



Notice is hereby given that the Rainbow Municipal Water District Board of Directors will hold Closed Session at 11:00 a.m. and Open Session at 1:00 p.m. Tuesday, September 24, 2019, 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 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))  
\* Two Items
    - B. Appointment, Employment; Evaluation of Performance – General Manager (Government Code §54957(B)(1))
    - C. Real Property Negotiations (Government Code §54956.8)  
  
Agency Designated Representative: Tom Kennedy  
  
Discussions regarding property negotiations for APN 127-071-06.  
  
Under Negotiation: Price and Terms of Payment
  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)**

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

**10. 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.*

**11. EMPLOYEE RECOGNITIONS**

- A. Mark Cline (30 Years)

**\*12. APPROVAL OF MINUTES**

- A. August 27, 2019 - 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 Brazier)
- B. Representative Report (Appointed Representative)
  - 1. SDCWA
  - 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: Inverse Condemnation 150152-0005

**14. COMMITTEE REPORTS**

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

**BOARD ACTION ITEMS**

**\*15. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 19-12 — 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 SEPTEMBER 24, 2019 THROUGH  
JUNE 30, 2020**

*(The grade structure is revised to reflect the elimination of the Right of Way and Facilities Coordinator and the title change for the Risk Management Officer.)*

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

- \*16. **DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 19-12 - AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 1.02.020 – CONFLICT OF INTEREST**  
*(Administrative Code Section 1.02.020 has been updated to reflect the recent elimination of the Right of Way and Facilities Coordinator position and the position title change from Environmental Health and Safety Officer to Risk Management Officer.)*
- \*17. **ACWA COMMITTEE APPOINTMENT CONSIDERATIONS FOR THE 2020-2021 TERM**  
*(ACWA has requested its member agencies to provide nominations for consideration. At their August 27, 2019 meeting, the Board deferred this item to their September meeting.)*
- \*18. **DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 19-10 AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 2.09 - COMMITTEES**  
*(Beginning with the June 25, 2019 Board meeting agenda packet, approved committee minutes were eliminated. Upon reviewing Administrative Code Chapter 2.09, it was realized this policy needed to be updated to reflect changes to this process. The Board deferred this item at their August 27, 2019 meeting.)*
- 19. **BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

**BOARD INFORMATION ITEMS**

- 20. **SDCWA EMERGENCY SHUTDOWN DECLARATION UPDATE**
- 21. **MEMORANDUM OF UNDERSTANDING BETWEEN RMWD, FPUD, AND EASTERN MUNICIPAL WATER DISTRICT UPDATE**
- \*22. **BUILDING TWO WATER DAMAGE STATUS UPDATE**  
*(A water leak over the Labor Day Weekend damaged the District's Building Two and Board guidance is needed on how best to proceed with resolving the matter.)*
- \*23. **DISCUSSION REGARDING ADMINISTRATIVE CODE CHAPTER 2.09 – COMMITTEES (REQUESTED BY PRESIDENT BRAZIER)**  
*(At the August 27, 2019 Regular Board meeting, President Brazier stated the committee members have been asked to review the current policy related to committees and provide feedback to the Board for consideration.)*
- \*24. **DISCUSSION REGARDING ADMINISTRATIVE CODE SECTION 5.02.210 – PURCHASING AND CHANGE ORDER APPROVAL REQUIREMENTS – APPENDIX (REQUESTED BY DIRECTOR GASCA)**  
*(Director Gasca has requested an information item to allow for an opportunity to review and discuss Administrative Code Section 5.02.210.)*
- \*25. **RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**
  - A. **General Manager Comments**
    - 1. Meetings, Conferences and Seminar Calendar
  - B. **Communications**
    - 1. Staff Training Reports
  - C. **Operations Comments**
    - 1. Operations Report
  - D. **Engineering Comments**
    - 1. Engineering Report
    - 2. As-Needed Services Expenditures Summary
  - E. **Human Resource & Safety Comments**
    - 1. Human Resources Report

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

**F. Finance Comments**

1. Treasurer Report
2. Credit Card Breakdown
3. Directors' Expense
4. Check Register
5. Water Sales Summary

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

**27. ADJOURNMENT - To Tuesday, October 22, 2019 at 1:00 p.m.**

**ATTEST TO POSTING:**

  
\_\_\_\_\_  
FOR: Carl Rindflesich  
Secretary of the Board

9/17/18 @ 12:30 p.m.  
\_\_\_\_\_  
Date and Time of Posting  
Outside Display Cases

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



**MINUTES OF THE REGULAR BOARD MEETING  
OF THE BOARD OF DIRECTORS OF THE  
RAINBOW MUNICIPAL WATER DISTRICT  
AUGUST 27, 2019**

1. **CALL TO ORDER** - The Regular Meeting of the Board of Directors of the Rainbow Municipal Water District on August 27, 2019 was called to order by President Brazier at 12:02 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. President Brazier presiding.

2. **ROLL CALL**

**Present:** Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.

**Also Present:** General Manager Kennedy, Legal Counsel Smith, Executive Assistant Washburn, Administrative Analyst Gray, District Engineer Strapac, Operations Manager Gutierrez, Finance Manager Largent, Human Resources Manager Harp, Associate Engineer Powers.

**Absent:** Director Gasca.

No members of the public were present before Open Session. Eight members of the public were present for Open Session.

Discussion went to Item #4.

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

President Brazier noted Item #32 will be discussed between Items #16 and #17.

She inquired about Item #17 in that it appears to be planned and studied to double or triple the cost of a project without Board discussion which possibly violates Administrative Code provisions. She requested this item to be delayed until the September Board meeting if possible. Mr. Kennedy explained this was an item discussed in Closed Session previously after which time he and Legal Counsel regarding whether it should be discussed in Closed or Open Session prior to presenting this matter to the Board in Open Session at this meeting. He noted this was not an as-needed service, but rather related to the hydraulic analysis required for evaluation. He stated he understood the concerns and agreed it could be discussed at the September Board meeting; however, he stated there was certainly no intention to shield anything from the Board or violate the Administrative Code especially when the Board granted authority in a previous Closed Session to move forward with the hydraulic analysis. He pointed out a separate contract could have been issued to complete the work under his authority provided in the Administrative Code, but instead he chose to use this contract since it had already been signed by the parties involved, including Legal Counsel, and it had all the indemnity clauses, insurance, etc. already in place. He noted it was determined bringing this to the Board was the more open and transparent than the minimum standards provided with no intention of shielding anything from the Board.

Director Hamilton asked what the purpose would be for delaying this item. President Brazier stated possibly to gain more information. Director Hayden said if nothing is going to change between today and in one month from now, then why the delay. He stated if there was a legitimate reason to investigate the matter further, he would support deferring this item to September.

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

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President Brazier said due to what occurred at the last meeting, she may have been quick to request delaying this item. Director Hamilton agreed the change order discussed at the August meeting was totally inappropriate; however, this item was a continuation of an existing contract being presented in a relatively timely manner.

President Brazier withdrew her request.

Discussion returned to Item #3.

**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).**

There were no comments.

***The meeting adjourned to Closed Session at 12:09 p.m.***

**5. CLOSED SESSION**

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

**B. Appointment, Employment; Evaluation of Performance – General Manager (Government Code §54957(B)(1))**

***The meeting reconvened at 1:34 p.m.***

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

This item was addressed under Item #8.

Time Certain: 1:00 p.m.

**7. PLEDGE OF ALLEGIANCE**

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

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

Discussion went to Item #10.

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

It was noted Item #32 would be discussed after Item #16.

Discussion went to Item #11.

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**10. 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).**

Susan Trump addressed the Board on the letter published in the newspaper regarding fluoride in the water. She expressed concern the FDA classifies fluoride as an unapproved new drug that is being added to our water. She talked on the points provided in her handout. She asked the Board to reconsider what is being done to younger generations and how they are being affected.

Discussion returned to Item #9.

**11. EMPLOYEE RECOGNITIONS**

**A. Tom Kennedy (5 Years)**

President Brazier noted five years ago at this meeting she was the only Board Member present when Mr. Kennedy was hired. She said she was happy to be able to present him with a five year plaque and check in recognition of all the really good things he has accomplished.

**B. Dawn Washburn (15 Years)**

Mr. Kennedy stated Ms. Washburn has been the RMWD Executive Secretary for the past fifteen years noting the many hats the positions wears and how he relies heavily on her in his scheduling as well as ensuring all meeting agendas are posted in a timely manner. He presented her with a plaque and check in recognition of her tenure.

Discussion went to Item #12.

**\*12. APPROVAL OF MINUTES**

**A. July 23, 2019 - Regular Board Meeting**

***Motion:***

***Approve the minutes as stated.***

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

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

***Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.***

***Absent: Director Gasca***

Discussion went to Item #13.

**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.

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**A. President's Report (President Brazier)**

President Brazier noted five years ago today, the Board selected a new General Manager. She stated the Board at that time gave the General Manager one clear instruction to contact the Lessee of the old Bonsall Reservoir and inform the Lessee the RMWD Board wanted to raise the lease rate. She explained the 6+ acres were leased on an annual basis for \$125 per month which was honored year after year since. She said when the new General Manager was hired, she began speaking out again making requests for updates at each meeting she attended followed with a request to find out the lease and sale value of all the District's properties. She noted the sale values were provided; however, the lease value for the Bonsall Reservoir was not forthcoming.

President Brazier mentioned a letter she recently received from the County Planning and Development Land Use Department notifying her that because she resided adjacent to the property owned by the Lessee, they were seeking her comments on a request for a discretionary permit the Lessee was requesting. She pointed out fifteen years after the fact, the Lessee was looking to have a portion of his property approved for agricultural use and how the acreage matched the same size as the Bonsall Reservoir RMWD had begun leasing to the Lessee in 2003. She stated this raised some questions; therefore, she contacted the County as well as RMWD for additional information. She said she was flabbergasted to find in the information provided by RMWD that the General Manager had extended the Bonsall Reservoir lease for five more years at the same \$125 per month; something not disclosed to the Board. She explained before she decided to say anything, she spent a great deal of time over the past month going through agendas and minutes in which Bonsall Reservoir was mentioned and found the lease extension had never been disclosed. She mentioned when she attended the August Budget and Finance Committee, the General Manager stated he was negotiating for the sale of the reservoir. She pointed out the Board is elected by the ratepayers to look after the District properties, real and otherwise, as well as its financials situations. She recalled when the General Manager was hired, the Board was assured they would be updated and kept informed on this matter which did not happen. She requested an agenda item for the October Board meeting to include a report from the staff on what has transpired, the current status, and what can be done going forward regarding the Bonsall Reservoir lease matter.

**B. Representative Report (Appointed Representative)****1. SDCWA****A. Summary of Board Meeting July 25, 2019**

Mr. Kennedy noted he and Mr. Bebee were excluded from the Closed Session matter of anticipated litigation at the July meeting at which time they certainly made it clear it was not RMWD or FPUD..

**2. CSDA**

Director Mack reported on the August Quarterly meeting at which time Ms. MacKenzie mentioned all Special Districts must meet website compliance. Mr. Kennedy confirmed RMWD's website was already in compliance. Director Mack talked about information provided by the Mayor of Santee regarding the widening of Highway 52 to relieve the county of traffic congestion.

Director Rindfleisch added the speaker also solicited any special districts impacted from the widening of Highway 52 to pledge their support of this initiative. He stated although RMWD may not directly benefit from this project; however, many constituents who travel a further distance to work may experience some traffic relief.

**3. LAFCO**

Mr. Kennedy stated he did not attend the last LAFCO meeting; however, RMWD expects to be working more with LAFCO in the next several months. He mentioned there was no Special District Advisory Committee meeting until October.

**4. San Luis Rey Watershed Council**

There was no report given.

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

Director Hamilton reported the next meeting will be held in October.

**6. ACWA**

There was no report given.

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

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

There were no reports given.

**D. Directors Comments**

Director Rindfleisch requested a break between 4:00-4:15 p.m. should this meeting run late.

Director Mack thanked the Board for voting for him in the CSDA Seat C election although he did not win.

**E. Legal Counsel Comments**

**1. Attorney Report - Water Rate Resolutions (501668-0002)**

Legal Counsel reviewed the information provided in his report noting water rate increases cannot be challenged by referendum.

*Discussion went to Item #14.*

**14. COMMITTEE REPORTS**

**A. Budget and Finance Committee**

Ms. Largent reported the surplus property and outstanding construction units report will now be a recurring monthly agenda item. She noted the committee was provided with a financial software demonstration, an audit update, as well as discussed the MOU with Eastern Municipal Water District and SDCWA emergency shutdown. She mentioned the preliminary year-end financials were deferred to the next committee meeting.

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

**B. Communications and Customer Service Committee**

Director Hamilton noted the committee was considering expanding the committee’s mission statement to include the customer service component, discussed generic response to media posts, reviewed a brochure for meeting participation, considered legislative guidelines for addressing supporting or opposing legislative matters, and were briefed on the MOU with Eastern Municipal Water District. He mentioned one of the interesting aspects the committee reviewed were the website analytics to determine how to improve communications with members of the public and those visiting the website. It was noted any comments regarding the website should be referred to Ms. Gray.

**C. Engineering and Operations Committee**

Mr. Nelson noted the committee continued the review of a few important capital projects that appear to be proceeding at pace as well as were briefed on the SDCWA emergency shutdown. He mentioned a meter reduction request presented to the committee by the Terrace at San Luis Rey HOA for discussion. He stated although the committee is the place to start the discussion, the customer was made aware the Board would make any final decisions regarding this matter. He mentioned at the request of President Brazier, the committee did hold initial discussions regarding the role and inventory of the committee with a follow up discussion scheduled for the September meeting.

Discussion ensued regarding the meter reduction request. Mr. Nelson stated the customer will meet with both Mr. Kennedy and Mr. Strapac to discuss this matter further prior to bringing the matter to the Board for consideration.

Discussion went to Item #15.

**15. PIPELINE 5 RELINING PROJECT UPDATE BY SAN DIEGO COUNTY WATER AUTHORITY**

Teresa Penunuri of SDCWA provided a project close out on the Pipeline 5 Relining project noting the project was completed. She recalled the project specifics including those impacting RMWD’s boundaries. She noted the project was finished under budget and it completed almost 60% of all SDCWA’s relining projects going forward.

Denise Vedder of SDCWA gave a brief presentation on the SDCWA 75<sup>th</sup> anniversary. She presented SDCWA’s 75 Year Anniversary Challenge coins to the RMWD Board Members.

Discussion went to Item #16.

**BOARD ACTION ITEMS**

**\*16. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 19-11, FINDING OF PUBLIC HEALTH AND SAFETY EMERGENCY RELATED TO A SAN DIEGO COUNTY WATER AUTHORITY EMERGENCY PIPELINE SHUTDOWN**

Mr. Kennedy explained Sandy Kerl, Acting General Manager at SDCWA, declared an emergency confirmed by the Board of Directors last week in a similar manner to take the appropriate steps to address the water outage, including but not limited to being able to procure the amount of materials required totaling approximately \$90,000 in pumps and temporary pipelines without having to experience an extended procurement process for which time does not allow. He noted

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should the Board declare the emergency an update will be presented to the Board each month until the emergency has been mitigated.

Director Hamilton inquired as to the tremendous amount of costs incurred by the RMWD ratepayers to mitigate the problem and if SDCWA should be asked to compensate the District. Mr. Kennedy explained it may be in the SDCWA Administrative Code that unless SDCWA damages RMWD's facilities specifically, it may not be subject to compensation; however, he would consult with Legal Counsel on the matter. President Brazier pointed out RMWD had to spend the money to get water to the customers regardless.

**Motion:**

**To approve Option 1 - Approve Resolution 19-11, finding the SDCWA Pipeline Emergency Shutdown an emergency so the General Manager can proceed with replacement of the pipeline per Administrative Code Section 1.04 Emergency Authority and increase emergency authority to a not to exceed amount of \$150,000.**

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

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

**Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.**

**Absent: Director Gasca**

Discussion went to Item #32.

**17. DISCUSSION AND POSSIBLE ACTION REGARDING CONDITION ASSESSMENT CHANGE ORDER**

Mr. Kennedy recalled as the initial analysis was being conducted on the hydraulic implications from SDCWA, an existing contract was utilized with a slight scope change to the work to be performed. He noted the consultant looked into the system demands, upgrading the District's hydraulic model, and water supply alternatives, as well as held numerous workshops with RMWD's staff as part of the preparatory work. He explained this work was winding down and reviewing the contract, the nature of the work needing to be completed under the original contract requires a Change Order to allow for an additional amount. He pointed out in accordance with the Administrative Code the amount exceeds the General Manager's statutory authority due to there already being one Change Order for this project; therefore, it was being presented to the Board for consideration.

**Motion:**

**To approve Option 1 - Approve a Change Order in the amount of \$34,900 for additional services for the District's Condition Assessment of Water Facilities.**

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

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

**Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.**

**Absent: Director Gasca.**

Discussion went to Item #18.

**\*18. DISCUSSION AND POSSIBLE ACTION TO PURCHASE TEN (10) PRE-MANUFACTURED PRESSURE-REDUCING STATIONS**

Mr. Strapac talked about the District's terrain and the impact it has on the water pressure. He gave a presentation showing the self-contained stations noting their many benefits.

Director Hamilton inquired about the costs being approximately \$35,000 out of budget. Mr. Kennedy explained it will need to be appropriated for this next fiscal year. He said if and when the contracts come forward requiring additional appropriations, adjustments will be made mid-year for the installation costs. Director Hamilton noted for the price of ten, RMWD could have added another pressure reducing stations using the savings.

**Motion:**

**Authorize the General Manager to execute the Pressure Reducing Station proposal from EFI dated August 7, 2019 in the amount of \$831,648.27 and execute the early pay option. Appropriate \$35,000 in additional funds in the fiscal year 2019-2020 CIP Budget.**

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

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

**Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.**

**Absent: Director Gasca.**

**President Brazier called for a break at 3:01 p.m.**

**The meeting reconvened at 3:07 p.m.**

Discussion went to Item #19.

**19. DISCUSSION AND POSSIBLE ACTION REGARDING QUIET TITLE ACTION ON PROPERTY NEAR THE DISTRICT HEADQUARTERS DRIVEWAY**

Mr. Strapac recalled a record survey was conducted on the property at which time it was discovered a 7.91 foot gap exists between two adjacent deeds that did not touch located near the RMWD offices driveway. He explained the ownership has to be resolved and the land has to be incorporated into existing conforming parcels in some manner. He mentioned Legal Counsel attempted to research all the previous owners; however, they have not been able to locate one survivor of the original four owners. He stated another option would be to obtain a Quiet Title Action where the court essentially wipes out anyone's interest in the gap which could cost approximately \$25,000.

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Legal Counsel stated given the age of this matter, it is anticipated they would be able to file the papers and receive a default judgement which would take approximately one year to complete due to the notice requirements, service, and scheduling multiple hearings to ensure there are no property interests. He explained should the matter be challenged, it could take approximately eighteen months to complete. Discussion ensued.

***Motion:***

***To approve Option 1 - Authorize the District Counsel Nossaman to begin the Quiet Title process.***

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

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

***Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.***

***Absent: Director Gasca.***

*Discussion went to Item #20.*

**\*20. POSSIBLE ACTION REGARDING APN 127-540-19 WATERLINE EXTENSION CONSTRUCTION AGREEMENT**

Mr. Strapac noted this matter came to his attention when a homeowner for the property in question came to the District regarding a development requiring a fire hydrant on her property. He explained RMWD preferred having an easement on the property as part of the water replacement plan to which the property owners agreed. He mentioned RMWD had asked the property owners to upgrade their 8" line to a 12" line the District could tie into at a later date, it would be beneficial to the District which would possibly pay the price differential between an 8" and 12" pipe. He noted the cost of the differential would be approximately \$80 per foot as opposed to nearly \$360 per foot. He stated staff was asking the Board to allow them to enter into an agreement with the District paying the cost differential.

***Motion:***

***To approve Option 1 - Approve the construction agreement allowing the reimbursement of \$15,793.43 for upsizing the proposed 8" waterline to a 12" waterline.***

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

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

***Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.***

***Absent: Director Gasca.***

*Discussion went to Item #21.*

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**\*21. DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT; EMPLOYMENT; EVALUATION OF PERFORMANCE; OR COMPENSATION OF THE GENERAL MANAGER**

Ms. Harp explained the law requires any action taken on the General Manager's compensation is discussed in Open Session and read aloud. She noted Mr. Kennedy's existing contract calls for a Cost of Living Adjustment effective August 28, 2019 as well as the options available to the Board.

Mr. Kennedy inquired about the CPI in that his contract was on a different scale than the other RMWD employees. Ms. Harp clarified the General Manager contract has always been on a different scale according to the employee MOU's. She explained the contract states the most recent twelve month change for the most recent CPI data publicly available and how the CPI data was now published every two months as opposed to just the first or second half of a year.

***Motion:***

***To approve Option 2 as modified by Director Hamilton - an increase to the General Manager's compensation by 1.4% Cost of Living Adjustment to the annual salary in accordance with the existing contract between Rainbow Municipal Water District and Tom Kennedy and a base merit increase of .6% to bring the General Manager's annual salary to \$241,638 and a one-time lump sum discretionary bonus of zero.***

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

***Vote: Motion passed (summary: Ayes = 3, Noes = 0, Abstain = 1, Absent = 1).***

***Ayes: Director Brazier, Director Hamilton, Director Mack.***

***Abstain: Director Rindfleisch.***

***Absent: Director Gasca.***

*Discussion went to Item #22.*

**\*22. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 19-08 ADOPTING ADMINISTRATIVE CODE CHAPTER 3.06 – CONFIDENTIALITY OF BOARD CLOSED SESSIONS**

Director Hamilton noted this item was postponed for a future date at the last Board meeting and how he asked to have this put back on the agenda. He stated it does behoove the District to have policies and procedures in the Administrative Code relating to the handling of confidential information coming out of Closed Sessions.

***Motion:***

***To approve Ordinance No. 19-08.***

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

***Vote: Motion carried by roll call vote (summary: Ayes = 3, Noes = 0, Abstain = 1, Absent = 1).***

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**Ayes: Director Hamilton, Director Mack, Director Rindfleisch.**

**Abstain: Director Brazier.**

**Absent: Director Gasca.**

Discussion went to Item #23.

**\*23. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 19-09 AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 5.05.050.04 – RECORDS RETENTION - FINANCE**

Mr. Kennedy noted this was a housekeeping item relating where a document type was inadvertently omitted from the record retention program schedule.

**Motion:**

**To approve Ordinance No. 19-09.**

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

**Vote: Motion carried by roll call vote (summary: Ayes = 4, Noes = 0, Absent = 1).**

**Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.**

**Absent: Director Gasca.**

Discussion went to Item #24.

**\*24. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 19-10 AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 2.09 - COMMITTEES**

President Brazier explained this item was on the agenda to provide for an opportunity for her to explain the reason it was postponed at the last Board meeting. She stated because the committees had not been asked for their input; therefore, it will be on the September Board meeting agenda should the committees provide their feedback.

No action taken.

Discussion went to Item #25.

**\*25. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 19-11 AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 2.03.010 – REMUNERATION AND REIMBURSEMENT POLICY**

Mr. Kennedy explained this item was to address Board Members obtaining pre-approval for conference, training and workshop attendance from the Board President as well as establish certain recurring conferences to be automatically approved.

