

**MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
JANUARY 25, 2022**

1. **CALL TO ORDER** - The Regular Meeting of the Board of Directors of the Rainbow Municipal Water District on January 25, 2022, was called to order by President Hamilton at 12:02 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028 (*This meeting was held with limited in-person attendance following County and State COVID guidelines as well as virtually.*) President Hamilton presiding.

2. **ROLL CALL**

Present: Director Gasca (*via video conference*), Director Hamilton (*via video conference*), Director Mack (*via video conference*), Director Moss (*via video conference*), Director Stewart (*via video conference*).

Also Present: Executive Assistant Washburn, Information Technology Manager Khattab.

Also Present Via Teleconference or Video Conference:

General Manager Kennedy, Legal Counsel Smith, Legal Counsel Duran-Brown, Engineering and CIP Program Manager Williams.

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; 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 12:03 p.m.

(*) - Asterisk indicates a report is attached.

6. CLOSED SESSION

A. Conference with Legal Counsel – Anticipated Litigation Pursuant to Government Code §54956.9(d)(4) Significant Exposure to Litigation

* One Case

B. Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1)

* Rainbow Municipal Water District v. Blum, Inc., et al.

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

* One Item

The meeting reconvened 12:56 p.m.

7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

This item was addressed under Item #12.

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 January 25, 2022, was called to order by President Hamilton at 1:06 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028 (*This meeting was held with limited in-person attendance following County and State COVID guidelines as well as virtually.*) President Hamilton presiding.

9. PLEDGE OF ALLEGIANCE

10. REPEAT ROLL CALL

Present: Director Gasca (*via video conference*), Director Hamilton (*via video conference*), Director Mack (*via video conference*), Director Moss (*via video conference*), Director Stewart (*arrived at 1:11 p.m. via video conference*).

Also Present: Executive Assistant Washburn.

Also Present Via Teleconference or Video Conference:

General Manager Kennedy, Legal Counsel Smith, Legal Counsel Duran-Brown, Engineering and CIP Program Manager Williams, Operations Manager Gutierrez, Finance Manager Largent, Human Resources Manager Harp, Associate Engineer Powers, Customer Service and Communications Supervisor Gray, Wastewater Superintendent Zuniga, Construction and

(*) - Asterisk indicates a report is attached.

Meters Supervisor Lagunas, Project Manager Parra, Project Manager Tamimi, Information Technology Manager Khattab.

Five members of the public were present for Open Session in person, via teleconference or video conference.

***11. BOARD OF DIRECTORS CONSIDER ADOPTING RESOLUTION NO. 22-03 RENEWING STATE OF EMERGENCY FINDINGS FOR ASSEMBLY BILL 361 (AB 361)**

Motion:

To approve Option 1 – Adopt the attached Resolution No. 22-03 renewing virtual meetings in accordance with Assembly Bill 361.

Action: Approve, Moved by Director Gasca, Seconded by Director Mack.

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

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss.

Absent: Director Stewart.

12. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

Legal Counsel reported the Board met in Closed Session to discuss three items and there was no reportable action.

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

It was noted Item #26 has been struck from the agenda per staff's request.

14. 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.

15. 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).

It was noted Mr. James has submitted a written request to speak during Item #20.

Director Stewart joined the meeting at 1:11 p.m.

***16. APPROVAL OF MINUTES**

A. December 7, 2021 - Regular Board Meeting

B. January 6, 2022 - Special Board Meeting

(*) - Asterisk indicates a report is attached.

Motion:

To approve the minutes as written for both December 7, 2021 and January 6, 2022.

Action: Approve, Moved by Director Moss, Seconded by Director Gasca.

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

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

***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)

There was no report given.

B. Representative Report (Appointed Representative)

1. SDCWA

Mr. Kennedy reported that at the upcoming meeting, the matter of the budget including \$170 million in new debt issuance by SDCWA to cover capital improvement projects for the next few years as well as extending the ongoing process for delivering water into Tijuana will be discussed.

