

**MINUTES OF THE ENGINEERING SERVICES COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
APRIL 4, 2018**

1. **CALL TO ORDER** – The Engineering Services Committee Meeting of the Rainbow Municipal Water District on April 4, 2018 was called to order by Chairperson Prince at 3:00 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. Chairperson Prince, presiding.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

Present: Member Prince, Member Stitle, Member Brazier, Member Taufer, Member Ratican, Member Marnett, Alternate Nelson.

Also Present: General Manager Kennedy, Associate Engineer Powers, Eng. Technician Rubio, Right of Way/Facilities Coordinator Brown.

Absent: Alternate Kirby, Member Robertson.

There were no members of the public present.

4. **SEATING OF ALTERNATES**

Alternate Member Nelson was invited to take a voting seated.

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

Mr. Kennedy requested postponing Agenda Item 8 to next month's meeting. He stated the data was incomplete.

6. **PUBLIC COMMENT RELATING TO ITEMS NOT ON THE AGENDA**

There were no public comments.

COMMITTEE ACTION ITEMS

*7. **APPROVAL OF MINUTES**
A. March 7, 2018

Mr. Taufer said he wanted to submit his comments regarding the Condition Assessment report during a meeting with Mr. Powers, right after the Engineering Committee meeting.

Motion: Approve the minutes as written.

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

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 7)

Ayes: Member Prince, Member Stitle, Member Brazier, Member Taufer, Member Ratican, Member Marnett, Alternate Nelson.

8. DISCUSSION REGARDING SEWER FLOW MONITORING OPTIONS

Agenda Item postponed to next month's meeting.

***9. DEVELOPMENT PROJECTS UPDATE – DISCUSSION ON SEWER PERMIT ADMINISTRATIVE CODE AND SEWER SERVICE AGREEMENTS FOR PROJECTS WITH MORE THAN FIVE EDU'S**

Mr. Powers said Mr. Gerdes had been working on the sewer service agreements for Pala Mesa Highlands and Palomar College. He summarized the current development projects as follows:

- Golf Green Estates: Located by Bonsall Elementary, 21 meters purchased, most of the wet infrastructure was complete, and models were completed.
- DR Horton: Located on Horse Creek Ridge, 216 meters purchased, currently complying with the District's regulation regarding the temporary lift station, permanent lift station on Pankey Road expected to be completed in June 2018.
- Pala Mesa Highlands: Located on Old Highway 395, past Nussy Burgers, 124 lots, about 90% completion of wet infrastructure.

Mr. Powers said last year there were changes to the District's Admin Code regarding the purchase of more than 5 sewer EDUs. He continued based on these changes the existing agreements needed to be revised. He explained the revised sewer service agreements would include memorializing any previous payments, and clarifying that any payments receive were not directly tied to specific number of EDUs. He pointed out the reason these sewer agreements were brought to the engineering committee was to provide an update on changes to the developer process, and explain the purpose of the sewer service agreements. Discussion ensued.

Mr. Kennedy paused to introduce a new District staff member Ms. Brown, Right of Way/Facilities Coordinator. He said Ms. Brown came from working on Catalina Island, running the water system for Edison and is a registered geologist.

Mr. Kennedy stated the reason for changing the sewer policy was to have the ability to expire older agreements. He explained the goal for the District was to have developers come in earlier in the process and get the last of the legacy agreements through the system.

Mr. Ratican asked if the District's ordinance covered vesting tentative maps. Mr. Powers responded he did not believe it did. Mr. Ratican suggested looking into it. Discussion ensued.

Mr. Kennedy said there was currently no agreement in place with Palomar Community College. He mentioned the agreement would have terms regarding how to track the 100 EDUs and what would happen if these EDUs are close to being all used. He stated that sewer flow monitoring meters would be installed to ensure controls and caps. He said Palomar purchased a 4-inch water meter and had a separate irrigation meter. Discussion ensued.

10. DISCUSSION REGARDING CAPACITY CLASS VARIANCE AGREEMENT

Mr. Kennedy said currently per the District's Admin Code a lot that was over half an acre required a 1-inch meter. He mentioned one customer had requested a smaller meter for a large lot, although presently there were a couple more customers with similar requests. He said the requested variance from policy was brought to the Board for direction and it was returned to staff for further review/analysis. He stated that preparation of a variance agreement to track any offenses and ensure compliance would be problematic due to limitations of proposition 218. He pointed out a solution, which was suggested by legal counsel, to construct a fee based on the capacity fees. He mentioned using a tier rate to apply the fees would be possible if reasonably calculated. Discussion ensued.

Mr. Kennedy provided a draft concept spreadsheet he developed and proceeded with an explanation on the mechanism for applying capacity charges. He went over the parameters for applying the fee for use beyond a determined volume using 6 or 12-month rolling averages. Discussion ensued.

Mr. Kennedy mentioned staff were currently reviewing other District and City policies which are already in place to use as a basis for our own variance policy.

Mr. Stitle suggested adding a column with percentages of customers effected, to the draft concept spreadsheet.

Mr. Powers discussed a calculation used at Vallecitos Water District for customers that over use sewer and water capacity. He explained by applying a 10 year lease of capacity divided out over the number of units and the number of months one could find a fee per unit for over use. Discussion ensued.

11. DISCUSSION REGARDING REVISIONS TO THE ENGINEERING SERVICES COMMITTEE CHARTER

Mr. Kennedy said last month there was a request to review the changes to the Engineering Services Committee charter and return with any comments.

Motion: Approve the revised Engineering Services Committee charter.

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

Vote: Motion passed (summary: Ayes = 6, Noes = 1, Abstain = 0).

Ayes: Member Prince, Member Stitle, Member Brazier, Member Ratican, Member Marnett, Alternate Nelson.

Noes: Member Taufer.

12. ABM METER REPLACEMENT PROJECT UPDATE

Mr. Kennedy said there has not been any progress to date. He mentioned if the delays were not corrected soon the District may need to fund the project a different way. Discussion ensued.

13. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT SCHEDULED ENGINEERING SERVICES COMMITTEE MEETING

The following agenda items were suggested:

- Sewer Monitoring Options
- ABM Update
- Variance Process

14. ADJOURNMENT

Motion: To adjourn the meeting

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

Vote: Motion passed (summary: Ayes = 7, Noes = 0, Abstain = 0).

Ayes: Member Prince, Member Stitle, Member Brazier, Member Ratican, Member Marnett, Alternate Nelson, Member Taufer.

Timothy Prince, Committee Chairperson

Dawn M. Washburn, Board Secretary