARK ROAD BRIDGE WATER MAIN IMPROVEMENT PROJECT (600037) IN THE AMOUNT OF \$232,500 (DIVISION 5)**

Mr. Wiley explained that this is a settlement agreement over several issues we've experienced with the project, such as heavy rain, utility conflicts, and delays. Staff received over \$400,000 in change order requests and has been negotiating with the Hazard Construction Engineering and the County to reduce that amount to \$232,500, which is significant. However, there is an 8" line that still needs to be built.

**Motion:**

***Action: Approve Option 1. Moved by Director Gasca, Seconded by Director Mack.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 5).***

***Ayes: Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.***

**\*27. CONSIDER ACTION TO APPROVE A THREE-YEAR CONTRACT RENEWAL WITH SOFTCHOICE, INC. FOR THE LICENSING OF MICROSOFT OFFICE 365, OFFICE ADVANCED THREAT PROTECTION, AZURE SECURITY, SQL SERVER, AND WINDOWS LICENSING**

Mr. Khattab explained that this software is a well-used tool and also provides cyber security. He pointed out this agreement also covers RMWD's servers and how the three-year contract \$77,483.58 with a payment due on the anniversary date of February 1, 2024.

Director Townsend-Smith inquired as to whether there were other options that cost less. Mr. Flanigan suggested researching Apache for these types of services.

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

President Hamilton inquired as to why RMWD does not contract with Microsoft directly. Mr. Khattab explained they require contracting with a third party. Mr. Khattab stated that we coordinate with Riverside County, for a negotiated price for all agencies of California. There were efforts to check pricing options, however, the responses were either more costly or non-existent.

***Motion:***

***Action: Approve Option 1. Moved by Director Hamilton, Seconded by Director Johnson.***

***Vote: Motion passed (summary: Ayes = 4, Noes = 0, Abstain = 1).***

***Ayes: Director Gasca, Director Hamilton, Director Johnson, Director Mack.***

***Abstain: Director Townsend-Smith.***

Director Gasca recommended these types of items be brought to the Budget and Finance Committee in the future. Mr. Khattab and Mr. Wiley acknowledged this request.

**\*28. DISCUSSION AND POSSIBLE ACTION TO APPROVE CONTRACT FOR MANAGED PRINT SERVICES WITH KYOCERA DOCUMENT SOLUTIONS WEST LLC IN THE AMOUNT OF \$2,143.00 PER MONTH FOR 63 MONTHS**

Mr. Khattab explained RMWD had three large Xerox copies prior to his joining the RMWD team and how he was tasked with finding another vendor that provided better services at less cost. He pointed out Kyocera is willing to replace all RWMD's current equipment upon execution of another five-year contract. He noted there were two other options available and why these may not be the most beneficial or cost effective. He confirmed staff participated in the negotiations and how after obtaining five years of data, the results are better pricing.

***Motion:***

***Action: Approve Option 1. Moved by Director Johnson, Seconded by Director Townsend-Smith.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 5).***

***Ayes: Director Gasca, Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.***

Director Gasca excused himself from the meeting at 2:41 p.m.

President Hamilton called for a break at 2:41 p.m.

The meeting was reconvened at 2:50 p.m.

**\*29. CONSIDER ESTABLISHING THE 2024 REGULAR BOARD MEETING SCHEDULE**

Mr. Wiley noted that one meeting date was adjusted to accommodate the ACWA Conference.

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

***Motion:***

***Action: Approve as presented, Moved by Director Johnson, Seconded by Director Hamilton.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).***

***Ayes: Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.***

***Absent: Director Gasca.***

- \*30. CONSIDER ADOPTING RESOLUTION NO. 23-28 DESIGNATING VALLEY CENTER MUNICIPAL WATER DISTRICT AS PROXY VOTE TO THE SAN DIEGO COUNTY WATER AUTHORITY IN THE ABSENCE OF THE RAINBOW MUNICIPAL WATER DISTRICT REPRESENTATIVE**

***Motion:***

***Action: Approve, Moved by Director Hamilton, Seconded by Director Townsend-Smith.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).***

***Ayes: Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.***

***Absent: Director Gasca.***

- \*31. DISCUSSION AND POSSIBLE APPOINTMENT OR RAINBOW MUNICIPAL WATER DISTRICT'S REPRESENTATIVE AT THE LOCAL AGENCY FORMATION COMMISSION (LAFCO)**

Mr. Wiley noted this was an internal appointment for which RMWD has historically selected a representative. He expressed that he will continue to follow LAFCO actions and accepted the nomination, with Director Hamilton as his alternate.