2. CSDA

Mr. Kennedy reported the SDCSDA Executive Board met and decided the February quarterly dinner meeting will be held virtually due to the current Omicron surge with hopes of returning to live meetings in May.

3. LAFCO

Mr. Kennedy reported he has been asked to serve on a subcommittee related to a few matters within LAFCO including whether local special districts want to support proposed legislative changes related to providing service out of agency boundaries.

4. Santa Margarita River Watershed Watermaster Steering Committee

President Hamilton mentioned some of the takeaways from the recent committee meeting as well as noted the next meeting will be April 19, 2022.

5. ACWA

There was no report given.

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

1. Board Seminar/Conference/Workshop Training Attendance Reports

Mr. Stewart reported he recently completed the required AB1234 Ethics training.

(*) - Asterisk indicates a report is attached.

D. Directors Comments

There were no comments.

E. Legal Counsel Comments

1. Attorney Report: Public Records Act 501668-0002

Legal Counsel summarized the information contained in the written report provided. Discussion followed.

18. COMMITTEE REPORTS

A. Budget and Finance Committee

Mr. Nelson reported the committee met twice since the December 7th regular Board meeting during which time two variance requests were discussed which are before the Board today for consideration. Ms. Largent pointed out the variance to be discussed under Item #26 today was no longer needed by the customer and was deleted from the agenda.

Mr. Nelson stated the committee also spent some time on some preliminary information for the mid-year budget review which will be taken up again in more detail at the February committee meeting so that something can be presented to the Board at their February meeting for consideration.

B. Communications and Customer Service Committee

Mr. Shute reported the committee met in January at which time discussions took place regarding the customer survey process, redistricting, emergency notification process progress, drought restrictions, as well as the arrearages program.

C. Engineering and Operations Committee

Mr. Nelson reported the committee met and how a recommendation was made for the Board to consider appointing Steve McKesson as a member. He also noted the committee has primarily been reviewing the status of a variety of projects as part of the mid-year of the CIP program.

PUBLIC HEARINGS

***19. PUBLIC HEARING TO CONSIDER ADOPTING REVISED BOUNDARIES OF THE DIRECTOR DIVISIONS FOR THE RAINBOW MUNICIPAL WATER DISTRICT**

President Hamilton opened the Public Hearing at 1:33 p.m.

Ms. Washburn reported no written comments have been received related to this item. There were no verbal public comments.

Mr. Kennedy mentioned these are the proposed divisions the Board and committees have reviewed over the past several months and that this was the first of two public hearings with the Board to consider approval after the second public hearing occurs.

(*) - Asterisk indicates a report is attached.

Director Moss stated as the Division 1 Director, she did not find any issues with the proposed revisions.

President Hamilton closed the Public Hearing at 1:36 p.m.

There was no action taken.

***20. DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION OF NECESSITY, RESOLUTION NO. 22-02, AUTHORIZING THE ACQUISITION OF EASEMENTS BY EMINENT DOMAIN FROM A PORTION OF THE PROPERTY LOCATED AT 5858 CAMINO DEL CIELO, BONSALL, CA 92003 IN DIVISION 1**

President Hamilton opened the Public Hearing at 1:37 p.m.

Ms. Washburn reported the District received a written request to address the Board on this item from Kyle James. The Board recognized Mr. James.

Kyle James stated he appreciated the time and consideration regarding his request to address the Board on behalf of himself, the owner of 5858 Camino Del Cielo as described previously. He requested the Board Members deny the proposed resolution noting he objected the resolution under Items A, B, & C of Civil Procedures Section 12.50.30.

Mr. James said in relation to Item A, there is a question of the necessity of the project and how it has been brought to this attention that this project was due to RMWD's recent interest in separating from SDCWA which has most recently deemed unfavorable by Profession Michael Hanemann in his report dated December 31, 2021.

Mr. James stated regarding Item B, whether the project is planned or located in a manner that would be most compatible with the greatest public good and the least private injury, it is his understanding that District staff had conversations with other property owners along West Lilac Road (primarily the property owners of 6009 West Lilac Road). He noted this property was 800' away from the projected easement. He said RMWD currently has an easement for a pressure reducing site and that with an expansion of the easement, District personnel identified that this property owner would cooperate willingly; however, they were solely interested in monetary gain and the District would not work with this person after which the District decided to pursue him.

