



RAINBOW MUNICIPAL WATER DISTRICT
Tuesday, October 23, 2018
Closed Session – Time: 12:00 p.m.
Open Session - Time: 1:00 p.m.

THE PURPOSE OF THE REGULAR BOARD MEETING IS TO DISCUSS THE ATTACHED AGENDA

District Office 3707 Old Highway 395 Fallbrook, CA 92028

Board Agenda Policies

Board of Directors Meeting Schedule Regular Board meetings are normally scheduled for the 4th Tuesday of the month with Open Session discussions starting time certain at 1:00 p.m.

Breaks It is the intent of the Board to take a ten minute break every hour and one-half during the meeting.

Public Input on Specific Agenda Items and those items not on the Agenda, Except Public Hearings Any person of the public desiring to speak shall fill out a “Speaker’s Slip”, encouraging them to state their name, though not mandatory. Such person shall be allowed to speak during public comment time and has the option of speaking once on any agenda item when it is being discussed. Speaking time shall generally be limited to three minutes, unless a longer period is permitted by the Board President.

Public Items for the Board of Directors’ agenda must be submitted in writing and received by the District office no later than 10 business days prior to a regular Board of Directors’ Meeting.

Agenda Posting and Materials Agendas for all regular Board of Directors’ meetings are posted at least seventy-two hours prior to the meeting on bulletin boards outside the entrance gate and the main entrance door of the District, 3707 Old Highway 395, Fallbrook, California 92028. The agendas and all background material may also be inspected at the District Office.

You may also visit us at www.rainbowmwd.com.

Time Certain Agenda items identified as “time certain” indicate the item will not be heard prior to the time indicated.

Board meetings will be recorded as a secretarial aid. If you wish to listen to the recordings, they will be available after the draft minutes of the meeting have been prepared. There is no charge associated with copies of recordings. Recordings will be available until the minutes of such meeting are approved. Copies of public records are available as a service to the public; a charge of \$.10 per page up to 99 pages will be collected and \$.14 per page for 100 pages or more.

If you have special needs because of a disability which makes it difficult for you to participate in the meeting or you require assistance or auxiliary aids to participate in the meeting, please contact the District Secretary, (760) 728-1178, by at least noon on the Friday preceding the meeting. The District will attempt to make arrangements to accommodate your disability.

(*) - Asterisk indicates a report is attached.

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, October 23, 2018, 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. **ROLL CALL: Brazier ___ Hamilton ___ Gasca ___ Mack ___ Stewart ___**
 3. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
 4. **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 "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.*
 5. **CLOSED SESSION**
 - A. Conference with Legal Counsel–Anticipated Litigation (Government Code §54956.9(d)(2))
 - Two Items
 - B. Consider Personnel Matter-General Manager Performance Evaluation (Government Code §54957)
 6. **REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**
- Time Certain: 1:00 p.m.
7. **PLEDGE OF ALLEGIANCE**
 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 "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.*

(*) - Asterisk indicates a report is attached.

***11. APPROVAL OF MINUTES**

- A. September 18, 2018 - 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 (President Brazier)
- B. Representative Report (Appointed Representative)
 - 1. SDCWA
 - A. Summary of Board Meeting September 27, 2018
 - 2. CSDA
 - 3. LAFCO
 - 4. San Luis Rey Watershed Council
 - 5. Santa Margarita River Watershed Watermaster Steering Committee
- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)
 - 1. Board Seminar/Conference/Workshop Training Attending Requests and Reports
- D. Directors Comments
- E. Legal Counsel Comments
 - 1. Attorney Report – New Rules for Discontinuance of Water Service (501668-0002)

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

- A. Budget and Finance Committee
 - 1. September 11, 2018 Minutes
- B. Communications and Customer Service Committee
 - 1. September 6, 2018 Minutes
- C. Engineering and Operations Committee
 - 1. September 5, 2018 Minutes

Time Certain: 1:00 p.m.

PUBLIC HEARINGS

***14. DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED ORDINANCE NO. 18-23 TO REPEAL EXISTING ORDINANCE NO. 95-1, WHICH CURRENTLY REQUIRES A TWO-THIRDS VOTE OF THE ELECTORATE BEFORE THE DISTRICT CAN INCUR ADDITIONAL PUBLIC DEBT**

(This agenda item was discussed in open session at the Board meeting of September 18, 2018. The Board authorized the publication of notice pursuant to Government Code section 6066 and scheduled a public hearing for consideration of proposed Ordinance No. 18-23 for October 23, 2018.)

CONSENT CALENDAR

15. ACCEPTANCE OF THE BACKBONE INFRASTRUCTURE FOR THE HORSE CREEK RIDGE DEVELOPMENT BY D.R. HORTON

(The improvements representing the major water and sewer infrastructure to serve the Horse Creek Ridge Development and existing and future development in the area (Backbone Infrastructure) has been constructed per plans, inspected and tested per specifications, all punch list items have been completed, and as-builts delivered to Engineering. Upon acceptance by the Board, the improvements become part of the District water and sewer system and Staff takes over operation and maintenance.)

(*) - Asterisk indicates a report is attached.

16. ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS FOR THE PALOMAR NORTH EDUCATION CENTER

(Palomar College was responsible for construction of public water and sewer mains to serve the campus property and connect with existing mains in Horse Ranch Creek Road. All facilities have been constructed per plans, inspected and tested per specifications, all punch list items have been completed, and as-builts delivered to Engineering. Upon acceptance by the Board, the improvements become part of the District water and sewer system and Staff takes over operation and maintenance.)

