

Notice is hereby given that the Rainbow Municipal Water District Board of Directors will hold a regular meeting at 11:00 a.m. on Tuesday, February 26, 2008, 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. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL: Griffiths_____ Lucy_____ McManigle_____ Petty_____ Walson_____**
4. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
- *5. **APPROVAL OF MINUTES**
 - A. January 16, 2008 - Special Board Meeting
 - B. January 22, 2008 – Regular Board Meeting

6. **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 blue "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.*

- *7. **COMMITTEE REPORTS (Approved Minutes have been attached for reference only.)**
 - A. Budget and Finance Committee
 1. January 3, 2008 Minutes
 - B. Communications Committee
 1. January 7, 2008 Minutes
 - C. Engineering Committee
 1. December 11, 2007 Minutes
 2. January 8, 2008 Minutes (Field Tour)
 3. January 8, 2008 Minutes (Regular Meeting)

8. **CLOSED SESSION**

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.

- A. Conference with Legal Counsel–Existing Litigation (Government Code §54956.9(a))
 - Engineering Systems Inc./MIOX/Dudek & Associates
 - HazMat Trans, Inc. Claim
 - Desal Partnership Litigation
 - *Update on San Luis Rey MWD and Pardee Annexation*

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

(*) - 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 blue "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.*

BOARD ACTION ITEMS

11. DISCUSSION AND POSSIBLE ACTION REGARDING BOARD ASSIGNMENTS OR REAPPOINTMENTS TO OUTSIDE AUTHORITIES, COMMISSIONS AND COMMITTEES (REQUESTED BY: DIRECTOR GRIFFITHS)

***12. REVIEW AND DISCUSSION OF PROPOSED ORDINANCE 08-03 OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT AMENDING SECTION 2.03.010 OF THE ADMINISTRATIVE CODE REGARDING BOARD MEMBER COMPENSATION, AND SETTING A PUBLIC HEARING FOR MARCH 25, 2008 (REQUESTED BY: DIRECTOR WALSON)**

(The proposed Ordinance expands and clarifies the list of eligible meetings for purposes of Board Member compensation and establishes a cap on the number of eligible meetings per month. Adoption of the proposed Ordinance requires a public hearing after publishing a notice of intent in a newspaper of general circulation one per week for two consecutive weeks prior to the public hearing.)

(Staff supports Board direction.)

13. DISCUSSION AND POSSIBLE ACTION ON UPDATE TO THE DISTRICT'S DESIGN MANUAL (REQUESTED BY: DISTRICT ENGINEER)

(Staff is requesting authorization to update the Design Manual to reflect current conditions and bring both documents into alignment with each other. Upon Board approval, all new facilities designed for the District shall be based on an average wastewater flow of 250 gpd per EDU.)

(Staff Recommendation: Authorize staff to change the Design Manual to reflect 250 gpd per EDU when designing new facilities.)

14. DISCUSSION AND POSSIBLE ACTION ON WASTEWATER LIFT STATION 2 (REQUESTED BY: DISTRICT ENGINEER)

(The District has contracted with Water 3 Engineering to conduct an assessment of lift Station 2. A draft copy of the assessment will be provided at the Board meeting.)

(Staff Recommendation: Authorize the General Manager to issue a Request for Proposal (RFP) and award a contract to the most qualified engineering firms for design and construction management services to replace Lift Station 2.)

15. DISCUSSION AND POSSIBLE ACTION ON AWARD OF CONTRACT FOR INSTALLATION OF THE MAIN CAMPUS EMERGENCY GENERATOR (REQUESTED BY: DISTRICT ENGINEER)

(*) - Asterisk indicates a report is attached.

(The District has purchased a stand-by generator to power the District offices during a loss of commercial power or an electrical emergency. In December of 2006 the Board authorized staff to hire BSE Engineering to design the installation. The design has been completed and staff bid the project. The bid opening was conducted on January 25, 2008 at the District.)

(Staff Recommendation: Authorize staff to execute a contract with NEWest Construction, Inc. for a cost not to exceed \$112,700. Authorize staff to execute a contract with BSE Engineering for a cost not to exceed \$16,913. Authorize a project budget of \$147,000, including staff time and a 10% contingency.)

16. OFFICE SPACE (REQUESTED BY: OPERATIONS AND MAINTENANCE MANAGER)

(At its January 8th Engineering Committee meeting, the committee voted 5/0/1 to recommend approval of a short-term CIP plan as recommended by the Engineering Ad Hoc Committee. One project in the short term plan is the purchase and set up of a modular office building with restroom facilities for department staff.)

(Staff Recommendation: Authorize staff to purchase a modular office unit including site prep, delivery and set up; water and sewer hook up; fire and security alarms; electrical and computer lines; office furniture and to perform minor modifications to the existing Operations building for an amount not to exceed \$170,000.00.)

