

**MINUTES OF THE ENGINEERING AND OPERATIONS COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
SEPTEMBER 2, 2020**

1. **CALL TO ORDER** – The Engineering and Operations Committee Meeting of the Rainbow Municipal Water District on September 2, 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 Brazier (*joined via teleconference at 3:25 p.m.*), Member Marnett, Member Nelson, Member Ratican, Alternate Largent (*via video conference*).

Also Present: General Manager Kennedy, Executive Assistant Washburn, Information and Technology Specialist Espino.

Present via Teleconference or Video:

Acting District Engineer Williams, Project Manager Tamimi, Associate Engineer Powers, Engineering Technician Rubio, Information and Technology Manager Khattab.

Three members of the public were present via teleconference or video conference.

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)**

Mr. Williams requested Item #22 be deleted as it was erroneously placed on this agenda.

Mr. Nelson made a statement to the committee. He said at the August 25, 2020 Board meeting, he had accidentally inadvertently misrepresented a piece of work of the committee having to do with three construction contracts where the bids were received after the Engineering Committee meeting. He explained the contracts were discussed by the committee; however, there was no known bidders so the committee informally agreed with the staff that it was okay for staff to proceed with the contracts. He pointed out the committee deliberately did not make any recommendation on those contracts. He stated at the Board meeting, he had inadvertently reported the contract items on the agenda for Board consideration were recommended for Board approve by the

committee which was not correct. He said he allowed himself to be confused between informally agreeing they would not object to contracts going forward which was not the same as a recommendation. He noted he takes the responsibilities of representing this committee before the Board very seriously and he needs to make sure what he reports is very accurate. He said in this case, while it was unintentional, the report he gave was not accurate. He explained President Brazier caught this error and mentioned it during the Board meeting as she mentioned she would like to sort out how the committee operates which was completely understandable because he reported something the committee did not do. He offered his apologies to the committee and will consult with Mr. Kennedy and President Brazier to see if it was appropriate for him to make an apology to the full Board.

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

There were no comments.

8. GENERAL MANAGER COMMENTS

Mr. Kennedy announced Mr. Williams will serve as the Acting District Engineer until Human Resources completes a review an alteration of the vacant position and determine whether the position should be restructured as part of moving capital improvement projects effectively.

Mr. Kennedy pointed out the Gopher Canyon projects were not brought to the Board for consideration due to questions raised related to CEQA.

Mr. Ratican asked if there was an issue with the position being a registered engineer. Mr. Kennedy stated there was not an issue; however, the current job description precludes anyone who is not a registered engineer from applying for the position. He said they want the job description to be in alignment with the District's objective. Discussion ensued.

9. DISTRICT ENGINEER COMMENTS

Mr. Williams echoed Mr. Kennedy's comments related to the Gopher Canyon projects as he noted each of the steps that need to be taken.

10. OPERATIONS MANAGER COMMENTS

Mr. Gutierrez mentioned the operations staff was preparing for the upcoming heat wave.

Mr. Hensley inquired as to whether backflow testing was being conducted. Mr. Gutierrez confirmed the tests are being performed. Discussion ensued.

11. COMMITTEE MEMBER COMMENTS

There were no comments.

12. BOARD ACTION UPDATES

Mr. Kennedy reported the Board approved the Nella Lane and Sagewood contracts, the North River Road project, as well as the amended contract with Suez.

***13. APPROVAL OF MINUTES**

A. August 5, 2020

Motion:

To approve the minutes as submitted.

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

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

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

Absent: Member Brazier.

14. PIPELINE UPGRADE PROJECT (PUP) UPDATE

Mr. Williams stated the PUP program has been broken into phases; however, for the sake of engineering, operations and finance, auditing, work orders, etc. it was being referred to as the PUP update.

Mr. Williams provided an update on Phase 1 noting the Sagewood was awarded to T.E. Roberts at the August Board meeting and how the contract signing process should be relatively easy since they are already working on the Olive Hill Estates project.