President Brazier noted one of the provisions required an endorsement of the Board President's decision by the remainder of the Board at which time the paperwork must be remitted from the applicants.

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

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Director Hamilton questioned the need for this amendment. He said with the recurring conferences being scheduled months in advance allows the Board Members plenty of time to remit an attendance request. He also did not want to have an incident should the Board not endorse the Board President's decision. President Brazier agreed.

***Motion:***

***To approve Option 3 - Do not approve Ordinance No. 19-11.***

***Action: Do not approve, Moved by Director Hamilton, Seconded by Director Mack.***

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

***Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.***

***Absent: Director Gasca.***

*Discussion went to Item #26.*

**\*26. ACWA COMMITTEE APPOINTMENT CONSIDERATIONS FOR THE 2020-2021 TERM**

Mr. Kennedy explained ACWA was looking for individuals to sit on committees and should any RMWD Board Members wish to participate, paperwork will need to be remitted.

Director Mack asked if a vote was required at this time. It was noted the vote would not take place until after September 30, 2019.

President Brazier stated anyone interested needs to let the Board know at the September 24, 2019 Board meeting. Director Hamilton said he has been contemplating appointment.

Director Hamilton noted it was his understanding the District incurs the cost associated with support of committee activity.

Director Rindfleisch inquired as to whether there would be compensation for participation. Director Hamilton answered he did not believe compensation was available through ACWA.

This item was deferred to the September Board meeting.

*Discussion went to Item #27.*

**\*27. ACWA REGION 10 ELECTION BALLOT FOR 2020-2021**

Mr. Kennedy pointed out ACWA has provided their recommended slate as well as a list of individuals interested in serving. He noted Director Hamilton was on the list. He clarified ACWA's nominating committee puts together the slate of candidates. Discussion ensued.

***Motion:***

***To vote for Director Hayden Hamilton.***

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

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

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**Vote: Motion passed (summary: Ayes = 3, Noes = 0, Abstain = 1, Absent = 1).**

**Ayes: Director Brazier, Director Mack, Director Rindfleisch.**

**Abstain: Director Hamilton.**

**Absent: Director Gasca.**

Discussion went to Item #28.

**\*28. CALL FOR NOMINATIONS FOR SAN DIEGO LOCAL AGENCY FORMATION COMMISSION (LAFCO) SPECIAL DISTRICTS ADVISORY COMMITTEE**

Mr. Kennedy mentioned in 2015 he was elected within the LAFCO election to serve on the Special Districts Advisory Committee and how the term ends in Fall 2019. He pointed out LAFCO was calling for nominations and how he was interested in serving again at the Board's pleasure.

**Motion:**

**To nominate Tom Kennedy.**

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

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

**Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.**

**Absent: Director Gasca.**

Discussion went to Item #29.

**\*29. LAFCO CALL FOR BALLOTS FOR THE SAN DIEGO COUNTY CONSOLIDATED REDEVELOPMENT OVERSIGHT BOARD**

Mr. Kennedy noted RMWD has no stake in this matter and no redevelopment money. He mentioned the candidates spoke at recent CSDA Quarterly Dinner meetings and how LAFCO was experiencing difficulty getting a quorum on this election. He stated the deadline to vote is August 30, 2019.

**Motion:**

**To vote for Mitch Thompson.**

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

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

**Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.**

**Absent: Director Gasca.**

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

Discussion went to Item #30.

**\*30. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

- A. 2019 CSDA Annual Conference
- B. 2019 ACWA Fall Conference

Director Hamilton noted there were four requests for the 2019 CSDA Annual Conference in Anaheim and one request for the 2019 ACWA Fall Conference in San Diego. Director Mack noted he also provided a request to attend the 2019 ACWA Fall Conference to include attending the JPIA luncheon to which he was invited. He pointed out Ms. Washburn had notified the Board in order to make hotel accommodations, registration must be completed.

Director Rindfleisch stated he was interested in attending the 2019 ACWA Fall Conference; however, he was not absolutely certain he could attend and did not provide a request for consideration at this meeting. Director Hamilton pointed out he will be driving each day to the conference and should Director Rindfleisch decide to attend, they could carpool thereby eliminating the need to make hotel reservations.

**Motion:**

**To support and vote on all the annual conference requests for both CSDA and ACWA in one vote.**

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

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

**Ayes: Director Brazier, Director Hamilton, Director Mack, Director Rindfleisch.**

**Absent: Director Gasca.**

Discussion went to Item #31.

**BOARD INFORMATION ITEMS**

**\*31. SAS 114 - THE AUDITOR’S COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE (THE BOARD OF DIRECTORS)**

Ms. Largent explained this was a document from the auditors notifying the Board of Directors the services they will be providing since the Board hires the auditor.

Discussion went to Item #33.

**32. MEMORANDUM OF UNDERSTANDING BETWEEN RMWD, FPUD, AND EASTERN MUNICIPAL WATER DISTRICT UPDATE**

Mr. Kennedy noted this was an information item related to the MOU with Eastern Municipal Water District (EMWD) the Board approved at their last meeting. He mentioned RMWD’s Legal Counsel, FPUD’s Legal Counsel and EMWD’s Legal Counsel have reached an agreement on the indemnity clause insisted upon by EMWD due to a high risk of litigation. He stated there are certain

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protections in place for RMWD; however, it was not a standard indemnity. He pointed out FPUD approved the MOU at their meeting on August 26, 2019 and how RMWD will receive a fully executed copy once all parties have signed.

Mr. Kennedy explained this item was to review some of the culmination and research conducted since October 24, 2018 which was the first mention of this topic he made to Legal Counsel as opposed to prior to his hiring at RMWD as had been suggested by some at SDCWA. He noted Sandy Kerl was present to provide SDCWA's perspective on this matter. He mentioned the next steps would be for the Board to approve an applying for a Sphere of Influence change at Riverside LAFCO followed by applying for the same with San Diego LAFCO. Mr. Kennedy mentioned SDCWA's attorney issued a letter to San Diego LAFCO mentioning challenging or questioning these methods of action; therefore, he will need to contact LAFCO to confirm the correct application process. He said once the applications are filed, there are certain procedural steps Riverside LAFCO needs to take followed by their commission taking action after which San Diego LAFCO can consider exclusion of territory and conduct their own reporting. He stated municipal service reviews will be conducted and amended accordingly.

President Brazier pointed out possible detachment from SDCWA was not discussed prior to Mr. Kennedy joining RMWD because she was on the Board prior to him being hired and this was a very recent item.

Sandy Kerl thanked the Board for the opportunity speak to them today as well as for moving this item up on the agenda. She read aloud the public comments provided in her handout (see Exhibit A attached). She stated Mr. Kennedy did mention to her that he has been working on this idea for approximately five years which coincides with the timeframe in which he was hired at RMWD. She concluded with noting it was very challenging to come before this Board and having this conversation; therefore, it was her hopes both organizations can get back to a more collaborative process to consider the many issues involved with this matter that should be discussed.

Director Hamilton said he appreciated Ms. Kerl for attending this meeting. He explained the Board felt it was necessary to understand whether a de-annexation was even possible which required a great deal of preliminary work prior to approaching SDCWA; thus, it was not until May 21, 2019 that the Board understood the issues well enough to opening discussion with SDCWA. He stated he was somewhat puzzled with Ms. Kerl's interpretation of RMWD's response to SDCWA last week being a summary as opposed to a proposal when it clearly states RMWD would follow the letter of the law and were open to hold discussions with SDCWA in terms of exploring other perspectives or interpretations. He noted should Ms. Kerl clarify in detail what SDCWA wants RMWD to provide, the District will be happy to comply. He pointed out this was not an easy task for anyone involved, but at the bottom line this was purely being viewed from an economic standpoint of saving the ratepayers who pay some of the highest rates for water in the county. He stated RMWD was willing to work with SDCWA to see if there was a means of reaching an equitable solution for all parties involved; however, it requires participation on the part of both parties and today there was perception SDCWA was stalling when it took two months to get a meeting scheduled. He clarified SDCWA was going to hear from the RMWD Board they are interested in moving forward in exploring the situation, they want to understand the full ramifications for everybody involved; therefore, open discussions need to be held with SDCWA relative to these activities. He pointed out RMWD would not sit on this idea for a long time waiting for SDCWA to agree on when they want to discuss the matter because every day it is costing RMWD ratepayers potentially a substantial amount of money and it does not behoove the officials representing those ratepayers to blindly wait. He reiterated RMWD wants to work with SDCWA to reach a conclusion, the District is open to any suggestions and input SDCWA may have relative to the process or activity and move forward from there.

Ms. Kerl appreciated Director Hamilton's comments. She stated the manner in which SDCWA was informed of this idea in that this was a done deal with all the legal papers stating it can be done, financial analysis completed, votes lined up at LAFCO, and how SDCWA can make this easy or tough. She said Mr. Kennedy also spoke with two SDCWA officers the same day and delivered the same message; therefore, from SDCWA's standpoint it appears RMWD has been looking at this for a while without their knowledge which has resulted in SDCWA having to do their due diligence which included remitting a Public Records Request which took approximately a month and a half to receive. She explained once those records were received and reviewed over the next three weeks, SDCWA requested a meeting that was scheduled for July 30<sup>th</sup>. She pointed out the SDCWA Board meets once per month; hence, this matter was discussed one week ago. She said she wanted to be completely transparent with the RMWD Board and how SDCWA has no agenda other than to figure out what is fair and reasonable in this process in hopes of moving forward in that type of conversation.

President Brazier added every responsible organization looks into a great deal of things they never pursue. She said RMWD was curious, interested, and looked into whether it was viable to even consider; therefore, the timeline may be different than what SDCWA wished it was. She stated it took time to decide if it were even worth pursuing. She stressed this was not a done deal, RMWD was not planning to do this since Day 1 or whatever day, but rather something RMWD decided to consider for the benefit of the ratepayers to see if the District can save them money or not. She pointed out there have been frictions between North County and SDCWA for many, many years and how RMWD has made it known it was unhappy with SDCWA in that the two agencies have not always talked well and RMWD has not always felt it has been heard well either.

Ms. Kerl said she truly respects and understands these concerns and part of what her role as Acting General Manager changes are being made to improve those communications, actively engage and have those tough conversations. She stated she absolutely understands RMWD's desire to look into this detachment and how in the SDCWA's Act it does provide a member can be de-annexed which was not a question but rather in the analysis RMWD needs to make sure they have been informed all of the various issues.

Mr. Kennedy addressed some of Ms. Kerl's characterizations of RMWD's communications. He disagreed with the characterizations that he stated he has been working on this for five years and how this was a done deal. He stated he has never said this was a done deal, but rather indicated to Ms. Kerl that RMWD has conducted its research and believe this was something RMWD wanted to pursue. He noted he is familiar enough with LAFCO to know nothing is a done deal until a vote has been taken. Ms. Kerl said all she could do was speak the truth that she knows.

Director Mack referenced Ms. Kerl's comment that RMWD's proposal did not meet the SDCWA guidelines as he asked if she could provide RMWD staff with clarification as to what they needed so this could be moved along more swiftly. Ms. Kerl said when SDCWA met with Mr. Kennedy and Mr. Bebee, discussions took place regarding the specific terms in how this would work and the details of it to which SDCWA received general platitudes in terms of legalities without any terms of mechanics or specifics. She stated she was now speaking with the SDCWA Board of Directors as to how their agency moves forward based on where things are at so they, too, are not in a position to sit by and let this unfold without performing their due diligence. She clarified absent of getting anything else from RMWD, SDCWA was putting together their own materials.

President Brazier asked Ms. Kerl to keep in mind RMWD was still exploring as well.

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Director Rindfleisch noted his thoughts are similar to those already shared by the RMWD Board. He explained he represents a part of the District made up of 80% “young” families. He said those individuals moving into this area do so largely out of financial necessity and how for years RMWD has been the “punching bag” when in reality is these individuals do not understand from where those expenses are being driven. He pointed out those expenses being passed through from SDCWA to RMWD’s ratepayers are overwhelmingly substantial causing incredible financial stress as well as a great deal of community discord. He stressed there was a significant need for relief. Ms. Kerl understood the comments made and said she would be happy to personally come to a RMWD meeting on rates and talk about the SDCWA charges in terms of where the costs come from and what is being passed along to RMWD. Director Hamilton asked if the benefits RMWD ratepayers receive. Director Rindfleisch suggested Ms. Kerl ask SDCWA Directors to take into consideration whether a project under consideration is needful and helpful with individuals located within RMWD boundaries in mind as opposed to political grandstanding. Ms. Kerl said she would be happy to do that.

Discussion went to Item #17.

**\*33. 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

**D. Human Resource & Safety Comments**

1. Human Resources Report
2. Organizational Chart

**E. Finance Comments**

1. Monthly Financial Statements
2. Credit Card Breakdown
3. Directors’ Expense
4. Check Register
5. Water Sales Summary
6. RMWD Sewer Equivalent Dwelling Units (EDU’s) Status

Mr. Gutierrez gave a presentation on RMWD’s response to the SDCWA emergency shutdown. Discussion ensued regarding what would transpire in the event of a fire.

**Motion:**

**To receive and file the information and financial items.**

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

**Vote: Motion passed (summary: Ayes = 3, Noes = 0, Abstain = 1, Absent = 1).**

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

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**Ayes: Director Brazier, Director Hamilton, Director Mack.**

**Abstain: Director Rindfleisch.**

**Absent: Director Gasca.**

Discussion went to Item #34.

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

It was noted the Bonsall Reservoir matter, CloudSuite Financial and Utility Billing Software updates, ACWA committee appointment considerations, Administrative Code Chapter 2.09, and the Resolution Application for LAFCO should be on the next Board meeting agenda.

Discussion went to Item #35.

**35. ADJOURNMENT - To Tuesday, September 24, 2019 at 1:00 p.m.**

***The meeting was adjourned by President Brazier to a regular meeting on September 24, 2019 at 1:00 p.m.***

The meeting was adjourned at 4:16 p.m.

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**Helene Brazier, Board President**

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**Dawn M. Washburn, Board Secretary**

## EXHIBIT A

**Rainbow Municipal Water District  
Board of Directors Regular Board Meeting  
August 27, 2019**

**Public Comment on Potential De-annexation of Rainbow Municipal Water District  
Statement by Sandy Kerl on behalf of San Diego County Water Authority**

Good afternoon. I am Sandy Kerl, Acting General Manager of the San Diego County Water Authority.

None of our Board Officers was available to be here this afternoon, so they requested that I speak on their behalf and on behalf of our Board of Directors.

The Water Authority's Board of Directors met for the first time on the potential de-annexation of Rainbow last week. We deferred a project in your service area until we know what is going on with the potential de-annexation.

Although your agency and Fallbrook have apparently been working on this idea and having conversations with Riverside County since at least last October, no one told the Water Authority about it until just this past May. In fact, it was first mentioned to me by your General Manager Tom Kennedy on May 21, 2019 in a meeting that I had requested on another subject.

Water Authority staff and counsel held off meeting then at the request of our board officers, because they wanted to have a chance to talk with your General Manager and with Fallbrook directly to obtain more information—including your proposal or term sheet.

Our staff and board officers did meet with your team on July 30, and were promised that the Water Authority would receive your proposal—it's now almost one month later, and we still don't have it.

I would note that the Water Authority did receive a document from your General Manager titled a "summary," however, that document does not contain a proposal such as was promised and that our Board needs for review of impacts.

Our Board of Directors believes that there are a number of important issues to be considered which cannot be deliberated without having your proposal.

***These issues include water reliability, water rights, voting rights, allocation of financial obligations, rates, and potentially a host of other legal and financial issues.***

There are also important countywide considerations relating to our economy and quality of life in San Diego County.

Rainbow has been an important part of the San Diego County Water Authority for a very long time.

Rainbow Municipal Water District  
Board of Directors Regular Board Meeting  
August 27, 2019  
Public Comment on Potential De-Annexation of Rainbow Municipal Water District  
Statement by Sandy Kerl on behalf of San Diego County Water Authority  
Page Two

We have been through a lot together. I'm certain there are members of this Board and community who have been around long enough to remember when agricultural water was cut back 90% by MWD—and the Water Authority board stepped up to help.

Our Board would strongly prefer to try to work with you on this rather than fight or litigate about it.

We ask again that you provide your proposal or term sheet addressing ***all of the relevant issues*** so that our Board can begin a process of review based upon a clear understanding of what you are proposing rather than being asked to speculate on what you are proposing.

I appreciate the opportunity to speak to you this morning on behalf of the Water Authority.



**TO:** Rainbow Municipal Water District  
**FROM:** Alfred Smith  
**DATE:** September 24, 2019  
**RE:** Attorney Report: Inverse Condemnation  
150152-0005

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**I. INTRODUCTION.**

This attorney report provides an update on a recent decision from the California Supreme Court on the inverse condemnation doctrine. On August 15, 2019, the California Supreme Court (“Supreme Court”) issued its first inverse condemnation opinion in more than 22 years in the case *City of Oroville v. Superior Court of Butte County*, Case No. S243247 (“Opinion”). In this unanimous opinion authored by Justice Cuéllar, the Supreme Court held that to succeed on an inverse condemnation claim, a property owner must show more than just a causal link between the existence of a public improvement and damage to private property. Specifically, the property owner must demonstrate that “the property damage was the probable result or necessary effect of an inherent risk associated with the design, construction, or maintenance of the relevant public improvement.”

With inverse condemnation litigation on the rise in California, the Supreme Court recognizes the burden that would be placed on public agencies’ scarce resources by imposing absolute or strict liability for any damage, no matter how remote, related to public improvements. As a result, the Supreme Court’s decision raises the bar on what property owners must demonstrate to prove liability by moving away from an automatic strict liability assessment and instead undertaking a more rigorous analysis focused on the reasonableness of the public agency’s actions and the potential responsibility of the private property owner as a result of its acts or omissions that may have played a role in the damages.

**II. BACKGROUND.**

This case involved an inverse condemnation claim brought by three dentists against the City of Oroville (“City”) when a sewer system back-up flooded the office owned by the dentists, where they operated their dental practice. The City adopted the Uniform Plumbing Code which requires property owners to install backwater valves on private sewer lateral lines leading from the City’s main sewer line in order to prevent damage from the City’s gravity-driven sewage system. When the dentists acquired the

property, they completed construction of a building on it, but failed to install a backwater valve. In 2009, plant roots blocked the sewage system resulting in raw sewage discharging from sinks, toilets, and drains in the building. Expert testimony showed that the sewage backup would not have happened if a fully functional backwater valve had been installed.

The dentists filed a lawsuit claiming the City was strictly liable since the damages resulted from a public improvement (the City sewer system). The City argued it was not liable since the damages could have been prevented had the dentists installed a legally-required backwater valve, which they had failed to do. Both the trial court and the Court of Appeal held the City liable under inverse condemnation.

The trial court, relying on *California State Automobile Assn. v. City of Palo Alto* (2006) 138 Cal.App.4th 474 (*Palo Alto*), held it was constrained to hold the City liable in inverse condemnation because one of the causes of damage was root blockage, described in *Palo Alto* as an inherent risk of sewer operation. The Third District Court of Appeal affirmed and held that in order for the City to absolve itself of liability, it would need to prove that non-root forces alone produced the injury, which it did not do.

### **III. COURT'S ANALYSIS.**

The Supreme Court reversed, finding that the Court of Appeal erred by “failing to analyze inverse condemnation with sufficient focus on substantial causation by inherent risks associated with the public improvement, and presuming that the City must disprove any causal connection to the harm.”

Instead, the Supreme Court found no inverse condemnation liability, holding that “public entities are not strictly or otherwise automatically liable for any conceivable damage bearing some kind of connection, however remote, to a public improvement.” Rather, a plaintiff must additionally show that “the damage to private property was substantially caused by inherent risks associated with the design, construction, or maintenance of a public improvement.”

In reaching this result, the Supreme Court walked through the “inherent risks” and the “substantial causation” elements of inverse condemnation, and held that either damages must be (1) the “necessary or probable result” of the public improvement, or (2) the immediate, direct, and necessary effect of the improvement that produced the damage. The Supreme Court explained that this approach “avoids treating inverse condemnation as a species of strict or absolute liability that would avoid the necessary analysis of inherent risks and substantial causation, frustrating the development of public improvements because of the increased costs to public entities.”

The Supreme Court explained that if it were to ignore the private owner's failure to install a backwater valve and simply impose strict liability, it would be:

“airbrushing out of the picture not only the City's considered judgment about what it would take to balance the safety and practical considerations for this public improvement, but [the owners'] noncompliance with an ordinary planning code requirement that would have eliminated or at least mitigated risks of sewer backup damage. That is hardly different than turning inverse condemnation into a basis for automatic imposition of liability on the public entity if even a tenuous causal connection exists between the public improvement and private property damage, irrespective of whether a plaintiff's act or omission materially contributes to the risk. And it ignores that the City, like all public entities in an imperfect world of scarce resources, is in the business of weighing safety, the availability of resources, and possible risks that may result from its public improvements.”

The Supreme Court's decision focuses on a two-part test for determining liability under an inverse condemnation claim: (1) did the public improvement, as deliberately designed, constructed, and maintained, substantially cause the damage; and (2) were the inherent risks of the public improvement's design, construction, or maintenance the cause of the damage?

The Court held “substantial causation” is where the nexus between the risks of the system's design and the harm caused was “sufficiently robust to create a pronounced likelihood of damage.” The Court stated this nexus test is applicable regardless of if there are several concurrent causes. The Court held that the appeals court failed to address whether the risks of the sewer design were the substantial cause of the damage.

The Court further held that “inherent risks” are where the injury to the property arises from the dangers of the public improvement as deliberately designed, constructed, or maintained. The Court reasoned that such a limitation “avoids open-ended liability by protecting public entities from liability for private property damage that is arguably connected to a public improvement but is not the result of the improvement's inherent risks.”

The Court specifically stated that inherent risks include a circumstance where a public entity chooses to use a lower cost plan in creating a public improvement or where a public entity chooses not to routinely maintain a public improvement. The Court reasoned “if the public entity makes a policy choice to benefit from the cost savings ... inverse condemnation principles command the corollary obligation to pay for the damages caused when the risks attending these cost saving measures materialize.”

#### **IV. CONCLUSION.**

The Opinion is significant not only in that it is the first time the Supreme Court has weighed in on an inverse condemnation case since *Bunch v. Coachella Valley Water District*, 15 Cal.4th 432 (1997), but also because it is a distinct departure from the strict liability focus featured in earlier inverse condemnation cases. Instead, the Opinion incorporates elements of the reasonableness framework previously limited to inverse condemnation cases involving flood control improvements.

Significantly, the Supreme Court explained that for inverse condemnation claims, courts are permitted to consider a “plaintiff’s act or omission in the chain of causation, for example, a property owner’s failure to follow reasonable requirements imposed by the public entity to reduce the risk of the public improvement.” In other words, instead of automatically imposing inverse condemnation liability if a public improvement is a cause of damages to private property, courts must undertake a liability assessment which includes analyzing whether the damages were also a result of the acts or omissions of the private property owner.

Accordingly, in this case, the Supreme Court found that “the record supports that the City acted reasonably in adopting the design for the sewer system, and that the sewer was designed in accordance with the accepted practices for designing and constructing sewer systems of that time.” The Supreme Court further relied on a “reasonableness” assessment in stating that it was reasonable for the City to expect the private property owners to comply with the law.

