

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, April 22, 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. **ANNIVERSARY PRESENTATIONS**
 - A. **GLORIA DECHERT (5 Years)**
 - B. **BRIAN FONSECA (5 Years)**
 - C. **BRYAN ROSE (5 Years)**
- *6. **APPROVAL OF MINUTES**
 - A. March 25, 2008 – Special Board Meeting
 - B. March 25, 2008 - Regular Board Meeting
7. **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.*
- *8. **COMMITTEE REPORTS (Approved Minutes have been attached for reference only.)**
 - A. Budget and Finance Committee
 1. February 7, 2008 Minutes
 2. March 6, 2008 Minutes
 - B. Communications Committee
 1. March 3, 2008 Minutes
 - C. Engineering Committee
 1. March 4, 2008 Minutes

(*) - Asterisk indicates a report is attached.

9. 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
- Agustin Angeles

B. General Manager's Performance Evaluation (Government Code §54957.6)

10. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

11. 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).

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*12. CONSIDERATION AND POSSIBLE ACTION TO FUND THE DISTRICT'S PRO-RATA SHARE OF ESTIMATED PROJECT COSTS FOR THE EMERGENCY REPLACEMENT OF THE CITY OF OCEANSIDE LAND OUTFALL LINE IN AN AMOUNT OF \$542,728.65 (REQUESTED BY: GENERAL MANAGER)

(In February 2002 RMWD and the City of Oceanside entered into an agreement for the construction, use, maintenance and operation of wastewater transmission, treatment and disposal facilities. One of the facilities delineated in the agreement in the Land Outfall line and the City has determined approximately 6,200 feet of the Land Outfall line requires emergency replacement at cost of \$4,756,617.70. RMWD's share (11.11 percent) is \$528,460.22 plus administrative fees.)

(Staff Recommendation: The Board authorize staff to fund a construction account in the amount of \$542,728.65 in accordance with the City's request.)

*13. CONSENT CALENDAR

(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. APPROVAL OF RESOLUTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEE'S RETIREMENT SYSTEM AND THE BOARD OF DIRECTORS RAINBOW MUNICIPAL WATER DISTRICT

(At the March Board meeting the Board approved a "Resolution of Intention" to modify the RMWD PERS Contract. The proposed Resolution is the final step in modifying our PERS contract.)

(Staff Recommendation: Approval of Resolution.)

(*) - Asterisk indicates a report is attached.

B. CONSIDERATION AND POSSIBLE ACTION ON A REQUEST FROM LEOBARDO MORA, 1390 GOPHER CANYON, TO PURCHASE SEWER CAPACITY (EDU)

(Mr. Mora appeared at the March 25 Board Meeting and requested he be allowed to purchase sewage capacity so he can build on his lot on Little Gopher Canyon. The Board provided Mr. Mora with direction on what would be required to obtain an EDU if and when they become available. On March 30 Mr. Mora provided a report from GeoMat Testing Laboratories concluding that an "onsite sewage disposal system cannot be designed for the subject site".)

(Staff Recommendation: Considering the fact that more than 450 of the existing Sewer Allocation Plan (SAP) agreements are expired and have not been renewed, and we are in the process of receiving back up to 86 more EDUs and, given the fact that a Geotechnical Engineer has indicated that on-site septic systems are not an option for Mr. Mora's property, staff recommends the Board approve Mr. Mora's request for sewer connection.)

BOARD ACTION ITEMS

***14. CONSIDERATION AND POSSIBLE ACTION ON A REQUEST BY ARIE DEJONG TO TRANSFER 13 EDU'S FROM THOSE EDU'S BEING TENDERED TO THE DISTRICT BY JACOB BROUWER TO MR. DE JONG'S PROPERTY. MR. DEJONG CURRENTLY HAS 52 EDU'S ALLOCATED TO HIS PROPERTY UNDER AN AGREEMENT WITH THE DISTRICT (REQUESTED BY: GENERAL MANAGER)**

(Mr. DeJong has requested the opportunity to address the Board to make his request.)

(Staff Recommendation: The Board deny Mr. DeJong's request.)

