

**MINUTES OF THE ENGINEERING AND OPERATIONS COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
MARCH 4, 2020**

1. **CALL TO ORDER** – The Engineering and Operations Committee Meeting of the Rainbow Municipal Water District on March 4, 2020 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 Ratican, Member Marnett, Member Nelson.

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

Absent: Member Brazier.

No members of the public were present.

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

Mr. Marnett requested an item to discuss solar as Item #13A.

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

There were no comments.

6. **COMMITTEE MEMBER COMMENTS**

There were no comments.

*7. **APPROVAL OF MINUTES**

A. February 5, 2020

Motion:

To approve the minutes as written.

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

Motion passed unanimously.

8. DISCUSSION REGARDING REQUEST FOR VARIANCE FOR MR. SCHMAD

Mr. Strapac explained Mr. Schmad has requested a variance from RMWD's policy and ordinances to reduce his meter to a 3/4" from a 1.5" meter on a 5.24-acre parcel. He gave a presentation on the location of the property as well as the recent water usage. He pointed out at peak usage was 47 units and how to qualify for a 3/4" meter, the usage must be under 50 units.

Mr. Kennedy stated based on the meter size of 1.5", it may be the meter is under registering especially in light of the size of the parcel. He explained the challenge would be should the meter be under reading the customer would be responsible for paying back all the fixed fees according to the MOU. He recommended going ahead and approving the request for variance, but make sure it is communicated very clearly to the customer it is possible meter inaccuracy is one of the reasons the usage is what it is on their statements. He said in this circumstance, it may be better to downsize the meter as it will register more accurately and any spike in usage be addressed according to the MOU.

Mr. Strapac mentioned the customer has a well. Mr. Kennedy stated this could explain the low usage on such a large parcel; however, should the usage increase, the MOU will protect the District.

Mr. Nelson asked for staff's recommendation. Mr. Strapac said he was seeking recommendation from the committee for approval of the variance prior to taking the request to the Board for consideration. Discussion ensued.

Mr. Ratican stated he would not vote for downsizing to a 3/4" meter but would agree to a 1".

Motion:

To recommend to the Board that the variance be granted.

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

Vote: Motion passed (summary: Ayes = 2, Noes = 1, Abstain = 0).

Ayes: Member Marnett, Member Nelson.

Noes: Member Ratican.

9. FEASIBILITY OF DESIGN-BUILD CONCEPT

Mr. Strapac noted this item was carried over from last month's committee meeting. He reviewed the information provided in the handout regarding the design-build summary table/citations provided by the District's Legal Counsel for discussion.

Mr. Nelson requested to bring this item back next month to allow the committee with an opportunity to review the information.

10. EMINENT DOMAIN POLICY REVIEW

Mr. Strapac said he incorporated the comments from last month's meeting into the handout provided. He said the first part is the preamble describing the right-of-way easement. He briefly explained each step required to obtain an easement.

Mr. Ratican suggested rewriting #9 in the event the amount exceeded the \$2,000 limit. Mr. Strapac agreed to remove this language.

Mr. Kennedy inquired to the significance of the appraisal. Mr. Strapac stated there is an appraisal received from the appraisal firm; however, Legal Counsel has clarified RMWD would only want the executive appraisal.

Mr. Kennedy suggested adding a preamble stating it is the policy of the District to work cooperatively with every landowner to reach mutually agreeable terms without the use of the eminent domain process.

Mr. Nelson asked for the length of time involved with the surveying work and for appraisals. Mr. Strapac stated surveying takes a few weeks and the appraisal process depends on the appraisal firm utilized by the District. Discussion followed regarding the steps involved in various scenarios.

Mr. Ratican asked if the District had considered utilizing temporary construction easements around the outside of the easement. Mr. Strapac confirmed RMWD does utilize these when it is available. Mr. Ratican pointed out when an easement is paid for, the monies are taxable and when one condemns for an easement, the monies are not taxable; therefore, some larger parcels may opt for a friendly condemnation.