While the Opinion does not expressly state that the Supreme Court is abandoning the prior strict liability standard, the holding in this case suggests that the Supreme Court now contemplates a more nuanced analysis of the substantial cause element of inverse condemnation claims than before. The Opinion amounts to a significant win for public agencies and public utilities across California.

AES/AES

**BOARD OF DIRECTORS**

September 24, 2019

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**SUBJECT**

DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 19-12 — 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 SEPTEMBER 24, 2019 THROUGH JUNE 30, 2020

**BACKGROUND**

In compliance with state and CalPERS regulations, the District maintains a Salary Grade structure that includes all job titles, salary grade levels, and monthly salary ranges for each grade. The table is available for public review, accessible from the Rainbow MWD website, and is published on a website hosted by the California State Controller.

Since the Right of Way and Facilities Coordinator left the District in June, the duties for that position were absorbed into other jobs. The changes in job duties resulted in a job title change for one position, which is reflected in the Salary Grade Structure on Resolution No. 19-12. The Environmental Health and Safety Officer is now the Risk Management Officer.

**DESCRIPTION**

The grade structure is revised to reflect the elimination of the Right of Way and Facilities Coordinator and the title change for the Risk Management Officer. Resolution No. 19-12 rescinds Resolution No. 19-09.

**POLICY/STRATEGIC PLAN KEY FOCUS AREA**

Updating this document with current information allows the District to comply with CalPERS requirements and California Code of Regulations 570.5 and 571.

**ENVIRONMENTAL**

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a “project” as defined by CEQA and further environmental review is not required at this time.

**BOARD OPTIONS/FISCAL IMPACTS**

This resolution allows the District to comply with CalPERS requirements and the provisions of the bargaining unit MOUs. There is no fiscal impact.

1. Option 1: Approve Resolution No. 19-12 as presented.
2. Option 2: Do not approve Resolution No. 19-12.

**STAFF RECOMMENDATION**

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Staff recommends approval of Resolution No. 19-12



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Karleen Harp, COSM  
Human Resources Manager

09/24/2019

**RESOLUTION NO. 19-~~1209~~**

**RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT ESTABLISHING CLASSIFICATIONS AND MONTHLY RATES OF PAY FOR DISTRICT EMPLOYEES EFFECTIVE ~~JULY 1, 2019~~SEPTEMBER 24, 2019 THROUGH JUNE 30, 2020**

<b>Exempt Salary Grade</b>	<b>Monthly Salary Range/ Biweekly Rate / Hourly Equivalent</b>	<b>Job Titles</b>
<b>GM</b>	<b>\$15,069- \$21,700/</b> \$6,955.20 - \$10,015.20 \$86.94 - \$125.19	General Manager
<b>E11</b>	<b>\$10,678.83 - \$15,377.08 /</b> \$4,928.80 - \$7,096.80 / \$61.61- \$88.71	District Engineer Finance Manager Operations Manager
<b>E10</b>	<b>\$9,285.47- \$13,462.80 /</b> \$4,285.60 - \$6,213.60 / \$53.57 – \$77.67	Human Resources Manager
<b>E9</b>	<b>\$8,075.60 - \$11,708.67 /</b> \$3,727.20 - \$5,404.00 / \$46.59 - \$67.55	Associate Engineer Construction and Maintenance Superintendent Project Manager Senior IT and Applications Analyst Water Operations Superintendent
<b>E8</b>	<b>\$7,021.73 - \$10,179.87 /</b> \$3,240.80 - \$4,698.40 / \$40.51 - \$58.73	Information Technology and Applications Analyst <del>Environmental Health and Safety</del> <u>Risk Management</u> Officer Wastewater Superintendent

<b>Non-Exempt Salary Grade</b>	<b>Monthly Salary Range/ Hourly Range</b>	<b>Job Titles</b>
<b>N7</b>	<b>\$6,701.07 - \$9,717.07 /</b> \$38.66 - \$56.06	Executive Assistant/Board Secretary Lead Operator Senior Engineering Inspector Technical Services Team Lead
<b>N6</b>	<b>\$5,827.47 - \$8,450.00 /</b> \$33.62 - \$48.75	Administrative Analyst Crew Leader – Valve Maintenance Crew Leader – Construction & Maintenance Customer Service Supervisor Electronic / Electrical Technician II Meter Services Supervisor <del>Right of Way and Facilities</del> <u>Coordinator</u> System Operator III
<b>N5</b>	<b>\$5,066.53 - \$7,345.87 /</b> \$29.23 - \$42.38	Accounting Specialist II Electrical / Electronics Technician I Engineering Technician II Mechanic II

		Senior Meter Services Technician System Operator II Utility Worker III – Construction Utility Worker III – Valve Maintenance Utility Worker III – Wastewater Services
<b>N4</b>	<b>\$4,406.13 - \$6,387.33 /</b> <b>\$25.42 - \$36.85</b>	Accounting Specialist I Administrative Assistant II Cross Connection Control and Backflow Technician Engineering Inspector I Engineering Technician I Purchasing & Inventory Control Specialist II System Operator I Utility Worker II – Construction Utility Worker II/III – Meter Services Utility Worker II – Valve Maintenance Utility Worker II – Wastewater Services
<b>N3</b>	<b>\$3,830.67 - \$5,555.33 /</b> <b>\$22.10 - \$32.05</b>	Administrative Assistant I Customer Service Representative II Development Services Representative Purchasing / Inventory Control Specialist I Utility Worker I – Construction Utility Worker I – Meter Services Utility Worker I – Valve Maintenance Utility Worker I – Wastewater Services
<b>N2</b>	<b>\$3,329.73 - \$4,830.80 /</b> <b>\$19.21- \$27.87</b>	Customer Service Representative I Human Resources Assistant
<b>N1</b>	<b>\$2,813.20 - \$4,080.27 /</b> <b>\$16.72 - \$24.25</b>	Interns

Legacy Salary Grade	Monthly Salary Range/ Hourly Range	Job Titles
<b>L5/L6</b>	<b>\$4,884-\$6,408 /</b> <b>\$28.18 - \$37.71</b>	Utility Worker II/III – Meter Services

Resolution No. 19-~~1209~~ rescinds Resolution No. 19-097.

**PASSED, APPROVED, AND ADOPTED** in Open Session at a meeting of the Board of Directors of the Rainbow Municipal Water District held on the 245<sup>th</sup> day of ~~September~~June 2019 by the following vote, to wit:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Helene Brazier, Board President

**ATTEST:**

\_\_\_\_\_  
Dawn Washburn, Board Secretary

**RESOLUTION NO. 19-12**

**RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT ESTABLISHING CLASSIFICATIONS AND MONTHLY RATES OF PAY FOR DISTRICT EMPLOYEES EFFECTIVE SEPTEMBER 24, 2019 THROUGH JUNE 30, 2020**

<b>Exempt Salary Grade</b>	<b>Monthly Salary Range/ Biweekly Rate / Hourly Equivalent</b>	<b>Job Titles</b>
<b>GM</b>	<b>\$15,069- \$21,700/</b> \$6,955.20 - \$10,015.20 \$86.94 - \$125.19	General Manager
<b>E11</b>	<b>\$10,678.83 - \$15,377.08 /</b> \$4,928.80 - \$7,096.80 / \$61.61- \$88.71	District Engineer Finance Manager Operations Manager
<b>E10</b>	<b>\$9,285.47- \$13,462.80 /</b> \$4,285.60 - \$6,213.60 / \$53.57 – \$77.67	Human Resources Manager
<b>E9</b>	<b>\$8,075.60 - \$11,708.67 /</b> \$3,727.20 - \$5,404.00 / \$46.59 - \$67.55	Associate Engineer Construction and Maintenance Superintendent Project Manager Senior IT and Applications Analyst Water Operations Superintendent
<b>E8</b>	<b>\$7,021.73 - \$10,179.87 /</b> \$3,240.80 - \$4,698.40 / \$40.51 - \$58.73	Information Technology and Applications Analyst Risk Management Officer Wastewater Superintendent

<b>Non-Exempt Salary Grade</b>	<b>Monthly Salary Range/ Hourly Range</b>	<b>Job Titles</b>
<b>N7</b>	<b>\$6,701.07 - \$9,717.07 /</b> \$38.66 - \$56.06	Executive Assistant/Board Secretary Lead Operator Senior Engineering Inspector Technical Services Team Lead
<b>N6</b>	<b>\$5,827.47 - \$8,450.00 /</b> \$33.62 - \$48.75	Administrative Analyst Crew Leader – Valve Maintenance Crew Leader – Construction & Maintenance Customer Service Supervisor Electronic / Electrical Technician II Meter Services Supervisor System Operator III
<b>N5</b>	<b>\$5,066.53 - \$7,345.87 /</b> \$29.23 - \$42.38	Accounting Specialist II Electrical / Electronics Technician I Engineering Technician II Mechanic II Senior Meter Services Technician System Operator II Utility Worker III – Construction

		Utility Worker III – Valve Maintenance Utility Worker III – Wastewater Services
<b>N4</b>	<b>\$4,406.13 - \$6,387.33 /</b> <b>\$25.42 - \$36.85</b>	Accounting Specialist I Administrative Assistant II Cross Connection Control and Backflow Technician Engineering Inspector I Engineering Technician I Purchasing & Inventory Control Specialist II System Operator I Utility Worker II – Construction Utility Worker II/III – Meter Services Utility Worker II – Valve Maintenance Utility Worker II – Wastewater Services
<b>N3</b>	<b>\$3,830.67 - \$5,555.33 /</b> <b>\$22.10 - \$32.05</b>	Administrative Assistant I Customer Service Representative II Development Services Representative Purchasing / Inventory Control Specialist I Utility Worker I – Construction Utility Worker I – Meter Services Utility Worker I – Valve Maintenance Utility Worker I – Wastewater Services
<b>N2</b>	<b>\$3,329.73 - \$4,830.80 /</b> <b>\$19.21- \$27.87</b>	Customer Service Representative I Human Resources Assistant
<b>N1</b>	<b>\$2,813.20 - \$4,080.27 /</b> <b>\$16.72 - \$24.25</b>	Interns

<b>Legacy Salary Grade</b>	<b>Monthly Salary Range/ Hourly Range</b>	<b>Job Titles</b>
<b>L5/L6</b>	<b>\$4,884-\$6,408 /</b> <b>\$28.18 - \$37.71</b>	Utility Worker II/III – Meter Services

Resolution No. 19-12 rescinds Resolution No. 19-09.

**PASSED, APPROVED, AND ADOPTED** in Open Session at a meeting of the Board of Directors of the Rainbow Municipal Water District held on the 24<sup>th</sup> day of September 2019 by the following vote, to wit:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Helene Brazier, Board President

**ATTEST:**

\_\_\_\_\_  
Dawn Washburn, Board Secretary

## BOARD OF DIRECTORS

September 24, 2019

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### SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 19-12 - AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 1.02.020 – CONFLICT OF INTEREST

### BACKGROUND

As the positions change at the District, a review of the Conflict of Interest Code is conducted to determine whether those positions listed in the Conflict of Interest Code need to be updated accordingly.

### DESCRIPTION

Administrative Code Section 1.02.020 has been updated to reflect the recent elimination of the Right of Way and Facilities Coordinator position and the position title change from Environmental Health and Safety Officer to Risk Management Officer.

### POLICY/STRATEGIC PLAN KEY FOCUS AREA

Administrative Code Section 1.02.020 – Conflict of Interest

Strategic Focus Area Three: Workforce Development

### BOARD OPTIONS/FISCAL IMPACTS

- 1) Approve Ordinance No. 19-12 amending and updating Administrative Code Section 1.02.020.
- 2) Approve Ordinance No. 19-12 amending and updating Administrative Code Section 1.02.020 with revisions.
- 3) Provide staff with further direction.
- 4) Do not approve Ordinance No. 19-12 amending and updating Administrative Code Section 1.02.020.

There will be no known direct fiscal impact associated with any of the Board Options.

### ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a “project” as defined by CEQA and further environmental review is not required at this time.

**STAFF RECOMMENDATION**

Approve Ordinance No. 19-12 amending and updating Administrative Code Section 1.02.020.

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Tom Kennedy, General Manager

9/24/19

**Ordinance No. 19-12**

**Ordinance of the Board of Directors of the Rainbow Municipal Water District  
Amending the Administrative Code  
Section 1.02.020 – Conflict of Interest**

WHEREAS, the Rainbow Municipal Water District has, from time to time, adopted various rules and regulations for the operation of the District; and

WHEREAS, certain of those rules and regulations require updating to reflect best practices, as well as changes in applicable laws; and

WHEREAS, the Board of Directors has determined that changes in the rules or regulations of the District shall occur solely by amendment to the Administrative Code;

NOW, THEREFORE,

BE IT ORDAINED by the Board of Directors of Rainbow Municipal Water District as follows:

1. The following rules and regulations of the District, collected are hereby adopted and shall be incorporated into the Administrative Code, consisting of:

Section 1.02.020: Conflict of Interest

2. The General Manager is hereby directed to update the Administrative Code to reflect the approval of these rules and regulations, and to assign or reassign the numbering of the Administrative Code as necessary to codify these rules and regulations as amended.

3. This ordinance shall take effect immediately upon its adoption on this 24th day of September 2019.

**AYES:  
NOES:  
ABSTAIN:  
ABSENT:**

\_\_\_\_\_  
Helene Brazier, Board President

**ATTEST:**

\_\_\_\_\_  
Dawn Washburn, Board Secretary



## **Section 1.02.020 Conflict of Interest**

**1.02.020.01** The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. Section 18730) that contains the terms of a standard conflict of interest code and may be incorporated by reference in any agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to confirm to amendments in the Political Reform Act.

**1.02.020.02** Therefore, the terms of 2 California Code of **Regulations Section 18730** and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating positions, and establishing disclosure requirements, shall constitute the conflict of interest code of the Rainbow Municipal Water District.

**1.02.020.03** Individuals holding designated and non-designated positions shall file their Statements of Economic Interest with Rainbow Municipal Water District, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Upon receipt of the statements for the Board Members and General Manager, the Board Secretary shall make and retain copies and forward the originals of these statements to the County Board of Supervisors. Statements for all other designated employees shall be retained by Rainbow Municipal Water District.

Any public officials who manage public investments shall be considered non-designated positions under Government Code section 87200 and shall make the disclosures required by law. Originals of all Statements of Economic Interest filed by non-designated positions will be maintained at the District office.

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**Appendix A**  
**Rainbow Municipal Water District Conflict of Interest Code**

**Preamble**

Any person designated in Section I of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from Rainbow Municipal Water District's General Counsel. (Gov. Code § 83114; 2 CCR § 18730(b)(11).) A person who acts in good faith in reliance on an opinion issued to him or her by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code § 83114(a).)

Opinions rendered by General Counsel do not provide any statutory defense to an alleged violation of conflict of interest statutes or regulations. The prosecuting agency may, but is not required to, consider a requesting party's reliance on General Counsel's opinion as evidence of good faith. In addition, Rainbow Municipal Water District may consider whether such reliance should constitute a mitigating factor to any disciplinary action that Rainbow Municipal Water District may bring against the requesting party under Government Code section 91003.5.

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## Part I - Designated Positions

<u>Designated Employees</u>	<u>Categories Disclosed</u>
Members of the Board of Directors	All
General Manager	All
General Counsel	All
District Engineer	All
Operations Manager	All
Human Resources Manager	All
Construction/Maintenance Superintendent	All
Water Operations Superintendent	All
Wastewater Superintendent	All
Associate Engineer	All
Purchasing & Inventory Control Specialist I/II	All
<u>Risk Management Officer</u> <u>Environmental Health</u> <u>and Safety Officer</u>	All
Senior Engineering Inspector	All

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Cross Connection Control and Backflow Technician	All
Information Technology and Applications Analyst and Senior Information Technology and Applications Analyst	All
<del>Right of Way and Facilities Coordinator</del>	<del>All</del>
Project Manager	All
Meter Services Supervisor	All
Customer Service Supervisor	All
<sup>1</sup> Consultants	2

### Part II – Non-Designated Positions

Finance Manager	Pursuant to Applicable Laws
Standing District Committee Members	2
Auditor	2

<sup>1</sup> With respect to consultants, the General Manager may determine in writing that a particular consultant, although a “designated employee,” is hired to perform a range of duties that is limited in scope and thus is not required to comply with the written disclosure requirements described in these categories. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and shall be retained for public inspection by Rainbow Municipal Water District in the same manner as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

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## Part II - Disclosure Categories

### Category 1.

A designated employee or person in this category shall report all interests in real property, and investments in, and income from, business entities of the type to operate or provide any of the following:

- Accounting or auditing services
- Banks and savings and loans
- Computer hardware or software, or computer services or consultants
- Communications equipment or services
- Insurance brokers and agencies
- Insurance adjusting, claims auditing or administration, or underwriting services
- Office equipment or supplies
- Personnel and employment companies and services
- Printing or reproduction services, publications, and distribution
- Securities, investment or financial services companies
- Title insurance and escrow
- Construction supplies, service or equipment
- Engineering and surveying services
- Land development services

### Category 2.

A designated employee in this category shall disclose all business positions in, investments in, and income from any business of the type to provide personnel, services, supplies, material, machinery, or equipment to Rainbow Municipal Water District and is associated with the job assignment or position of the designated employee or person.

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**Appendix B**  
**Statement of Duties of Employees of**  
**and Consultants to Rainbow Municipal Water District**

Members of the Board of Directors

The Board of Directors acts as the Rainbow Municipal Water District's governing body. Members of the Board of Directors formulate general policy and programs of Rainbow Municipal Water District, and each member of the Board of Directors therefore is designated.

General Manager

General Manager oversees the day-to-day operations of Rainbow Municipal Water District. He or she participates in the formulation and implementation of the policies and programs of Rainbow Municipal Water District and therefore is designated.

General Counsel

General Counsel, currently hired on a contract basis, advises Rainbow Municipal Water District on its day-to-day activities, including its relationships with the independent contractors who serve in a staff capacity to Rainbow Municipal Water District, and compliance with applicable laws and regulations. He or she participates in the formulation and implementation of the policies and programs of Rainbow Municipal Water District and therefore is designated.

Financial Manager

An employee of the Rainbow Municipal Water District, the Financial Manager is Rainbow Municipal Water District's Chief Financial Officer and helps manage the finances of Rainbow Municipal Water District. The Financial Manager makes reports from time to time on the financial results of operations of Rainbow Municipal Water District, and recommends fiscal policies to the Board of Directors. The Financial Manager "manages public investments" within the meaning of applicable regulations. He or she therefore is not designated.

District Engineer

The District Engineer provides engineering services and oversight to Rainbow Municipal Water District, including implementation of capital replacement projects. He or she participates in the formulation of Rainbow Municipal Water District's general policies and programs in the area of engineering and is therefore designated.

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### Operations Manager

The Operations Manager oversees the operation and maintenance of the water and wastewater lines and structures, participates in the formulation of Rainbow Municipal Water District's general policies and programs in the area of operations and maintenance and is therefore designated.

### Human Resources Manager

The Human Resources Manager plans, directs and oversees the following programs and activities: human resources; risk management and safety; labor relations; workers' compensation, property and liability insurance and is therefore designated.

### Construction/Maintenance Superintendent

The Construction/Maintenance Superintendent has managerial responsibilities to direct and oversee the Construction and Valve Maintenance and Fleet Divisions. This position coordinates and manages the installation, maintenance and repair of water mains, service lines, fire hydrants, valves, pressure regulating stations, pumps, motors and other related appurtenances used in the District water distribution, treatment and storage facilities and fleet maintenance and repair and is therefore designated.

### Water Operations Superintendent

The Water Operations Superintendent has managerial responsibilities to direct and oversee the Water Operations Division, the electrical program and the Supervisory Control and Data Acquisition (SCADA) and telemetry systems. This position will coordinate and manage the installation, maintenance, repair and operation of District water distribution, treatment, pumping and storage facilities and electrical, electronic and telemetry repair and maintenance and is therefore designated.

### Wastewater Superintendent

The Wastewater Superintendent has managerial responsibility to direct and oversee the Wastewater Division. This position coordinates and manages the repair, maintenance and operation of the wastewater pumping and collection system as well as may assist with installation, maintenance and repair of water distribution facilities and is therefore designated.

### Associate Engineer

The Associate Engineer performs a variety of routine and semi-routine professional level civil engineering work in the research, design and construction of water and sewer capital improvement and construction projects as well as reviews development plans and is therefore designated.

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### Purchasing & Inventory Control Specialist I/II

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The ~~Risk Management Officer/Environmental Health & Safety Officer~~ has responsibility for the planning and administration of the District programs and services related to safety, security, emergency preparedness, and environmental compliance functions and processing claims and is therefore designated.

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The Senior Engineering Inspector performs highly specialized and complex public works construction inspection work. This position acts as the District's representative on the construction site for the expressed intent of enforcement of District construction standards and regulations and is therefore designated.

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### Information Technology and Applications Analyst /Senior IT and Applications Analyst

The Senior Information Technology and Applications Analyst/Senior Information and Applications Analyst position monitors, maintains, troubleshoots, and diagnoses hardware, software, database and network problems and identifies courses of action. This position also supervises the purchasing, inventorying, maintenance and the disposing of computing and communication devices, hardware and software and is therefore designated.

### ~~Right of Way and Facilities Coordinator~~

~~The Right of Way and Facilities Coordinator is responsible for monitoring and resolving right-of-way issues related to acquisitions, vegetation clearing, and encroachments. This position also coordinates all facilities maintenance, including selecting service providers and vendors for landscaping, building and grounds maintenance, and is therefore designated.~~

### Project Manager

The Project Manager manages Capital Improvement Projects (CIP) and development projects related to the design and construction of water and wastewater distribution and collection

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systems. Manages projects from start to finish, from project planning to final inspection. Coordinates with District staff, contractors, and other agencies to deliver projects and is therefore designated.

#### Meter Services Supervisor

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**Section 1.02.020**  
**Conflict of Interest**

**1.02.020.01** The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. Section 18730) that contains the terms of a standard conflict of interest code and may be incorporated by reference in any agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

**1.02.020.02** Therefore, the terms of 2 California Code of **Regulations Section 18730** and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating positions, and establishing disclosure requirements, shall constitute the conflict of interest code of the Rainbow Municipal Water District.

**1.02.020.03** Individuals holding designated and non-designated positions shall file their Statements of Economic Interest with Rainbow Municipal Water District, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Upon receipt of the statements for the Board Members and General Manager, the Board Secretary shall make and retain copies and forward the originals of these statements to the County Board of Supervisors. Statements for all other designated employees shall be retained by Rainbow Municipal Water District.

Any public officials who manage public investments shall be considered non-designated positions under Government Code section 87200 and shall make the disclosures required by law. Originals of all Statements of Economic Interest filed by non-designated positions will be maintained at the District office.

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**Appendix A**  
**Rainbow Municipal Water District Conflict of Interest Code**

**Preamble**

Any person designated in Section I of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from Rainbow Municipal Water District's General Counsel. (Gov. Code § 83114; 2 CCR § 18730(b)(11).) A person who acts in good faith in reliance on an opinion issued to him or her by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code § 83114(a).)

