



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, July 27, 2021, 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: Gasca\_\_\_ Hamilton\_\_\_ Mack\_\_\_ Moss\_\_\_ Rindfleisch\_\_\_**
3. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
4. **INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE**

***CHAIR TO READ ALOUD*** - "If at any point, anyone would like to ask a question or make a comment and have joined this meeting with their computer, they can click on the "Raise Hand" button located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.

*Those who have joined by dialing a number on their telephone, will need to press \*6 to unmute themselves and then \*9 to alert us that they would like to speak.*

*A slight pause will also be offered at the conclusion of each agenda item discussion to allow public members an opportunity to make comments or ask questions."*

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 email or mailing their comments to the Board Secretary one hour before the Closed Session scheduled start time. All written public comments will be read to the Board prior to their adjournment to Closed Session. Any person wishing to speak to the Board regarding Closed Session agenda items may do so by calling (760) 728-1178, listening for "Thank you for calling Rainbow Municipal Water District ....", dialing Extension 429, and entering pin 8607 at the Closed Session scheduled start time. Once all public comment is heard, this call will be disconnected, and the Board will adjourn to Closed Session. To participate in the Open Session portion of the meeting, please follow the instructions provided at the top of Page 1 of this agenda. Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.***

6. **CLOSED SESSION**
  - A. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(2))
    - \* Two Items
  - B. Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1)
    - \* Rainbow Municipal Water District v. Blum, Inc., et al.

(\*) - Asterisk indicates a report is attached.

- C. Appointment, Employment; Evaluation of Performance – General Manager (Government Code §54957(B)(1))

**7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**

Time Certain: 1:00 p.m.

**8. REPEAT CALL TO ORDER**

**9. PLEDGE OF ALLEGIANCE**

**10. REPEAT ROLL CALL**

**11. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**

**12. REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**

**13. REPEAT INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE**

**CHAIR TO READ ALOUD** - *“If at any point, anyone would like to ask a question or make a comment and have joined this meeting with their computer, they can click on the “Raise Hand” button located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.*

*Those who have joined by dialing a number on their telephone, will need to press \*6 to unmute themselves and then \*9 to alert us that they would like to speak.*

*A slight pause will also be offered at the conclusion of each agenda item discussion to allow public members an opportunity to make comments or ask questions.”*

**14. 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 or may email or mail their comments to the Board Secretary one hour before the Open Session scheduled start time. All written public comments received will be read to the Board during the appropriate portion of the meeting.*** 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.

**\*15. APPROVAL OF MINUTES**

- A. June 22, 2021 - Regular Board Meeting

(\*) - Asterisk indicates a report is attached.

**\*16. 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 Hamilton)
- B. Representative Report (Appointed Representative)
  - 1. SDCWA
    - A. Summary of Board Meeting June 24, 2021
  - 2. CSDA
  - 3. LAFCO
    - A. LAFCO Communications
  - 4. Santa Margarita River Watershed Watermaster Steering Committee
  - 5. ACWA
- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)
  - 1. Board Seminar/Conference/Workshop Training Attendance Reports
- D. Directors Comments
- E. Legal Counsel Comments
  - 1. Attorney Report: Brown Act Update 501668-0002

**17. COMMITTEE REPORTS**

- A. Budget and Finance Committee
- B. Communications and Customer Service Committee
- C. Engineering and Operations Committee

**BOARD ACTION ITEMS**

**\*18. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 21-17 — 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 JULY 27, 2021, THROUGH JUNE 30, 2022**

*(The grade structure included in Resolution No. 21-17 makes the following changes: adds Grade E7 to the Exempt Salary Grades, adds the Grants Specialist classification to Salary Grade E7, and adjusts the minimum of Grade E8 down to be 15% from the grades above and below it. In compliance with state and CalPERS regulations, the District maintains a Salary Grade structure that includes all job titles, salary grade levels, and monthly salary ranges for each grade.)*

**19. NOTICE OF COMPLETION AND ACCEPTANCE OF THE NORTH RIVER ROAD SEWER PIPE LINING PROJECT**

*(All facilities for the North River Road Sewer Pipe Lining Project have been constructed per plans, inspected, and tested per specifications. Upon acceptance by the Board, the improvements become part of the District's water distribution system and Staff takes over operation and maintenance.)*

(\*) - Asterisk indicates a report is attached.

