

**MINUTES OF THE ENGINEERING AND OPERATIONS COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
AUGUST 4, 2021**

1. **CALL TO ORDER** – The Engineering and Operations Committee Meeting of the Rainbow Municipal Water District on August 4, 2021, was called to order by Chairperson Nelson at 3:30 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. *(All meetings are being held with in person attendance following County and State COVID guidelines as well as virtually.)* Chairperson Nelson, presiding.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

Present: Member Brazier *(via teleconference)*, Member Marnett, Member Nelson, Alternate Largent *(via video conference)*, Member Gasca, *(arrived at 3:42 p.m. via video conference)*.

Also Present: General Manager Kennedy, Executive Assistant Washburn, Operations Manager Gutierrez, Information Systems Specialist Espino.

Also Present Via Video Conference or Teleconference:

Engineering and CIP Program Manager Williams, Construction and Maintenance Supervisor Lagunas, Project Manager Tamimi.

One member of the public was present via teleconference or video teleconference.

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

Mr. Nelson read aloud the instructions for those attending the meeting via teleconference or video conference.

5. **SEATING OF ALTERNATES**

Ms. Largent was seated as an alternate.

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

There were no amendments to the agenda.

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

There were no comments.

***8. APPROVAL OF MINUTES**

A. July 7, 2021

Motion:

To approve the minutes of July 7, 2021.

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

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

Ayes: Member Brazier, Member Marnett, Member Nelson, Alternate Largent.

Absent: Member Gasca.

9. GENERAL MANAGER COMMENTS

Mr. Kennedy reported the recent Town Hall meeting was a great event and how another will be scheduled in the Fall. He also pointed out due to the CDC and County guidelines, all RMWD public meetings will continue to be conducted with everyone wearing masks again until such time the guidelines are revised.

10. ENGINEERING AND CIP PROGRAM MANAGER COMMENTS

Mr. Williams mentioned a Notice of Completion for the paving work completed on Dentro de Lomas will be taken to the Board in August. He also announced RMWD hired a new project manager, Amanda Parra. He mentioned Ms. Parra was previously employed with the County of San Diego as the lead on parks and public works matters within the RMWD boundaries; therefore, she was very familiar with all RMWD's projects currently ongoing with the County.

11. OPERATIONS MANAGER COMMENTS

Mr. Gutierrez reported the Rainbow Heights Pump Station is currently in a SDG&E power shutoff for the purpose of switching over to the new electrical infrastructure which is anticipated to be complete by August 5th. Mr. Kennedy pointed out this was unplanned to be done during the month of August.

Mr. Gutierrez reported there was a mainline break on Highway 76 east of I-15 which spread along all the eastbound lanes of Highway 76. He noted staff was able to isolate the break and will be using an existing permit with Caltrans to work in their right-of-way beginning on August 10th. Mr. Kennedy added this break was disappointing in that the pipe was under ten years old and may be related to only having 18" of cover as opposed to the required 48". Mr. Nelson inquired as to the effect on service. Mr. Gutierrez stated Horse Ranch Creek area is the only community served by this line, but no customers further east and no customers are out of water as a result of this break.

Mr. Gutierrez announced staff was wrapping up lead and copper testing which was going well with results showing all non-lead detection.

Discussion returned to Item #12.

12. COMMITTEE MEMBER COMMENTS

Mr. Marnett thanked Ms. Largent for completing the backflow investigation including the distribution of letters.

Discussion returned to Item #11.

Discussion returned from Item #12.

Member Gasca joined the meeting at 3:42 p.m.

Mr. Gasca thanked staff for installing the Heli-Hydrant tank as well as noted he appreciated seeing the displayed signs related to the WSUP project.

Mr. Nelson mentioned when driving to golf courses located on North River Road, there is a sign on the westbound side of the road announcing the WSUP project is completing in April 2021 which may cause some confusion for some constituents. Mr. Gutierrez explained the company responsible for updating the signs was sold to another company to whom he will contact to get this updated since the manhole work was still occurring.

Mr. Nelson commented on the new development, Citro (aka Meadowood), stating it looks as though there is a great deal of terracing happening which could result in a loss of land.

