



TO PARTICIPATE IN THE MEETING VIA VIDEO OR TELECONFERENCE, GO TO <https://rainbowmwd.zoom.us/j/85664315900> OR CALL 1-669-900-6833 or 1-669-444-9171 or 1-309-205-3325 or 1-312-626-6799 or 1-564-217-2000 or 1-689-278-1000 (WEBINAR/MEETING ID: 856 6431 5900).

MEMBERS OF THE PUBLIC WISHING TO SUBMIT WRITTEN COMMENT TO THE BOARD UNDER PUBLIC COMMENT OR ON A SPECIFIC AGENDA ITEM MAY SUBMIT COMMENTS TO OUR BOARD SECRETARY BY EMAIL AT DWASHBURN@RAINBOWMWD.COM OR BY MAIL TO 3707 OLD HIGHWAY 395, FALLBROOK, CA 92028. ALL WRITTEN COMMENTS RECEIVED **AT LEAST ONE HOUR IN ADVANCE OF THE MEETING** WILL BE READ TO THE BOARD DURING THE APPROPRIATE PORTION OF THE MEETING. THESE PUBLIC COMMENT PROCEDURES SUPERSEDE THE DISTRICT’S STANDARD PUBLIC COMMENT POLICIES AND PROCEDURES TO THE CONTRARY.

RAINBOW MUNICIPAL WATER DISTRICT BOARD MEETING

Tuesday, April 25, 2023

Closed Session 12:00 p.m.

Open Session 1:00 p.m.

THE PURPOSE OF THE REGULAR BOARD MEETING IS TO DISCUSS THE ATTACHED AGENDA

District Office

3707 Old Highway 395

Fallbrook, CA 92028

Board Agenda Policies

Board of Directors Meeting Schedule Regular Board meetings are normally scheduled for the 4th Tuesday of the month with Open Session discussions starting time certain at 1:00 p.m.

Breaks It is the intent of the Board to take a ten-minute break every hour and one-half during the meeting.

Public Input on Specific Agenda Items and those items not on the Agenda, Except Public Hearings Any person of the public desiring to speak shall fill out a “Speaker’s Slip”, encouraging them to state their name, though not mandatory. Such person shall be allowed to speak during public comment time and has the option of speaking once on any agenda item when it is being discussed. Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.

Public Items for the Board of Directors' agenda must be submitted in writing and received by the District office no later than 10 business days prior to a regular Board of Directors' Meeting.

Agenda Posting and Materials Agendas for all regular Board of Directors' meetings are posted at least seventy-two hours prior to the meeting on bulletin boards outside the entrance gate and the main entrance door of the District, 3707 Old Highway 395, Fallbrook, California 92028. The agendas and all background material may also be inspected at the District Office.

You may also visit us at www.rainbowmwd.com.

Time Certain Agenda items identified as “time certain” indicate the item will not be heard prior to the time indicated.

Board meetings will be audio and video recorded with copies available upon request. Requests for audio recordings will be fulfilled once draft minutes for such meeting have been prepared. There are no costs associated with obtaining copies of audio and video recordings; however, these recordings will only be retained according to the policies provided in the District’s Administrative Code. Copies of public records are available as a service to the public; a charge of \$.10 per page up to 99 pages will be collected and \$.14 per page for 100 pages or more.

If you have special needs because of a disability which makes it difficult for you to participate in the meeting or you require assistance or auxiliary aids to participate in the meeting, please contact the District Secretary, (760) 728-1178, by at least noon on the Friday preceding the meeting. The District will attempt to make arrangements to accommodate your disability.

(*) - Asterisk indicates a report is attached.

Notice is hereby given that the Rainbow Municipal Water District Board of Directors will hold Closed Session at 12:00 p.m. and Open Session at 1:00 p.m. Tuesday, April 25, 2023, 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: Gasca___ Hamilton___ Mack___ Moss___ Townsend-Smith___**
3. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
4. **INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE**

CHAIR TO READ ALOUD - "If at any point, anyone would like to ask a question or make a comment and have joined this meeting with their computer, they can click on the "Raise Hand" button located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.

