

**MINUTES OF THE ENGINEERING AND OPERATIONS COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
MARCH 3, 2021**

1. **CALL TO ORDER** – The Engineering and Operations Committee Meeting of the Rainbow Municipal Water District on March 3, 2021 was called to order by Chairperson Nelson at 3:03 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. *(Due to COVID restrictions the meetings are being held virtually.)* Chairperson Nelson, presiding.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

Present: Member Brazier *(via teleconference)*, Member Marnett *(via teleconference)*, Member Nelson *(via video conference)*, Alternate Largent *(via video conference)*.

Also Present Via Teleconference or Video Conference:

General Manager Kennedy, Executive Assistant Washburn, Operations Manager Gutierrez, Engineering and CIP Program Manager Williams, Wastewater Superintendent Zuniga, Associate Engineer Powers, Project Manager Tamimi, Information and Technology Manager Khattab, Information and Technology Specialist Espino, Construction and Maintenance Supervisor Lagunas, Water Operations Supervisor Coffey, Engineering Technician Rubio.

Absent: Member Gasca, Member Ratican.

Two members of the public were 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)**

Mr. Nelson requested that Item #14 be postponed until the next meeting when Mr. Ratican is present.

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

There were no comments.

***8. APPROVAL OF MINUTES**

A. February 3, 2021

Motion:

To approve the minutes.

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

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

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

9. GENERAL MANAGER COMMENTS

Mr. Kennedy noted there appears to be a reduction in the number of COVID cases and how it is anticipated the County regulations will change fairly soon. He said with vaccines rolling out, there is a good probability RMWD will fall under the agricultural status which could lead to modified in-person meetings in the near future.

Mr. Kennedy also mentioned it has come to RMWD's attention that after thirty years or so, RMWD has been overseeing the Oakcrest Wastewater Plant. He stated over the last year, the Regional Board rescinded the permit and put Oakcrest under a general order without co-permitting. He explained staff was in the process of determining how this happened; however, it does mean RMWD has no further involvement with that plant. He said a fully updated report will be provided to the Board.

10. ENGINEERING AND CIP PROGRAM MANAGER COMMENTS

Mr. Williams informed the committee the North River Road Phase III project is currently out for bid with a scheduled bid opening for March 24th following which staff will prepare an item to take to the Board for consideration in April.

11. OPERATIONS MANAGER COMMENTS

Mr. Gutierrez deferred his comments to his two items on this agenda.

12. COMMITTEE MEMBER COMMENTS

Ms. Brazier apologized for being absent for part of Item #10.

13. BOARD ACTION UPDATES

Mr. Kennedy noted there a number of items on the Consent Calendar the Board approved as well as an update on the Water Service Upgrade Project program.

14. PROCESS IMPROVEMENT DISCUSSION (MICK RATICAN)

This item was deferred per Item #6.

***15. DISCUSSION AND POSSIBLE ACTION TO RECOMMEND AWARD OF CONTRACT FOR THE DENTRO DE LOMAS ROAD IMPROVEMENT PROJECT**

Mr. Williams explained RMWD had a main break which damaged several sections of Dentre De Lomas and how the County, as part of their overlay project, is scheduled to overlay Dentre De Lomas. He stated after repairing the main breaks, RMWD crews installed temporary cold mix which the County has required RMWD to remove all the cold mix, perform some deep dig outs and make new repairs with new hot mix asphalt concrete. He said RMWD solicited for bids for which twelve bids were submitted. He stated the lowest responsive bidder was Kirk Paving which will go before the Board on March 23, 2021 for award; therefore, staff was seeking a recommendation for Board approval from the Engineering and Operations Committee at this time.

Mr. Marnett stated he would need to abstain since he did not have any visual to refer to. Mr. Kennedy explained there was not anything provided visually; however, after the leak occurred it was realized to be a significant project over his signature authority that needed to be solicited for bids. Mr. Williams noted the lowest bid received was \$95,250, the contractor has been vetted and meets all the requirements. Mr. Marnett said based on this information, he could support staff's recommendation.

Motion:

To recommend the Board award the contract to Kirk Paving.

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

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

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

***16. REVIEW OF 2021 SANITARY SEWER MANAGEMENT PLAN WITH PRESENTATION**

Mr. Nelson stated he found the plan to be very comprehensive.

Mr. Gutierrez presented the 5 Year Sanitary Sewer Management Plan (SSMP) Update noting he would review it carefully for those attending by teleconference and unable to see the presentation. He explained this was the 5 Year SSMP updated document that describes activities when RMWD used to manage its wastewater management plan effectively. He stated this document came about in May 2006 when the State took over wastewater operations from the Regional Boards and how it requires an internal audit every two years and approved every five years by a governing board after which it is made available to the public including being posted on the District's website.