Opinions rendered by General Counsel do not provide any statutory defense to an alleged violation of conflict of interest statutes or regulations. The prosecuting agency may, but is not required to, consider a requesting party's reliance on General Counsel's opinion as evidence of good faith. In addition, Rainbow Municipal Water District may consider whether such reliance should constitute a mitigating factor to any disciplinary action that Rainbow Municipal Water District may bring against the requesting party under Government Code section 91003.5.

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## Part I - Designated Positions

<u>Designated Employees</u>	<u>Categories Disclosed</u>
Members of the Board of Directors	All
General Manager	All
General Counsel	All
District Engineer	All
Operations Manager	All
Human Resources Manager	All
Construction/Maintenance Superintendent	All
Water Operations Superintendent	All
Wastewater Superintendent	All
Associate Engineer	All
Purchasing & Inventory Control Specialist I/II	All
Risk Management Officer	All
Senior Engineering Inspector	All

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Cross Connection Control and Backflow Technician	All
Information Technology and Applications Analyst and Senior Information Technology and Applications Analyst	All
Project Manager	All
Meter Services Supervisor	All
Customer Service Supervisor	All
<sup>1</sup> Consultants	2

**Part II – Non-Designated Positions**

Finance Manager	Pursuant to Applicable Laws
Standing District Committee Members	2
Auditor	2

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<sup>1</sup> With respect to consultants, the General Manager may determine in writing that a particular consultant, although a “designated employee,” is hired to perform a range of duties that is limited in scope and thus is not required to comply with the written disclosure requirements described in these categories. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and shall be retained for public inspection by Rainbow Municipal Water District in the same manner as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

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## Part II - Disclosure Categories

### Category 1.

A designated employee or person in this category shall report all interests in real property, and investments in, and income from, business entities of the type to operate or provide any of the following:

- Accounting or auditing services
- Banks and savings and loans
- Computer hardware or software, or computer services or consultants
- Communications equipment or services
- Insurance brokers and agencies
- Insurance adjusting, claims auditing or administration, or underwriting services
- Office equipment or supplies
- Personnel and employment companies and services
- Printing or reproduction services, publications, and distribution
- Securities, investment or financial services companies
- Title insurance and escrow
- Construction supplies, service or equipment
- Engineering and surveying services
- Land development services

### Category 2.

A designated employee in this category shall disclose all business positions in, investments in, and income from any business of the type to provide personnel, services, supplies, material, machinery, or equipment to Rainbow Municipal Water District and is associated with the job assignment or position of the designated employee or person.

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**Appendix B  
Statement of Duties of Employees of  
and Consultants to Rainbow Municipal Water District**

Members of the Board of Directors

The Board of Directors acts as the Rainbow Municipal Water District's governing body. Members of the Board of Directors formulate general policy and programs of Rainbow Municipal Water District, and each member of the Board of Directors therefore is designated.

General Manager

General Manager oversees the day-to-day operations of Rainbow Municipal Water District. He or she participates in the formulation and implementation of the policies and programs of Rainbow Municipal Water District and therefore is designated.

General Counsel

General Counsel, currently hired on a contract basis, advises Rainbow Municipal Water District on its day-to-day activities, including its relationships with the independent contractors who serve in a staff capacity to Rainbow Municipal Water District, and compliance with applicable laws and regulations. He or she participates in the formulation and implementation of the policies and programs of Rainbow Municipal Water District and therefore is designated.

Financial Manager

An employee of the Rainbow Municipal Water District, the Financial Manager is Rainbow Municipal Water District's Chief Financial Officer and helps manage the finances of Rainbow Municipal Water District. The Financial Manager makes reports from time to time on the financial results of operations of Rainbow Municipal Water District, and recommends fiscal policies to the Board of Directors. The Financial Manager "manages public investments" within the meaning of applicable regulations. He or she therefore is not designated.

District Engineer

The District Engineer provides engineering services and oversight to Rainbow Municipal Water District, including implementation of capital replacement projects. He or she participates in the formulation of Rainbow Municipal Water District's general policies and programs in the area of engineering and is therefore designated.

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### Operations Manager

The Operations Manager oversees the operation and maintenance of the water and wastewater lines and structures, participates in the formulation of Rainbow Municipal Water District's general policies and programs in the area of operations and maintenance and is therefore designated.

### Human Resources Manager

The Human Resources Manager plans, directs and oversees the following programs and activities: human resources; risk management and safety; labor relations; workers' compensation, property and liability insurance and is therefore designated.

### Construction/Maintenance Superintendent

The Construction/Maintenance Superintendent has managerial responsibilities to direct and oversee the Construction and Valve Maintenance and Fleet Divisions. This position coordinates and manages the installation, maintenance and repair of water mains, service lines, fire hydrants, valves, pressure regulating stations, pumps, motors and other related appurtenances used in the District water distribution, treatment and storage facilities and fleet maintenance and repair and is therefore designated.

### Water Operations Superintendent

The Water Operations Superintendent has managerial responsibilities to direct and oversee the Water Operations Division, the electrical program and the Supervisory Control and Data Acquisition (SCADA) and telemetry systems. This position will coordinate and manage the installation, maintenance, repair and operation of District water distribution, treatment, pumping and storage facilities and electrical, electronic and telemetry repair and maintenance and is therefore designated.

### Wastewater Superintendent

The Wastewater Superintendent has managerial responsibility to direct and oversee the Wastewater Division. This position coordinates and manages the repair, maintenance and operation of the wastewater pumping and collection system as well as may assist with installation, maintenance and repair of water distribution facilities and is therefore designated.

### Associate Engineer

The Associate Engineer performs a variety of routine and semi-routine professional level civil engineering work in the research, design and construction of water and sewer capital improvement and construction projects as well as reviews development plans and is therefore designated.

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#### Standing District Committee Members

A member or alternate committee member of a Rainbow Municipal Water District standing committee serves at the pleasure of the Board. These committees are advisory to the Board with regard to matters within their respective areas of responsibility. A committee has jurisdiction to consider and make a recommendation to other committees and to the Board regarding any item of business within the responsibility of the committee. Committee recommendations shall be communicated to the Board. A committee may consider other matters referred to it by the Board. Therefore, standing district committee members shall be considered non-designated positions and will file Statements of Economic Interest forms with the District only for public review and information purposes.

\\rmwd-b\Main\Administration\Confidential\Administrative Code Working Docs\Drafts\_Not Approved\Conflict of Interest 1.02.020\_20190924.docx\Approved 8-3-05 by Ordinance No. 05-07\Amended and Updated 7-21-06 by Resolution No. 06-10\Approved 11-17-06 by Ordinance No. 06-09\Amended and Updated 8-26-08 by Resolution No. 08-10\Approved 10-28-08 by Ordinance No. 08-11\Amended and Updated 06-26-12 by Ordinance No. 12-02\Amended and Updated 4-23-13 by Ordinance No. 13-04\Amended and Updated 4-22-14 by Ordinance No. 14-02\Amended and Updated 8-26-14 by Ordinance No. 14-06\Amended and Updated 2-24-15 by Ordinance No. 15-04\Amended and Updated 1-26-16 by Ordinance No. 16-02\Amended and Updated 3-22-16 by Ordinance No. 16-04\Amended and Updated 1-23-18 by Ordinance No. 18-02\Amended and Updated 3-27-18 by Ordinance No. 18-05\Amended and Updated 5-22-18 by Ordinance No. 18-12\Amended and Updated 8-28-18 by Ordinance No. 18-19\Amended and Updated 12-4-18 by Ordinance No. 18-27\Amended and Updated 6-25-19 by Ordinance No. 19-06\DRAFT



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### BOARD OF DIRECTORS

September 24, 2019

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### SUBJECT

ACWA COMMITTEE APPOINTMENT CONSIDERATIONS FOR THE 2020-2021 TERM

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### BACKGROUND

As an ACWA Member Agency, RMWD received a memorandum seeking committee appointment considerations for the upcoming new term. In the past RMWD has participated in the appointment process for ACWA and other organizations of which it is a member.

This item was presented to the Board at their August 27, 2019 meeting at which time it was deferred until their September 24, 2019 meeting.

### DESCRIPTION

ACWA has requested its member agencies to provide nominations for consideration. ACWA asks that in submitting names to keep in mind the committees need active, involved individuals able to expend the time and provide their expertise. RMWD will be responsible for all costs associated with the participation of its representatives on committees.

A complete nomination package has been attached for reference. All nominations are due no later than September 30, 2019.

### POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Four: Fiscal Responsibility  
Strategic Focus Area Six: Communication

### BOARD OPTIONS/FISCAL IMPACTS

- 1) Make a nomination in response to ACWA's request.
- 2) Do not select a nomination in response to ACWA's request.
- 3) Provide staff with direction.

### ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a "project" as defined by CEQA and further environmental review is not required at this time.

**STAFF RECOMMENDATION**

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Staff supports direction.



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Tom Kennedy, General Manager

September 24, 2019



## MEMORANDUM

July 23, 2019

TO: ACWA MEMBER AGENCY BOARD PRESIDENTS  
ACWA MEMBER AGENCY GENERAL MANAGERS

FROM: Brent Hastey, ACWA PRESIDENT

SUBJECT: ACWA COMMITTEE APPOINTMENT CONSIDERATIONS FOR THE 2020-2021 TERM

**PLEASE RESPOND BY SEPTEMBER 30, 2019**

Thank you for your involvement with ACWA. As you know, Committees are an integral part of ACWA's activities and policy development. With the end of the current Committee term fast approaching, it is time again to request 2020-2021 Committee nominations from ACWA members. All Committees will be reconstituted following the election of new officers (ACWA's President / Vice-President) at the 2019 ACWA Fall Conference.

In submitting names for consideration, please do so with the understanding that Committees need active, involved individuals able to expend the time and provide their expertise, if appointed. Please keep in mind that the district is responsible for all costs associated with the participation of its representatives on Committees.

The following information is available at [ACWA's website](#) or by clicking on each link.

- [ACWA Policy Committee Composition](#)
- [ACWA Committee Consideration Form](#)
- [ACWA Committee Consideration Process Timeline](#)

If you would like to reference current Committee members serving on a ACWA Committee please click [here](#).

All correspondence and forms regarding Committee appointments must be submitted to the ACWA office no later than September 30, 2019 to be eligible for consideration. Committee appointments will be made by the incoming ACWA President in December. Please contact Interim Business Services Specialist, Petra Rice, at [petrar@acwa.com](mailto:petrar@acwa.com) or (916) 441-4545, if you have any questions concerning the Committee appointment process.

We appreciate your timely attention to this matter.

Thank you,

A handwritten signature in cursive script that reads "Brent Hastey". The signature is written in black ink and is positioned above the typed name.

Brent Hastey, ACWA President

## ACWA COMMITTEE COMPOSITION

### COMMITTEE

### LIAISON

#### **Agriculture Committee – Standing/Unlimited**

Meetings: 2-3 times a year

The Agriculture Committee makes recommendations to the Board of Directors, State Legislative Committee, Federal Affairs Committee or other committees, as appropriate, regarding agricultural issues affecting the interests of ACWA and its members. This newly-formed committee is currently being assembled.

**Adam Borchard**  
Regulatory Advocate  
[adamb@acwa.com](mailto:adamb@acwa.com)

#### **Business Development Committee – Standing/Unlimited**

Meetings: 2 times a year

The Business Development Committee develops and recommends to the Board of Directors programs and activities to be provided or administered by the association that generate non-dues revenue and provide a service or benefit to association members.

**Paula Currie**  
Director of Business  
Development & Events  
[paulac@acwa.com](mailto:paulac@acwa.com)

#### **Communications Committee – Standing/Limited (40 maximum)**

Meetings: 4 times a year

The Communications Committee develops and recommends to the Board of Directors and ACWA staff regarding communications and public affairs programs. The committee promotes sound public information and education programs and practices among member agencies. It prepares and distributes materials for use by member agencies in their local outreach efforts. It also provides input and guidance to ACWA's Communications Department.

**Heather Engel**  
Director of  
Communications  
[heathere@acwa.com](mailto:heathere@acwa.com)

#### **Energy Committee – Standing/Unlimited**

Meetings: 2 times a year

The Energy Committee recommends policies and program to the Board of Directors, the State Legislative Committee and the Federal Affairs Committee as appropriate.

**Chelsea Haines**  
Regulatory Advocate II  
[chelseah@acwa.com](mailto:chelseah@acwa.com)

#### **Federal Affairs Committee – Standing/Limited (5 Per Region)**

Meetings: 2 times a year

The Federal Affairs Committee coordinates with other ACWA committees regarding input on federal issues before both Congress and the federal administrative branches.

**David Reynolds**  
Director of Federal  
Affairs  
[dreyns@sso.org](mailto:dreyns@sso.org)

#### **Finance Committee – Standing/Limited (2 Per Region – 1 Region Chair or Vice Chair; 1 with financial experience)**

Meetings: 4-5 times a year

The Finance Committee makes recommendations to the Board of Directors regarding annual budgets, investment strategies, annual audits and auditor selection, dues formula and schedule, and other financial matters.

**Fili Gonzales**  
Director of Finance &  
Business Services  
[filig@acwa.com](mailto:filig@acwa.com)

#### **Groundwater Committee – Standing/Unlimited**

Meetings: 4 times a year

The Groundwater Committee makes recommendations to the Board of Directors on groundwater policy issues. The committee also monitors state and federal regulations and legislation affecting the quality and management of groundwater, conducts studies and gathers data on groundwater issues, develops policies regarding groundwater management and coordinates with other committees on groundwater issues.

**Dave Bolland**  
Director of State  
Regulatory Relations  
[daveb@acwa.com](mailto:daveb@acwa.com)

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### **Legal Affairs Committee – Standing/Limited (45 Maximum)**

Meetings: 2-3 times a year

The Legal Affairs Committee acts on requests for assistance on legal matters of significance to ACWA member agencies. It also reviews proposed ACWA bylaw revisions and works with staff to produce publications to assist member agencies in complying with state and federal laws. The committee files amicus curiae filing on important cases, comments on proposed regulations and guidelines of state agencies such as the Fair Political Practices Commission and monitors and engages in water rights waters of interest to member agencies.

*\*The committee shall be composed of between 34 and 44 attorneys, each of whom shall be, or act as, counsel for a member of the Association.*

**Kris Anderson**  
*Legislative Advocate I*  
[krisa@acwa.com](mailto:krisa@acwa.com)

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### **Local Government Committee – Standing/Limited (3 Per Region)**

Meetings: 4 times a year

The Local Government Committee makes recommendations to the Board of Directors and the State Legislative Committee on local government matters affecting water agencies, including planning issues, local government organization, and finance. The committee also gathers and disseminates information on the value of special districts, and shares information promoting excellence in local government service delivery.

**Adam Quiñonez**  
*Director of State  
Legislative Relations*  
[adamq@acwa.com](mailto:adamq@acwa.com)

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### **Membership Committee – Standing/unlimited**

Meetings: 2 times a year

The Membership Committee makes recommendations to the Board of Directors regarding membership policies, eligibility and applications for membership. The committee assists staff in developing membership recruitment and retention programs and reviews and makes recommendations to the Finance Committee regarding an equitable dues structure.

**Tiffany Giammona**  
*Director of Member  
Outreach &  
Engagement*  
[tiffanyg@acwa.com](mailto:tiffanyg@acwa.com)

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### **State Legislative Committee – Standing/Limited (4 Per Region)**

Meetings: 10-12 times a year

The State Legislative Committee reviews relevant introduced and amended legislation, and develop positions and provide recommendations to the Board of Directors on ballot measures and other major statewide policy issues. The committee also works with staff amendments to bills and provides director for staff on legislative matters.

**Adam Quiñonez**  
*Director of State  
Legislative Relations*  
[adamq@acwa.com](mailto:adamq@acwa.com)

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### **Water Management Committee – Standing/Limited (4 Per Region)**

Meetings: 4 times a year

The Water Management Committee makes recommendations to the Board of Directors on policy and programs related to water management. The committee reviews and recommendation positions on legislation and regulations as requested by other committees. The committee also assists in gathering and disseminating information regarding agricultural and urban water management, water conservation and water use efficiency, development and use of water resources, wastewater treatment and water recycling and reuse.

**Dave Bolland**  
*Director of State  
Regulatory Relations*  
[daveb@acwa.com](mailto:daveb@acwa.com)

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### **Water Quality Committee – Standing/Unlimited**

Meetings: 4 times a year

The Water Quality Committee makes recommendations to the Board of Directors, the State Legislative Committee and the Federal Affairs Committee on policy and program regarding water quality issues. The committee promotes cost-effective state and federal water quality regulations and provides a forum for members to work together to develop and present unified comments on water quality regulations. The committee also develops and recommends positions and testimony on water quality regulatory issues.

**Adam Borchard**  
*Regulatory Advocate*  
[adamb@acwa.com](mailto:adamb@acwa.com)

## 2019 ACWA Committee Appointment Process Timeline 2020-2021 Term

- July 17:** **COMMITTEE CONSIDERATION FORMS EMAILED**
- Email Agency General Managers and Board Presidents:
    - List of agency staff and directors who currently serve on an ACWA Committee
    - Committee Composition
    - Committee Consideration Form
    - 2020-2021 Committee Timeline
- July 24:** **EMAIL NOTIFICATION TO CURRENT COMMITTEE MEMBERS**
- Current committee members notified that committee process has begun
  - All current committee members **MUST** submit a Committee Consideration Form to be considered for reappointment
- September 30:** **COMPLETED CONSIDERATION FORM DEADLINE**
- All committee consideration forms **due by September 30**
  - Any consideration forms submitted after September 30 will be added to the waiting list and considered after ACWA President makes the initial committee appointments for the term
- October 25:** **ACWA REGION CHAIR AND VICE CHAIR CONFERENCE CALL**
- ACWA staff will hold a conference call with newly elected Region Chair and Vice Chairs to review 2020-2021 Committee recommendation process
  - Consideration forms compiled and submitted to incoming Region Chair and Vice Chair
- November 15:** **CHAIR AND VICE CHAIRS RECOMMENDATION DEADLINE**
- No Region recommendations will be accepted after November 15
- December 5:** **RECOMMENDATIONS GIVEN TO ACWA PRESIDENT**
- Incoming ACWA President will receive Region Chair and Vice Chairs recommendations along with all consideration forms at ACWA Fall Conference
- December 16:** **ACWA PRESIDENT APPOINTS MEMBERS OF COMMITTEES**
- Incoming ACWA President submits all appointments to ACWA Staff
- December 31:** **ACWA WILL NOTIFY COMMITTEE MEMBERS OF APPOINTMENTS**
- Letters emailed to members who have been appointed to serve on a committee for the 2020-2021 term
  - Letters emailed notifying those who were not appointed to a committee

PLEASE PRINT LEGIBLY

Agency Name (DO NOT use acronyms or abbreviations)	Phone
Agency Address	City, State & Zip

**BELOW PLEASE LIST ALL THOSE INTERESTED IN BEING ON ACWA COMMITTEES FOR YOUR AGENCY. FOR ADDITIONAL RECOMMENDATIONS PLEASE FILL OUT ANOTHER FORM.**

*\*If an individual is not an agency employee or director, please indicate company affiliation.*

Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice

Signature (Agency/District General Manager or Board President signature required)      Title      Date

**QUESTIONS?**

Contact Business Services Specialist Petra Rice at [petrar@acwa.com](mailto:petrar@acwa.com) or (916) 441-4545

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## BOARD OF DIRECTORS

September 24, 2019

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### SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 19-10 AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 2.09 - COMMITTEES

### BACKGROUND

Previously adopted versions of Administrative Code Chapter 2.09 included a process that all approved copies of committee meeting minutes would be provided to the Directors in their monthly agenda packets.

This item was presented to the Board at their August 27, 2019 meeting at which time the Board decided to defer this matter until the September 24, 2019 meeting for consideration.

### DESCRIPTION

Since approved minutes are made a part of the District's permanent records and are accessible on RMWD's website, the Board President suggested providing approved committee minutes as part of the Board agenda packet was no longer valuable. Beginning with the June 25, 2019 Board meeting agenda packet, approved committee minutes were eliminated.

Upon reviewing Administrative Code Chapter 2.09, it was realized this policy needed to be updated to reflect changes to this process.

A draft of the proposed changes has been attached for Board consideration.

### POLICY/STRATEGIC PLAN KEY FOCUS AREA

Administrative Code Chapter 2.09

Strategic Focus Area Six: Communication

### BOARD OPTIONS/FISCAL IMPACTS

- 1) Approve Ordinance No. 19-10.
- 2) Approve Ordinance No. 19-10 with revisions.
- 3) Do not approve Ordinance No. 19-10 and provide staff with direction.

### ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a "project" as defined by CEQA and further environmental review is not required at this time.

**STAFF RECOMMENDATION**

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Staff recommends approving Option 1.



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Tom Kennedy, General Manager

September 24, 2019

**Ordinance No. 19-10**

**Ordinance of the Board of Directors of the Rainbow Municipal Water District  
Amending and Updating Administrative Code  
Chapter 2.09 - Committees**

WHEREAS, the Rainbow Municipal Water District has, from time to time, adopted various rules and regulations for the operation of the District; and

WHEREAS, certain of those rules and regulations require updating to reflect best practices, as well as changes in applicable laws; and

WHEREAS, the Board of Directors has determined that changes in the rules or regulations of the District shall occur solely by amendment to the Administrative Code;

NOW, THEREFORE,

BE IT ORDAINED by the Board of Directors of Rainbow Municipal Water District as follows:

1. The following rules and regulations of the District, collected are hereby adopted and shall be incorporated into the Administrative Code, consisting of:

Chapter 2.09: Committees

2. The General Manager is hereby directed to update the Administrative Code to reflect the approval of these rules and regulations, and to assign or reassign the numbering of the Administrative Code as necessary to codify these rules and regulations as amended.

3. This ordinance shall take effect immediately upon its adoption on this 24th day of September 2019.

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

\_\_\_\_\_  
Helene Brazier, Board President

**ATTEST:**

\_\_\_\_\_  
Dawn Washburn, Board Secretary



## Chapter 2.09 COMMITTEES

### Section 2.09 Committees

The Board shall organize committees that are advisory to the Board with regard to matters within their respective areas of responsibility.

Each committee shall have at least four and no more than seven regular members appointed by a simple majority vote of the Board. Each committee may also have up to two alternate committee members appointed by a simple majority of the Board. Committees may be comprised of Directors, staff, and legal ratepayers of the District. Each committee shall designate their own chairperson. In order to promote attendance by Directors at Committee meetings without inadvertently creating a violation of the Ralph M. Brown Act, no more than one member of the Board of Directors may sit as a member on a Committee. Directors that are not members of a committee may attend as observers but are allowed to participate at the Committee's request.

Members of the committees serve at the pleasure of the Board. Each committee may elect a vice-chairperson. Members of committees, including the chairperson and vice-chairperson shall serve until their successors are appointed. The chairperson of a committee is its presiding officer and shall be responsible for communicating the recommendation of the committee to the Board. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. The chairperson and vice-chairperson are not deprived of any of the rights and privileges of a committee member by reason of being the presiding officer.

The chairperson and vice-chairperson will hold their positions for one calendar year. Committee members will serve a term of four years and may be reappointed at the will of the Board.

Committee meetings shall be held in accordance with the provisions of the Ralph M. Brown Act. Notice of meetings of committees shall be posted 72 hours in advance pursuant to law and shall be considered regular meetings of the committee.

