

**MINUTES OF THE SPECIAL BOARD MEETING  
OF THE BOARD OF DIRECTORS OF THE  
RAINBOW MUNICIPAL WATER DISTRICT  
DECEMBER 19, 2023**

1. **CALL TO ORDER** - The Special Meeting of the Board of Directors of the Rainbow Municipal Water District on December 19, 2023 was called to order by President Hamilton at 2:00 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. President Hamilton presiding.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

**Present:** Director Hamilton, Director Johnson, Director Mack

**Also Present:** General Manager Wiley, Legal Counsel Smith, District Secretary Washburn, Operations Manager Gutierrez, Interim Finance Manager Poole, Administrative Services Manager Harp, Information Technology Manager Khattab, District Secretary Quintanar

**Absent:** Director Gasca, Director Townsend-Smith

**Also Present Via Teleconference or Video Conference:**

Engineering and CIP Program Manager Williams, Sr. Project Manager Tamimi, Environmental Health and Safety Officer Johnson, Administrative Assistant Montano, Sr. Project Manager Parra, Administrative Analyst II Barrow

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

There were no amendments to the agenda.

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

There were no members of the public in attendance via teleconference or video conference; therefore, the instructions were not read aloud.

6. **ORAL/WRITTEN COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING ITEMS ON THE AGENDA**

There were none.

**BOARD ACTION ITEMS**

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

**\*7. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 23-35, A RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT COMMENDING MIGUEL GASCA FOR HIS OUTSTANDING SERVICE AS A DIRECTOR, BOARD VICE PRESIDENT AND REPRESENTATIVE**

Mr. Wiley acknowledged and expressed appreciation for Director Gasca's service since 2017.

***Motion:***

***To approve Resolution No. 23-35.***

***Action: Approve, Moved by Director Johnson, Seconded by Director Mack.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 3).***

***Ayes: Director Hamilton, Director Johnson, Director Mack***

**\*8. CONSIDER ADOPTION OF RESOLUTION NO. 23-36 AND AWARD OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$5,657,500 WITH PACIFIC HYDROTECH CORPORATION FOR THE WEST LILAC, RANCHO AMIGOS, AND DENTRO DE LOMAS PUMP STATIONS REPLACEMENT PROJECTS (DIVISION 1)**

Mr. Williams stated that three bids were received, and Pacific Hydrotech was the lowest bidder with a bid amount of \$5,657,500. The project consists of the construction and installation of three permanent pump stations to prevent interruption of water supply due to SDCWA aqueduct shutdowns. Clarifying for President Hamilton, Mr. Wiley reported that the contract is for 180 working days and also has an incentive clause to finish early. In addition, the resolution presented for consideration is for Addendum No. 1 to the PEIR for the Rancho Amigos pump station and CEQA findings of exemption.

***Motion:***

***To approve Option 1.***

- (1) Adopt Resolution No. 23-26 finding that the Board has considered addendum 1 together with the PEIR and adopting Addendum No. 1 to the 2022 water and sewer facilities PEIR for the Rancho Amigos pump station project and applicable project measures listed in the Mitigation, Monitoring and Reporting Program
- (2) Authorize staff to post a Notice of Exemption for the West Lilac pump station.
- (3) Authorize staff to post a Notice of Exemption for the Dentro de Lomas pump station.
- (4) Authorize the general manager to execute the construction contract.

***Action: Moved by Director Mack, Seconded by Director Hamilton.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 3).***

***Ayes: Director Hamilton, Director Johnson, Director Mack***

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

**\*9. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 23-34 — 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 DECEMBER 19, 2023, THROUGH JUNE 30, 2024**

Ms. Harp reported that several leadership positions were evaluated and recommended amendment to the title of the now vacant Finance Manager position, adding “Chief Financial Officer,” adding clarity to the gravity and scope of responsibilities of that role. She also recommended amendment to the title of the Operations Manager, adding “Chief Operating Officer,” to indicate this position is the top level in that function.