BOARD ACTION ITEMS

***17. CONSIDER ADOPTION OF RESOLUTION NO. 18-17 OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT APPROVING THE FORM OF A CONVEYANCE AGREEMENT AND AN INSTALLMENT PURCHASE CONTRACT WITH ZMFU II, INC. AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF AND APPROVAING THE FORM OF THE FIRST AMENDMENT TO THE DISTRICTWIDE METER REPLACEMENT PROJECT AGREEMENT WITH ABM BUILDING SERVICES LLC AND AUTHORIZING THE GENERAL MANAGER TO SIGN ON THE DISTRICT'S BEHALF**

(At the September 18, 2018 Regular Board Meeting, the Board approved the execution of a tax-exempt lease with ZB, N.A. to cover the costs for the meter replacement components of this project. This action is to secure additional municipal debt in the amount of \$5.25 Million with a rate of 3.18% and a term of 10 years. This Resolution is a requirement for the financing of the project which is a not to exceed amount of \$5,249,905.)

***18. DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE FROM ORDINANCE 17-07 TO ALLOW A LOT, LARGER THAN 0.5 ACRES, TO QUALIFY FOR CAPACITY CLASS B AND APPROVE THE CAPACITY CLASS WATER USE AGREEMENT**

(A property owner has requested a variance from Ordinance 17-07 to install a 3/4 inch meter and pay the capacity charges for capacity class B for a 7.16 acre property. After a review of the application, the Engineering and Operations Committee has recommended that the variance be approved with an agreement to protect the District from overuse of the lower capacity class.)

***19. DISCUSSION AND POSSIBLE ACTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH UTILITY SERVICE CO. (SUEZ) FOR THE INSTALLATION OF TANK FALL PROTECTION IMPROVEMENTS**

(This project is a multi-year construction project that includes the construction of metal stairways up the sides of the steel water tanks and railing systems around the tops of the tanks. These improvements will simplify the safety procedures and make it possible for a single employee to carry out water tank inspections safely.)

***20. DISCUSSION AND ACTION TO APPROVE ORDINANCE NO. 18-24 AMENDING AND UPDATING ADMINISTRATIVE CODE TITLE 6 – ENGINEERING ADDING CHAPTER 6.10 – RIGHTS-OF-WAY**

(Currently there is no policy which establishes regulations, policies and procedures to protect and preserve the District's property, property interests, pipelines, associated appurtenances and facilities of the District. The addition of Chapter 6.10 Rights-Of-Way is intended to establish regulations, policies and procedures to protect and preserve the District's property, property interests, pipelines, associated appurtenances and facilities of the District.)

***21. DISCUSSION AND POSSIBLE ACTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO PROVIDE DESIGN SERVICES FOR THE MISCELLANEOUS PIPE RELOCATION DESIGN PROJECT**

(This project consists of the design of four (4) pipe relocations, and the installation of two pipe segments connecting a housing tract to a lower pressure zone. The design efforts for these projects were combined into one request for proposal (RFP) to increase the efficiency of completing the design work.)

(*) - Asterisk indicates a report is attached.

- *22. CONSIDER APPROVAL OF RAINBOW MUNICIPAL WATER DISTRICT UPDATED STRATEGIC PLAN OBJECTIVES**
(Over the last several months, the District Board, Committees, and staff have engaged in a thorough and thoughtful process for updating the RMWD Strategic Plan objectives. These updates bring the plan approved in 2015 current with the District's needs.)
- *23. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 18-16 — A RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT ESTABLISHING CLASSIFICATIONS AND MONTHLY PAY RANGES FOR DISTRICT EMPLOYEES AND THE GENERAL MANAGER EFFECTIVE OCTOBER 23, 2018 THROUGH JUNE 30, 2019**
- *24. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**
 - A. Waiver for Prior Application Process (Director Gasca)**

BOARD INFORMATION ITEMS

- 25. MISSED OPPORTUNITIES FOR GRANTS (DIRECTOR HAMILTON)**
(Director Hamilton requested an opportunity for the Board to discuss possible missed opportunities for Grants.)
- *26. ADMINISTRATIVE CODE SECTION 5.05.050.01 - RECORD RETENTION POLICY AND RELATED SUB-SECTIONS REVIEW AND UPDATE**
(The District has been working diligently on executing a Records Management Program to lessen the District's liability or risk as well as start the process of implementing an electronic filing system for records to be retained. Staff has prepared a draft policy update to Section 5.05.050.01 that is being presented to the Board for review and consideration at this time.)
- *27. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**
 - A. General Manager Comments**
 - 1. Meetings, Conferences and Seminar Calendar
 - B. Communications**
 - 1. Staff Training Reports
 - C. Operations Comments**
 - 1. Operations Report
 - D. Engineering Comments**
 - 1. Engineering Report
 - E. Customer Service and Meters Comments**
 - 1. Customer Service and Meters Report
 - F. Human Resource & Safety Comments**
 - 1. Human Resources Report
 - G. Finance Comments**
 - 1. Interim Financial Statement
 - 2. Treasurer Report
 - 3. Credit Card Breakdown
 - 4. Directors' Expense
 - 5. Check Register
 - 6. Water Sales Summary
 - 7. RMWD Sewer Equivalent Dwelling Units (EDU's) Status
- 28. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING**

(*) - Asterisk indicates a report is attached.

29. ADJOURNMENT - To Tuesday, December 4, 2018 at 1:00 p.m.

ATTEST TO POSTING:


Hayden Hamilton
Secretary of the Board

10-18-18 @ 3:30 p.m.
Date and Time of Posting
Outside Display Cases

(*) - Asterisk indicates a report is attached.