

**MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
SEPTEMBER 24, 2024**

1. **CALL TO ORDER** - The Regular Meeting of the Board of Directors of the Rainbow Municipal Water District on September 24, 2024, was called to order by President Hamilton at 1:00 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028.

2. **ROLL CALL:**

Present: Directors Hamilton, Johnson, Townsend-Smith (left the meeting at 2:15 p.m.), Mack, and Dale

Also Present: General Manager Wiley, Legal Counsel Smith, Chief Financial Officer Aragon, District Secretary Quintanar, Engineering and CIP Program Manager Williams, Administrative Services Manager Harp, Information Technology Manager Khattab, Construction and Meters Supervisor Lagunas, Member Nelson, Administrative Analyst Weber, Sr. Project Manager Tamimi, Operations Manager Gutierrez, Utility Worker II Hill, Customer Service Representative Jaeger, Electrical Technician Cline, Sr. Fleet Mechanic Del Rio, Utility Worker III Hand, Technical Services Team Lead Bradley, Sr. Meter Services Technician Taylor, Administrative Assistant Montano, Utility Line Locator Sjuneson, Utility Worker II Simpson, Purchasing and Inventory Control Specialist Daugherty, Water Operations Supervisor Coffey, Human Resources Specialist Ramirez, Custodian Moedano, Utility Worker II Diaz, Crew Leader Rose, Information Technology Specialist III Espino

**Also Present in Person,
Via Teleconference or**

Video Conference: Safety and Risk Management Officer Johnson, Dawn Washburn,

Members of the public Rick Carrey and Duane Urquhart attended in person.

3. **PLEDGE OF ALLEGIANCE**

4. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA**

There were no changes requested.

5. **APPROVAL OF THE AGENDA**

Motion

To approve the Agenda as presented.

Action: Approve, Moved by Director Mack, Seconded by Director Dale

Vote: Motion carried by unanimous vote (summary: Ayes = 5)

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

6. PUBLIC COMMENT

There were no requests to speak.

7. EMPLOYEE RECOGNITIONS

A. Malik Tamimi – 5 years

General Manager Wiley announced Rainbow's Senior Project Manager Malik Tamimi's five-year milestone and highlighted tremendous accomplishments of the year and his appreciation for the level of dedication and responsiveness. He is everything a project manager should be, professional, and so valuable to all the big things we do here, from the construction of lift stations, pump stations, and everything in between. He was congratulated and presented with a plaque of appreciation.

B. Consider Adoption of a Resolution Commending Mark Cline for 35 Years of Service with the Rainbow Municipal Water District

General Manager Wiley reported that Rainbow's Electrical Technician Mark Cline was hired in 1989 and is celebrating his 35-years milestone. He has been instrumental in the innovative advancements, troubleshooting, replacing outdated parts, and much more for the District. On a personal note, he commented that Mr. Cline is fantastic person and a pleasure to get to know. Information Technology Manager Khattab thanked Mr. Cline for everything he's done for the District and remarked about his dedication and high quality work ethic.

Motion

To adopt Resolution No. 24-12, Commending Mark Cline for 35 Years of Service

Action: Approve, Moved by Director Hamilton, Seconded by Director Dale

Vote: Motion carried by unanimous vote (summary: Ayes = 5)

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

Photos of Mark throughout the years at Rainbow were shared, he was congratulated, and presented with a plaque of appreciation and service award.

8. COMMITTEE MEETING SUMMARIES

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

There were no committee meetings this month. However, Ms. Weber shared about some recent events, including the Thoroughbred Lift Station Ribbon Cutting, a tour of the Advanced Water Purification Facility, the North County Fire Open House planned for October 12th, and highlights of the September Newsletter. Vice President Johnson commended staff for the quality of the Newsletter.

9. CONSENT CALENDAR

- A. Approval of the August 27, 2024 Regular Board Meeting Minutes
- B. Approval of the September 17, 2024 Special Board Meeting Minutes
- C. Notice of Completion and Acceptance of Minor Facilities Constructed By Customers (Districtwide)

Motion

To approve the Consent Calendar as presented.

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

Vote: Motion carried by unanimous vote (summary: Ayes = 5)

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

10. ACTION ITEMS

- A. Consider a Request for Additional Funding for the Transfer of Infrastructure Assets From the San Diego County Water Authority (SDCWA)

Mr. Wiley provided background regarding the connections associated with the Metropolitan Water District (MWD) aqueducts. Per the Settlement Agreement, dated December 21, 2023, specific assets are to be transferred from SDCWA to Rainbow Water. These assets are all related to the treated water connections to Metropolitan Water District Aqueducts that will be owned and operated by SDCWA until detachment is complete. In total, there are four connections that will be acquired (RB-1, RB-8, RB-9, and RB-10). The agreed upon value of the facilities is \$607,500, and the purchase of these facilities is required to complete detachment from the SDCWA, anticipated to be in November 2024. In addition, minor upgrades will be done by Rainbow staff to the facilities for communications and control at an estimated cost of \$25,000.