Mr. Williams mentioned staff was working with Legal Counsel and a consultant on the Gopher Canyon project in hopes of reaching a mutually acceptable agreement as opposed to a Negative Mitigation Declaration. He stated this project will not go back out for bid until October or November.

Mr. Williams updated the committee on Phase 2. He said the Nella Lane portion of this project was expedited so RMWD can be done before the County needs to complete their work in the same area. He talked about the decision to install a pressure reducing station at Nella Lane. Mr. Gutierrez noted this installation should be completed within the next week.

Member Brazier joined the meeting at 3:25 p.m.

Mr. Nelson inquired as to whether there will be further bid openings for the other segments included in Phase 1. Mr. Kennedy explained these were all being phased in and bids will go out over the next month or so. Mr. Nelson asked if RMWD intended to utilize the as-needed construction management service for some of the work to be conducted. Mr. Williams explained staff was taking a comprehensive look at what resources can be utilized to spread the work out as much as possible.

15. REQUEST FOR PROPOSAL FOR AS-NEEDED CIVIL ENGINEERING SERVICES

Mr. Williams recalled this was one item that did not move forward at the previous committee meeting nor did it go before the Board for consideration. He noted the committee had several questions and staff was taking a comprehensive look at this process including what that entails.

Mr. Gutierrez mentioned a component of this comprehensive look also will include deciding whether the RMWD budgeted projects to keep those firms busy as well as ensuring if the District is getting the best value for the services provided.

Mr. Kennedy pointed out Dudek was assigned work on a project; however, that assignment has been rescinded and will be solicited as a Request for Proposal as opposed to as-needed services. He noted tightening up the as-needed services for smaller projects will also be evaluated.

Mr. Ratican said he would not recommend approving a Request for Proposal without first having an opportunity to review the proposals. He offered to volunteer to participate in the proposal review process if that was something the District wants to consider. He urged staff also continue looking at small, medium and larger sized firms with experience on different tasks. He expressed concern with how Request for Proposals are solicited based on the low number of responsive bids. Mr. Kennedy explained all of these talking points will be included as part of the comprehensive evaluation.

16. NORTH RIVER ROAD SEWER ENHANCEMENTS

Mr. Gutierrez explained two repairs were done from in-house and SCW was completing the emergency repairs of which two were completed today and the remaining repairs will be done within the next week or so. He explained the work being conducted and each of the phases.

Mr. Kennedy updated the committee on the bid process and how two had much lower bids than the other two. He explained a bid protest was received to which RMWD provided to Southwest Pipeline who in turn prepared a response noting if a subcontractor is brought in, the cost would be less than \$10,000 thereby making their bid responsive. Discussion ensued.

Mr. Ratican asked if the manholes would be lined and what type of lining would be used. Mr. Gutierrez explained which manholes would be lined and the material used. Mr. Ratican expressed the need for a water test, especially when there is infiltration. Mr. Kennedy asked Mr. Williams to make sure when Hoch gets their specs those are provided to the committee. Mr. Williams agreed and pointed out some of the manholes below grade on North River Road will be raised before they are lined after which high voltage tests will be conducted.

17. WATER SERVICE UPGRADE PROJECT (WSUP) UPDATE

Mr. Gutierrez reported something will be brought to the Board regarding extending the contract extension with Harris and Associates, renting a second vacuum, as well as allocating a little more money for the relocation of backflow devices. He explained the money was already approved; however, staff wants to advise the Board as to what has been found necessary to complete this project. He pointed out staff also asked Concord to provide RMWD with a price for backfilling meter boxes to keep the project moving forward.

Mr. Gutierrez pointed out RMWD staff would work on the 3"-4" meters in-house. He said he anticipated having 2,500 meters exchanged by January 2021 and the entire project completed by December 2021.

Mr. Ratican asked if he 3"-4" meters were the ones underreading. Mr. Kennedy explained tis depended on the customer's demand. Discussion ensued.

