

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, May 27, 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. **RENE DEL RIO (5 Years)**
- *6. **APPROVAL OF MINUTES**
 - A. April 14, 2008 – Special Board Meeting
 - B. April 22, 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. April 3, 2008 Minutes
 2. April 17, 2008 Minutes
 - B. Communications Committee
 1. April 7, 2008 Minutes
 - C. Engineering Committee
 1. April 1, 2008 Field Trip Minutes
 2. April 1, 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
- Cahuilla Band of Indians

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).

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

Time Certain: 1:00 p.m.

12. DISCUSSION AND POSSIBLE ACTION ON MORRO RESERVOIR REHABILITATION INCLUDING PRESENTATIONS BY TETRA TECH, PSOMAS, HILTS CONSULTING

(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. The District has hired Tetra Tech, Psomas and Hilts Consulting Group to provide specific information on UV treatment and floating covers for today’s discussion. Additionally, the District has requested a representative of the California Department of Public Health to attend today’s meeting. Each consultant has prepared information associated with their respective area of expertise. Attachments will be provided under separate cover.)
(Staff Recommendation: Board option.)

*13. CONSIDERATION AND POSSIBLE ACTION ON A REQUEST FOR IAWP VARIANCE BY ELIZABETH MCWETHY

(In early April staff received correspondence from Elizabeth McWethy requesting that she either be taken off of the IAWP program or be granted an additional amount of water for her allocation. In accordance with RMWD’s policy, both Gene Buckley and Dave Seymour have denied her request. Mrs. McWethy requested this matter be brought before the Board.)
(Staff Recommendation: Denying the request.)

(*) - Asterisk indicates a report is attached.

***14. 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. CONSIDERATION AND POSSIBLE ACTION TO APPOINT NEW COMMITTEE MEMBERS

(As a result of recent resignations the Communications, Engineering and Finance Committees have unfilled seats, either as member or alternates. There are four individuals offering to serve.)

(Staff Recommendation: The Board appoint Nancy Crampton and Nina Powers as members of the Communications Committee, and Rick Bigley and Erik Irvine as members of the Engineering Committee.)

B. VEHICLE REPLACEMENT PURCHASE

(Staff has enlisted bids for the purchase of one (1) ton truck, cab and chassis, and a utility bed for the District Electrician. Specifications were sent to several Ford and Chevrolet dealers in San Diego and Riverside Counties. The truck will replace a 2000 Dodge 2500 utility truck with over 188,000 miles which is in poor condition.)

(Staff Recommendation: Reject all bids and allow staff to negotiate with dealer(s) for an in-stock truck for a cost not to exceed the lowest bid.)

C. GENERATOR PURCHASE

(Staff has enlisted three (3) bids for the purchase of an emergency portable generator to supply backup power for the District's lift stations and pump stations. The lowest bid includes a trailer with 250-gallon fuel cell which includes factory warranty.)

(Staff Recommendation: Authorize staff to purchase a generator, Model #MQ DCA220SSJ from Max Equipment Rental for \$63,518.63. Funds are budgeted in Account #02-82000-61.)

D. CONSIDERATION AND ACTION ON PAYMENT OF OCEANSIDE WASTEWATER TREATMENT CHARGES FOR FISCAL YEARS 2004-05 AND 2005-06

(In 2007 RMWD received an invoice from the City of Oceanside for additional wastewater treatment charges covering the aforementioned fiscal years. Staff from the two agencies reached agreement on terms that will allow RMWD to pay the balance of the amount due over a twenty-four month period, retroactive to December 2007. This will provide RMWD time to collect funds to cover the expense and pay according to the proposed outline.)

(Staff Recommendation: The Board authorize payment to the City of Oceanside under the terms outlined.)

15. J-POWER/ORANGE GROVE PROJECT PRESENTATION

(Staff from J-Power Energy have requested the opportunity to address the Board regarding their proposed generator project.)

(Information only.)

***16. CONSIDERATION AND POSSIBLE ACTION ON RESOLUTION 08-09 OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT AUTHORIZING THE GENERAL MANAGER TO AWARD CERTAIN EMERGENCY CONTRACTS**

(Resolution 08-09 authorizes the General Manager to enter into contracts and authorize expenditures of up to \$100,000 in the event of unforeseen emergencies. The Resolution "defines an emergency" as a sudden and unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

(Staff Recommendation: The Board approve Resolution 08-09.)

(*) - Asterisk indicates a report is attached.

- *17. DISCUSSION AND POSSIBLE ACTION ON EXECUTION OF A JOINT USE AGREEMENT WITH SDG&E (REQUESTED BY: DISTRICT ENGINEER)**
(SDG&E is working to bring electrical service to a development within the District's service area. The electrical service will run within an easement currently owned by the District. The District's easement lies over and is contiguous with the private roadways of Circa De Loma and Circa Del Cielo, branching off of Puerta De Lomas into tract 4867. Because RMWD owns prior rights to the easement, SDG&E is requesting a Joint Use Agreement (JUA) for the proposed roadways.)
(Staff Recommendation: Authorize the General Manager to execute the Joint Use Agreement with SDG&E.)

BOARD INFORMATIONAL ITEMS

- *18. A. General Manager Comments**
1. EDU Update
 2. Meetings, Conferences and Seminar Calendar
 3. DPHS Update
 4. Use of RMWD Storage Sites for Cell Towers
- B. Finance Manager Comments**
1. Interim Financial Statement
 2. Monthly Investment Report
 3. Visa Breakdown
 4. Directors' Expense
 5. Check Register
 6. Office Petty Cash
 7. Current Capital Improvement Projects
 8. Non-Capital Projects
 9. Water Purchases & Sales Summary
 10. April 2008 Statistical Summary
 11. Cost Recovery of Repairs to District Property Caused by the General Public
 12. Metropolitan IAWP Reduction Program
- C. Operations & Maintenance Manager Comments**
1. Water Services Report
 2. Water Operations Report
 3. Valve Maintenance Report
 4. Wastewater Services Report
 5. Safety and Emergency Planning Report
 6. Meter Services Report
 7. Cross Connection Report
- D. District Engineer Comments**
1. Engineering Report for April 2008
- E. Human Resource Administrator Comments**
1. Changes in Personnel
 2. Organizational Chart

(*) - Asterisk indicates a report is attached.

19. 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
 - a. *Discussion of Board Members' Consensus of the SDCWA Annexation Policy*
 - 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

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

21. ADJOURNMENT - To Tuesday, June 24, 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.