In addition, as part of the facilities transfer, Metropolitan Water District requires an engineering study be performed to ensure the facilities meet their standards for metering/operation, over the next year. It will not delay transfer of the facilities, interim operations in the meantime. Rainbow is required to place deposit with MWD to conduct the study at a cost of \$93,800, which was unknown during preparation of the FY24/25 budget. Discussion ensued regarding associated operational details. Staff requested a budget increase of \$250,000 for a revised total of \$750,000 to complete the acquisition, and a mid-year budget analysis will be done to assess funding for future-planned projects.

Motion

To approve \$250,000 in Additional Funding for the Transfer of Infrastructure Assets From the San Diego County Water Authority

Action: Approve, Moved by Director Hamilton, Seconded by Director Mack

Vote: Motion carried by majority vote, with Directors Townsend-Smith and Johnson abstaining (summary: Ayes = 3)

Ayes: Directors Hamilton, Mack, and Dale

- B. Discussion and Possible Action Regarding the Appointment, Employment; Evaluation of Performance; or Compensation of the General Manager (Jacob Wiley)

Motion

To Approve a Cost of Living adjustment of 3% and amendment to the General Manager's base pay according to terms previously negotiated in the Employment Contract between Rainbow Municipal Water District and Jacob Wiley, bringing the annual salary to \$262,685.24, beginning September 25, 2024

Action: Approve, Moved by Director Hamilton, Seconded by Director Townsend-Smith

Vote: Motion carried by unanimous vote (summary: Ayes = 5)

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

11. CROPSWAP UPDATE

Mr. Wiley provided a detailed presentation of Rainbow Municipal Water District's success with this project. To date, 60 applications have been submitted from our customers and 45 have already been approved for funding in the amount of \$597,550. About a third of the grant funding has been awarded. It is predicted that additional funding will be sought to continue the program in the future. Discussion followed regarding the administration and the success of the program and continued messaging.

12. INFORMATION ITEMS

Department updates were included in the meeting packet for informational purposes. Ms. Harp provided the results of the Workplace Experience survey results.

Mr. Aragon provided information on current water sales and impacts of lowered interest rates on our investments. Mr. Aragon was complimented and appreciation for his work was expressed.

Mr. Williams reported that Rancho Amigos Pump Station is fully powered up, West Lilac Pump Station will be completed this weekend and the Dentro de Lomas Pump Station will be completed in the next week or so. SDG&E has been extremely responsive. Mr. Wiley added that work to replace pipe in Gopher Canyon Road will begin next week. Discussion followed regarding methods of outreach to customers.

13. REPORTS & COMMENTS

Legal Counsel Smith reported on a recent California Supreme Court ruling that limits employment law liability for public agencies. The Private Attorney General Act (PAGA) is a broad statute that removes the traditional standing requirements, essentially allowing any aggrieved employee to bring an action on behalf of his or her self, other employees and the state as a "private attorney general." The decision significantly reduces employment liability exposure for public agencies.

Mr. Wiley reported that SDCWA Elected Board Officers. Nick Serrano is the Board Chair, Frank Hilliker is Vice Chair, and Joy Lyndes is the Secretary.

Vice President Johnson reported on her attendance of the CSDA Conference and announced she is the Secretary for the Finance Corporation Board. She also attended EMWD's Agricultural Customer Listening Meeting.

Directors Dale and Mack reported on attendance of the CSDA Conference and completion of training that will benefit our application for a renewed Certificate of Transparency.

14. REQUESTS TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

Vice President Johnson reported that she had been invited to tour the State Water Project. There will be no cost to Rainbow for the tour. A request by Director Townsend-Smith to attend the Colorado River Water Users Association Conference will be discussed at the October 22, 2024 meeting.

15. SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING

Vice President Johnson brought to the Board's attention a request from a customer to address hardness in the water. She also requested Bonsall Unified High School student feedback regarding Rainbow Municipal Water District's school presentations planned for October.

Director Dale requested review and discussion of fixed fees.

16. CLOSED SESSION

The Board and staff adjourned to closed session at 2:57 to discuss:

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957, Title: General Manager

The Board readjoined to open session at 4:13 p.m. Legal Counsel Smith reported that there was no action taken in closed session.

- 17. ADJOURNMENT** The meeting was adjourned at 4:13 p.m. by President Hamilton to a Special meeting on Thursday, October 30, 2024, at 10:00 a.m.



Hayden Hamilton, Board President



Terese Quintanar, District Secretary