Mr. James stated the main consideration with their engagement with this easement is the impact it will have to their property and/or utility of that property as well their enjoyment of their property.

Mr. James said regarding Item C, whether the property sought to be acquired by eminent domain and described in the Resolution of Necessity is necessary for the proposed project, as he described earlier under Item B, other properties have been brought to his attention by District staff that would be suitable for this project and would probably have less injury and impact on the property owner being that there is an existing easement on their property. He noted there were some personal questions of the good faith in which they negotiated and discussed this project with the District.

Mr. James confirmed this was the conclusion of this statement and that he has a prepared letter he would like to send to his RMWD representative, Director Moss. He said if Director Moss would be willing, he would send her an email covering the items discussed today as well as those they have of a more personal account. Director Moss provided her email address.

There were no additional comments from the public, staff, or Board of Directors.

President Hamilton closed the Public Hearing at 1:42 p.m.

Director Gasca stated in response to the speaker noting that there was another potential site located somewhere in proximity, he would like to see background as to what site he is referring. Mr. Kennedy explained staff evaluated pretty much every parcel along the pipeline routes between the two hydraulic areas they needed to meet and had identified certain parcels that might have been better than this one but those had other deficiencies. He explained it comes down to a few things; the proximity to access from the road, power availability, and proximity to RMWD's pipelines. He pointed out in a hypothetical sense, there may be other areas where it could be done, but these were not as optimized as this one for the District's uses which is why this one was selected. He added each potential project would require the acquisition of property; however, this one was the most advantageous based on its ideal location.

Director Gasca said he would still like to see the location. Mr. Kennedy displayed a map identifying the locations researched along West Lilac the District as well as the location of Mr. James' property which was found to be the optimal location based on the factors taken into consideration. Director Moss requested a copy of the map. Mr. Kennedy agreed to send a copy of the map to the Board as well as provide them with a log in for the District's GeoViewer.

There were no further staff recommendations or comments.

Director Stewart pointed out during a recent tour of the District he was provided with an opportunity to see the new pump station located in the Rainbow area which he would describe as whisper quiet from any distance at all. He asked if something like this would be built at the location in question. Mr. Kennedy confirmed it would be very similar.

Mr. Kennedy noted Mr. James would like to make additional comments. He deferred to Legal Counsel as to how to proceed since the public comment period had ended already. Legal Counsel explained although the public hearing has completed, the Board could allow Mr. James to address the Board at their own discretion. President Hamilton asked the Board if they had any objection to allowing Mr. James an additional three minutes.

Director Gasca stated it would be great for the transparency and interface standpoint to allow Mr. James to speak again. Director Moss stated she had no objection.

Mr. James wanted to provide an opportunity for the Board to become a little more familiar with himself, his family, and the property in which the District was interested. He mentioned he has been in the water industry for approximately twenty years as an electrician and over the past three years as the SCADA Systems and Wireless Network and Security Systems Administrator at Padre Dam Municipal Water District. He stated he has a very in-depth knowledge of the pump stations and the apparatus that will be placed on his property; however, he wanted it brought to the attention of the Board that the pump station currently being designed is not the pump station that was proposed to them when conversations were initiated with Mr. Tamimi. He said the initial pump station was a sub-terranean with a frontal facade pump station which he personally has seen on project management deals with SDCWA as well as Helix Water District. He stated to say there is any type of similarity between the original proposed designed versus the current design is a complete overstatement. He pointed out the pump station that is roughly 500 square feet right in the middle of his front lot that he would have to look at every single day as he looks out to his yard which would not be a minimal impact nor minimal injury to their property, but rather a major impact in that it would be something they would have to see every single day.

Mr. James mentioned he has spoken to Mr. Tamimi recently about other places the pump station could be placed. He said he has identified the fact that there is an easement just up the road and as far as the hydraulics and electrical access, it is very similar if not identical to what is currently available at his property.