Mr. Nelson requested this item be brought back again at the next committee meeting at which time it can be determined if it should be brought to the Board for consideration or as an informational update.

11. AS-NEEDED CONTRACTS REVIEW

Mr. Strapac mentioned the numbers in the handout have been updated.

Mr. Nelson pointed out some of the firms were all close to reaching their limits and asked for the reason why some were clearly lagging in work. Mr. Strapac noted it was due to availability.

Mr. Strapac mentioned staff was considering using the as-needed CM inspectors to assist with the WSUP project.

Discussion ensued.

Mr. Nelson suggested going out with another Request for Proposal for the as-needed contracts with a higher limit to address those getting close to their ceiling. Discussion ensued.

12. ENGINEERING AND OPERATIONS COMMITTEE MISSION AND GOALS

Mr. Ratican stated in most committees the members have relative expertise. He does not feel this is the case with this committee. He asked how much information the Board receives from this committee. Mr. Nelson explained the committee members in attendance at the Board meetings provide updates on what items have been reviewed by the committee and any recommendations made by the committee to the Board. He explained what takes place at the Board meetings.

Mr. Ratican requested staff report back to the committee regarding actions taken by the Board relative to the items recommended by the committees. Mr. Strapac offered to add an item to the committee agenda to discuss actions taken by the Board. Discussion ensued.

Mr. Nelson pointed out the committee needed more members with technical expertise. He suggested adding certain disciplines in the newsletter when inviting new members. Mr. Ratican suggested experience is preferred, but not required. Mr. Nelson encouraged committee members to attend the Board Meetings periodically.

13. DISCUSSION REGARDING COMMITTEE MEETING START TIME

Mr. Nelson said he suggested this item due to his concern with keeping hourly staff after hours. Mr. Kennedy pointed out staff serves at the will of the Board and committees; therefore, this was something for the committee to decide.

Mr. Ratican deferred to the staff members as to their preference.

Mr. Gutierrez noted operation schedules dictate whether he can attend committee meetings.

Mr. Nelson noted the committee's consensus was to keep the meeting start time at 3:00 p.m.

13A. DISCUSSION REGARDING SOLAR SYSTEM INFORMATION

Mr. Marnett gave a presentation on information regarding solar systems. He noted some of the options are highly effective as well how the District will need to decide on solar panel selection and a supplier. He reviewed options available including the steps involved as well as companies providing solar panel services. Discussions followed.

Mr. Marnett highly recommended RMWD contact Stellar Solar Electric regarding their services noting they were one of the master dealers rated 9 out of 10 best solar companies in San Diego County. Discussion ensued.

Mr. Kennedy and committee members thanked Mr. Marnett for the research he conducted and the information he presented.

Mr. Ratican commented on some of the state laws noting how this would be one of the biggest challenges. Discussion ensued.

14. GENERAL MANAGER COMMENTS

Mr. Kennedy reported work was being conducted to complete the applications required for the LAFCO matter. He said he mentioned to the LAFCO how SDCWA has refused to talk with the District to the LAFCO commission.

Mr. Kennedy said the Meadowood Development has requested deannexation from Valley Center and annex into RMWD. He noted this was something the Board would need to consider approving. He mentioned SDCWA will continue to receive their capacity fees and how RMWD would receive a net benefit by not paying any set up costs as well as direct cash and ongoing revenue.

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

It was noted the feasibility of design-build concept, eminent domain policy, as-needed contract review, solar project plan, revised sewer study, Olive Hill transmission, pre-qualification, and Pipeline Upgrade Project be on the next agenda as well as adding a recurring item to allow for reporting on Board actions.

16. ADJOURNMENT

The meeting was adjourned by Chairperson Nelson.

The meeting adjourned at 5:05 p.m.

Flint Nelson, Committee Chairperson

Dawn M. Washburn, Board Secretary