*Those who have joined by dialing a number on their telephone, will need to press *6 to unmute themselves and then *9 to alert us that they would like to speak.*

A slight pause will also be offered at the conclusion of each agenda item discussion to allow public members an opportunity to make comments or ask questions."

5. **ORAL/WRITTEN COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING CLOSED SESSION AGENDA ITEMS (Government Code § 54954.2).**

Under Oral Communications, any person in attendance wishing to address the Board regarding Closed Session agenda items should indicate their desire to speak by filling out and submitting a "Speaker's Slip" to the Board Secretary before the meeting begins. Any person attending the meeting remotely wishing to address the Board regarding Closed Session agenda items may email or mail in their comments to the Board Secretary one hour before the Closed Session scheduled start time to be read to the Board prior to their adjournment to Closed Session or may speak to the Board by calling (760) 728-1178, listening for "Thank you for calling Rainbow Municipal Water District", dialing Extension 429, and entering pin 8607 at the Closed Session scheduled start time. Once all public comment is heard, this call will be disconnected, and the Board will adjourn to Closed Session. To participate in the Open Session portion of the meeting, please follow the instructions provided at the top of Page 1 of this agenda. Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.

6. **CLOSED SESSION**
 - A. **Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(2))**
 - * Two Items
 - B. **Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1))**
 - * TC Construction Company, Inc. v. Rainbow Municipal Water District, et al.

(*) - Asterisk indicates a report is attached.

C. Appointment of Public Employee – General Manager Pursuant to Government Code §54957

7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

Time Certain: 1:00 p.m.

8. REPEAT CALL TO ORDER

9. PLEDGE OF ALLEGIANCE

10. REPEAT ROLL CALL

11. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

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

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

CHAIR TO READ ALOUD - *"If at any point, anyone would like to ask a question or make a comment and have joined this meeting with their computer, they can click on the "Raise Hand" button located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.*

*Those who have joined by dialing a number on their telephone, will need to press *6 to unmute themselves and then *9 to alert us that they would like to speak.*

A slight pause will also be offered at the conclusion of each agenda item discussion to allow public members an opportunity to make comments or ask questions."

14. 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 in attendance wishing to address the Board regarding 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. Any person attending remotely wishing to address the Board regarding matters not on this agenda should indicate their desire to speak or may email or mail their comments to the Board Secretary one hour before the Open Session scheduled start time. All written public comments received will be read to the Board during the appropriate portion of the meeting. No action will be taken on any oral communications item since such item does not appear on this Agenda, unless the Board of Directors makes a determination that an emergency exists or that the need to take action on the item arose subsequent to posting of the Agenda (Government Code §54954.2). Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.

15. EMPLOYEE RECOGNITIONS

A. Service Awards
1. Chris Hand – 15 Years

B. Excellence Coin Awards
1. Wayne Nault

(*) - Asterisk indicates a report is attached.

***16. APPROVAL OF MINUTES**

- A. March 28, 2023 - Regular Board Meeting

***17. BOARD OF DIRECTORS' COMMENTS/REPORTS**

Directors' comments are comments by Directors concerning District business, which may be of interest to the Board. This is placed on the agenda to enable individual Board members to convey information to the Board and to the public. There is to be no discussion or action taken by the Board of Directors unless the item is noticed as part of the meeting agenda.

- A. President's Report (Director Hamilton)
- B. Representative Report (Appointed Representative)
 - 1. SDCWA
 - A. Summary of Board Meeting March 23, 2023
 - 2. CSDA
 - 3. LAFCO
 - 4. Santa Margarita River Watershed Watermaster Steering Committee
 - 5. 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: Water Rights Update

18. COMMITTEE REPORTS

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

BOARD ACTION ITEMS

***19. CONSIDER SETTING THE DATE AND TIME FOR A PUBLIC HEARING TO CONSIDER ADOPTING INCREASES IN THE RATES FOR RAINBOW MUNICIPAL WATER DISTRICT WATER AND WASTEWATER FEES EFFECTIVE JULY 1, 2023**

(This action item is only to set the date and time for the public hearing and authorize staff to release the appropriate public notifications for both the hearing and information on how to protest the rate increase.)