Mr. James expressed concern with the earlier comment regarding a pipeline that was going to be feeding the future Ocean Breeze Ranch, stating if the District is going to be building infrastructure to serve a community, it was his belief that infrastructure should probably be weighed more heavily on being on their property which is thousands of acres versus his 2.5 acre lot. the developers 1,000 acre property versus his 2.5 acre lot.

Mr. James confirmed this concludes his comments.

Mr. Kennedy provided information related to the Ocean Breeze development noting this pump station would not be to serve the development. He noted although the development activity was approved by the County Board of Supervisors, a build date was unknown. He reiterated this station would never pump into the Ocean Breeze property.

Director Moss stated she would like to defer action on this matter if possible.

Motion:

To defer this item to another Board meeting.

Action: Approve, Moved by Director Moss, Seconded by Director Gasca.

Vote: Motion FAILED (summary: Ayes = 2, Noes = 2, Abstain = 1).

Ayes: Director Gasca, Director Moss.

Noes: Director Hamilton, Director Stewart.

Abstain: Director Mack.

Legal Counsel confirmed the motion failed due to the lack of a majority.

Motion:

To move forward on the filing.

To Action: Approve, Moved by Director Hamilton, Seconded by Director Stewart.

Vote: Motion FAILED (summary: Ayes = 2, Noes = 2, Abstain = 1).

Ayes: Director Hamilton, Director Stewart.

Noes: Director Gasca, Director Moss.

Abstain: Director Mack.

Legal Counsel confirmed no action can be taken until the majority reaches an agreement.

(*) - Asterisk indicates a report is attached.

Director Mack inquired as to how much time the Directors Gasca and Moss need to review the information being provided by Mr. Kennedy to understand the issue. Director Moss stated she only need a week to understand exactly what it is the Board is considering. She said she has visited the site and was leaning toward proceeding; however, she wanted to look at the data in more detail to make an informed decision. Director Gasca said he needs to understand why there was a change to an above-ground station. Mr. Kennedy explained the main thing is that the County right-of-way was assumed to be in one location but turned out to be approximately 10'-15' further down the slope. He stated when the location in which staff had hoped to have embedded the station into the hillside was found to be in a County right-of-way, it had to be changed to a freestanding building as opposed to one partially buried.

Director Mack suggested the Board hold a special meeting next week to discuss this matter once the Board has an opportunity to consider the concerns of the property owner, review the information to be provided by Mr. Kennedy, as well as tour the proposed site. President Hamilton said he would prefer not holding a special board meeting for this matter.

Director Moss expressed an interest in touring the property. Mr. Kennedy offered to arrange tours for those Board Members who are interested.

Mr. Kennedy explained RMWD does the best it can to acquire easements without the use of eminent domain. He pointed out this project was a part of the District's Wholesale Water Efficiency Project which has been on the RMWD books long before the proposed detachment came into the picture and was therefore not directly related to such. He noted this was going to be a challenge to some property owner in the vicinity and how this spot was found to be the best.

Director Moss asked Legal Counsel if the Board could vote to proceed and then work on the details later to accommodate and be sensitive to the customer's needs. Legal Counsel explained approving the resolution gets the process started, but negotiations with the property owner will continue after the resolution is filed.

Legal Counsel Duran-Brown stated the District understands this is an impactful acquisition. She pointed out when appraising the acquisition, \$45,000 was allocated with the bulk of the compensation to be awarded to the James' for severance damages as well as any view and noise impacts.

Director Moss said she was not opposed to voting for this if the Board is still open to looking at the location and perhaps refining it a bit. Mr. Kennedy clarified it was his intention to never to actual file an eminent domain action in court and how this action was not doing that but rather making sure there is a public hearing and notice that this might occur should agreeable terms not be reached. He pointed out although the District fully expects to come to resolution; however, it must also keep its options available because right now it spends approximately \$173 an acre foot more for water as well as incurs huge expenses to install temporary pumps every year during SDCWA's shutdowns. He noted this has been on the Board's objective to correct since 2016.