13. BOARD ACTION UPDATES

Mr. Williams reported the North River Road Notice of Completion and Bonsall Oaks Construction and Sewer Agreements were approved by the Board of Directors in July.

14. MORRO RESERVOIR MIXERS UPDATE (OPERATIONS)

Mr. Gutierrez reported all the mixers are up and running. He noted tests performed over two weeks for ammonia and chlorine went very well; however, they were not able to bring up the residual but since they were more interested in validating the all the components to ensure it was operating properly, this was not too concerning. He explained staff will now turn off the system, eject chlorine on the outflow, drain the tank to as low a level as possible, and once notified the Rainbow Heights work is complete, they will fire up the system with 9'-10' of water and see if residual can be picked up. Discussion followed.

15. HELI-HYDRANT PROJECT UPDATE (OPERATIONS)

Mr. Gutierrez reported the project was moving along very quickly. He mentioned recent photographs have been uploaded to RMWD's website. He also noted the CalFire hand crews have been at the site cutting back brush and North County Fire contributing to spreading of rock. He noted a test run was conducted with Channel 10 News present and how test runs will be conducted having different elevations in the tank. He said electronics were expected to be received next week so the pilot can remotely turn on the tank to start filling it and how an anticipated dry run would be conducted to assist pilots in their familiarity. He stated once everything has been confirmed to be working fine, a date will be scheduled for ribbon cutting for multiple individuals to attend. Discussion ensued.

Mr. Gasca asked for the total costs associated with building out this project. Mr. Kennedy stated the contract was for \$150,000; however, there was another company who approached RMWD regarding a cheaper alternative but it does not have quite the capacity or a capable fill system as the Heli-Hydrant tank.

Mr. Nelson stated he went to visit the site; however, it was not visible from the road. Mr. Gutierrez recommended traveling on Wilt Road where there are two signs with arrows pointing to the location of the tank.

16. RAINBOW HEIGHTS WATERLINE PROJECT UPDATE (OPERATIONS)

Mr. Gutierrez reported staff attempted to come up with a narrative on what was found and how initially there was a 5-1 ratio; however, per Mr. Kennedy's recommendation, it was kicked back to the manager and others prior to presenting it to the Board and committee. He explained after researching the costs better, it was realized the complete overhead and hourly rates were not included which resulted lowering the ratio to 3-1 ratio, which is still really good. He mentioned some additional projects staff has decided to include to find out if the numbers are still validated.

Mr. Kennedy confirmed this was a ROI (Return on Investment) project. He noted this project was showing great progress as well as promise; however, more data needs to be collected.

Mr. Nelson inquired as to how many feet of pipe are involved with the projects to be added. Mr. Tamimi stated 2,500 for Olive Hill and 665 linear feet for Via Ararat. Discussion ensued.

17. WATER SERVICE PROJECT UPGRADE (WSUP) UPDATE (OPERATIONS)

Mr. Gutierrez reported the project was approximately 65% complete and was still on track to be at 95% complete in the December timeframe. Mr. Kennedy added while the full water audit calculation has not yet been made, the raw numbers show the total water loss being reduced to 4.3%.

Ms. Largent mentioned the preliminary spend rate was at approximately \$7.4 million as of year end and how if this spend rate continues, there will be approximately \$2.5 million remaining in the funding source which was on track with the planning. Discussion ensued.

***18. EASEMENT VACATION FOR RICE CANYON/TRI-POINTE HOMES (ENGINEERING)**

Mr. Williams explained due to some unanticipated construction changes, the developer has asked RMWD if it would be available for the District to vacate existing easements for realigning District-owned facilities back to the developer. He mentioned Legal Counsel has confirmed any agreement regarding this matter requires Board approval. He noted RMWD will have easements where needed; however, should it be determined some are not needed when the project is complete, those will be vacated at that time.

Mr. Nelson inquired about abandoning the wider easement being in the best interest of the District and recommended ensuring the easement is wide enough to conduct work at and maintain District-owned facilities. He also recommended the legend provided in the handout match the drawing presented due to the fact the visual presentation does not match the numeric presentation. Mr. Williams agreed to work with staff and the developer on correcting this information.

Mr. Marnett asked why the builder would construct homes over the easement. Mr. Kennedy explained this was an old access easement RMWD held with the understanding it would eventually be vacated; however, since it involves real property, Board approval is required. He pointed out the developer expects everything to be done as soon as possible.

