

**MINUTES OF THE ENGINEERING AND OPERATIONS COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
NOVEMBER 6, 2019**

1. **CALL TO ORDER** – The Engineering and Operations Committee Meeting of the Rainbow Municipal Water District on November 6, 2019 was called to order by Chairperson Nelson at 3:00 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. Chairperson Nelson, presiding.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

Present: Member Stittle, Member Brazier, Member Ratican, Member Marnett, Member Nelson.

Also Present: General Manager Kennedy, District Engineer Strapac, Operations Manager Gutierrez, Engineering Technician Rubio.

Absent: Member Prince, Member Taufer.

One member of the public was present.

4. **SEATING OF ALTERNATES**

There were no alternates seated.

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

Mr. Nelson noted Mr. Kennedy requested Item #12 be postponed to the next committee meeting.

6. **PUBLIC COMMENT RELATING TO ITEMS NOT ON THE AGENDA (Limit 3 Minutes)**

There were no comments.

7. **COMMITTEE MEMBER COMMENTS**

Mr. Nelson said there was discussion at the last meeting regarding possibly changing this committee's meeting start time to earlier in the day. He suggested having this on the next committee agenda for discussion. Mr. Kennedy assured everyone staff would be able to work with the committee's schedule.

*8. **COMMITTEE POLICY REVIEW**

Mr. Nelson solicited the committee for comments on the worksheet provided by Ms. Brazier as well as his email comments.

Mr. Ratican inquired about the last meeting's minutes. Mr. Kennedy explained the October committee meeting minutes were not provided with this agenda due to the transcription not getting completed due to holiday and vacation schedules.

Mr. Nelson reviewed each of the questions provided on the worksheet while soliciting for committee input. The following are the comments made:

- Paragraph 1: There were no proposed changes.
- Paragraph 2: Removal of the sentence "Each committee shall designate their own chairperson." From Paragraph 2 and incorporate it into Paragraph 3.
- Paragraph 3: Changing the paragraph to read the chairperson and vice chairperson will serve for a term of one calendar year as well as the reappointment of committee members after four years of service.
- Paragraph 4: Possible removal of this paragraph with the revisions made to Paragraph 3.
- Paragraph 9: Changing "committee members will consider the removal..." to "committee members will consider recommending to the Board the removal..."

The question of whether committee members should be required to reside within the District was raised. It was the consensus of the committee all members should reside within the District in order to serve.

- Paragraph 11: The question relative to Form 700's was whether committee members with current or substance of connections with an entity being addressed in committee discussions be required to recuse themselves and leave the room during discussions as is the case with Board Members. It was noted it would be best to trust the judgment of committee members, but to add "interest" between "conflict of" and "code."

The question of keeping committee meetings as economical was raised. It was suggested the chairperson shall be responsible for curtailing any circular or non-pertinent discussions during committee meetings.

The question of changing an alternate member to a regular member needs to be taken to the Board for consideration. The consensus was this would not be something that would require Board approval.

Mr. Kennedy clarified not all contractor selections will be brought to this committee for consideration.

Mr. Nelson said he would email a consensus of the committee out to all the Engineering and Operations Committee members for their input. He stated should there be no opposition, he would submit these suggestions in his report to the Board of Directors.

9. AS-NEEDED ENVIRONMENTAL PROPOSAL REVIEW

Mr. Strapac referenced the proposal handout provided related to selecting an as-needed environmental professional services. It was noted the handout needed to be revised.

Discussion went to Item #10.

Mr. Strapac confirmed seeking approval of three firms.

Mr. Ratican questioned how staff reviewed these firms in terms of the different aspects of environmental services as well as the expertise to be provided. Mr. Strapac stated staff looked at their project descriptions, staff, and availability, but not in the manner Mr. Ratican suggested. Mr. Kennedy explained the use of these as-needed services noting staff would ensure the firm to be utilized had the specialist available to address the specific task or need at hand. He added the purpose of this item was to obtain formal contracts with the consultants that have all the liability, indemnity clauses, and such worked out in advance before they are called upon to assist the District.

Mr. Nelson inquired as to how much this engagement totals for each firm. Mr. Strapac stated he believed the total amount would be up to \$50,000 per engagement.

Motion:

To recommend the Board approve the top three firms selected by staff (Helix, Michael Baker, and Rincon).

Action: Approve, Moved by Member Stittle, Seconded by Member Marnett.

Vote: Motion carried by unanimous vote (Summary: Ayes = 4, Abstain = 1).

Ayes: Member Stittle, Member Brazier, Member Marnett, Member Nelson.