Clarifying for Director Johnson, Ms. Harp confirmed there is no fiscal impact with this action and that the position titles will be updated on the website immediately. Director Johnson commended Ms. Harp for keeping the titles consistent with the industry.

***Motion:***

***Action: To Adopt Resolution No. 23-34. Moved by Director Johnson, Seconded by Director Hamilton.***

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 3).***

***Ayes: Director Hamilton, Director Johnson, Director Mack***

**10. 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).**

There were no comments.

***The meeting adjourned to Closed Session at 2:11 p.m.***

**11. CLOSED SESSION**

**A. Conference with Legal Counsel—Anticipated Litigation (Government Code § 54956.9(d)(2))**

**\* One Item**

**B. Conference with Legal Counsel—Existing Litigation (Government Code §54956.9(d)(1))**

**\* San Diego County Water Authority v. Rainbow Municipal Water District, et al.**

***The meeting reconvened to open session at 3:05 p.m.***

Time Certain: 2:30 p.m.

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

12. **REPEAT CALL TO ORDER** - The Special Meeting of the Board of Directors of the Rainbow Municipal Water District on December 19, 2023, was called to order by President Hamilton at 3:05 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. President Hamilton presiding.

13. **REPEAT ROLL CALL**

**Roll Call.**

**Present:** Director Hamilton, Director Johnson, Director Mack

**Also Present:** General Manager Wiley, Legal Counsel Smith, District Secretary Washburn, Operations Manager Gutierrez, Interim Finance Manager Poole, Administrative Services Manager Harp, Information Technology Manager Khattab, District Secretary Quintanar

**Absent:** Director Gasca, Director Townsend-Smith

**Also Present Via Teleconference or Video Conference:**

Administrative Assistant Montano, Administrative Analyst II Barrow

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

Legal Counsel reported that the Board met in closed session for to discuss two matters listed on the agenda and there was one reportable item. He reported that the claim for damages had been submitted by Dorothea and Gerald Flanigan was deemed incomplete and responded to the claim with a notice of insufficiency.

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

There were no members of the public in attendance via teleconference or video conference; therefore, the instructions were not read aloud.

\*16. **CONSIDER ADOPTING RESOLUTION NO. 23-32 RECITING THE FACT OF THE SPECIAL DISTRICT ELECTION HELD ON NOVEMBER 7, 2023, DECLARING AND CERTIFYING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW REGARDING MEASURE "B" RELATED TO DETACHING FROM SDCWA**

Mr. Wiley reported that the two resolutions presented for consideration are in accordance with the County Water Act provision to certify the election results and actions therewith. Action to adopt the resolution would certify the results of the election for Measure B.

***Motion:***

***To Adopt Resolution No. 23-34***

***Action: Moved by Director Johnson, Seconded by Director Mack.***

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

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 3).***

***Ayes: Director Hamilton, Director Johnson, Director Mack***

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

Mr. Wiley reported that the January 23, 2024 agenda will include the opportunity to appoint a director to fill the vacancy in Division 3 and a few Administrative Code changes. Secretary Washburn added that there are several other items pending for that agenda.

Director Johnson relayed her appreciation for Secretary Washburn, and all the years of service to Rainbow Municipal Water District, and gratitude for Ms. Washburn for her help ushering her in as a new Board Member and Committee Member. Mr. Wiley noted several things done to recognize Ms. Washburn and wish her farewell.

Director Johnson also requested a joint Budget and Finance Committee and Engineering and Operations Committee meeting, once the new Chief Financial Officer has joined RMWD.

**18. ADJOURNMENT**

***The meeting was adjourned by President Hamilton to a regular meeting on January 23, 2024 at 1:00 p.m.***

The meeting was adjourned at 3:15 p.m.

  
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Terese Quintanar, District Secretary

  
\_\_\_\_\_  
Hayden Hamilton, Board President

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