Ms. Brazier asked whether there was any means of avoiding this type of scenario in the future or would developers continue to be developers and receive what they want no matter what. Mr. Williams ensured her staff does whatever is necessary to check all the boxes regardless of how quickly a developer wants to receive something from the District. Ms. Brazier inquired as to whether any teeth could be put in the District's procedures to avoid a reoccurrence. Mr. Gasca asked if there was any means of incentivize the developers to get it done. Mr. Kennedy explained there is not much RMWD can do to compel developers to act in a certain way, but can enforce District policies and procedures. Ms. Brazier stated she understands staff's limitations, but it is frustrating developers can waste staff time and efforts on an ongoing basis. Mr. Kennedy pointed out all staff time spent on a development is charged to the developer.

Motion:

For this committee to recommend that the Board move forward with the easements revisions as cleaned up by Mr. Williams and staff.

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

Vote: Motion passed (summary: Ayes = 4, Abstain = 1).

Ayes: Member Marnett, Member Nelson, Member Gasca, Alternate Largent.

Abstain: Member Brazier.

***19. MASTERCRAFT CHANGE ORDER (CO-03) (ENGINEERING)**

Mr. Kennedy noted as part of the process of going through the Headquarters Development Study, staff requested an additional work to be done as well as a set of documents capable of being presented to the County as indicated in the handouts provided to the committee. He stated this Change Order will be the last for this project. He mentioned since he had already issued \$25,000 in Change Orders already, this would need to go to the Board for consideration.

Mr. Marnett asked for verification part of this was to get additional land declared usable. Mr. Kennedy confirmed this was true and how part of this will also cover the costs to for Mastercraft to produce a packet suitable to present to the County as part of their preapproval process. Mr. Marnett inquired as to whether this could reveal some of the potential acreage increase. Mr. Kennedy explained although the increase in acreage; however, the drawings were not at the level needed to submit to the County for preapplication, but this will help RMWD achieve the goal of getting this to before the Board of Supervisors for possible approval.

Mr. Nelson asked if the work conducted by Helix was very successful; however, he had inquiries about the process related to Tasks Nos. 12 and 13 and how Mastercraft was being tasked to conduct work the ad-hoc committee had not yet had an opportunity to review. He said he wanted to ensure the ad-hoc committee was on the front end as opposed to the back end. Mr. Kennedy confirmed work would not start until after the August 24, 2021 Board meeting; therefore, the ad-hoc committee will have an opportunity to weigh in at their meeting scheduled for August 18th.

Mr. Nelson said he was a bit put off by the \$8,000 project management fee which is 28% for a small engagement of \$28,000 which seemed very high to him based on his experience. Mr. Williams explained he looked at the original Task 7 versus this, it did not appear high to him, but he would look into that again. He recalled the original scope included eight tasks and was now at thirteen with the additional tasks being District-driven. Mr. Kennedy proposed going back to Mastercraft to see if something different could be done.

Mr. Gasca said he would like to see some type of breakout before making a recommendation for approval. Mr. Kennedy directed Mr. Williams to work with Mastercraft on a breakout of what the \$8,000 entails including more details as well as possible revising the Board recommendation for their consideration.

Motion:

To recommend the Board approve this Change Order subject to additional meetings of the ad-hoc committee meeting.

Mr. Gasca offered an amendment to the original motion. Mr. Marnett accepted the amended motion.

Motion:

To forward this to the ad-hoc committee for final disposition.

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

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

Ayes: Member Brazier, Member Marnett, Member Nelson, Member Gasca, Alternate Largent.

20. DISTRICT HEADQUARTERS DEVELOPMENT STUDY UPDATE (ENGINEERING)

This item was addressed under Item #19.

***21. REQUEST FOR PROPOSAL (RFP) REVIEW PROCESS (ENGINEERING)**

Mr. Williams described the draft RFP templates included in the agenda packet for committee input noting pending committee approval, staff has several RFP's they would like to solicit.

Mr. Nelson stated he found the examples provided to be a tremendous improvement; however, he had some inquiries in terms of warranties, performance bonds, retention, as well as termination for convenience. He asked whether there was an agreement to be attached for the committee to review. He also referenced Page 13 of 55, Section 52 asking whether there was a reason for telegraphing such with blank lines for dollars.