~~Each lawfully noticed committee meeting will be recorded with summary minutes prepared from these meeting audio recordings. The committee shall record summary minutes of each lawfully noticed committee meeting. The minutes of each committee meeting and any recommendation of a committee shall include a summary of the information presented. District staff will prepare minutes of each meeting. Draft minutes will be provided to the committee at the next available committee meeting for committee member review, consideration and approval. shall be provided to the District Board and Committee Chairs as soon as practical following the committee meeting, and an approved copy shall be provided to the Directors in their monthly agenda packages. Once approved, minutes will be made a part of the District's permanent records and audio recordings will be disposed of according to the District's Records Retention policy provided in the District's Administrative Code.~~

A majority of the members of each committee shall constitute a quorum for the transaction of business.

Only regular members of the committee are entitled to make, second or vote on any motion or other action of the committee. Alternate members present at a meeting, but not seated as a regular member by the [\\rmwd-b\Main\Administration\Confidential\Administrative Code Working Docs\Drafts\\_Not Approved\Committees 2.09\\_20190827.docx](#) [\\rmwd-b\Main\Administration\Confidential\Administrative Code Working Docs\Board Secretary Administrative Code Working File\Board Admin Code 2005-2006\Committees 2.09.docx](#) \\Approved and Incorporated 3-27-07 by Ordinance No. 07-04\\Amended and Approved 08-28-07 by Ordinance No. 07-11\\Amended and Approved 11-7-07 by Ordinance No. 07-17\\Amended and Approved 1-27-09 by Ordinance No. 09-02\\Amended and Approved 06-24-14 by Ordinance No. 14-04\\Amended and Approved 9-27-16 by Ordinance No. 16-13\\Amended and Approved 4-24-18 by Ordinance No. 18-10\\Amended and Approved 5-22-18 by Ordinance No. 18-13\\Amended and Approved 12-4-18 by Ordinance No. 18-25\\DRAFT

committee Chairperson, may participate in discussions but may not participate in motions or voting. Each committee member shall be entitled to one vote on all matters considered by the committee. A simple majority vote of the members of the Committee shall designate approval of a motion.

All committee member absences will be considered by the majority of the committee members to determine whether or not the absence is without cause. Sickness, jury duty, vacation and/or bereavement will be considered excused absences. When three meetings in a row or a total of six meetings in one calendar year are missed the remaining committee members will consider removal of the individual from the committee. The removal must be voted upon and approved by the majority of the committee members with the exception of the committee member in question.

If the roll call of regular members reveals that a quorum of regular members cannot be established, the Chairperson may appoint one or more alternate members who are present to be a temporary regular member in order to establish a quorum. Once a quorum is established, any remaining alternate member who has not been appointed as a temporary regular member shall remain as an alternate member. Once alternates have been seated as a regular committee member, they may immediately participate in any action taken and voted upon by the committee. All alternates must conform to the same rules as regular committee members. The Chairperson shall state for the record which alternate members have been seated as temporary regular members.

Committee Members and alternates shall comply with the obligations and responsibilities of office including the obligation to comply with the disclosure requirements of the Political Reform Act (Form 700). The reporting categories made applicable to the Directors by Rainbow Municipal Water District's local conflict of code shall apply to the members of the committee members.

All committee communications must go through the designated committee chairperson.

A committee has jurisdiction to consider and make a recommendation to staff, other committees and to the Board regarding any item of business within the responsibility of the committee. Committee recommendations shall be communicated to the Board. A committee may consider other matters referred to it by the Board.

The Board may refer a recommendation back to the committee for reevaluation whenever the Board deems additional evaluation is required.

### **2.09.010 Budget and Finance Committee**

The Committee shall work in concert with the General Manager, Treasurer, and Finance Manager of the District.

The Committee shall be responsible for the review of District finances including: rates, fees, charges and other sources of revenue; budget; audit; investments; insurance; and other financial matters.

### **2.09.020 Engineering and Operations Committee**

The Committee shall work in concert with the General Manager, District Engineer, and Operations Manager.

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The Committee shall be responsible to review matters of design, construction, replacement, and repair of the District facilities and property, including: the Capital Improvement Program; contractor selection process; contractor management programs; and other engineering-related matters.

The committee shall also be responsible to review matters of operations, preventative maintenance practices, standard operating procedures, technical services, equipment, and other operations-related matters.

### **2.09.030 Communications and Customer Service Committee**

The Committee shall work in concert with the General Manager.

The Committee shall be responsible for matters of internal and external communications including: positive public image; positive staff relationships; community outreach; media relations; water conservation programs; intergovernmental relations; customer service policies; and other public relations programs.

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## **Chapter 2.09 COMMITTEES**

### **Section 2.09 Committees**

The Board shall organize committees that are advisory to the Board with regard to matters within their respective areas of responsibility.

Each committee shall have at least four and no more than seven regular members appointed by a simple majority vote of the Board. Each committee may also have up to two alternate committee members appointed by a simple majority of the Board. Committees may be comprised of Directors, staff, and legal ratepayers of the District. Each committee shall designate their own chairperson. In order to promote attendance by Directors at Committee meetings without inadvertently creating a violation of the Ralph M. Brown Act, no more than one member of the Board of Directors may sit as a member on a Committee. Directors that are not members of a committee may attend as observers but are allowed to participate at the Committee's request.

Members of the committees serve at the pleasure of the Board. Each committee may elect a vice-chairperson. Members of committees, including the chairperson and vice-chairperson shall serve until their successors are appointed. The chairperson of a committee is its presiding officer and shall be responsible for communicating the recommendation of the committee to the Board. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. The chairperson and vice-chairperson are not deprived of any of the rights and privileges of a committee member by reason of being the presiding officer.

The chairperson and vice-chairperson will hold their positions for one calendar year. Committee members will serve a term of four years and may be reappointed at the will of the Board.

Committee meetings shall be held in accordance with the provisions of the Ralph M. Brown Act. Notice of meetings of committees shall be posted 72 hours in advance pursuant to law and shall be considered regular meetings of the committee.

Each lawfully noticed committee meeting will be recorded with summary minutes prepared from these meeting audio recordings. The minutes of each committee meeting and any recommendation of a committee shall include a summary of the information presented. District staff will prepare minutes of each meeting. Draft minutes will be provided to the committee at the next available committee meeting for committee member review, consideration and approval. Once approved, minutes will be made a part of the District's permanent records and audio recordings will be disposed of according to the District's Records Retention policy provided in the District's Administrative Code.

A majority of the members of each committee shall constitute a quorum for the transaction of business.

Only regular members of the committee are entitled to make, second or vote on any motion or other action of the committee. Alternate members present at a meeting, but not seated as a regular member by the committee Chairperson, may participate in discussions but may not participate in motions or voting. Each committee member shall be entitled to one vote on all matters considered by the committee. A simple majority vote of the members of the Committee shall designate approval of a motion.

All committee member absences will be considered by the majority of the committee members to determine whether or not the absence is without cause. Sickness, jury duty, vacation and/or bereavement will be considered excused absences. When three meetings in a row or a total of six meetings in one calendar year are missed the remaining committee members will consider removal of the individual from the committee. The removal must be voted upon and approved by the majority of the committee members with the exception of the committee member in question.

If the roll call of regular members reveals that a quorum of regular members cannot be established, the Chairperson may appoint one or more alternate members who are present to be a temporary regular member in order to establish a quorum. Once a quorum is established, any remaining alternate member who has not been appointed as a temporary regular member shall remain as an alternate member. Once alternates have been seated as a regular committee member, they may immediately participate in any action taken and voted upon by the committee. All alternates must conform to the same rules as regular committee members. The Chairperson shall state for the record which alternate members have been seated as temporary regular members.

Committee Members and alternates shall comply with the obligations and responsibilities of office including the obligation to comply with the disclosure requirements of the Political Reform Act (Form 700). The reporting categories made applicable to the Directors by Rainbow Municipal Water District's local conflict of code shall apply to the members of the committee members.

All committee communications must go through the designated committee chairperson.

A committee has jurisdiction to consider and make a recommendation to staff, other committees and to the Board regarding any item of business within the responsibility of the committee. Committee recommendations shall be communicated to the Board. A committee may consider other matters referred to it by the Board.

The Board may refer a recommendation back to the committee for reevaluation whenever the Board deems additional evaluation is required.

### **2.09.010 Budget and Finance Committee**

The Committee shall work in concert with the General Manager, Treasurer, and Finance Manager of the District.

The Committee shall be responsible for the review of District finances including: rates, fees, charges and other sources of revenue; budget; audit; investments; insurance; and other financial matters.

### **2.09.020 Engineering and Operations Committee**

The Committee shall work in concert with the General Manager, District Engineer, and Operations Manager.

The Committee shall be responsible to review matters of design, construction, replacement, and repair of the District facilities and property, including: the Capital Improvement Program; contractor selection process; contractor management programs; and other engineering-related matters.

The committee shall also be responsible to review matters of operations, preventative maintenance practices, standard operating procedures, technical services, equipment, and other operations-related matters.

### **2.09.030 Communications and Customer Service Committee**

The Committee shall work in concert with the General Manager.

The Committee shall be responsible for matters of internal and external communications including: positive public image; positive staff relationships; community outreach; media relations; water conservation programs; intergovernmental relations; customer service policies; and other public relations programs.



### BOARD OF DIRECTORS

September 24, 2019

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### SUBJECT

BUILDING TWO WATER DAMAGE STATUS UPDATE

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### BACKGROUND

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Over the Labor Day Weekend, and most likely late on Sunday, September 1, 2019, a backflow device located on a slope behind Building Two failed. As part of this failure, the relief port on the device opened fully, sending a torrent of water down the slope. As many of you are aware, there has been a drainage problem on the eastern side of Building Two for decades – we regularly battle to keep water out of the building during rains.

Unfortunately, no staff were on site when the failure occurred and the water filled up the below grade pathway located on the east and part of the south side of the building. After building up for a few inches it began to enter the building with the water level ultimately leaving marks on the side of the exterior of the building about two inches above floor level. A staff member came to the site as part of this normal duty rotation and discovered the problem mid-day on Monday, September 2, 2019.

At this point there were several inches of water flowing from the east side of the building and exiting on the western end. All office space in the building was subjected to extended periods of water submersion. The water also flowed out through the garage area but then flowed out through the roll up doors. Water also flowed out of the westerly door to the Operations Manager's office and the main entry door on the south side of the building.

District staff contacted emergency cleanup firms and hired ServePro to come in to help deal with the water damage primarily because they were capable and available. We wanted to work quickly to try to dry out the building to avoid any further damage. All standing water was removed and a series of fans and refrigerated water removal devices were placed in the building. ServePro performed tests on drywall surfaces and it was clear the drywall was soaked up to about 18" above the floor level. These tests were witnessed by both the Operations Manager and the General Manager.

After nearly 48 hours of running the drying systems it was clear there was water trapped under the flooring in the building and that the building would not dry out properly unless the flooring was removed. Our plan was to remove the flooring, cut the drywall up to a dry point and then restore everything.

Based on the age of the building and the type of flooring surface used, ServePro indicated they were required to test for asbestos in the flooring materials. The District agreed to the test and unfortunately the tests came back positive for asbestos in the floor tiles. There were multiple layers of tile involved and the submersion in water had caused several areas to buckle and crack. Based on the potential for exposure to asbestos, we moved all personnel out of the building until we could determine the next course of action.

## **DESCRIPTION**

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We asked ServePro for a cost estimate for the removal of the flooring and restoration of the drywall and other damaged surfaces. The cost estimate for the asbestos removal alone was over \$85,000. The restoration of the drywall areas added another \$75,000. These were just estimates and the costs could increase based on what they actually found once the work commenced. The total cost to address the situation could easily approach \$200,000 or more, so staff informed ServePro that we would need to consider the proposal and told them not to proceed at that time.

Over the next two days, staff evaluated the situation and made the temporary determination to hold off on the project until we could get Board input. We brought in temporary bathroom and locker room facilities and rented a large construction office trailer to house staff. Some staff members are also scattered around in various places in other buildings, doubling up in offices with other staff members and even using the Board room for temporary desk space.

The challenge we face is that Building Two is already fairly substandard in terms of its layout, mechanical and electrical systems, and age. Since we are actively planning to develop a new headquarters facility in the next few years, staff believes making a large investment in this building would only preserve the status quo of a marginally functional building and would then be completely lost once the building is demolished as part of the new HQ project. Further, the drainage problem would not go away and there is no way to absolutely prevent some sort of recurrence without a complete regrading of the site which would cost substantially more.

Staff has identified a way to rent a large office trailer consisting of three units connected together that will provide ample office space, restrooms, a locker room and a large common area. We could set this up in an area of our yard and connect it to water, sewer, and electrical service. The rental costs per month on this type of building is approximately \$2,200 per month. At this price we could rent this trailer complex for well over seven years for the cost of rehabilitation. In addition, in a rental situation, should there be any maintenance issues (roof leak, A/C failure, etc.), the rental firm will make the repairs. Funds for the rental are available in the current budget; however, a mid-year adjustment may be needed for longer term rentals.

In this scenario we would block off Building Two to all access except for key personnel who need to make entry to gain access to electrical panels serving other areas. In this situation, appropriate PPE would be required for entry as there is asbestos present and it is likely there could be mold in the future. At such time that the building is demolished the abatement of the asbestos would be required but staff projects it will be cheaper to deal with it during a demolition process than one where the building needs to be protected and restored to occupancy.

## **POLICY/STRATEGIC PLAN KEY FOCUS AREA**

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Strategic Focus Area Two: Asset Management  
Strategic Focus Area Four: Fiscal Responsibility

## **BOARD OPTIONS/FISCAL IMPACTS**

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As of the writing of this memo, staff has identified a source of an appropriate office trailer that could be here in the first two weeks of October. Staff is seeking direction from the Board on whether the interim course identified by staff is appropriate.

The fiscal impacts for remediation and rehabilitation for occupancy would be roughly \$200,000 plus the cost to regrade the site which at this time is unknown. The cost to rent replacement office space is expected to be about \$2,200 per month or \$26,400 per year. If we succeed in a development project over three years, the cost would be just under \$80,000 for three years.

**ENVIRONMENTAL**

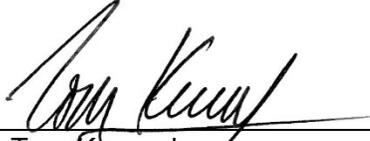
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In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a "project" as defined by CEQA and further environmental review is not required at this time.

**STAFF RECOMMENDATION**

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At this time, the staff recommendation is not to remediate the building and to move into temporary office trailers until the time of the development of the site. Staff requests Board direction in this matter.



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Tom Kennedy  
General Manager

September 24, 2019



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**BOARD OF DIRECTORS**

September 24, 2019

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**SUBJECT**

DISCUSSION REGARDING ADMINISTRATIVE CODE CHAPTER 2.09 – COMMITTEES (REQUESTED BY PRESIDENT BRAZIER)

**DESCRIPTION**

At the August 27, 2019 Regular Board meeting, President Brazier stated the committee members have been asked to review the current policy related to committees and provide feedback to the Board for consideration.

A copy of the current policy has been attached and President Brazier will provide a handout at the September Board meeting for reference purposes.



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Tom Kennedy, General Manager

9/24/19



## **Chapter 2.09 COMMITTEES**

### **Section 2.09 Committees**

The Board shall organize committees that are advisory to the Board with regard to matters within their respective areas of responsibility.

Each committee shall have at least four and no more than seven regular members appointed by a simple majority vote of the Board. Each committee may also have up to two alternate committee members appointed by a simple majority of the Board. Committees may be comprised of Directors, staff, and legal ratepayers of the District. Each committee shall designate their own chairperson. In order to promote attendance by Directors at Committee meetings without inadvertently creating a violation of the Ralph M. Brown Act, no more than one member of the Board of Directors may sit as a member on a Committee. Directors that are not members of a committee may attend as observers but are allowed to participate at the Committee's request.

Members of the committees serve at the pleasure of the Board. Each committee may elect a vice-chairperson. Members of committees, including the chairperson and vice-chairperson shall serve until their successors are appointed. The chairperson of a committee is its presiding officer and shall be responsible for communicating the recommendation of the committee to the Board. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. The chairperson and vice-chairperson are not deprived of any of the rights and privileges of a committee member by reason of being the presiding officer.

The chairperson and vice-chairperson will hold their positions for one calendar year. Committee members will serve a term of four years and may be reappointed at the will of the Board.

Committee meetings shall be held in accordance with the provisions of the Ralph M. Brown Act. Notice of meetings of committees shall be posted 72 hours in advance pursuant to law and shall be considered regular meetings of the committee.

The committee shall record summary minutes of each lawfully noticed committee meeting. The minutes of each committee meeting and any recommendation of a committee shall include a summary of the information presented. District staff will prepare minutes of each meeting. Draft minutes shall be provided to the District Board and Committee Chairs as soon as practical following the committee meeting, and an approved copy shall be provided to the Directors in their monthly agenda packages.

A majority of the members of each committee shall constitute a quorum for the transaction of business.

Only regular members of the committee are entitled to make, second or vote on any motion or other action of the committee. Alternate members present at a meeting, but not seated as a regular member by the committee Chairperson, may participate in discussions but may not participate in motions or voting. Each committee member shall be entitled to one vote on all matters considered by the committee. A simple majority vote of the members of the Committee shall designate approval of a motion.

All committee member absences will be considered by the majority of the committee members to determine whether or not the absence is without cause. Sickness, jury duty, vacation and/or bereavement will be considered excused absences. When three meetings in a row or a total of six meetings in one calendar year are missed the remaining committee members will consider removal of the individual from the committee. The removal must be voted upon and approved by the majority of the committee members with the exception of the committee member in question.

If the roll call of regular members reveals that a quorum of regular members cannot be established, the Chairperson may appoint one or more alternate members who are present to be a temporary regular member in order to establish a quorum. Once a quorum is established, any remaining alternate member who has not been appointed as a temporary regular member shall remain as an alternate member. Once alternates have been seated as a regular committee member, they may immediately participate in any action taken and voted upon by the committee. All alternates must conform to the same rules as regular committee members. The Chairperson shall state for the record which alternate members have been seated as temporary regular members.

Committee Members and alternates shall comply with the obligations and responsibilities of office including the obligation to comply with the disclosure requirements of the Political Reform Act (Form 700). The reporting categories made applicable to the Directors by Rainbow Municipal Water District's local conflict of code shall apply to the members of the committee members.

All committee communications must go through the designated committee chairperson.

A committee has jurisdiction to consider and make a recommendation to staff, other committees and to the Board regarding any item of business within the responsibility of the committee. Committee recommendations shall be communicated to the Board. A committee may consider other matters referred to it by the Board.

The Board may refer a recommendation back to the committee for reevaluation whenever the Board deems additional evaluation is required.

### **2.09.010 Budget and Finance Committee**

The Committee shall work in concert with the General Manager, Treasurer, and Finance Manager of the District.

The Committee shall be responsible for the review of District finances including: rates, fees, charges and other sources of revenue; budget; audit; investments; insurance; and other financial matters.

### **2.09.020 Engineering and Operations Committee**

The Committee shall work in concert with the General Manager, District Engineer, and Operations Manager.

The Committee shall be responsible to review matters of design, construction, replacement, and repair of the District facilities and property, including: the Capital Improvement Program; contractor selection process; contractor management programs; and other engineering-related matters.

The committee shall also be responsible to review matters of operations, preventative maintenance practices, standard operating procedures, technical services, equipment, and other operations-related matters.

### **2.09.030 Communications and Customer Service Committee**

The Committee shall work in concert with the General Manager.

The Committee shall be responsible for matters of internal and external communications including: positive public image; positive staff relationships; community outreach; media relations; water conservation programs; intergovernmental relations; customer service policies; and other public relations programs.



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**BOARD OF DIRECTORS**

September 24, 2019

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**SUBJECT**

DISCUSSION REGARDING ADMINISTRATIVE CODE SECTION 5.02.210 – PURCHASING AND CHANGE ORDER APPROVAL REQUIREMENTS – APPENDIX (REQUESTED BY DIRECTOR GASCA)

**DESCRIPTION**

Due to the recent past activity related to RMWD's change order processes, Director Gasca has requested an information item to allow for an opportunity to review and discuss Administrative Code Section 5.02.210.



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Tom Kennedy, General Manager

9/24/19



**Section 5.02.210**

**Purchasing and Change Order Approval Requirements – Appendix**

**APPENDIX APPROVAL REQUIREMENTS; CHANGE ORDERS**

**A. APPROVAL REQUIREMENTS – LIMITS**

Approval requirements of purchases and/or change orders for work or professional services are based on the total dollar amount of the purchase and/or change orders, as follows:

<b>DOLLAR AMOUNT</b>	<b>REQUIRED APPROVAL SIGNATURES</b>
\$2,000 or Less	Department Manager
\$2,000-\$5,000	Finance Manager
\$5,000-\$50,000	Finance Manager and General Manager
More than \$50,000	General Manager and Board of Directors

These limits are primarily for purchases of capital items and payment for work or professional services and do not apply to routine purchases of warehouse inventory items that are necessary for the conduct of daily District business. Transactions may not be split in order to circumvent these limits.

**B. CHANGE ORDERS**

As set forth in Public Contract Code section 20642 and Section 5.02.140 of this Administrative Code, when work is not to be done by the district itself by force account, and the amount involved is thirty-five thousand dollars (\$35,000), or more, any contract for the performance of work or services shall be let to the lowest responsible bidder, after publication, in the manner prescribed by the board, of notices inviting bids therefor. The General Manager is authorized by this section to approve any reasonable change order or modification to a contract for work or services that does not exceed \$25,000 or ten percent (10%) of the contract price, whichever amount is greater. Any proposed change order or modification to a contract for work or services that exceeds \$25,000 or 10% of the contract price, whichever amount is greater, shall be presented to the Board for consideration and approval. These approval requirements will not operate to conflict with relevant requirements of the Public Contract Code, including but not limited to sections 20640 et seq.