***20. DISCUSSION AND POSSIBLE ACTION TO APPROVE A 24 MONTH PAYMENT PLAN FOR ACCOUNT 005458-000**

(The purpose of this action is to allow a 24-month payment plan for a customer that was impacted by a prior owner's illegal water connection. The customer was charged for the damages caused by the illegal connection and has asked for a payment plan to pay the fine over 24 months.)

***21. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 23-07 AUTHORIZING SUBMITTAL OF APPLICATION FOR CALFIRE GRANT FOR WHICH RAINBOW MUNICIPAL WATER DISTRICT IS ELIGIBLE**

(The purpose of this resolution is to give staff the authority to submit an application for a grant with CalFire.)

***22. DISCUSSION AND POSSIBLE ACTION TO QUITCLAIM EASEMENTS FOR THE CAMPUS PARK WEST DEVELOPMENT (DIVISION 4)**

(Campus Park West is a proposed mixed-use master planned community that will redevelop a 116-acre parcel. The District has easements within the parcel that do not have any infrastructure and do not align with future improvements. This action is to consider quitclaiming subject easements.)

(*) - Asterisk indicates a report is attached.

- *23. **DISCUSSION AND POSSIBLE ACTION TO APPOINT HEATHER MITCHELL AS AN ALTERNATE MEMBER TO THE COMMUNICATIONS AND CUSTOMER SERVICE COMMITTEE**
(At their April 6, 2023 Communications and Customer Service Committee meeting, the members voted to recommend the Board of Directors appoint Heather Mitchell as an alternate member to the Communications and Customer Service Committee.)
- *24. **SAN DIEGO COUNTY CONSOLIDATED REDEVELOPMENT OVERSIGHT BOARD CALL FOR BALLOTS**
(Rainbow Municipal Water District received a notice serving as a call for ballots pursuant to California Government Code 56332(f) with respect to electing one special district representative among the two nominated candidates to serve on the San Diego Consolidated Redevelopment Oversight Board.)
- *25. **ACWA 2023 BOARD OFFICERS' ELECTION – AUTHORIZED VOTING REPRESENTATIVE FORM**
(ACWA has launched two separate but concurrent election processes for the 2024-'25 term. Each member agency in good standing may vote for President or Vice President during the election period. Member agencies must designate the agency's one voting representative by submitting an Authorized Voting Representative Form by June 16.)
- 26. **BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

PRESENTATION

- 27. **RIGHT-OF-WAY CLEARING UPDATE PRESENTATION**

BOARD INFORMATION ITEMS

- 28. **DISCUSSION REGARDING POLICY FOR SERVICE ANIMALS ATTENDING RMWD PUBLIC MEETINGS (REQUESTED BY: DIRECTOR HAMILTON)**
- *29. **RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**
 - A. **General Manager Comments**
 - 1. Meetings, Conferences and Seminar Calendar
 - B. **Communications**
 - 1. Staff Training Report
 - C. **Operations Comments**
 - 1. Operations Report
 - D. **Engineering Comments**
 - 1. Engineering Report
 - 2. As-Needed Services Expenditures Summary
 - 3. RMWD Sewer Equivalent Dwelling Units (EDU's) Status
 - E. **Human Resource & Safety Comments**
 - 1. Human Resources Report
 - F. **Finance Comments**
 - 1. Board Information Report
 - A. Budget vs. Actuals
 - B. Fund Balance & Developer Projections
 - C. Treasury Report
 - D. Five Year Water Purchases Demand Chart
 - E. Water Sales Summary
 - F. Check Register
 - G. Directors' Expenses Report
 - H. Credit Card Breakdown

(*) - Asterisk indicates a report is attached.

- I. RMWD Properties
- J. Grant Progress Report

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

31. ADJOURNMENT - To Tuesday, May 23, 2023 at 1:00 p.m.

ATTEST TO POSTING:

Pam Moss
Pam Moss
Secretary of the Board

4-18-23 @ 10:00 a.m.
Date and Time of Posting
Outside Display Cases

(*) - Asterisk indicates a report is attached.