



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/85254080829> 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 ID: 852 5408 0829) (CLOSED SESSION WILL NOT BE ACCESSIBLE TO MEMBERS OF THE PUBLIC; HOWEVER, INSTRUCTIONS FOR 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, May 26, 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 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 12:00 p.m. and Open Session at 1:00 p.m. Tuesday, May 26, 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. **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.
 - C. Conference with Legal Counsel – Potential Initiation of Litigation (Government Code § 54956.9(d)(4))
 - * One Case
6. **REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**

Time Certain: 1:00 p.m.
7. **REPEAT CALL TO ORDER**
8. **PLEDGE OF ALLEGIANCE**

(*) - Asterisk indicates a report is attached.

- 9. REPEAT ROLL CALL
- 10. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION
- 11. REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)
- 12. 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.
- *13. APPROVAL OF MINUTES
 - A. April 28, 2020 - Regular Board Meeting
- *14. 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 April 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: Claims Presentation Filing Requirements 150152-0005
- 15. COMMITTEE REPORTS
 - A. Budget and Finance Committee
 - B. Communications and Customer Service Committee
 - C. Engineering and Operations Committee

(*) - Asterisk indicates a report is attached.

***16. PUBLIC HEARING**

- A. DISCUSSION AND POSSIBLE ACTION TO JOIN THE STATEWIDE COMMUNITY INFRASTRUCTURE PROGRAM (“SCIP”) AND BECOME A PARTICIPATING MEMBER AGENCY, AND ADOPT A RESOLUTION “FORM OF RESOLUTION OF INTENTION TO BE ADOPTED BY CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (“CSCDA”)**

(This is a statewide program for infrastructure financing on developer projects, reducing upfront costs for development. To participate in this state program, the Board must take action.)

CONSENT CALENDAR ITEMS

- *17. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 20-08 — 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 MAY 26, 2020 THROUGH JUNE 30, 2020**

(The job classification for Water Systems Superintendent was reevaluated and updated. Staff recommends changing the title to Water Systems Supervisor to be consistent with other supervisory job titles. Approval of Resolution No. 20-08 will change the job title on the salary grade structure.)

- 18. NOTICE OF COMPLETION AND ACCEPTANCE OF DENTRO DE LOMAS ROAD IMPROVEMENT PROJECT AS COMPLETE**

(Request that the Board of Director accept the Dentro De Lomas Road Improvement project as complete and to approve filing the project Notice of Completion. Segments of Dentro De Lomas Road were damaged as result of a water main break. The District permanently repaired 9,008 square feet of road and 431 linear feet of AC curb.)

BOARD ACTION ITEMS

- *19. DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION OF NECESSITY, RESOLUTION NO. 20-05, AUTHORIZING THE ACQUISITION OF EASEMENT BY EMINENT DOMAIN FOR A PORTION OF THE PROPERTY AT 7650 CAMINO DEL REY, BONSALL, CA 92003**

(Request that the Board of Director adopt a Resolution of Necessity to acquire a 15,000 square foot permanent easement from EWM Investments, LLC. at 7650 Camino Del Rey, Bonsall, CA 92003 through the eminent domain process. To date, the District and EWM Investments, LLC have not come to an agreement on an easement document. The easement is needed for the installation of a permanent pump station and associated appurtenances in order for the District to continue to provide reliable water services to its customers.)

- 20. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT FOR THE RAINBOW HEIGHTS PUMP STATION REHABILITATION PROJECT**

(The Rainbow Heights Pump Station Rehabilitation Project consists of demolishing the existing pump station and installing a pre-manufactured pump station. The bid opening for the construction contract was held at 2:30 pm on May 11, 2020. There were no irregularities with the lowest bidder, Orion Construction.)

- *21. CONSIDER ADOPTION OF A RESOLUTION OF APPLICATION AUTHORIZING THE GENERAL MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION TO ANNEX THE PARDEE “MEADOWOOD” DEVELOPMENT FROM THE VALLEY CENTER MUNICIPAL WATER DISTRICT INTO THE RAINBOW MUNICIPAL WATER DISTRICT**
(This action item is to adopt a Resolution of Application for the Pardee “Meadowood” development and authorize the General Manager to prepare and submit an application to San Diego LAFCO for the proceedings.)
- 22. DISCUSSION AND POSSIBLE ACTION REGARDING “AS NEEDED” LAND SURVEY SERVICES CHANGE ORDERS**
(Request that the Board of Directors approve change orders in the amount of \$50,000 each for KDM Meridian, Inc. and Right-Of-Way Engineering, Inc. for land survey professional services under their existing “As Needed” contracts. “As Needed” professional service contracts are utilized by District staff to effectively and efficiently complete projects.)
- 22A. DISCUSSION AND POSSIBLE ACTION ON AGREEMENT TO APPROVE AND EXECUTE JOINT AGREEMENT TO IMPROVE MAJOR SUBDIVISION COUNTY OF SAN DIEGO TRACT NO. 5354-1**
(This action item is to consider an agreement between Pardee Homes, the County of San Diego, and the District related to the public improvements that Pardee will be constructing as part of the Meadowood development. This is a County standard agreement and is similar to agreements we have with other developments.)
- 23. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

BOARD INFORMATION ITEMS

- 24. BUDGET PREVIEW**
- 25. COVID-19 EMERGENCY UPDATE**
- 26. NORTH RIVER ROAD EMERGENCY UPDATE**
- 27. WSUP UPDATE**
- 28. BOARD MEMBER INPUT ON ADMINISTRATIVE CODE TITLE 1 PROPOSED REVISIONS**
- *29. HEADQUARTERS SITE DEVELOPMENT PROGRESS**
(Staff will provide an update as to the progress of the headquarters site development.)
- *30. 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
 - 2. SB 1386 Senate Governance Finance Committee Analysis
 - C. Operations Comments**
 - 1. Operations Report
 - D. Engineering Comments**
 - 1. Engineering Report
 - 2. As-Needed Services Expenditures Summary

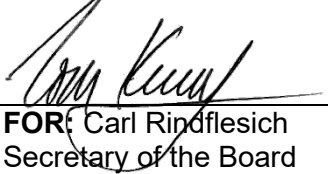
(*) - Asterisk indicates a report is attached.

- 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. Credit Card Breakdown
 - 7. Directors' Expense
 - 8. Check Register
 - 9. Water Sales Summary
 - 10. Developer Projections
 - 11. RMWD Properties

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

32. **ADJOURNMENT - To Tuesday, June 23, 2020 at 1:00 p.m.**

ATTEST TO POSTING:



FOR: Carl Rindflesich
 Secretary of the Board

5-22-2020 @ 12:30 p.m.

 Date and Time of Posting
 Outside Display Cases

(*) - Asterisk indicates a report is attached.