**\*20. CONSIDER AND APPROVE A CONSTRUCTION AGREEMENT AND SEWER SERVICE AGREEMENT BETWEEN RAINBOW MUNICIPAL WATER DISTRICT AND BONSALL OAKS, LLC FOR THE BONSALL OAKS DEVELOPMENT TO IMPROVE MAJOR SUBDIVISION COUNTY OF SAN DIEGO TRACT NO. 4736-1**

*(The Bonsall Oaks Development, formerly known as the Polo Club Development, is a residential development located on the north side of Gopher Canyon Road, across the street from Vista Valley Country Club. There are five (5) different phases associated with the project with the anticipated construction of 164 homes, a winery, tasting room and bed and breakfast. The Developer requested to enter into a construction agreement and a sewer service agreement with the District according to the terms of the District's Administrative Code, attached for discussion.)*

**\*21. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 21-04 AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 5.05.050 – RECORD RETENTION POLICY, CHAPTER 5.09 – DISTRICT COMMUNICATION SYSTEMS, AND CHAPTER 5.10 – VEHICLE POLICIES**

*(As part of the ongoing policy review, updates were made to some of the chapters, sections, and subsections included in Title 5 while keeping policies in alignment with the District's current practices. The proposed changes are formatting and numbering changes only – there are no changes to policy or contents.)*

**22. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

**BOARD INFORMATION ITEMS**

**\*23. CONSIDERATION OF REQUEST BY THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION FOR ADDITIONAL FUNDS FOR THE PROCESSING OF THE DISTRICT'S APPLICATION FOR DETACHMENT FROM THE SAN DIEGO COUNTY WATER AUTHORITY AND CONCURRENT ANNEXATION INTO EASTERN MUNICIPAL WATER DISTRICT**

*In March 2021, LAFCO requested an additional deposit of \$50,000 to cover the cost of their consultant, Dr. Michael Hanemann. Dr. Hanemann's work is taking longer than projected by LAFCO; therefore, on July 8, 2021, SD LAFCO Executive Officer Keene Simonds sent an email requesting an additional deposit in the amount of \$60,000.)*

**24. HEADQUARTERS DEVELOPMENT STUDY UPDATE**

**25. MORRO MIXERS UPDATE**

**26. HELI-HYDRANT PROJECT UPDATE**

**\*27. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**

**A. General Manager Comments**

1. Meetings, Conferences and Seminar Calendar

**B. Communications**

1. Public Comment Received Jun 28, 2021

**C. Operations Comments**

1. Operations Report

**D. Engineering Comments**

1. Engineering Report
2. As-Needed Services Expenditures Summary
3. RMWD Sewer Equivalent Dwelling Units (EDU's) Status

**E. Human Resource & Safety Comments**

1. Human Resources Report
2. Organizational Chart

(\*) - Asterisk indicates a report is attached.

**F. Finance Comments**

1. Board Information Report
2. Budget vs. Actuals
3. Fund Balance & Developer Projections
4. Treasury Report
5. Five Year Water Purchases Demand Chart
6. Water Sales Summary
7. Check Register
8. Directors' Expenses Report
9. Credit Card Breakdown
10. RMWD Properties

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

**29. ADJOURNMENT - To Tuesday, August 24, 2021, at 1:00 p.m.**

**ATTEST TO POSTING:**

*Pam Moss*  
Pam Moss  
Secretary of the Board

7-19-21 @ 4:00 p.m.  
Date and Time of Posting  
Outside Display Cases

(\* ) - Asterisk indicates a report is attached.