Director Gasca expressed concern the Board Members were getting into the type of stuff that should be covered at the Board level. He said although he understands what Mr. Kennedy has explained about the location and the pump station not being embedded in the hill, it still does not satisfactorily answer his question as to why it cannot be subterranean. He recommended this item be set aside until some of these questions can be addressed. Director Moss said she does not disagree with Director Gasca, it was her understanding by adopting this resolution the process will start on the one hand while problems on the other hand are being solved.

Legal Counsel clarified negotiations will continue with the property owner; however, depending on what the change is, a new resolution of necessity may need to come back to the Board for consideration.

President Hamilton asked if there was anything that would prevent the Board negating this order of necessity and adopting a new one based on new information. Legal Counsel confirmed this could be done as well. President Hamilton stated all that would be happen upon adoption of this resolution would start the long process without locking the Board into having to do something a certain way. He said he agrees with Director Gasca and has some questions of his own, but he does not see there being a reason to not start the process and then seek answers to all the questions at which time the District's program can be adapted accordingly or work to find a different location. Director Moss stated she was in full agreement with President Hamilton and expressed her appreciation for the explanation of the process.

Motion:

To adopt the Resolution of Necessity.

Action: Approve, Moved by Director Hamilton, Seconded by Director Stewart.

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

Ayes: Director Gasca, Director Hamilton, Director Moss, Director Stewart.

Abstain: Director Mack.

President Hamilton told Mr. James the District will continue to look at this and work with him to see if a satisfactory solution for both parties can be reached.

CONSENT CALENDAR ITEMS

- *21. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 22-02 AMENDING AND UPDATING TITLE PAGES FOR ADMINISTRATIVE CODE TITLES 4, 5, 6, AND 7**
- *22. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 22-03 AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER PAGES FOR TITLE 5 – FINANCE AND ADMINISTRATION**
- *23. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 22-04 AMENDING AND UPDATING VARIOUS ADMINISTRATIVE CODE CHAPTERS, SECTIONS, AND SUBSECTIONS INCLUDED IN TITLE 8 – WATER**
- *24. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 22-05 AMENDING AND UPDATING VARIOUS ADMINISTRATIVE CODE CHAPTERS, SECTIONS, AND SUBSECTIONS INCLUDED IN TITLE 9 – SEWER**

Motion:

To approve the four items on the Consent Calendar.

Action: Approve, Moved by Director Moss, Seconded by Director Mack.

(*) - Asterisk indicates a report is attached.

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

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

BOARD ACTION ITEMS

- *25. DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE FROM ORDINANCE 21-03 TO ALLOW A LOT, LARGER THAN 0.5 ACRES, TO QUALIFY FOR CAPACITY CLASS B ¾" METER AND APPROVE THE CAPACITY CLASS WATER USE AGREEMENT (Division 3)**

Ms. Largent explained this was for a variance request for a lot that is greater than .5 acres. She noted the lot was 1.6 acres and that the customer was requesting to downsize to a 1" meter. She reported the customer's 12-month average is 27 units which is well below the 50 units required for that size meter and there are no fire sprinklers in the home; therefore, staff was recommending approval of this variance.

Motion:

To approve Option 1 - Approve the variance to Ordinance 21-03 to allow a property larger than 0.5 acres to qualify for capacity class B and approve the New Water Service Agreement.

Action: Approve, Moved by Director Stewart, Seconded by Director Hamilton.

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

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

- *26. DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE FROM MAXIMUM CAPACITY AND 12 MONTH ROLLING AVERAGE REQUIREMENTS IN ORDER TO DOWNSIZE FROM A 1 ½" TO A 1" METER. (Division 1)**

This item was deleted from the agenda per Item #13.

- *27. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 22-01 AMENDING AND UPDATING ADMINISTRATIVE CODE SECTIONS 2.03.010.04 – LEGITIMATE EXPENSES AND 4.01.110 – EMPLOYEE BUSINESS EXPENSES**

Mr. Kennedy explained these amendments were to provide clarification as to how reimbursements are to be calculated while carefully guarding the public's money.