## MEETINGS/SEMINARS/CONFERENCES/WORKSHOPS

<b>VARIABLE</b>					
<b>DATE</b>	<b>2019</b>	<b>MEETING</b>	<b>LOCATION</b>	<b>ATTENDEES</b>	<b>POST</b>
October	10	SDCWA Special Board Meeting	SDCWA	GM	N/A
October	*	CSDA – San Diego Chapter	The Butcher Shop – 6:00 p.m. 5255 Kearny Villa Road San Diego, CA 92123	Mack	N/A
October	*	LAFCO Special Meeting	County Admin Center, Room 302 – 9:30am	(As Advised by GM)	N/A
October	*	Santa Margarita River Watershed Watermaster Steering Committee	Rancho California Water District	Hamilton	N/A

\* To Be Announced

## MEETINGS/SEMINARS/CONFERENCES/WORKSHOPS

<b>RECURRING</b>					
<b>DATE</b>	<b>2019</b>	<b>MEETING</b>	<b>LOCATION</b>	<b>ATTENDEES</b>	<b>POST</b>
October	2	Engineering & Operations Committee Meeting	RMWD Board Room 3:00 p.m.	Appointed Director, General Manager	9/26
October	3	Communications & Customer Service Committee Mtg.	RMWD Board Room 3:30 p.m.	Appointed Director, General Manager	9/26
October	7	LAFCO	County Admin. Center Room 302 9:00 am	As Advised by GM	N/A
October	8	Budget & Finance Committee Mtg.	RMWD Board Room 1:00 p.m.	Appointed Director, General Manager	9/26
October	15	SDCWA GM's Meeting	SDCWA, San Diego 9:00 a.m.	General Manager	N/A
October	15	Council of Water Utilities	The Butcher Shop – 8:00 a.m. 5255 Kearny Villa Road San Diego, CA 92123	All Directors, General Manager	N/A
October	18	NC Managers	Golden Egg 7:45 a.m.	General Manager	N/A
October	22	RMWD General Board	RMWD Board Room (Start Time to Be Determined)	All Directors	10/8
October	23	North County Work Group (NCWG)	Rincon Del Diablo, Escondido 7:30 a.m.	General Manager	N/A
October	23	San Luis Rey Watershed Council	Pala Administration Building 1:00 p.m.	Appointed Director	N/A
October	24	SDCWA Full Board Meeting	SDCWA Board Room, 3-5 p.m.	General Manager	N/A



## STAFF TRAINING REPORT

<b>ATTENDEES NAME(S):</b>	Delia A. Rubio
<b>TITLE OF TRAINING/CONFERENCE/WORKSHOP/CLASS:</b>	Implied Obligations in Construction Contracts
<b>DATE(S) ATTENDED:</b>	August 6, 2019
<b>AGENCY HOSTING TRAINING/CONFERENCE/WORKSHOP/CLASS:</b>	Lorman
<b>LOCATION:</b>	RMWD - Webinar
<b>DESCRIPTION OF TOPIC(S)/LEARNING EXPERIENCE:</b>	
<p>This webinar explained that implied contract obligations are duties implied by the express terms of a contract. The duties are based on the parties' reasonable expectations of the contract, that might not have been included in explicit contractual language.</p> <p>All implied contract obligations must be consistent, relate and within the contemplation of the express terms of the contract.</p> <p>The law requires that a party do what they are obligated to do even if their performance is more difficult, costly, or time consuming than anticipated. The exceptions mentioned were unless: Material Breaches - by the other party, Impossible - Acts of God, or Equitable Doctrine - requires rescission, allowing a contractual party to cancel the contract.</p> <p>It was explained that the courts imply contract obligations and their relationship to the express terms of the contract. The implied obligation must be consistent and must relate to the express terms and so obvious that the court is comfortable stating that the parties would have included the implied obligations in the contract if they thought it necessary.</p> <p>The key to implied obligations in construction is determining the reasonable expectations of the party based on those expressed contract terms.</p>	



**BOARD OF DIRECTORS**

August 27, 2019

**SUBJECT**

Operations Report for July 2019

**DESCRIPTION**

Activities for Operations & Maintenance Division

**CONSTRUCTION & MAINTENANCE DEPARTMENT:**

	<b>Repairs</b>	<b>Installations</b>	<b>Leaks</b>
<b>Mainline</b>	4		4
<b>Service</b>	2		2
<b>Hydrants</b>			2
<b>Valves</b>	1	4	1
<b>Meters</b>			
<b>Blow-Offs</b>	2		
<b>Air Vacs</b>	3		1

**WATER OPERATIONS & VALVE MAINTENANCE DEPARTMENT:**

**Water Operations completed and/or oversaw the following:**

- Replaced eye station in Lower Yard
- Inspected 3 reservoir covers
- Rice Tank was cleaned and disinfected
- Rebuilt and inspected five (5) pressure stations
- Replaced six (6) sample site covers

**VALVE MAINTENANCE DEPARTMENT:**

<b>Monthly Totals</b>	<b>Valves (Distribution)</b>	<b>Appurtenance Valves</b>	<b>Appurtenances</b>
<b>Exercised</b>	38	62	N/A
<b>Inoperable</b>	0	2	0
<b>Repaired</b>	0	0	0
<b>Replaced</b>	0	0	0
<b>Installed</b>	0	0	0

**Valve Maintenance completed and/or oversaw the following:**

- 228 utility locates completed
- Assisted with (14) shutdown
- Raised (0) fire hydrants (installed breakaway spools)
- Replaced (1) air vac
- Painted 62 appurtenances

**METERS DEPARTMENT:**

Current Projects:

- Water Service Upgrade Project (ABM)

Future Projects:

- Waiting on resolution with ABM to proceed with mass meter replacement / Met with Concorde to discuss project needs and start dates / Prepping Routes 11 & 48 for Pilot

Backflows:

- 475 devices tested

Customer Service Requests:

- 911 total for the month of August

**WASTEWATER DEPARTMENT:**

Monthly, Semi Annual and Annual Reports:

California Integrated Water Quality System (CIWQS): Confirmation #2551238 Reported "No Spill Report" for Month: August 2019. *Rainbow Municipal Water District Collection System.*

Private Sanitary Overflows:

Private Sanitary Overflow Reported:  
(CIWQS) Confirmation # 860464

8/14/2019: 3411 Caballo Lane, Fallbrook, CA 92028 - Private Overflow 3" cleanout overflowing roots; RMWD W/O # 170241

Projects:

Job #169226

August 14, 2019 – Wastewater staff made confined space entry and removed 15" sewer flume from collection system.

August 15, 2019 - Wastewater continued removal of 15" sewer flume from collection system.

Acct #02-72000-61  
City of Oceanside permits \$574.00

Acct. #02-72000-61  
Traffic control Traffic Solutions \$4,520.00

Job # 169228

August 21,2019: Wastewater staff set up and clear scaling in 15" sewer line from collection system.

August 22,2019: Wastewater continued removal of 15" sewer scaling from collection system.

Sewer line repairs:

Job # 170372

August 28,2019

Address: 3411 Caballo Lane - 6" vcp (vitrified clay pipe) sewer lateral past connection/installation installed wrong into the District's collection 8" vcp sewer line.

Acct # 02-72000-61

Parts:  
Western Water Works \$51.46

## **TECHNICAL SERVICES DEPARTMENT:**

### **Current Projects:**

- Lookout Mountain. Tank SCADA panel / Radio upgrade (Ongoing)
- Lookout Mountain Pump Station SCADA panel / Radio upgrade (Ongoing)
- Lift Station #1 SCADA panel/radio upgrade (Ongoing)
- Pala Mesa Tank radio upgrade – (Nearly Complete)
- Vallecitos Tank to North CI2 Radio communications link (Ongoing)
- Cement Tank radio upgrade (Ongoing)
- Coordination with Engineering & Suez for water tank stairways and addition of conduits for radio communication - Gomez Tank (Complete)
- Routine corrections for I/R survey of water and wastewater motor control centers (Ongoing)
- Knight Security to install new wireless equipment for perimeter beams - Knight Security has completed their work (Project is ongoing)
- Electrical maintenance at Gomez Pump Station (Complete)
- Coordination with San Diego Sherriff's Department on replacement Sherriff Department building planned for the Cement Tank Communications site (Ongoing)
- Install new SMS text message system to Water and Wastewater SCADA alarm (Ongoing)

### **Future Projects:**

- Install generator at Sumac repeater site
- Gomez Tank - New electric service
- Install new panels and radios for SCADA communications
- Camera installation at Old River Lift Station

## **FLEET/GARAGE:**

### **Current Projects:**

- Unit #33: Replaced DPF (Diesel Particulate filter) readiness for opacity testing on August 30<sup>th</sup>
- Highline Trailer #119: Continue to work with fabricator on completion of build (1-2 weeks to completion)
- Unit #22 new vehicle: Continue to work with Up-fitter on completion (1-2 weeks)
- Unit #40: Completed wiring and new vehicle prep
- Opacity Testing and DPF Level 1: Cleaning of on-road diesel vehicles over 14,000 GVW (Completed)
- Unit #24: Auto Crane repair (pending correct part)
- Order new Unit #71 (ordered) to arrive In November
- Order new Unit #31 (ordered) to arrive in October
- Unit #75: Engine cooling fan and shroud replacement (Completed)
- Gasboy fuel cubes #s 44, 71 & 105 (Completed)
- Unit #21: Fuel filters replaced
- Old Unit #40: Window regulator replacement (Completed)
- 18" saw cut: Order replacement for Construction Crew

Future Projects:

- Prep Unit #31: Order supplies and equipment needed for completion
- Equipment Trailer #111: Rehab repair ramps and replace wood flooring pending quote
- Equipment Trailer #112: Flooring repairs - Order material & hardware ASAP
- Shoring Trailer #109: New prep
- Unit #22 new vehicle prep: Install 2-way radio and decals, floor mats, fire extinguisher, vise mount & vise, etc.
- Unit #61 Turbo cooler line replacement and CCV; Replace upper & lower ball joints and alignment
- Unit #32: Replace CCV and inspect turbo cooler line
- Building #s 2, 4 and 5: Air line installation for oil & waste tanks and replace air hose reels
- Vehicle grading and specs for replacement vehicles within 2020-2021 Budget: Numbers 14, 24, 33, 36, 61, 72, 75 & 28.
- Install backup & blind spot cameras on Unit #s 18, 21, 22, 23, 25, 32, 36, 40 & 75



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Robert Gutierrez  
Operations Manager

9/24/19





## BOARD INFORMATION

### BOARD OF DIRECTORS

September 24, 2019

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### SUBJECT

Engineering Report for August 2019

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### DESCRIPTION

#### CAPITAL PROJECTS:

Pressure Reduction Plan: The Consultant is currently working on the development of a system wide pressure analysis to extend the useful life of water mains and has held several meetings with staff to help determine optimum locations. This effort was reduced to allow the consultant to evaluate the water system if RMWD leaves SDCWA.

Corrosion Protection Program: The Consultant is developing a program for the District to implement to reduce corrosion of pipes, valves and other appurtenances.

Gird to Monserate Hill: Pursuing alternative design with lower construction cost. It will be included in the Programmatic EIR (PEIR). Project currently on hold.

Land Surveying Services - Record of Survey: The record of survey was submitted to the county late April 2019 and is in review. District Counsel is pursuing Quiet Title action to resolve issues.

FY19/20 District-Wide Pipeline Upgrade: The 60% drawings with proposed pipe alignments have been reviewed by staff.

Rainbow Height's Pump Station Replacement: The Consultant is proceeding with the design of the premanufactured pump station and drawings.

Rice Canyon Tank Transmission Line: The Request for Proposals was advertised on August 26, 2019. A pre-proposal meeting is scheduled for September 16, 2019. The proposals are due on October 8, 2019 by 3:00 p.m.

Sewer Pipe Lining: The contract was executed on July 11, 2019. The Notice to Proceed (NTP) has been delayed due to additional time needed by the Contractor to order and receive materials. A Change Order was approved for a 30-day time extension to start after the NTP is issued. Staff will issue the NTP in September 2019.

Tank Fall Prevention: Gomez Tank has been drained and renovations have begun. Stair drawings have been received and comments sent back.

Thoroughbred Equalization Basin and Schoolhouse Lift Station: Design has been paused as District considers available funding.

Via Ararat Pipeline Improvement: The contract was executed on July 29, 2019. The pre-con was conducted on August 8, 2019. Staff will issue the NTP on September 16, 2019.

Weese Filtration Plant Interconnect: Project is currently on hold while District considers supply alternatives.

**DEVELOPER PROJECTS:**

Golf Green Estates (Development Solutions): 94 SFR / 102.46 EDUs - Planned across from Bonsall Elementary School on Old River Road. Staff working with the developer on easement issues. Onsite punch list was prepared by staff. Contractor to complete items on the punch list - 57.

Horse Creek Ridge (HCR), (D.R. Horton): 627 WMs (Reduced by 124 WMs) / 754 EDUs - Off of Highway 76 and Horse Ranch Creek Road. Inspected meter installs, meter releases and sewer connections. Water meters purchased to date - 346.

Horse Creek Ridge Unit 6R5 Promontory (Richmond American Homes): 124 WMs / 124 EDUs - Off of Highway 76 and Horse Ranch Creek Road. D.R. Horton, master developer of HCR sold Unit 6-R5, 124 lots, Promontory Subdivision to Richmond American Homes. Currently the sewer EDUs are covered under an agreement with D.R. Horton. Inspected meter installs, meter releases and sewer connections. Water meters purchased to date - 77.

Malabar Ranch (Davidson Communities): 31 SFR / 29 EDUs - Off of Via Monserate/La Canada. There are 17 out of 31 homes built. Developer needs to complete the waterline relocation and punch list items.

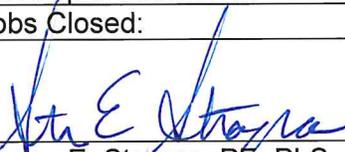
Malek 350' Water Main Extension on Entrada Al Sol: Final plans were submitted. Construction delayed until final submittals are submitted.

Pala Mesa Highlands (Beazer Homes): 124 SFR / 124 EDUs - On Old Highway 395. Models have been constructed. The PRS needs to be installed. Inspected meter installs, meter releases and sewer connections. The contractor installed new 4" DCDA line and 6" fire hydrant per revision. Water meters purchased to date - 69.

Wiestling 198' Water Main Extension on West Lilac Road: A 20' easement has been dedicated to the District along the westerly boundary of the property. The Construction Agreement was approved by the Board of Directors at the August

**OTHER:**

ITEMS	NO#	ITEMS	NO#
Water Availability Letters	1	Water Meters Purchased	1
Sewer Availability Letters	0	Sewer EDUs Purchased	0
Water Commitment Letters	0	Developer Shutdowns	0
Sewer Commitment Letters	0	Jobs Closed:	0

  
 Steven E. Strapac, PE, PLS  
 District Engineer

9/24/19

**AS-NEEDED CONTRACT SERVICES STATUS REPORT  
SEPTEMBER 2019**

CONT #	EXP DATE	TITLE	CONSULTANT	FUND SOURCE	ASSIGNMENT LETTERS	DESCRIPTION	AUTHORIZED AMOUNT	NOT TO EXCEED AMOUNT	INVOICED TO DATE	CURRENT BALANCE
17-41	12/28/2019	As-Needed General Real Property Services	Clark Land Resources	CIP	2018-00	Procure the necessary rights to procure Rainbow Heights Pump Station-MWD Easement.		\$ 3,967.00	\$ 162.50	
				CIP	2018-01	Staking of four separate easements crossing the San Luis Rey River.		\$ 16,500.00	\$ 12,444.50	
				CIP	2018-02	Staking Ascott property easement.		\$ 1,500.00	\$ 1,442.50	
				CIP	2018-03	RMWD valuation and disposal services for surplus property.		\$ 5,301.00	\$ 5,203.12	
				CIP	2019-04	Surplus property disposal plan.		\$ 10,000.00	\$ 742.25	
						\$ 40,000.00	\$ 37,268.00	\$ 19,994.87	\$ 20,005.13	
18-16	8/29/2021	As-Needed Land Surveying Services	Johnson-Frank & Associates, Inc.	NON-CIP	2019-00	Topography - Dentre De Lomas Road repair.		\$ 5,115.40	\$ 5,115.40	
								\$ 50,000.00	\$ 5,115.40	\$ 5,115.40
18-14	8/29/2021	As-Needed Land Surveying Services	KDM Meridian, Inc.	NON-CIP	2018-01	Stake easement on Morro Hills due to 20" watermain failure.		\$ 7,280.00	\$ 7,278.75	
				CIP	2019-02	RMWD "Base Map" to perform in-house design of proposed water facilities on Via Ararat.		\$ 5,800.00	\$ 5,800.00	
				---	2019-03	Cancelled		\$ -	\$ -	
				CIP	2019-04	Stake easement on Gird Road for construction project.		\$ 5,400.00	\$ -	
				CIP	2019-05	Legal and Plat for Campbell - Via Ararat		\$ 1,200.00	\$ 1,195.00	
						\$ 50,000.00	\$ 19,680.00	\$ 14,273.75	\$ 35,726.25	
18-15	8/29/2021	As-Needed Land Surveying Services	Right-of-Way Engineering, Inc.	NON-CIP	2019-00A	Title Reports, Legals & Plats - Los Sicomoros		\$ 7,705.00	\$ 7,705.00	
					2019-00B	Ranger Road Easement - Adams Property		\$ 1,885.00	\$ 1,885.00	
					2019-00C	Pardee Easement - North River		\$ 2,875.00	\$ 2,875.00	
					2019-01	Easement Survey - Grove View Road		\$ 4,220.00	\$ 3,285.00	
						\$ 50,000.00	\$ 16,685.00	\$ 15,750.00	\$ 34,250.00	
19-16	6/25/2022	As-Needed Civil Engineering Services	Dudek							
						\$ 150,000.00	\$ -	\$ -	\$ 150,000.00	
19-17	7/01/2022	As-Needed Civil Engineering Services	Omnis Consulting, Inc.		2019-01	PS&E Pavement Repair - Dentre De Lomas		\$ 8,890.00	\$ 4,270.00	
					2019-02	Olive Hill Estates Transmission Water Main		\$ 73,700.00		
						\$ 150,000.00	\$ 82,590.00	\$ 4,270.00	\$ 145,730.00	
19-18	6/25/2022	As-Needed Civil Engineering Services	HydroScience Engineers, Inc.							
						\$ 150,000.00	\$ -	\$ -	\$ 150,000.00	
19-19	6/25/2022	As-Needed Real Estate Appraisal Services	Anderson & Brabant, Inc.							
						\$ 20,000.00	\$ -	\$ -	\$ 20,000.00	
19-20	6/11/2022	As-Needed Real Estate Appraisal Services	ARENS Group, Inc.		2019-01	Bonsall Reservoir appraisal to include rent value		\$ 3,050.00	\$ 3,050.00	
						\$ 20,000.00	\$ 3,050.00	\$ 3,050.00	\$ 16,950.00	





# BOARD INFORMATION

## BOARD OF DIRECTORS

September 24, 2019

### SUBJECT

HUMAN RESOURCES REPORT FOR AUGUST/SEPTEMBER 2019

### DESCRIPTION

Personnel changes, human resources activities, and safety report for August/September 2019

### RECRUITMENT:

There were no recruitments in the month of September.

We currently have 1,241 active email subscriptions for notifications of job openings.

### EMPLOYEE EVENTS/UPCOMING EVENTS:

- **August 28, 2019: 3<sup>rd</sup> Quarter Anniversary Breakfast:** Our 3<sup>rd</sup> Quarter Anniversary Breakfast took place on Wednesday, August 28. Rainbow Oaks catered our staffs breakfast meals and the staff enjoyed their time together eating and participating in a team building activity. Included in the celebrated anniversaries was Tom Kennedy, celebrating 5 years of service and Mark Cline, who celebrates 30 years of service.
- **October 08, 2019: Flu Shots on site**
- **October 28, 2019: Annual Harvest Festival/Chili Cook-off**

### WORKFORCE DEVELOPMENT:

- **ACWA JPIA TRAINING CONFERENCE.** We currently have 15 employees from Operations, HR and Supervisory roles, that are confirmed to attend the ACWA JPIA San Diego Training Conference in October.
- **ONE-ON-ONE DISTRICT TRAINING.** All staff members will attend, a mandatory One-On-One District training on Tuesday, October 1. The objective of this training will be to create consistency and communication between leaders and their directs amongst our staff. Consecutively, all leaders will complete **Coaching, Counseling & Mentoring** with RDM Consulting Training Group.

### EMPLOYEE RECOGNITION:

#### Excellence Coin Awards

4 coins were given in August, along with 1 honorable mention.

Responsibility

**Tracy Largent, Leslie Mondragon, Renee Rubio, Ahmed Khattab** (*Honorable Mention*) – These individuals all received special recognition in this area for their recent involvement and extended dedication to the implementation of the new billing software.

Responsibility

**Chris Daugherty.** Chris is a silent force in the district who performs multiple tasks for office and field staff, well outside the scope of his job description. Additionally, has been instrumental in research and procurement of tools and safety devices to make the work environment better for both office and field staff.

## **BENEFITS:**

Open Enrollment is taking place October 3 through October 25. Meetings for our staff are scheduled for Thursday, October 3<sup>rd</sup>. HR will host informative enrollment sessions to provide 2020 Benefit Updates to our staff. Additionally, on Open Enrollment day, we will offer wellness classes such as yoga and nutrition.

## **SAFETY:**

### **Incidents**

There were no lost time or modified duty due to a work-related incident.

### **Safety Training**

Target Solutions online training: 38 completions for August 2019

Future planning to increase safety awareness throughout the district to include:

- Wellness program in conjunction with Open Enrollment to foster healthy meal choices and improve mobility.