***17. REQUEST FOR VALLEY OAKS PARK FOR CONSIDERATION ON REDUCING MONTHLY SEWER CHARGES AS A RESULT OF HOMES LOST DURING THE RICE FIRE (REQUESTED BY: GENERAL MANAGER)**

(The operators of the Valley Oaks Park have requested the Board reduce their monthly sewer charges due to the fact they lost 106 residences in the Rice Fire.)

(Staff supports Board direction.)

***18. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE 08-04 AMENDING SECTION 9170 OF THE DISTRICT POLICY MANUAL REGARDING RESERVATION OF SEWER CAPACITY AND FLOW LIMITATIONS (REQUESTED BY: GENERAL MANAGER)**

(Ordinance 08-04 amends Section 9170 of our policy manual to be consistent with our Oceanside contract limits of 1,425 mgd or 5,700 EDU's.)

(Staff Recommendation: Adopting Ordinance 08-04. In addition, staff recommends the Board requesting Legal Counsel to: 1) Prepare an ordinance declaring a moratorium on the sale of additional EDU's until we have less than 5,640 EDU's allocated (5,700 plus 60 for emergencies); 2) Provide the Board with options to re-acquire or re-allocate sewer capacity currently held under the Sewer Allocation Plan.)

19. DISCUSSION AND POSSIBLE ACTION ON A POLICY ESTABLISHING BOARD REVIEW OF DISTRICT CORRESPONDENCE (REQUESTED BY: DIRECTOR GRIFFITHS)

(Item requested by Director Griffiths for discussion and consideration.)

20. REQUEST FOR INFORMATION REGARDING DETAILS LEADING UP TO THE HORSE RANCH CREEK SEWER SPILL INCLUDING ACTIONS TAKEN BY STAFF AND CONSULTANTS IN RESPONSE TO THE SPILL (REQUESTED BY: DIRECTOR GRIFFITHS)

(Item requested by Director Griffiths for discussion and consideration.)

21. CONSENT CALENDAR

(*) - Asterisk indicates a report is attached.

(The consent calendar items are matters voted on together by a single motion unless separate action is requested by a Board member, staff or member of the audience.)

***A. DISCUSSION AND POSSIBLE ACTION REGARDING THE WASTE DISCHARGE REQUIREMENT SCHEDULE (REQUESTED BY: OPERATIONS AND MAINTENANCE MANAGER)**

(To provide a consistent, statewide regulatory approach to address sewer overflows, the State Water Resources Control Board (State Water Board) adopted Statewide General Waste Discharge Requirements (WDR's) for Sanitary Sewer Systems, Water Quality Order No. 2006-0003 (Sanitary Sewer Order) on May 2, 2006. The Sanitary Sewer Order requires public agencies that own or operate sanitary sewer systems to develop and implement a sewer system management plan (SSMP).

(Staff Recommendation: Approve the SSMP Development Plan and Schedule as required by the State Water Board.)

***B. VEHICLE PURCHASE (REQUESTED BY: OPERATIONS AND MAINTENANCE MANAGER)**

(Staff enlisted bids for the purchase of three (3) ½ ton extra cab 4x4 pickups from Ford and Chevrolet deals. The trucks will be new to the fleet for two (2) new positions and one (1) reclassified position that previously did not have an assigned vehicle. The bids were opened and reviewed by staff for accuracy and completeness.

(Staff Recommendation: Authorize staff to purchase three (3) ½ ton Ford F150 4x4 extra cabs for \$61,815.66 with (3) extended warranties for \$3,301.50. The total expenditure will be \$65,117.16. Funds are budgeted in account #03-8300-36.)

BOARD INFORMATIONAL ITEMS

***22. A. General Manager Comments**

1. Meetings, Conferences and Seminar Calendar
2. DPHS Update
3. Oceanside Billing Update
4. March 25, 2008 Evening Meeting

B. Finance Manager Comments (Any Missing Reports will be in the March 25, 2008 Agenda Packet.)

1. Visa Breakdown
2. Check Register
3. Cost Recovery of Repairs to District Property Caused by the General Public

C. Operations & Maintenance Manager Comments

1. Water Services Report for January, 2008
2. Water Operations Report for January, 2008
3. Valve Maintenance Report for January, 2008
4. Wastewater Services Report for January, 2008
5. Safety and Emergency Planning Report for January, 2008
6. Meter Services Report for January, 2008
7. Cross Connection Report for January, 2008

D. District Engineer Comments

1. Engineering Report for January 2008

E. Human Resource Administrator Comments

1. Changes in Personnel
2. Organizational Chart

(*) - Asterisk indicates a report is attached.

23. 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 Petty)
 - 1. SDCWA
 - 2. CSDA
- B. Representative Report (Director Griffiths)
 - 1. LAFCO
 - 2. San Luis Rey Watershed Council
- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)
- D. Directors Comments

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

25. ADJOURNMENT - To Tuesday, March 25, 2008 at 5:00 p.m.

ATTEST TO POSTING:

George McManigle
Secretary of the Board

Date and Time of Posting
Outside Display Cases

(*) - Asterisk indicates a report is attached.