15. DISCUSSION AND POSSIBLE ACTION TO DEVELOP A POLICY REGARDING EQUIVALENT DWELLING UNITS (EDU'S) CURRENTLY HELD UNDER THE SEWER ALLOCATION PLANS AND FUTURE ALLOCATION AND ISSUANCE OF REMAINING SEWER EDU'S

(Continued from the Special Meeting on April 14 if necessary.)

***16. DISCUSSION AND POSSIBLE ACTION ON MORRO RESERVOIR REHABILITATION**

(The Board has expressed an interest in utilizing Ultraviolet Disinfection at the Morro Reservoir as a way to comply with the Long Term 2 Enhanced Surface Water Treatment Rule. Tetra Tech Engineering was hired by RMWD to create a budgetary estimate on the costs associated with installing a UV system at Morro Reservoir. The draft budgetary estimate report was presented to the Engineering Committee at its April meeting and based on the report the Committee voted (6/0/1) to recommend moving forward with a floating cover for Morro) Staff Recommendation: Authorize staff to finalize and bid the floating cover design for Morro Reservoir. Authorize staff to establish a reserve account not to exceed \$8,202,000 for completion of this project.)

***17. DISCUSSION AND POSSIBLE ACTION ON THE LIFT STATION 2 OUTFALL IMPROVEMENT PROJECT**

(The Lift Station 2 Outfall is a major collector for the entire District. A large portion of the force main was replaced a couple of years ago, size appropriately to accommodate future flows. Although the line is within design capacity for Peak Dry Weather Flow, it is currently surcharging during Peak Wet Weather Flow. Staff is proposing the District schedule the design and construction of the Lift Station 2 Outfall to coincide with the replacement of Lift Station 2, already under progress. The Engineering Committee has voted (4/0/2) to recommend that the Board authorize staff to complete the Lift Station 2 Outfall project and reserve a planning level budget of \$7,071,840.)

(Staff Recommendation: Authorize staff to issue an RFP for the design of the Lift Station 2 Outfall and to award a design contract to the most qualified firm. Authorize staff to establish a budgetary project reserve account in the amount of \$7,071,840.)

(*) - Asterisk indicates a report is attached.

- *18. BUDGET/FINANCE COMMITTEE RECOMMENDATION TO ADOPT RESERVE FUND REPORTING**
(At the 3/25/08 regular meeting of the RMWD Board, Dick Titus of the Budget/Finance Committee presented an overview of a report displaying budget and reserve account information. The report also featured a format to monitor capital projects and reserve budgets. A copy of the report is included herein.)
(Staff Recommendation: Approve the implementation of the reporting format as recommended by the Budget/Finance Committee.)

- 19. GENERAL MANAGER SPENDING AUTHORITY (REQUESTED BY: DIRECTOR PETTY)**
(Director Petty requested this item be placed on the agenda for discussion.)

- *20. A. General Manager Comments**
1. EDU Update
 2. Meetings, Conferences and Seminar Calendar
 3. CDPH Update
- B. Finance Manager Comments**
1. Interim Financial Statement
 2. Monthly Investment Report
 3. Visa Breakdown
 4. Directors' Expense
 5. Check Register
 6. Current Capital Improvement Projects
 7. Non-Capital Projects
 8. Metropolitan Municipal Water District IAWP Reduction Program
 9. Water Purchases & Sales Summary March 2008
 10. March 2008 Statistical Summary
 11. Cost Recovery of Repairs to District Property Caused by the General Public
- C. Operations & Maintenance Manager Comments**
1. Water Services Report for March, 2008
 2. Water Operations Report for March, 2008
 3. Valve Maintenance Report for March, 2008
 4. Wastewater Services Report for March, 2008
 5. Safety and Emergency Planning Report for March, 2008
 6. Meter Services Report for March, 2008
 7. Cross Connection Report for March, 2008
 8. Status of Rice Fire Reimbursements
- D. District Engineer Comments**
1. Engineering Report for March 2008
- E. Human Resource Administrator Comments**
1. Changes in Personnel

21. 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

(*) - Asterisk indicates a report is attached.

- 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

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

23. ADJOURNMENT - To Tuesday, May 27, 2008 at 11:00 a.m.

ATTEST TO POSTING:

George McManigle
Secretary of the Board

Date and Time of Posting
Outside Display Cases

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