Mr. Williams clarified the one example for design services was a draft template from another local water agency provided in the event the committee did not like staff's proposed blank template. Mr. Nelson clarified there was still a comment about an estimated budget; therefore, he still wanted staff to consider the reason for wanting to telegraph this number. Mr. Williams explained the first question asked by most developers is related to the District's budget and/or the Engineer's estimate. Mr. Kennedy agreed with Mr. Nelson that this sentence being removed from the RFP's.

Mr. Nelson clarified he only questions specifying the amount budgeted for the particular scope of work being sought being necessary. Mr. Williams explained the intent was the overall budget, but not the budget for the work; therefore, he agreed it should be moved and reworded.

Ms. Brazier agreed with Mr. Nelson's comments.

Member Brazier excused herself from the meeting at 5:06 p.m.

Mr. Gasca suggested adding a list of definitions. He also provided examples of what would be included to build a full rack called the program amount. He then explained the Engineer's estimate would then be the effort to perform tasked identified as well as incidentals. He cautioned staff to be careful with the terminology utilized in the different paragraphs to which are being written.

Mr. Kennedy pointed out this was the first step taken in working through this process with many more discussions and reviews to follow. He recommended committee members provide Mr. Williams with feedback. Mr. Williams encouraged the committee members to review the handout titled "Request for Proposal for Construction Management Services" and send staff any comments and edits, staff will present a final draft including an Exhibit A which would accompany it.

Mr. Nelson suggested it may be more efficient to have those involved with the design work review all design questions as opposed to a Construction Manager. Mr. Kennedy explained the benefit of having the Construction Manager resolve any issues while working at the jobsite and then contact the RFI issues with those involved with the design work if necessary. Mr. Gasca added there were many things that could be resolved in the field to keep the project moving.

Mr. Nelson referenced Page 32 of 55 as he recommended approach to work remain at 30% and personnel and experience be set equally at 35% due to it being just as important.

Mr. Nelson inquired about Section 5.2 being stricken through and whether this was included in the Administrative Code. Mr. Williams agreed to review this section with staff and return to the committee with clarification or with this section unstricken.

Mr. Nelson said he will read Construction Management in greater detail and provide Mr. Williams with any additional comments.

Mr. Nelson referenced Page 3.3 inquiring as to whether the word "may" should be utilized or should some of this be fatal compared to giving staff some discretion for allowing a proposer to cure. Mr. Williams provided examples where using the word "may" has been beneficial to the District.

Mr. Nelson asked about the information provided on Page 51 of 55. Mr. Williams clarified this was from the Administrative Code for committee members to reference.

Mr. Nelson acknowledged and complemented staff in preparing these templates and making modifications to modernize them. He stated the comments being made are not meant to diminish the effort and quality staff put into this process. He conveyed his personal thanks for the efforts put into this matter.

Mr. Williams proposed staff providing the committee with one complete document from which the committee can provide input before the committee reconvenes in September. Mr. Gasca noted this would be helpful. Mr. Kennedy explained there would also be a need for multiple templates for different types of work for which the committee members may want to provide input as well.

Mr. Gasca pointed out in the area of inspections, there was no listing for environmental. He proposed there be language stating either they have responsibilities in certain areas or a responsibility to contact RMWD in the event any environmental issues are discovered. Mr. Kennedy agreed.

***22. AS-NEEDED SERVICES EXPENDITURES SUMMARY (ENGINEERING)**

Mr. Nelson inquired about the highlighted task provided in the summary. Mr. Kennedy explained this was task was related to Fire Station 4. Mr. Williams reported staff just received the quitclaim. Mr. Kennedy stated unless the committee members reject, this matter will be taken to the Board for consideration in August.

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

It was noted an update on the Heli-Hydrant, Rainbow Heights Waterline Project (including methods of analysis), and WSUP as well as the RFP review should be on the next committee agenda.

24. ADJOURNMENT

The meeting was adjourned by Member Nelson.

The meeting adjourned at 5:33 p.m.

Flint Nelson, Committee Chairperson

Dawn M. Washburn, Board Secretary