18. MORRO RESERVOIR MIXING

Mr. Kennedy referenced the draft action letter provided as a handout to the committee members as he gave a brief historical background on the project as well as talked about the information contained in the document. He said after speaking with both firms and review of the proposal submitted by each, staff has determined CP Crowley Inc. would be the best option for the District.

Mr. Kennedy encouraged the committee members to review the handout and reach out to him, Mr. Williams or Mr. Gutierrez with any questions or comments.

Mr. Nelson asked for the difference in cost between the two systems. Mr. Kennedy explained the proposal from Suez was less expensive; however, it was missing important components. He pointed out the importance of selecting the option with which the RMWD operations staff would be more comfortable utilizing.

Mr. Marnett asked about the maintenance and what occurs should a pump fail. Mr. Kennedy explained there are hatches on each covered reservoir and how they are utilized in the event a pump failure. He confirmed staff can walk on top of the reservoir covers; however, there was specific safety requirements to be followed.

Motion:

To recommend the Board approve Option 1 - Approve a contract with CP Crowley Inc. in the amount of \$232,998.00 for the installation of water quality mixers at the Morro Reservoir and authorize the General Manager to execute the contract.

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

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

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

19. RAINBOW HEIGHTS PUMP STATION UPDATE

Mr. Gutierrez reported the contract was awarded although this project was progressing smoothly, construction has not yet begun.

20. OLIVE HILL CONSTRUCTION PROJECT UPDATES

Mr. Gutierrez explained this was a construction project that when Olive Hill Estates was constructed there was a transmission main cutting through the property that was disconnected but not reconnected which was the purpose for this project. He stated once the inspector finalizes the punch list, the Board will be presented with a Notice of Completion.

21. VISTA VALLEY PRESSURE REDUCING STATION PROJECT

Mr. Gutierrez stated this was the last pressure reducing station in the Vista Valley area. He explained this will help with pressure reduction for the back section of this area. He noted this project should be completed within the next month.

22. SEWER EQUIVALENT DWELLING UNIT (EDU) REPORT

This item was pulled from the agenda per Item #6.

23. AS-NEEDED SERVICES EXPENDITURES SUMMARY

Mr. Nelson asked if the Dudek contract listed on Page 1 has been rescinded. Mr. Kennedy confirmed it was rescinded and will be removed prior to this summary being presented to the Board.

Mr. Williams mentioned he will be holding a team meeting tomorrow to discuss this summary and getting it updated to reflect current projects. Mr. Nelson suggested adding an assignment date on the summary to assist with identifying the new items. Ms. Brazier confirmed this would be beneficial.

Discussion ensued.

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

It was noted updates on Water Service Upgrade Project (WSUP) and Pipeline Upgrade Project (PUP), the as-needed contract for civil engineering services, the North River Road sewer enhancements, the RFP for Dudek, and the As-Needed Services Expenditures Summary should be on the next committee meeting agenda.

25. ADJOURNMENT

Mr. Nelson reiterated his earlier apology for the benefit of Ms. Brazier. He said before she joined the meeting, he made an apology to the committee for inadvertently and accidentally misrepresenting the committee's recommendation on the three construction contracts awarded at the August Board meeting. He stated he got confused and misstated the fact the staff came to the committee letting them know staff would be going forward with the contracts to the Board at which time the committee informally agreed with this action but made it very clear they were not making a recommendation for Board approval. He restated he takes the responsibility of representing this committee very serious, especially when it comes to addressing the Board. He said he would appreciate hearing from Ms. Brazier as to whether it would be appropriate for him to make an apology to the Board for accidentally misrepresenting the committee. He mentioned the confusion on the tie vote on the as-needed services contract may not have occurred had he not misspoken. Ms. Brazier stated there was no apology to the Board necessary and how as she has stated so often the committee makes recommendations to the Board and the Board to make decisions; therefore, it was up to the Board to ask appropriate questions.

Ms. Brazier commented on the Morro Reservoir Mixing memo was very well written.

The meeting was adjourned by Member Nelson.

The meeting adjourned at 4:36 p.m.

Flint Nelson, Committee Chairperson

Dawn M. Washburn, Board Secretary