

Notice is hereby given that the Rainbow Municipal Water District Board of Directors will hold Closed Session at 11:30 a.m. and Open Session at 1:00 p.m. Tuesday, August 24, 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-Anticipated Litigation (Government Code §54956.9)
 - 30465 & 30516 Old River Road, Bonsall, CA

Agency Negotiators: Dave Seymour and Brian Lee
Under Negotiation: Price and Terms
- C. Conference with Legal Counsel-Consideration of Claim (Government Code §54956.9(b))
- D. Conference with Labor Negotiators (Government Code §54957.6 and §54957)

Agency Designated Representatives

Dave Seymour

Discussions regarding labor negotiations for:

Rainbow Employee Association

Rainbow Association of Supervisor and Confidential Employees

(*) - Asterisk indicates a report is attached.

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)

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. APPROVAL OF MINUTES**

A. July 27, 2010 - Regular Board Meeting

12. 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

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

A. Budget and Finance Committee

B. Communications Committee

1. June 14, 2010

C. Engineering Committee

(*) - 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. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE RELEASE OF CONSTRUCTION METERS FOR THE LIFT STATION 2 REHABILITATION PROJECT (REQUESTED BY: GENERAL MANAGER)

(Per Ordinance 08-01 Drought Response Level 2, no new temporary meters or permanent meters shall be provided unless in the opinion of the RMWD Board of Directors the project is necessary to protect the public's health, safety and welfare. Staff is requesting that the Board make a determination that the Lift Station 2 Rehabilitation Project is necessary to protect health, safety and welfare. Additionally, staff is requesting that the Board purchase the release of a construction meter.)

(Staff Recommendation: Determine that the Lift Station 2 Rehabilitation Project is necessary to protect the public's health, safety and welfare. Authorize the release of a construction meter.)

B. DISCUSSION AND POSSIBLE ACTION REGARDING MITIGATION OFFSET CREDIT PURCHASE FOR LIFT STATION 2 (REQUESTED BY: GENERAL MANAGER)

(RMWD contracted with RBF Engineering to identify possible mitigation properties to meet the requirements for environmental compliance for the construction of Lift Station #2. Based on RBF's assessment, purchasing property at the Fenton Place site in San Pasqual Valley is the most cost effective, with mitigation purchase cost of \$30,000 for wetland enhancement.)

(Staff Recommendation: Authorize staff to purchase mitigation offset credit in the amount of \$30,000 at the Fenton Mitigation Site.)

BOARD ACTION ITEMS

15. DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION TO AWARD CONSTRUCTION CONTRACT FOR LIFT STATION 2

(At the March 25, 2008 Regular Board Meeting the Board authorized staff to issue an RFP and award a design contract to the most qualified engineering firm for the design of a replacement to Lift Station 2. The District reviewed twelve proposals, awarding the contract to RBF Engineering in July 2008. Since that time the District has been working to purchase the needed property, conduct an environmental review, and complete the design. The plans were completed and put out to bid in July of 2010. The bid opening was held on August 6, 2010. After review staff considers Canyon Springs Enterprises to be the lowest responsible bid; therefore, staff recommends that the Board award a contract to Canyon Springs Enterprises for a cost not to exceed \$1,471,018.00.)

(Staff Recommendation: Recognize Canyon Springs Enterprises as the lowest responsible bidder. Authorize staff to execute a contract with Canyon Springs Enterprises for a not to exceed price of \$1,471,018.00 for the construction of the Lift Station 2 Rehabilitation Project.)

***16. CONSIDERATION AND POSSIBLE ACTION TO APPROVE EXECUTION OF CALTRANS UTILITY AGREEMENT 11-UT-31960**

(The District has received a utility agreement for District facilities impacted by the States construction of a four-lane highway on SR-76 0.8km west of Melrose Drive to 1.0km east of South Mission Road. Caltrans has agreed to pay for 88% of the cost associated with relocating District water facilities. If the Board authorizes execution of the utility agreement the District will be responsible for payment of 12% of the cost which currently estimates to be \$196,200. The District has budgeted \$1,020,000 for work associated with this project.)

(Staff Recommendation: Authorize staff to execute Caltrans Utility Agreement No. 11-UT-31960.)

***17. RECEIVE AND FILE INFORMATION ITEMS FOR JULY 2010**

A. General Manager Comments

1. Meetings, Conferences and Seminar Calendar

B. Operations & Maintenance Manager Comments

1. Construction and Maintenance Report

(*) - Asterisk indicates a report is attached.

- 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
- D. Human Resource Manager Comments**
 - 1. Changes in Personnel
 - 2. Organizational Chart

***18. RECEIVE AND FILE FINANCIAL STATEMENTS AND INFORMATION FOR JULY 2010**

- A. Finance Manager Comments**
 - 1. Monthly Investment Report
 - 2. Visa Breakdown
 - 3. Directors' Expense
 - 4. Check Register
 - 5. Water Purchases & Sales Summary
 - 6. Statistical Summary
 - 7. Cost Recovery of Repairs to District Property Caused by the General Public
 - 8. Metropolitan IAWP Reduction Programs
 - 9. Metropolitan SAWR Reduction Program
 - 10. RMWD Domestic Reduction Program
 - 11. Projected CIP Cash Flow Report

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

20. ADJOURNMENT - To Tuesday, September 28, 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.