Motion:

To approve Option 1 – Adopt Ordinance No. 22-01 amending and updated Administrative Code Sections 2.03.010.04 and 4.01.110 as presented.

Action: Approve, Moved by Director Mack, Seconded by Director Hamilton.

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

(*) - Asterisk indicates a report is attached.

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

28. DISCUSSION AND POSSIBLE APPOINTMENT OF STEVE MCKESSON TO SERVE AS A MEMBER OF THE ENGINEERING AND OPERATIONS COMMITTEE

President Hamilton mentioned Mr. Nelson had indicated in his earlier presentation that the committee recommends the appointment.

Motion:

To accept Mr. McKesson as a committee member.

Action: Approve, Moved by Director Moss, Seconded by Director Gasca.

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

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

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

President Hamilton acknowledged the two requests submitted by Director Moss.

Motion:

To approve Director Moss's applications.

Action: Approve, 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 Mack, Director Moss, Director Stewart.

***30. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**

A. General Manager Comments

1. Meetings, Conferences and Seminar Calendar

B. Communications

1. Staff Training Report – D. & R. Rubio
2. Staff Training Report – Largent
3. Staff Training Report – Gutierrez

C. Operations Comments

1. Operations Report

D. Engineering Comments

1. Engineering Report
2. As-Needed Services Expenditures Summary
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. Board Information Report

(*) - Asterisk indicates a report is attached.

- A. Budget vs. Actuals
- B. Fund Balance & Developer Projections
- 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

Mr. Kennedy reported many staff members were out of the office related to COVID following the recent holiday weekend. He mentioned during this same time there were multiple main breaks throughout the District which the RMWD crews along with crews from the City of Oceanside did an amazing job addressing. He pointed out three of these main breaks were preventable due to them being caused by a developer extending a fire hose over a hill where heavy equipment would drive over it. He said the developer has been notified and RMWD will complete its investigation.

Ms. Harp reported RMWD staff was currently down between 5%-10% due to COVID.

Director Moss stated she would like Mr. Gutierrez and the crew special recognition for over and above efforts and time. Mr. Kennedy replied there will be excellence coins and recognitions given. Ms. Harp mentioned staff has also discussed possibly recognizing the outside parties who assisted the District with these breaks. Director Moss said this would be great.

Director Gasca noted there was a great deal of chatter online regarding these breaks on Neighborhood Ranger Road that he tried to address. He said he would share these with Mr. Kennedy.

Director Mack asked if RMWD could send a thank you letter. Mr. Kennedy stated what RMWD will probably do is either show up at their City Council meeting and thank them more formally possibly with a resolution agendized for approval by the RMWD Board at the February meeting.

Mr. Gutierrez stated he will be putting together a document to breakdown the details of what occurred with the main breaks Mr. Kennedy mentioned earlier noting there was also assistance provided by County Roads who will also be part of all the appreciation. He also reported the WSUP program was 92% complete as well as mentioned it has been brought to his attention that an item went to the County Board of Supervisors regarding the feasibility of placing additional Heli-Hydrants throughout San Diego County.

Mr. Williams mentioned the first progress meeting for the Lift Station 1 Replacement Project took place today and the project was underway with staff actively working on the messaging.

Ms. Largent reported staff was able to distribute the funds the District applied for through the State Arrearages Program over the end of December beginning of January. She stated there were over 950 letters sent the week before Christmas letting everyone know how much the amount of their respective credits. Mr. Kennedy added after speaking with some of the other general managers throughout the County, it seemed RMWD recovered more than most agencies.

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

(*) - Asterisk indicates a report is attached.

It was noted an update on the pump stations as well as on drone use at RMWD should be on the next agenda.

32. ADJOURNMENT

The meeting was adjourned by Director Hamilton to a regular meeting on February 22, 2022, at 1:00 p.m.

The meeting was adjourned at 2:27 p.m.

Hayden Hamilton, Board President

Dawn M. Washburn, Board Secretary