### **Tailgate/ Office Safety Trainings**

Complacency



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Karleen Harp, COSM  
Human Resources Manager

09/24/2019

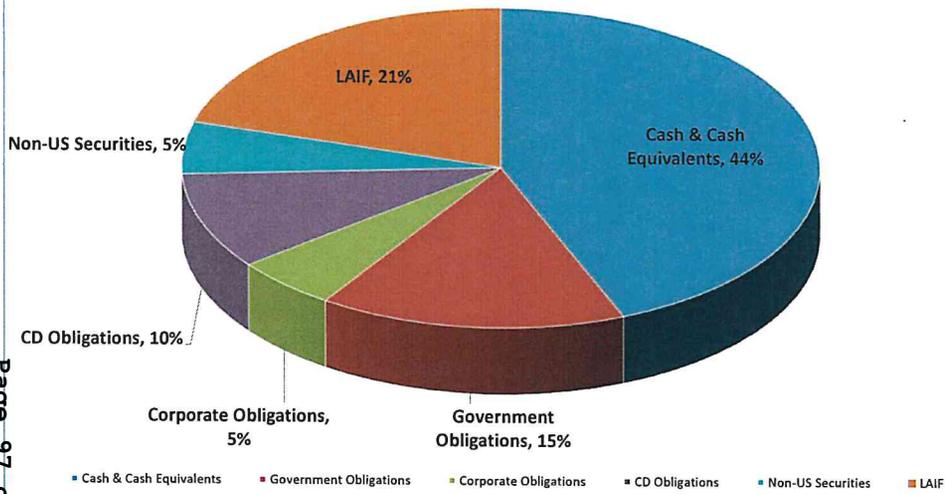
**RAINBOW MUNICIPAL WATER DISTRICT**  
**TREASURER'S MONTHLY REPORT OF INVESTMENTS**  
**PORTFOLIO SUMMARY**  
**6/30/2019**



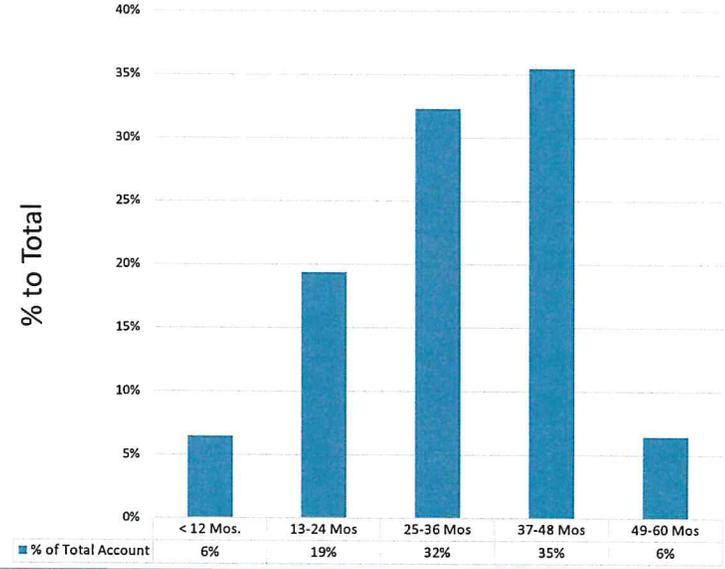
TYPE	ISSUER	CUSIP	Bond Rating	Date of Maturity	Par Value	Cost Basis	Market Value	Interest Rate	Yield to Maturity	Semi-Annual Interest	Days to Maturity	Fund	Object
Money Market Funds	JP MORGAN MONEY MARKET	48125C068S	N/A			\$ 641,204	\$ 641,204					53	13108
Trust	Willimington Trust	CSCDA 2017-01				\$ 1,654,198	\$ 1,654,198					60	10301/2/4/5
Trust	Willimington Trust	CSCDA 2017-01				\$ 2,750,000	\$ 2,750,000					53	10301
Money Market Funds	Zions Bank	7326251D				\$ 621,422	\$ 621,422	2.090%				60	13110
Money Market Funds	Zions Bank	7326250				\$ 5,597,593	\$ 5,597,593	2.060%				60	13111
Money Market Funds	Zions Bank	7326251E				\$ 5,304,715	\$ 5,304,715	2.090%				60	13109
Total Cash & Cash Equivalents					\$ -	\$ 16,569,131	\$ 16,569,131						
Non-Callable	FEDERAL HOME LN MTG CORP	3134G3QR4	Aaa	03/05/20	\$ 500,000	\$ 498,168	\$ 499,980	2.000%	2.000%	\$ 4,982	249	13	13108
Non-Callable	FEDERAL HOME LOAN BANKS CONS BD	3130AECJ7	Aaa	05/28/20	\$ 985,000	\$ 987,906	\$ 990,230	2.610%	2.625%	\$ 12,892	333	53	13108
Non-Callable	FEDERAL HOME LOAN BANK BONDS	3130AD4X7	Aaa	12/11/20	\$ 500,000	\$ 494,905	\$ 500,590	2.000%	2.000%	\$ 4,949	530	60	13108
Non-Callable	FEDERAL NATL MTG ASSN	3135G0T45	Aaa	04/05/22	\$ 1,000,000	\$ 1,002,910	\$ 1,001,790	1.870%	1.810%	\$ 9,377	1010	60	13108
Non-Callable	FEDERAL FARM CR BKS	3133EHRU9	Aaa	07/19/22	\$ 200,000	\$ 200,938	\$ 200,442	1.900%	1.900%	\$ 1,909	1115	53	13108
1X Callable	FEDERAL HOME LN MTG CORP	3134GBS94	Aaa	10/26/22	\$ 650,000	\$ 651,918	\$ 657,417	2.080%	2.100%	\$ 6,780	1214	53	13108
Non-Callable	FEDERAL NATL MTG ASSN	3135G0T94	Aaa	01/19/23	\$ 500,000	\$ 515,226	\$ 530,582	2.330%	2.375%	\$ 6,002	1299	13	13108
Non-Callable	FEDERAL NATL MTG ASSN	3135G0T94	Aaa	01/19/23	\$ 500,000	\$ 480,034	\$ 494,340	2.330%	2.375%	\$ 5,592	1299	53	13108
Non-Callable	FEDERAL NATL MTG ASSN	3135G0T94	Aaa	01/19/23	\$ 475,000	\$ 465,211	\$ 479,076	2.330%	2.375%	\$ 5,420	1299	13	13108
Non-Callable	FEDERAL HOME LOAN BANKS	3130ADRG9	Aaa	03/10/23	\$ 500,000	\$ 501,990	\$ 514,590	2.670%	2.750%	\$ 6,702	1349	53	13108
Total Government Obligations					\$ 5,810,000	\$ 5,799,203	\$ 5,869,037						
Make Whole	ORACLE CORP	68389XBKO	A1	09/15/21	\$ 1,000,000	\$ 1,011,470	\$ 994,940	1.910%	1.900%	\$ 9,660	808	13	13108
Non-Callable	WELLS FARGO	95000U2B8	A2	07/22/22	\$ 980,000	\$ 989,232	\$ 987,076	2.610%	2.625%	\$ 12,909	1118	13	13108
Total Corporate Obligations					\$ 1,980,000	\$ 2,000,702	\$ 1,982,016						
FDIC Ins. CD	UNITED BANKERS BK BLOOMINGTON	909557HQ6	N/A	09/16/20	\$ 230,000	\$ 230,000	\$ 230,718	2.590%	2.600%	\$ 2,979	444	53	13108
FDIC Ins. CD	BARCLAYS BK DEL	06740KJK4	Aaa	09/16/20	\$ 245,000	\$ 245,000	\$ 245,198	2.200%	2.200%	\$ 2,695	444	60	13108
FDIC Ins. CD	AMERICAN EXPRESS CENTRN	02587DB64	Aaa	09/23/20	\$ 250,000	\$ 250,000	\$ 250,125	2.300%	2.300%	\$ 2,875	451	53	13108
FDIC Ins. CD	ALLY BK MIDVAL UTAH	02007GFD0	N/A	09/28/20	\$ 245,000	\$ 245,000	\$ 246,860	2.780%	2.800%	\$ 3,406	456	13	13108
FDIC Ins. CD	DISCOVER BANK	254672F29	N/A	08/10/21	\$ 248,000	\$ 248,000	\$ 244,372	1.520%	1.500%	\$ 1,885	772	53	13108
FDIC Ins. CD	WELLS FARGO BANK NATL ASSN	949763AF3	N/A	08/17/21	\$ 98,000	\$ 98,000	\$ 96,650	1.570%	1.550%	\$ 769	779	53	13108
FDIC Ins. CD	WELLS FARGO BANK NATL ASSN	949763AF3	N/A	08/17/21	\$ 150,000	\$ 150,000	\$ 147,933	1.570%	1.550%	\$ 1,178	779	13	13108
FDIC Ins. CD	MB FINL BK NA CHIC IL	55266CZJ8	N/A	11/18/21	\$ 247,000	\$ 247,000	\$ 250,582	2.810%	2.850%	\$ 3,470	872	60	13108
FDIC Ins. CD	FLAGSTAR BK FSB TROY MICH	33847E2K2	N/A	06/13/22	\$ 245,000	\$ 246,749	\$ 246,330	2.440%	2.450%	\$ 3,010	1079	13	13108
FDIC Ins. CD	GOLDMAN SACHS BK USA NY	38148PKT3	N/A	06/14/22	\$ 245,000	\$ 245,000	\$ 245,630	2.340%	2.350%	\$ 2,867	1080	53	13108
FDIC Ins. CD	CAPITAL ONE NATL ASSN VA	14042RKL4	N/A	11/22/22	\$ 250,000	\$ 250,000	\$ 250,175	2.400%	2.400%	\$ 3,000	1241	53	13108
FDIC Ins. CD	MORGAN STANLEY	61747MF63	N/A	01/11/23	\$ 246,000	\$ 246,000	\$ 247,926	2.630%	2.650%	\$ 3,235	1291	53	13108
FDIC Ins. CD	BMW BANK NORTH AMER	05580AMB7	N/A	03/29/23	\$ 240,000	\$ 240,000	\$ 243,605	2.860%	2.900%	\$ 3,432	1368	53	13108
FDIC Ins. CD	SALLIE MAE BK SLT LAKE CITY	795450M44	Aaa	04/11/23	\$ 240,000	\$ 240,000	\$ 243,979	2.900%	2.950%	\$ 3,480	1381	60	13108
FDIC Ins. CD	CAPITAL ONE BANK (USA) NAT	1402TAW7	N/A	06/19/24	\$ 245,000	\$ 245,000	\$ 243,212	2.520%	2.500%	\$ 3,087	1816	13	13108
FDIC Ins. CD	MORGAN STANLEY PVT BK PURCHA	61760AL49	N/A	06/24/24	\$ 245,000	\$ 245,000	\$ 240,325	2.290%	2.250%	\$ 2,805	1821	60	13108
Total CD Obligations					\$ 3,669,000	\$ 3,670,749	\$ 3,673,619						
Non-Callable	AUSTRALIA & NEW ZEALA BKG	05253JAM3	Aa2	06/01/21	\$ 500,000	\$ 517,228	\$ 500,125	2.300%	2.300%	\$ 5,948	702	53	13108
Non-Callable	NATIONAL AUSTRALIA BK NY	63254AAR9	Aa2	07/12/21	\$ 500,000	\$ 508,870	\$ 495,740	1.890%	1.875%	\$ 4,809	743	53	13108
Non-Callable	BANK OF MONTREAL	06367TJX90	Aa3	08/27/21	\$ 1,000,000	\$ 1,011,840	\$ 993,670	1.910%	1.900%	\$ 9,663	789	60	13108
Total Non-US Securities					\$ 2,000,000	\$ 2,037,938	\$ 1,989,535						
Subtotal Long Term Pooled Investment					\$ 13,459,000	\$ 30,077,723	\$ 30,083,338						
Local Agency Investment Fund (LAIF)*					1.00171179	\$ 7,785,482	\$ 7,798,809						13103
Portfolio Totals						\$ 37,863,206	\$ 37,882,147						

\*Source of LAIF FMV - CA State Treasurer Pooled Money Investment Account @ <https://www.treasurer.ca.gov/pmia-laiif/reports/valuation.asp>

### Portfolio Mix



### Maturity Distribution



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This monthly report accurately reflects all District pooled investments. It is in conformity with the Investment Administrative code section 5.03.080. The District has sufficient cash flow to meet six months of obligations. This is in effect is in compliance with the current Investment Policy.

*Tracy Largent*  
Tracy Largent, Treasurer

7/2/2019



**AMERICAN EXPRESS**  
**July 2019**

GL Finance Code	GL Transaction Amount	Description
GL 60  15566  99	1,295.00	Amazon #112-0818531-4813804
GL 01  72000  32	9.50	Amazon #112-1015410-8279419
GL 03  63422  36	399.80	Amazon #112-1953185-5325855
GL 01  82000  35	599.96	Amazon #112-2696774-0446662
GL 03  63401  41	37.66	Amazon #112-3045549-7790608
GL 03  72900  41	9.49	Amazon #112-3967727-7653033
GL 03  63400  41	94.14	Amazon #112-8165863-8914618
GL 03  72500  43	77.98	Amazon #112-8284554-7998604
GL 03  72000  43	75.88	Amazon #1128718473-4401836
GL 03  63401  36	17.23	Amazon #112-8971470-6997011
GL 03  63401  41	51.69	Amazon #112-9508794-3690603
GL 03  72500  43	181.87	Amazon #112-9999331-2544233
GL 03  72000  43	(27.98)	Amazon Refund #112-2143479-9368231
GL 03  72000  43	(13.99)	Amazon Refund #112-2143479-9368231
GL 03  72000  43	(75.88)	Amazon Refund #112-8718473-4401836
GL 03  75500  42	72.50	Aqua Terra Restaurant-New Hire Welcome Lunch
GL 03  60100  41	10.00	Atlassian
GL 03  60100  41	27.00	Authorize.net
GL 03  72400  41	145.00	Bonsall Chamber of Commerce
GL 03  63401  41	79.50	Culligan #063019
GL 03  75300  51	396.96	Expedia #7453866548594
GL 03  72000  36	21.75	Fallbrook Car Wash
GL 03  74100  41	5,013.74	FirstNet Billing #287290636445X06232019
GL 03  63421  36	315.93	Grainger #1355797198
GL 03  63421  36	333.66	Grainger #1355797198
GL 03  63401  41	39.17	Grainger #1356251580
GL 03  72000  43	68.46	Grainger #9226933555
GL 01  72000  32	2,721.23	Integra Chemical #0131808-IN
GL 03  74100  41	897.34	Jive Communications
GL 03  75400  42	200.00	Manager Tools, LLC
GL 03  63400  41	750.00	Naturebox #6489
GL 03  75300  51	595.00	NIGP #372946
GL 01  63401  35	5,000.00	Palomar Backflow #4802
GL 03  56513  42	49.52	ProFlowers - MWalker
GL 03  56513  43	66.97	ProFlowers - RGutierrez
GL 01  72000  34	848.24	Sonim Technologies #10382

GL|01||72000||32||  
GL|03||63400||41||  
GL|03||63401||41||  
GL|03||63401||41||  
GL|03||63400||41||  
GL|03||75500||42||  
GL|03||75500||42||  
GL|03||75300||41||  
GL|03||75300||20||  
GL|03||60100||41||  
GL|03||63102||91||  
GL|03||63102||91||  
GL|03||60100||41||  
GL|01||72000||35||  
GL|03||60100||41||

332.15 Sparkletts Water - #191934083026  
76.50 The FruitGuys #5399496  
38.25 The FruitGuys #5401614  
76.50 The FruitGuys #5404438  
38.25 The FruitGuys #5407357  
40.57 Village Pizza  
46.27 Village Pizza - New Hire Welcome Lunch  
56.77 Village Pizza #146481  
24.78 Village Pizza #169737  
1,980.00 GoToMyPC Pro-LogMeIn  
192.5 CoreLogic  
10 CoreLogic  
2,805.00 Kaseya  
25 Zoho Corp  
176.27 Microsoft Azure  
**26,303.13 Report Total**

**Director's Expenses  
FY 2019-2020**

Disbursement Date	Description	Helene Brazier	Miguel Gasca	Claude Hamilton	Michael Mack	Carl Rindfleisch
07/31/19	CAL PERS - HEALTH INS. WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE			\$ 25.52	\$ 69.60	\$ 109.62
	<b>REIMBURSEMENT FROM DIRECTORS</b>					
	Monthly Totals	\$ -	\$ -	\$ 25.52	\$ 69.60	\$ 109.62
08/31/19	CAL PERS - HEALTH INS. WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE					\$ 85.26
	<b>REIMBURSEMENT FROM DIRECTORS</b>					
	Monthly Totals	\$ -	\$ -	\$ -	\$ -	\$ 85.26





**Check Register  
July 2019**

Vendor #	Vendor Name	Invoice	Invoice Date	Payment Date	Payment Number	Payment Amount
701747	ZION BANCORPORATION, NATIONAL ASSOCIATION	120031399002	7/1/2019	7/3/2019	20000	612,682.14
701747	ZION BANCORPORATION, NATIONAL ASSOCIATION	120031399001	7/1/2019	7/3/2019	20000	639,002.92
701948	STATE WATER RESOURCES CONTROL BOARD	51907145	6/13/2019	7/3/2019	WIRE	314,861.46
701948	STATE WATER RESOURCES CONTROL BOARD	51907144	6/13/2019	7/3/2019	WIRE	237,587.47
700707	SAN DIEGO COUNTY WATER AUTH	0519-12	6/7/2019	7/9/2019	WIRE	1,676,570.23
700586	BONSALL PEST CONTROL	20190709	7/9/2019	7/11/2019	20006	200.00
701759	KDM MERIDIAN	5803	7/8/2019	7/11/2019	20031	1,195.00
701826	ARAMARK UNIFORM SERVICES	1450771358	7/3/2019	7/11/2019	20003	367.64
702398	COFFEE AMBASSADOR	825970	7/3/2019	7/11/2019	20010	77.98
701930	FLYERS ENERGY LLC	19-938115	7/3/2019	7/11/2019	20019	2,085.94
701926	ART'S TRENCH PLATE & KRAIL SERVICE CO, INC.	56330	7/3/2019	7/11/2019	20004	435.00
700715	CHARLES C. SNEED	43647	7/2/2019	7/11/2019	20009	363.00
701193	MUNICIPAL MAINTENANCE EQUIPMENT	0139193-IN	7/2/2019	7/11/2019	20037	1,248.67
700860	FERGUSON WATERWORKS #1083	0675484-2	7/2/2019	7/11/2019	20018	49.57
701188	CRAIG SHOBE	128046	7/1/2019	7/11/2019	20014	260.00
701188	CRAIG SHOBE	128045	7/1/2019	7/11/2019	20014	195.00
701188	CRAIG SHOBE	128044	7/1/2019	7/11/2019	20014	470.00
702401	RAMON ZUNIGA	20190701	7/1/2019	7/11/2019	20048	2,000.00
702420	JERRY KRAFT	20190701	7/1/2019	7/11/2019	20030	200.00
700710	COVERALL NORTH AMERICA, INC.	1260174614	7/1/2019	7/11/2019	20013	1,532.00
701180	MODULAR BUILDING CONCEPTS, INC	202438	7/1/2019	7/11/2019	20036	296.31
701180	MODULAR BUILDING CONCEPTS, INC	202437	7/1/2019	7/11/2019	20036	631.41
701180	MODULAR BUILDING CONCEPTS, INC	202436	7/1/2019	7/11/2019	20036	350.19
702042	UNDERGROUND SERVICE ALERT	18DSBFEE3462	7/1/2019	7/11/2019	20059	94.75
702042	UNDERGROUND SERVICE ALERT	620190560	7/1/2019	7/11/2019	20059	204.70
702397	TEMECULA VALLEY PAINT, INC.	3-163082	7/1/2019	7/11/2019	20057	687.23
702397	TEMECULA VALLEY PAINT, INC.	3-164121	7/1/2019	7/11/2019	20057	656.47
702396	QTX MOBILE ACCESSORIES, INC.	2846	7/1/2019	7/11/2019	20045	1,349.00
702396	QTX MOBILE ACCESSORIES, INC.	2847	7/1/2019	7/11/2019	20045	1,349.00
702395	MHC SOFTWARE, LLC	4271261	7/1/2019	7/11/2019	20033	3,000.00
702394	FORESTRY SUPPLIERS INC.	556021-00	7/1/2019	7/11/2019	20020	365.12
702393	GOLDEN STATE INDUSTRIAL COATINGS, INC.	5111	7/1/2019	7/11/2019	20023	2,000.00
701928	SHRED-IT USA LLC	8127597154	7/1/2019	7/11/2019	20053	152.74
701405	HEAVY VEHICLE ELECTRONIC LICENSE PLATE	0303526M190630	7/1/2019	7/11/2019	20026	27.65
701169	FALLBROOK WASTE AND RECYCLING	428820-JUN19	7/1/2019	7/11/2019	20017	1,071.20
700958	AIRGAS USA, LLC	9090371789	7/1/2019	7/11/2019	20002	49.66
700958	AIRGAS USA, LLC	9963266248	7/1/2019	7/11/2019	20002	61.53
700958	AIRGAS USA, LLC	9963248437	7/1/2019	7/11/2019	20002	103.81
702165	COPY 2 COPY	189904	7/1/2019	7/11/2019	20011	117.39
702116	WESTERN LANDSCAPE MAINTENANCE PLUS, INC.	9333	7/1/2019	7/11/2019	20063	507.15
702067	VERIZON WIRELESS	9832229648	7/1/2019	7/11/2019	20060	2,612.98
701996	SOFTCHOICE CORPORATION	5144378	7/1/2019	7/11/2019	20054	1,179.86
701996	SOFTCHOICE CORPORATION	5145592	7/1/2019	7/11/2019	20054	648.86
701984	TCN, INC	TCN64824	7/1/2019	7/11/2019	20056	41.26
701977	CORE & MAIN LP	K695984	7/1/2019	7/11/2019	20012	2,331.71
701930	FLYERS ENERGY LLC	19-921907	7/1/2019	7/11/2019	20019	1,235.84
701930	FLYERS ENERGY LLC	19-935740	7/1/2019	7/11/2019	20019	1,339.38
701872	SAN DIEGO GAS & ELECTRIC	062519 (1)	7/1/2019	7/11/2019	20052	4,437.84
701872	SAN DIEGO GAS & ELECTRIC	062519 (2)	7/1/2019	7/11/2019	20052	10.00
701872	SAN DIEGO GAS & ELECTRIC	70219	7/1/2019	7/11/2019	20052	39,018.43
701854	RHO MONSERATE C.C.H.A.	60719	7/1/2019	7/11/2019	20049	315.90
701833	RIGHT-OF-WAY ENGINEERING SERV	8234	7/1/2019	7/11/2019	20050	1,885.00
701826	ARAMARK UNIFORM SERVICES	1450747550	7/1/2019	7/11/2019	20003	390.30
701826	ARAMARK UNIFORM SERVICES	1450759461	7/1/2019	7/11/2019	20003	381.35
701755	WATERLINE TECHNOLOGIES INC.	5458020	7/1/2019	7/11/2019	20062	1,514.21

