

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, March 23, 2010, 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. **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 blue "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.*
6. **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
 - B. Conference with Legal Counsel-Real Property Negotiations (Government Code §54956.8)
 - 30465 & 30516 Old River Road, Bonsall, CA

Negotiators: Dave Seymour, General Manager
Brian Lee, District Engineer
7. **REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**

Time Certain: 1:00 p.m.
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 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.*

11. ANNIVERSARY ACKNOWLEDGEMENT – MARC WALKER (5 YEARS)

***12. APPROVAL OF MINUTES**

A. February 23, 2010 - 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 Petty)

1. SDCWA
2. CSDA

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

C. Directors Comments

***14. COMMITTEE REPORTS (Approved Minutes have been attached for reference only.)**

A. Budget and Finance Committee

1. February 4, 2010 Minutes

B. Communications Committee

1. February 1, 2010 Minutes

C. Engineering Committee

BOARD ACTION ITEMS

***15. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE ISSUANCE OF A WATER METER FOR
RODDEL/MUIRHEAD RESIDENCE**

*(Ms. Roddel/Muirhead has requested the issuance of a water meter to serve a home she plans to construct on her property. Due to current drought status the District has a moratorium on new connections.)
(Staff supports Board direction.)*

***16. DISCUSSION AND POSSIBLE ACTION ON K. HOVNANIAN AT LAKE RANCHO VIEJO
REQUEST TO PURCHASE WATER METERS**

*(K. Hovnanian is making a request to purchase 12 additional 1" meters at the evaporation offset cost of \$12,132, in addition to normal meter charges. The request for a reduction in offset costs is based on the meters per reservoir column in the table provided in the action letter and the fact that K. Hovnanian has already purchased 33 meters under the evaporation offset program.)
(Staff supports Board direction.)*

(*) - Asterisk indicates a report is attached.

- *17. DISCUSSION AND POSSIBLE ACTION TO ISSUE AN RFP FOR A PUMP BOOSTING SYSTEM BETWEEN MORRO RESERVOIR AND BECK RESERVOIR (DIRECTOR GRIFFITHS)**
(Text provided by Director Griffiths requests that explained his proposed alternative solution for Job No., 200940 be investigated.)
(Staff had evaluated this option more than two years ago and rejected it because it was not cost effective. Accordingly, staff recommends the Board reject this proposal.)
- *18. APPOINTMENT OF BOARD OFFICERS AND REPRESENTATIVES**
(As noted in the January 27, 2009 Board meeting minutes, the Board voted and approved appointments for only calendar year 2009 and new appointments are now up for consideration.)
(Staff supports Board direction.)
- 19. DISCUSSION AND POSSIBLE ACTION REGARDING CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDPH) COMPLIANCE ORDER FOR NONCOMPLIANCE NO. 05-14-100-0XX**
(Staff has been advised that the CDPH will be issuing a Compliance Order (CO) for Noncompliance regarding our open storage reservoirs. The CO had not been received prior to preparation of this board packet. If the CO is received prior to the Board meeting, a handout will be issued at the meeting.)
(Staff withholds recommendation until the final CO is received.)
- *20. DISCUSSION AND POSSIBLE ACTION REGARDING RECONSIDERATION OF FUNDING OPTIONS FOR CONSTRUCTION PROJECTS NECESSARY TO ATTAIN COMPLIANCE WITH LONG TERM 2 ENHANCED SURFACE WATER TREATMENT RULE (RESERVOIR PROJECTS) (REQUESTED BY: DIRECTOR LUCY)**
(At the January meeting the Board rejected a proposal to assess a monthly meter surcharge to fund construction improvements necessary to bring RWMD's open-air reservoirs into compliance with LT2 regulations. At the February meeting the Board requested staff place the meter surcharge on the agenda for the March Board meeting for reconsideration.)
(Staff Recommendation: If the Board chooses to reconsider this surcharge now the public hearing and notification requirements for a rate increase would push actual implementation of the surcharge until June. Staff recommends deferring any action on this item until adoption of the Fiscal Year 2010/11 budget allowing us to evaluate any changes in rates that may result from the budget process, and then implement a single rate change at that time.)
- *21. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 10-06 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT AUTHORIZING AN INTERFUND LOAN FROM THE WASTEWATER CIP FUND**
(Previously the Board of Directors has declared that the failure of Line Q-3 constitutes an emergency, and also authorized staff to proceed with emergency repairs up to \$500,000. Estimates for construction of a replacement pipeline range from \$1.6 to \$1.9 million, exclusive of design costs. The Resolution allows the District to borrow up to \$2.5 million from the Sewer CIP funds to pay for necessary repairs and/or replacement. The loan could only be used to fund the Line Q-3 project and must be paid back within five years at an interest rate of 2.5%.)
(Staff Recommendation: Staff is currently pursuing other funding sources that would negate the need to borrow money from the sewer CIP; however, staff recommends that Board approve Resolution No. 10-06 in case the loan is needed to meet short-term cash flow requirements.)
(Staff supports Board direction.)
- 22. DISCUSSION AND POSSIBLE ACTION REGARDING ALLOCATION OF WATER TO CUSTOMERS (REQUESTED BY: DIRECTOR LUCY)**
(Current drought conditions have resulted in water allocations established during "base" usage periods. Occasionally, a customer requires service and has no established base year, or the base year supply is inadequate for reasons beyond the consumers' control. The Board has expressed a desire to implement a program that allows reallocation of supplies where conditions warrant.)
(Staff supports Board direction.)
- *23. DISCUSSION OF LINE Q3 CROSSING THE SAN LUIS REY RIVER (REQUESTED BY: DIRECTOR WALSON)**

(*) - Asterisk indicates a report is attached.

(Late last year Line Q3 under the San Luis Rey River broke. Due to the loss of Q3, the District now only has one pipeline crossing the San Luis Rey River. At its January 2010 meeting, the Board declared this situation an emergency and directed staff to repair and/or replace the Q3 pipeline. Staff hired RBF Engineering to conduct a visual inspection of the existing pipeline and run computer simulation models of the District's system. The consultant's report is attached. This item is for discussion purposes only. Board has previously provided direction.)

(There is no staff recommendation.)

***24. DISCUSSION AND POSSIBLE ACTION REGARDING THE LEASE OF BONSALL RESERVOIR (REQUESTED BY: DIRECTOR WALSON)**

(The District currently leases the Bonsall Reservoir site to a private party. The Board has expressed a desire to discuss other options for that site.)

***25. CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) CALL FOR NOMINATIONS SEAT B**

(Consideration of nominations for the CSDA Board members for Seat B.)

(Staff supports Board decision.)

***26. RECEIVE AND FILE INFORMATION ITEMS FOR FEBRUARY 2010**

A. General Manager Comments

1. Meetings, Conferences and Seminar Calendar

B. 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
8. Project Management Report

C. District Engineer Comments

1. Engineering Report

***27. RECEIVE AND FILE FINANCIAL STATEMENTS AND INFORMATION FOR FEBRUARY 2010**

A. Finance Manager Comments

1. Interim Financial Statement
2. Monthly Investment Report
3. Directors' Expense
4. Check Register
5. Water Purchases & Sales Summary
6. Statistical Summary
7. Metropolitan IAWP Reduction Programs
8. Metropolitan SAWR Reduction Program
9. RMWD Domestic Reduction Program
10. Current Capital Improvement Projects

(*) - Asterisk indicates a report is attached.

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

29. ADJOURNMENT - To Tuesday, April 27, 2010 at 1:00 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.