Abstain: Member Ratican.

Discussion went to Item #11.

10. AS-NEEDED CONSTRUCTION MANAGEMENT PROPOSAL REVIEW

Mr. Strapac explained the proposals received from some small as well as larger firms. He confirmed this proposal was to be presented to the Board but was pulled from their agenda and not discussed.

Mr. Kennedy explained when the as-needed services would be utilized. Discussion ensued.

Motion:

To recommend the Board approve the top two firms selected by staff; Harris and Reilly for award.

Action: Approve, Moved by Member Nelson, Seconded by Member Marnett.

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

Ayes: Member Stittle, Member Brazier, Member Ratican, Member Marnett, Member Nelson.

Discussion returned to Item #9.

11. RICE CANYON TANK TRANSMISSION LINE PROPOSAL REVIEW

Mr. Strapac reported an RFP was put out on August 26th to which six responses were received. He referenced the list provided in the handout. Discussion ensued.

Mr. Nelson asked for clarification regarding the prosecution of the project. Discussion ensued.

Mr. Ratican stated after taking a considerable amount of time to review this proposal, he mostly agreed with the ratings across the board except for Dudek. He pointed out some of his concerns and findings. Discussion followed.

Ms. Brazier excused herself from the meeting at 4:11 p.m.

Motion:

To recommend to the Board approve staff's top selected firm for award (Harris).

Action: Approve, Moved by Member Stitle, Seconded by Member Ratican.

Vote: Motion carried by unanimous vote (summary: Ayes = 4).

Ayes: Member Stitle, Member Ratican, Member Marnett, Member Nelson.

Absent: Member Brazier.

12. CAPITAL IMPROVEMENT PRESENTATION CONTINUATION

This item was continued per Item #5.

13. WATER SERVICE UPGRADE PROGRAM UPDATE

It was noted the agenda item title should read "upgrade" as opposed to "upgram".

Mr. Nelson reported he received the District's flyer on the program in the mail and how it found it to be informative and well done.

Mr. Kennedy reported an update was brought to the Board in October at which time they granted authorization to move forward with certain purchases of equipment to excavate the meter boxes. Discussion ensued regarding indemnification.

Mr. Nelson asked if staff was sure they could keep up with Concord's progress. Mr. Gutierrez explained how staff has mapped out the program and what process he has in place to ensure the pace is kept.

14. CATHODIC PROTECTION PROGRAM

Mr. Strapac provided a presentation on the CPP. He mentioned staff have been trained to take field samplings every time a pipe is exposed. He said staff have started implementing the procedures of the CPP.

15. AS-NEEDED SERVICES EXPENDITURES SUMMARY

Mr. Nelson expressed concern with staff becoming consultant managers. Mr. Kennedy assured the committee all the work will be monitored. Discussion ensued.

16. MEMORANDUM OF UNDERSTANDING WITH EASTERN MUNICIPAL WATER DISTRICT UPDATE

Mr. Kennedy announced letters were sent to the affected agencies to the District's proposed detachment which includes SDCWA, EMWD, as well as some interested parties identified by SDCWA which would be the other 22 member agencies today. He noted the letter notified the recipients that on December 3, 2019, the RMWD Board intends to consider adoption of a Resolution of Application to LAFCO for reorganization to include the detachment of RMWD from the SDCWA and annexation to EMWD. He said as part of the resolution, the Board will approve a draft plan for service as well as CEQA determinations related to both the detachment itself and CEQA documents related to the long plan projects identified through the Condition Assessment Program. He noted the proposed action will also authorize the General Manager to amend documents, reports, etc. requested by LAFCO as the process goes forward and how it was anticipated to have the application submitted prior to the end of the calendar year. He mentioned once the application and application fee has been submitted, LAFCO will start their processing which will take a number of months to complete. He stated although it was unclear how long the review process will take, it would be the best of all possible scenarios if it were complete to be presented to the LAFCO commission in time for approval predating the deadline for submission of items for the November 2020 ballot. He added as of right now the District could be headed to a Special Election or a delay until the next General Election; however, this would need to be determined going forward.

Discussion followed regarding the projected election dates.

17. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT SCHEDULED ENGINEERING AND OPERATIONS COMMITTEE MEETING

It was noted the October meeting minutes, a Capital Improvement Program update, establishing a new committee meeting start time, and the MOU with EMWD update be on the next agenda.

18. ADJOURNMENT

The meeting adjourned at 5:06 p.m.

Flint Nelson, Committee Chairperson

Dawn M. Washburn, Board Secretary