Vendor #	Vendor Name	Invoice	Invoice Date	Payment Date	Payment Number	Payment Amount
701755	WATERLINE TECHNOLOGIES INC.	5458094	7/1/2019	7/11/2019	20062	1,127.60
701755	WATERLINE TECHNOLOGIES INC.	5459162	7/1/2019	7/11/2019	20062	644.35
701723	NUTRIEN AG SOLUTIONS, INC	39602898	7/1/2019	7/11/2019	20039	150.80
701718	PARADISE CHEVROLET CADILLAC	1191892	7/1/2019	7/11/2019	20041	38,648.33
701707	LEARNSOFT CONSULTING, INC.	162863	7/1/2019	7/11/2019	20032	3,900.00
701684	RAMON FRANCISCO COTE	31723	7/1/2019	7/11/2019	20047	285.50
701684	RAMON FRANCISCO COTE	31746	7/1/2019	7/11/2019	20047	315.00
701649	SALIZCO INC	46823	7/1/2019	7/11/2019	20051	490.83
701643	NATIONAL BENEFIT SERVICES, LLC	707789	7/1/2019	7/11/2019	20038	50.00
701570	INFOSEND, INC.	156152	7/1/2019	7/11/2019	20028	5,088.93
701568	HDR ENGINEERING, INC.	1200193537	7/1/2019	7/11/2019	20025	7,608.49
701566	THE CARLSON COMPANY	653766-00	7/1/2019	7/11/2019	20058	194.38
701515	WATER QUALITY SPECIALISTS	6028	7/1/2019	7/11/2019	20061	1,950.00
701423	PERRAULT CORPORATION	105858	7/1/2019	7/11/2019	20043	322.48
701423	PERRAULT CORPORATION	105859	7/1/2019	7/11/2019	20043	688.44
701423	PERRAULT CORPORATION	105889	7/1/2019	7/11/2019	20043	1,503.70
701423	PERRAULT CORPORATION	105890	7/1/2019	7/11/2019	20043	2,535.64
701338	QUALITY CHEVROLET	763556	7/1/2019	7/11/2019	20046	95.36
701338	QUALITY CHEVROLET	763627	7/1/2019	7/11/2019	20046	215.54
701312	PARKHOUSE TIRE, INC.	3020215510	7/1/2019	7/11/2019	20042	145.41
701299	MISSION RESOURCE CONSERVATION DISTRICT	402	7/1/2019	7/11/2019	20034	342.00
701257	ONESOURCE DISTRIBUTORS, LLC	56156187.002	7/1/2019	7/11/2019	20040	65.96
701257	ONESOURCE DISTRIBUTORS, LLC	56156187.003	7/1/2019	7/11/2019	20040	4.18
701257	ONESOURCE DISTRIBUTORS, LLC	56182622.001	7/1/2019	7/11/2019	20040	97.03
701202	ACCELA, INC. #774375	INV-ACC47201	7/1/2019	7/11/2019	20001	2,590.00
701187	BP BATTERY INC.	17809	7/1/2019	7/11/2019	20007	484.50
701174	MITEL LEASING, INC.	902000782	7/1/2019	7/11/2019	20035	1,657.11
701169	FALLBROOK WASTE AND RECYCLING	425500-JUN19	7/1/2019	7/11/2019	20017	272.00
701169	FALLBROOK WASTE AND RECYCLING	427267-JUN19	7/1/2019	7/11/2019	20017	146.00
701168	ATLAS PUMPING SERVICE	61696	7/1/2019	7/11/2019	20005	210.00
701168	ATLAS PUMPING SERVICE	63483	7/1/2019	7/11/2019	20005	3,960.00
701168	ATLAS PUMPING SERVICE	63484	7/1/2019	7/11/2019	20005	3,960.00
701168	ATLAS PUMPING SERVICE	63485	7/1/2019	7/11/2019	20005	3,960.00
700988	HOUSTON AND HARRIS	19-21987	7/1/2019	7/11/2019	20027	2,751.00
700962	HADRONEX, INC.	12936	7/1/2019	7/11/2019	20024	23,156.58
700958	AIRGAS USA, LLC	9090116531	7/1/2019	7/11/2019	20002	205.57
700958	AIRGAS USA, LLC	9090306411	7/1/2019	7/11/2019	20002	360.13
700958	AIRGAS USA, LLC	9090306412	7/1/2019	7/11/2019	20002	1,593.99
700915	FREEDOM AUTOMATION, INC.	1963	7/1/2019	7/11/2019	20021	2,771.00
700915	FREEDOM AUTOMATION, INC.	1964	7/1/2019	7/11/2019	20021	1,498.00
700914	FREEWAY TRAILER SALES	10029	7/1/2019	7/11/2019	20022	19.13
700903	FALLBROOK PRINTING CO	21793	7/1/2019	7/11/2019	20016	7,236.50
700860	FERGUSON WATERWORKS #1083	676555	7/1/2019	7/11/2019	20018	47,668.60
700860	FERGUSON WATERWORKS #1083	676731	7/1/2019	7/11/2019	20018	38,628.38
700860	FERGUSON WATERWORKS #1083	677365	7/1/2019	7/11/2019	20018	1,964.70
700845	FALLBROOK AUTO PARTS	194562	7/1/2019	7/11/2019	20015	51.27
700845	FALLBROOK AUTO PARTS	194974	7/1/2019	7/11/2019	20015	144.36
700845	FALLBROOK AUTO PARTS	195192	7/1/2019	7/11/2019	20015	(19.40)
700845	FALLBROOK AUTO PARTS	195700	7/1/2019	7/11/2019	20015	151.73
700845	FALLBROOK AUTO PARTS	195788	7/1/2019	7/11/2019	20015	467.55
700845	FALLBROOK AUTO PARTS	196087	7/1/2019	7/11/2019	20015	(10.07)
700845	FALLBROOK AUTO PARTS	196132	7/1/2019	7/11/2019	20015	(63.90)
700845	FALLBROOK AUTO PARTS	196719	7/1/2019	7/11/2019	20015	211.09
700710	COVERALL NORTH AMERICA, INC.	1260174823	7/1/2019	7/11/2019	20013	537.00
700637	CDW GOVERNMENT, INC.	SRR9242	7/1/2019	7/11/2019	20008	371.20
700619	INFRASTRUCTURE ENGINEERING	11639	7/1/2019	7/11/2019	20029	3,923.00
701348	PRINCIPAL LIFE INSURANCE COMPANY	43647	6/17/2019	7/11/2019	20044	5,889.20
701911	SPECIAL DISTRICT RISK	66618	5/16/2019	7/11/2019	20055	282,474.29
701911	SPECIAL DISTRICT RISK	66177	5/14/2019	7/11/2019	20055	164,068.51
702116	WESTERN LANDSCAPE MAINTENANCE PLUS, INC.	9394	7/25/2019	7/26/2019	ACH	507.15
702462	KYOCERA DOCUMENT SOLUTIONS AMERICA, INC.	55B1791626	7/25/2019	7/26/2019	20089	9.00
702461	CARL & JANET FLINN	20190725	7/25/2019	7/26/2019	20071	2,850.00
702460	JESSE FARRELL	20190725	7/25/2019	7/26/2019	20084	6,650.00

Vendor #	Vendor Name	Invoice	Invoice Date	Payment Date	Payment Number	Payment Amount
701710	PHILLIP PONTO	20190725	7/25/2019	7/26/2019	20096	9,500.00
700968	JOE'S HARDWARE	3788 /2	7/24/2019	7/26/2019	20085	5.20
701826	ARAMARK UNIFORM SERVICES	1450807082	7/24/2019	7/26/2019	20066	525.08
701084	KEVIN MILLER	2019-08	7/24/2019	7/26/2019	ACH	726.00
701238	VALLEY CENTER M.W.D.	99	7/23/2019	7/26/2019	20109	144.82
701902	SAN DIEGO COUNTY ASSESSOR/RECORDER/CLERK	20190723	7/23/2019	7/26/2019	20102	36.00
701188	CRAIG SHOBE	128116	7/22/2019	7/26/2019	20075	325.00
701926	ART'S TRENCH PLATE & KRAIL SERVICE CO, INC.	56485	7/19/2019	7/26/2019	ACH	444.00
701348	PRINCIPAL LIFE INSURANCE COMPANY	43678	7/18/2019	7/26/2019	20097	7,413.08
701222	MORGAN COMPANY	214236	7/18/2019	7/26/2019	20093	342.33
701973	KNIGHT SECURITY & FIRE SYSTEMS	67693	7/18/2019	7/26/2019	ACH	90.00
701103	LINE-X OF ESCONDIDO	1122	7/18/2019	7/26/2019	20091	901.75
702423	JUSTIN CHANDLER	20190718	7/18/2019	7/26/2019	20086	126.85
702412	STEPHEN COFFEY	20190718	7/18/2019	7/26/2019	20105	200.00
701982	SOUTHWEST ANSWERING SERVICE, INC.	3.21107E+11	7/18/2019	7/26/2019	20104	780.65
701188	CRAIG SHOBE	128115	7/18/2019	7/26/2019	20075	260.00
701059	TIME WARNER CABLE	3.69923E+11	7/17/2019	7/26/2019	20108	1,250.00
700958	AIRGAS USA, LLC	9090953671	7/17/2019	7/26/2019	ACH	619.47
701826	ARAMARK UNIFORM SERVICES	1450795208	7/17/2019	7/26/2019	20066	372.39
701930	FLYERS ENERGY LLC	19-945954	7/17/2019	7/26/2019	20078	1,187.10
701677	AZUGA, INC.	INV00085900	7/17/2019	7/26/2019	20070	1,039.00
702022	T S INDUSTRIAL SUPPLY	1116419	7/16/2019	7/26/2019	20106	1,718.36
701926	ART'S TRENCH PLATE & KRAIL SERVICE CO, INC.	56410	7/16/2019	7/26/2019	ACH	402.00
701795	KINSEY & KINSEY, INC.	INV45116	7/15/2019	7/26/2019	20088	11,245.44
702067	VERIZON WIRELESS	9834206332	7/15/2019	7/26/2019	20110	2,938.84
700969	JOE'S PAVING CO, INC	58951	7/15/2019	7/26/2019	ACH	1,776.84
700958	AIRGAS USA, LLC	9090816014	7/15/2019	7/26/2019	ACH	394.76
701097	ASTRA INDUSTRIAL SERV.INC	168634	7/15/2019	7/26/2019	ACH	33,027.64
701140	MAR-CON PRODUCTS	58495	7/15/2019	7/26/2019	20092	2,955.04
700958	AIRGAS USA, LLC	9090854399	7/14/2019	7/26/2019	ACH	453.33
701266	AT&T	13335078	7/13/2019	7/26/2019	20068	25.33
701266	AT&T	13335081	7/13/2019	7/26/2019	20068	140.62
701266	AT&T	13335082	7/13/2019	7/26/2019	20068	20.63
701266	AT&T	13337097	7/13/2019	7/26/2019	20068	306.24
700958	AIRGAS USA, LLC	9090805671	7/12/2019	7/26/2019	ACH	124.99
700855	FEDEX	6-610-42608	7/12/2019	7/26/2019	20077	235.20
700995	HUDSON SAFETY-T-LITE	65337	7/12/2019	7/26/2019	20082	1,981.00
701269	AT&T LONG DISTANCE	858141363-0719	7/12/2019	7/26/2019	20069	21.86
700837	REM MECHANICAL, INC	20453M	7/12/2019	7/26/2019	ACH	434.00
701568	HDR ENGINEERING, INC.	1200202537	7/12/2019	7/26/2019	20080	5,179.21
701926	ART'S TRENCH PLATE & KRAIL SERVICE CO, INC.	56402	7/12/2019	7/26/2019	ACH	435.00
701930	FLYERS ENERGY LLC	19-944094	7/12/2019	7/26/2019	20078	2,259.23
701775	OMNIS CONSULTING INC.	19534	7/11/2019	7/26/2019	20094	25,926.10
701800	TIAA COMMERCIAL FINANCE, INC.	6365489	7/11/2019	7/26/2019	20107	2,466.19
700751	ANDREW ECHOLS	2019-06	7/11/2019	7/26/2019	ACH	134.72
700751	ANDREW ECHOLS	2019-05	7/11/2019	7/26/2019	ACH	134.72
701764	KENNETH E WEINBERG	10134	7/11/2019	7/26/2019	20087	1,150.28
700958	AIRGAS USA, LLC	9090757618	7/10/2019	7/26/2019	ACH	614.55
701656	LINCOLN NATIONAL LIFE INSURANCE COMPANY	3915168129	7/10/2019	7/26/2019	20090	5,663.50
700772	KENNEDY/JENKS CONSULTANTS INC	127702	7/10/2019	7/26/2019	ACH	34,253.70
701826	ARAMARK UNIFORM SERVICES	1450783361	7/10/2019	7/26/2019	20066	385.68
700830	BABCOCK LABORATORIES, INC	BF90716-0582	7/9/2019	7/26/2019	ACH	111.00
700830	BABCOCK LABORATORIES, INC	BG90722-0582	7/9/2019	7/26/2019	ACH	34.00
701755	WATERLINE TECHNOLOGIES INC.	5460614	7/9/2019	7/26/2019	20111	1,388.04
702145	XEROX FINANCIAL SERVICES	1688714	7/9/2019	7/26/2019	20112	565.83
700868	BOOT WORLD, INC	17518	7/9/2019	7/26/2019	ACH	200.00
701619	RT LAWRENCE CORPORATION	43237	7/9/2019	7/26/2019	20101	636.15
701926	ART'S TRENCH PLATE & KRAIL SERVICE CO, INC.	56367	7/8/2019	7/26/2019	ACH	375.00
701264	AT&T	319 2-JUL19	7/7/2019	7/26/2019	20067	90.18
701264	AT&T	914 2-JUL19	7/7/2019	7/26/2019	20067	76.10
700830	BABCOCK LABORATORIES, INC	BG90465-0582	7/5/2019	7/26/2019	ACH	119.00
700958	AIRGAS USA, LLC	9090564090	7/5/2019	7/26/2019	ACH	104.87
700935	ACWA-JPIA	619037	7/2/2019	7/26/2019	20065	78,142.25

Vendor #	Vendor Name	Invoice	Invoice Date	Payment Date	Payment Number	Payment Amount
702458	SANCON ENGINEERING	27113	7/2/2019	7/26/2019	20103	23,620.00
702457	1ST CHOICE BACKFLOW	4513	7/2/2019	7/26/2019	20064	5,000.00
700960	HACH	11532222	7/2/2019	7/26/2019	20079	1,263.69
700675	COUNTY OF SAN DIEGO AUDITOR & CONTROLLER	LC19-36	7/1/2019	7/26/2019	20074	22,560.68
701888	SAFETY-KLEEN	80135530	7/1/2019	7/26/2019	ACH	550.18
701833	RIGHT-OF-WAY ENGINEERING SERV	8246	6/30/2019	7/26/2019	20100	1,245.00
701336	PUBLIC POLICY STRATEGIES, INC.	17323	6/30/2019	7/26/2019	20098	7,500.00
701284	PALOMAR HEALTH	00076738-00	6/30/2019	7/26/2019	20095	65.00
701795	KINSEY & KINSEY, INC.	INV45065	6/30/2019	7/26/2019	20088	10,137.24
700830	BABCOCK LABORATORIES, INC	BF92519-0582	6/28/2019	7/26/2019	ACH	34.00
700830	BABCOCK LABORATORIES, INC	BF92607-0582	6/28/2019	7/26/2019	ACH	85.00
701684	RAMON FRANCISCO COTE	31902	6/28/2019	7/26/2019	20099	374.50
700619	INFRASTRUCTURE ENGINEERING	11767	6/28/2019	7/26/2019	20083	1,378.00
701011	HOME DEPOT	6318356	6/26/2019	7/26/2019	20081	86.16
701011	HOME DEPOT	7373377	6/25/2019	7/26/2019	20081	94.79
701011	HOME DEPOT	7417961	6/25/2019	7/26/2019	20081	34.42
701568	HDR ENGINEERING, INC.	1200199208	6/21/2019	7/26/2019	20080	10,477.25
701684	RAMON FRANCISCO COTE	31836	6/21/2019	7/26/2019	20099	335.00
700830	BABCOCK LABORATORIES, INC	BF91779-0582	6/19/2019	7/26/2019	ACH	820.00
700830	BABCOCK LABORATORIES, INC	BF91780-0582	6/19/2019	7/26/2019	ACH	85.00
700830	BABCOCK LABORATORIES, INC	BF91324-0582	6/14/2019	7/26/2019	ACH	34.00
700830	BABCOCK LABORATORIES, INC	BF91327-0582	6/14/2019	7/26/2019	ACH	51.00
701684	RAMON FRANCISCO COTE	31802	6/14/2019	7/26/2019	20099	351.50
701188	CRAIG SHOBE	128016	6/14/2019	7/26/2019	20075	385.00
701011	HOME DEPOT	9515047	6/13/2019	7/26/2019	20081	642.20
701011	HOME DEPOT	9875146	6/13/2019	7/26/2019	20081	773.65
700830	BABCOCK LABORATORIES, INC	BF91132-0582	6/12/2019	7/26/2019	ACH	80.00
700830	BABCOCK LABORATORIES, INC	BF91154-0582	6/12/2019	7/26/2019	ACH	51.00
702165	COPY 2 COPY	189600	6/10/2019	7/26/2019	20073	69.44
701775	OMNIS CONSULTING INC.	19526	6/7/2019	7/26/2019	20094	7,120.00
700830	BABCOCK LABORATORIES, INC	BF90565-0582	6/6/2019	7/26/2019	ACH	64.00
700619	INFRASTRUCTURE ENGINEERING	11709	5/31/2019	7/26/2019	20083	5,256.72
701188	CRAIG SHOBE	167835	5/30/2019	7/26/2019	20075	480.00
702398	COFFEE AMBASSADOR	823382	5/29/2019	7/26/2019	20072	435.75
702398	COFFEE AMBASSADOR	822405	5/10/2019	7/26/2019	20072	606.53
700772	KENNEDY/JENKS CONSULTANTS INC	129743	5/8/2019	7/26/2019	ACH	10,406.07
700799	D & H WATER SYSTEMS INC	I 2019-0494	4/29/2019	7/26/2019	20076	1,576.43
700794	DUDEK	20191980	4/12/2019	7/26/2019	ACH	2,298.75
700619	INFRASTRUCTURE ENGINEERING	11464	2/22/2019	7/26/2019	20083	6,800.00
701882	BOARD OF EQUALIZATION	20190630	6/30/2019	7/29/2019	20113	171.29
700771	KARN ENGINEERING & SURVEYING	4418	3/3/2019	7/29/2019	20114	1,100.00
701820	PETTY CASH - ADMINISTRATION	20190730	7/30/2019	7/30/2019	20117	7,000.00
701011	HOME DEPOT	9292482	7/23/2019	7/30/2019	20115	157.67
701409	KNOCKOUT PEST CONTROL& TERMITES, INC.	30676	7/17/2019	7/30/2019	20116	75.00
701011	HOME DEPOT	6524962	7/16/2019	7/30/2019	20115	16.21
701011	HOME DEPOT	6070129	7/16/2019	7/30/2019	20115	21.88
701011	HOME DEPOT	1511839	7/11/2019	7/30/2019	20115	61.66
701409	KNOCKOUT PEST CONTROL& TERMITES, INC.	30536	7/10/2019	7/30/2019	20116	75.00
701409	KNOCKOUT PEST CONTROL& TERMITES, INC.	30537	7/10/2019	7/30/2019	20116	75.00
701409	KNOCKOUT PEST CONTROL& TERMITES, INC.	30538	7/10/2019	7/30/2019	20116	75.00
701011	HOME DEPOT	3524335	7/9/2019	7/30/2019	20115	64.85
701842	RANCHO PAVING, INC	3082	7/8/2019	7/30/2019	20118	5,280.00
701409	KNOCKOUT PEST CONTROL& TERMITES, INC.	30663	7/8/2019	7/30/2019	20116	75.00
701409	KNOCKOUT PEST CONTROL& TERMITES, INC.	30664	7/8/2019	7/30/2019	20116	75.00
701409	KNOCKOUT PEST CONTROL& TERMITES, INC.	30661	7/8/2019	7/30/2019	20116	75.00
701409	KNOCKOUT PEST CONTROL& TERMITES, INC.	30662	7/8/2019	7/30/2019	20116	75.00
701011	HOME DEPOT	9012121	7/3/2019	7/30/2019	20115	70.42
701011	HOME DEPOT	1613693	7/1/2019	7/30/2019	20115	47.41
701710	PHILLIP PONTO	20190731	7/31/2019	7/31/2019	20120	2,500.00
700845	FALLBROOK AUTO PARTS	199108	7/18/2019	7/31/2019	20119	40.10
701684	RAMON FRANCISCO COTE	31940	7/5/2019	7/31/2019	20121	414.00
					<b>Total:</b>	<b>4,627,286.95</b>

# Comparative Water Sales YTD from Prior Years

## FISCAL YEAR 2019-2020

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
562	AD	28,018	-											64
402	AG	113,285	-											260
264	CM	35,561	-											82
23	CN	1,484	-											3
21	IS	3,060	-											7
112	MF	11,910	-											27
323	SC	135,069	-											310
1024	SD	164,817	-											378
5468	SF	150,907	-											346
8199	Total	644,111	-	-	-	-	-	-	-	-	-	-	-	1,479

## FISCAL YEAR 2018-2019

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
562	AD	34,648												80
402	AG	129,946												298
264	CM	51,483												118
23	CN	3,982												9
21	IS	4,964												11
112	MF	11,653												27
323	SC	165,088												379
1024	SD	230,264												529
5468	SF	168,323												386
8199	Total	800,351	-	-	-	-	-	-	-	-	-	-	-	1,837

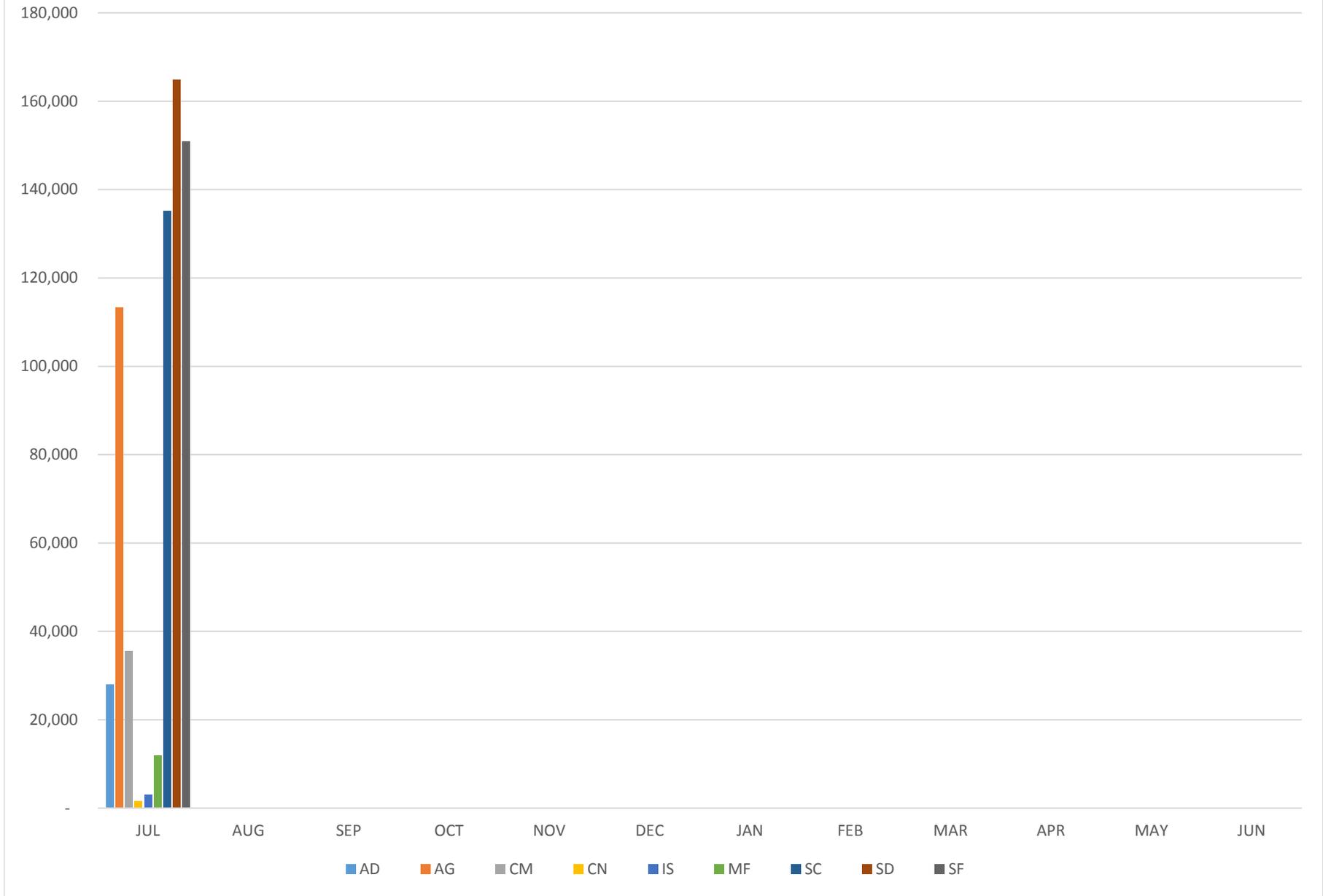
## FISCAL YEAR 2017-2018

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
563	AD	33,310												76
395	AG	144,066												331
247	CM	33,715												77
32	CN	2,447												6
20	IS	2,320												5
96	MF	11,472												26
323	SC	179,822												413
1024	SD	244,799												562
5196	SF	174,946												402
7896	Total	826,897	-	-	-	-	-	-	-	-	-	-	-	1,898

## FISCAL YEAR 2016-2017

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
591	AD	36216												83
403	AG	156957												360
231	CM	47830												110
30	CN	4900												11
24	IS	3806												9
88	MF	11307												26
326	SC	183744												422
1034	SD	279246												641
5122	SF	187516												430
7849	Total	911,522	-	-	-	-	-	-	-	-	-	-	-	2,093

### USAGE BY CUSTOMER CLASS FY 19-20



## Comparative Water Sales YTD from Prior Years