***Motion:***

***Action: Appoint Jake Wiley as the internal representative, with Director Hamilton as the alternate. Moved by Director Mack, Seconded by Director Johnson.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).***

***Ayes: Director Hamilton, Director Johnson, Director Mack, Director Townsend-Smith.***

***Absent: Director Gasca.***

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

- A.** Director Johnson Appointment to California Special Districts Association Financial Corporation (CSDAFC) Board of Directors

Mr. Wiley announced Director Johnson was appointed to the CSDA Financial Corporation "CSDAFC" Board of Directors which is a separate entity under CSDA. He noted this was a great opportunity to learn about financing options. He mentioned this organization hosts four meetings per year, two in-person meetings that may incur some cost to RMWD of approximately \$800 per year.

Director Johnson stated as a ratepayer she assured the Board she would act responsibly and attend these meetings remotely whenever possible.

**BOARD INFORMATION ITEMS**

**33. CROPSWAP PROGRAM UPDATE PRESENTATION**

Mr. Wiley gave a presentation on the CropSwap program and reviewed the information provided in greater detail. RCWD received additional funding and is looking to expand the program regionally. Many agencies with an agricultural component have been in conversations about the program. A new focus is efficiency programs to help growers become more water efficient. More information will be shared with the Board as the program develops. There is \$5M in DWR grant funds, and \$750,000 is matched through the grower's contribution. There is a buy-in component, and depending on how much interest exists, there are other potential funding sources. A memorandum of understanding for the engaged agencies is being drafted, and an interactive website is also being developed. An administrator may be brought on board as well. At this time, there are eight agencies interested and each may contribute toward start up costs as an initial buy-in. He opined that participation would be a good long-term program for Rainbow's growers and water sales.

Director Johnson added that, some time ago, the Board agreed to support the administrative costs associated with this program.

**\*34. 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
- E. Administrative Services Comments**
  - 1. Administrative Services Report
- F. Finance Comments**
  - 1. Board Information Report
    - A.** Budget vs. Actuals
    - B.** Fund Balance & Developer Projections

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

- C. Treasury Report
- D. Five Year Water Purchases Demand Chart
- E. Water Sales Summary
- F. Check Register
- G. Directors' Expenses Report
- H. Credit Card Breakdown
- I. RMWD Properties
- J. Grant Progress Report

Mr. Wiley talked about a recent emergency repair on Falsbrae, resulting in some paving costs. Mr. Gutierrez shared additional details on that situation.

Mr. Wiley reported staff has met to discuss Beck Reservoir and how it was recommended to make this facility non-jurisdictional, which would save RMWD over \$25,000 per year that we pay to the DSOD, plus maintenance costs. Discussion ensued regarding future use or disposition of the property.

Ms. Harp pointed out that RMWD was named one of the top workplaces for the third year in a row, and relayed kudos to staff.

Director Johnson inquired as to whether there will be a joint Board/Budget and Finance Committee meeting in January. Mr. Wiley, given the current circumstances with active recruitment for a Finance Manager, recommended the committee meet in January and the joint meeting with the Board be deferred to March 2024. Mr. Wiley mentioned that master plan update work is also underway. Discussion followed.

The information and financial items were received and filed.

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

It was noted that proposed amendments to the Administrative Code committee policy, a resolution for RMWD to opt into the California Uniform Public Construction Cost Accounting Act, and the appointment of a Division 3 Director will be presented in January.

**36. ADJOURNMENT**

*The meeting was adjourned by President Hamilton to a regular meeting on January 23, 2024, at 1:00 p.m.*

The meeting was adjourned at 3:34 p.m.

  
 \_\_\_\_\_  
 Terese Quintanar, District Secretary

  
 \_\_\_\_\_  
 Hayden Hamilton, Board President

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