Mr. Gutierrez explained the elements included in the plan are required to be addressed by the District when updating the plan and how part of it is to assist RMWD in preventing a list of discharges in the sanitary sewer system. He noted the plan also requires RMWD's sewers and connections be properly designed and constructed, ensures access for maintenance and inspections of laterals, mains, and manholes. He stated the plan limits the discharges of fats, oils, grease, and other debris that may cause blockages as well as enforces any violations of the RMWD ordinances.

Mr. Gutierrez continued to review the information contained in the presentation noting why RMWD has a SSMP and how the system is maintained to improve the condition of the collection system infrastructure. He stated the full plan will be provided the Board in detail for consideration.

Mr. Marnett requested a copy of the PowerPoint be emailed to the committee members.

Discussion ensued.

Mr. Kennedy requested any committee comments be provided to staff in time for the next Board meeting.

Mr. Nelson asked if this item required committee action. Mr. Kennedy stated although committee action was not necessary; however, if the committee would like to make a recommendation to the Board, that would be fine. Mr. Zuniga clarified the SSMP must go to the Board for a 4/5 vote to approve it; however, it does not need to be approved by resolution or ordinance.

Motion:

To recommend the SSMP for Board approval.

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

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

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

17. DISTRICT HEADQUARTERS DEVELOPMENT STUDY UPDATE

Mr. Kennedy stated staff was currently working to schedule an ad hoc committee meeting for next week. He mentioned he recently received some preliminary lotting studies showing the options for development which Mr. Nelson and Mr. Ratican will have a chance to review at this upcoming meeting. He pointed out there has been a change in the makeup of the County Board of Supervisors that may become a factor as well as more discussion regarding evaluating social equity within development projects and other constraints which were not as prominent with the previous County Board of Supervisors that may need to be confronted as progress is made in this process.

Mr. Kennedy displayed the two major primary options currently under review. He said there will be more information available after the ad hoc committee meets.

Mr. Nelson asked if RMWD selling mitigated rights could be taken into consideration. Mr. Kennedy noted this was something up for further discussion.

18. BACKFLOW CHARGE INVESTIGATION PROCESS UPDATE

Mr. Kennedy gave a presentation he emailed to those committee members attending via teleconference. He reviewed the background, district assumption of testing, staffing challenges, and how some of these factors resulted in many devices not being tested for which RMWD received a Notice of Violation.

Mr. Kennedy explained how staffing changes in 2018 and 2019 compounded the problem. He noted this was a regrettable set of circumstances. He provided a customer example as well as noted how during this research it was discovered numerous customers received testing services in 2018 and 2019 but were not billed.

Mr. Kennedy talked about corrective options available to the District as well as challenges associated with refunds that would require guidance from the Board.

Mr. Marnett shared an example of how something similar had occurred and how a lawsuit resulted in the money being refunded to the homeowners.

Mr. Kennedy reiterated staff would need Board guidance as to how to best address this matter based on the staff's findings. He solicited this committee for their input as to how they would prefer this matter be addressed.

Mr. Marnett suggested one solution would be to choose to give those erroneously charged bill credits for a certain number of months to spread it out which would minimize the impact on the District. Mr. Kennedy agreed this would be one option to present to the Board.

Mr. Nelson agreed with Mr. Marnett's suggestion. He inquired about the portion of the presentation stating the District had not spent the money collected for testing services and how this was tracked. Mr. Kennedy explained the balance in each of the cost categories could be individually tracked and this would be something he could present to the Board regarding this item as well.

Mr. Nelson pointed out part of presenting this matter to the Board may include receiving input from the Budget and Finance Committee. Mr. Kennedy stated he will take this matter to the Board in March for input and then utilize the combined input from the committee and Board to present something to the Board for consideration.

19. WATER SERVICE UPGRADE PROJECT UPDATE

Mr. Gutierrez reported the project was 45% complete noting 3,919 meters have been exchanged.

Mr. Marnett inquired as to whether RMWD was starting to see a slight increase in revenue. Mr. Kennedy explained the recent water audit does reflect a reduction in apparent losses and that meter inaccuracy has reduced 1%-1.5%. He mentioned staff was hopeful this project would be completed under budget by utilizing effective project management. Discussion followed.

***20. AS-NEEDED SERVICES EXPENDITURES SUMMARY**

Mr. Nelson expressed his appreciation for having new items highlighted. Mr. Williams noted this was implemented based on an engineering team recommendation.

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

It was noted the process improvement, headquarters development update, backflow charge investigation update, North River Road Phase III award of contract, and WSUP update will be on the next agenda.

22. ADJOURNMENT

The meeting was adjourned by Chairperson Nelson.

The meeting adjourned at 4:31 p.m.

Flint Nelson, Committee Chairperson

Dawn M. Washburn, Board Secretary