

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

1. **CALL TO ORDER** – The Engineering and Operations Committee Meeting of the Rainbow Municipal Water District on February 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*), Member Ratican (*via video conference*), Alternate Largent (*via video conference*).

Absent: Member Gasca.

Also Present Via Teleconference or Video Conference:

General Manager Kennedy, Operations Manager Gutierrez, Engineering and CIP Program Manager Williams, Executive Assistant Washburn, Associate Engineer Powers, Project Manager Tamimi, Senior Accountant Rubio, Engineering Technician Rubio, Construction and Maintenance Supervisor Lagunas, Information and Technology Specialist Espino.

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)**

There were no changes to the agenda.

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

There were no public comments.

***8. APPROVAL OF MINUTES**
A. January 6, 2021

Motion:

To approve the minutes.

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

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4, Noes = 0, Abstain = 1).

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

Abstain: Member Brazier.

9. APPOINTMENT OF COMMITTEE OFFICERS

Mr. Nelson stated it has been a privilege to serve as the Committee Chairperson and that he was willing to continue; however, in the spirit of rotation, it would be excellent if someone else would like to take the role of Chairperson for the next term.

Mr. Ratican said Mr. Nelson has done a great job and if he was willing to, he would like for him to continue and maybe rotating other in for the next term. The remaining committee members concurred with Mr. Ratican. Mr. Ratican proposed having someone else serve as Vice Chairperson; however, he would serve if nobody else was interested.

Motion:

That the committee Chairperson and Vice Chairperson remain the same for another year.

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

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

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

Ms. Brazier inquired about the official business conducted at the January Board meeting where it appeared the Board put a rubber stamp on committee members. She said the Board has no control over who chairs the District's standing committees. She stated it is not in the Administrative Code for the Board to have anything to do with designating a representative for a committee; therefore, she was wondering what was transpiring. She stated the only business the Board has is to approve any representation or submittal that the committee makes for its approval; however, the committee submitted nothing but the Board took it upon itself to designate somebody from each committee as sort of official which was not according to the Administrative Code.

Mr. Kennedy asked for clarification. Ms. Brazier explained she was referring to the beginning of the Board meeting when the Board was renominating and taking care of its own officers other Board-designated positions. She stated the committee positions are not Board-designated positions, yet the Board voted on a member for each committee which was not according to the Administrative Code. Mr. Kennedy suggested this may have been possibly due to the change in the Board composition. Ms. Brazier stated the change in the Board composition does not change

the committee composition. Mr. Kennedy explained there was not a Board Member on the Engineering and Operations Committee. Ms. Brazier stated that does not matter, the Board still does not designate a member to be on committees, but rather the committee designates the members and submits those to the Board and how the Board has no power to choose a so-called Board position on any committee.

Mr. Kennedy agreed to research this matter in more detail. Ms. Brazier urged him to review the Administrative Code policy.

Mr. Nelson asked for clarification that Ms. Brazier was raising a concern regarding the Board appointing Mr. Gasca to this committee and Mr. Rindfleisch to the Budget and Finance Committee. Ms. Brazier confirmed her concern that this was done incorrectly because the Board does not appointment unless the committee submits the name for appointment. She referenced the Administrative Code stating the committee will submit names to the Board to be approved by the Board.

Mr. Kennedy suggested the Administrative Code may have been interpreted to apply to appointments of members who are not Board Members. Ms. Brazier stated there has never been an official Board Member on any committee and the only way people had been appointed to a committee was to volunteer as a member of the public, which was how she originally became a member of this committee. She said the fact that she was voted onto the Board was simply coincidental. She said there is no Board seat on any committee and there should not be. She said the only thing the Administrative Code says about the committees and Board members is that there will be a maximum of one serving on a committee which was voted upon by the committees due to havoc caused by several Board Members serving on the several committees in the past. She concluded with stating if the Administrative Code needs to be revised, that was fine, but this is not what it says currently. Mr. Kennedy offered to review the Administrative Code.

Mr. Nelson thanked Ms. Brazier for bringing her concerns forward. He recalled when he joined the committee, he was given the impression if a Board Member wanted to serve on a committee, no more than one could serve. Ms. Brazier explained the Board Member would have to go through the same procedure by requesting the committee give them a position on the committee which would be submitted to the Board. Mr. Flint stated he has operated under the assumption this was the practice and that the Board Members would know what they were doing. He said he, too, would review the Administrative Code relating to this matter.

Ms. Brazier pointed out if the Board and committees wish to make a change to have a so-called designated Board position on each committee, this would require a change to the Administrative Code because there is no Board-designated position.

10. GENERAL MANAGER COMMENTS

Mr. Kennedy updated the committee on the detachment process noting a meeting was held with LAFCO and how the consultant hired to assist with this project has promised the initial review will be available the first part of April.

Mr. Kennedy also mentioned information has been sent to the committee members regarding the district headquarters project and that once the information has been reviewed by the ad-hoc committee, it will be provided to this committee as well as the Board.

11. DISTRICT ENGINEER COMMENTS

Mr. Kennedy announced Mr. Williams has been successfully appointed to be the Engineering and CIP Program Manager at RMWD which will replace the District Engineer position.

Mr. Williams read aloud a letter received from a ratepayer regarding the project taking place on Sage Road expressing gratitude for the manner in which the consultant and staff were conducting the work. Mr. Nelson stated it is seldom people in the public sector are complimented by the public for the work they do and congratulated staff for learning elements to create good community relations and relationships that can serve as a model going forward.

12. OPERATIONS MANAGER COMMENTS

Mr. Gutierrez reported the recent heavy rains did not have any impact on the water/wastewater system. He announced staff will start washing down Morro Reservoir next week in preparation for the installation of mixers. He concluded with noting a shutdown has been scheduled to allow for tying in some valves for the PRV station located off Pala Mesa and how those customers impacted will have received three reminders of the shutdown period prior to the start of the project.

13. COMMITTEE MEMBER COMMENTS

Ms. Brazier added a comment to her earlier comments. She said when she was removed from the committee for that period of time, she was told it was because her status had changed from Board Member to public and she had to be revoted on as a public member. She stated she understood the time constraint and that maybe she was up for reappointment due to the length of her service on the committee; however, it should have had absolutely nothing to do with her change in status. She pointed out she became a member of this committee as a member of the public and the fact that she was elected to the Board during her service on the committee was immaterial. She stated she should have been able to stay on the committee as a member of the public pending the vote whether she could remain a member due to time resets. She pointed out this type of scenario was also not part of the Administrative Code. She concluded with stating the fact that her status changed from a member of the Board to member of the public should not have affected her committee participation.

14. BOARD ACTION UPDATES

Mr. Kennedy stated the Board approved engineering items that came through from the committee including adoption of Resolution No. 21-02 for the Initial Study/Mitigated Negative Declaration for the Lift Station 1 replacement project, the Professional Services Agreement to provide consulting assistance with the Hutton and Turner Pump Stations, as well as two variances presented to the Budget and Finance Committee.

Discussion went to Item #17.

15. WATER SERVICE UPGRADE PROJECT (WSUP) UPDATE

Mr. Gutierrez reported the project was 41% complete and how the backfilling of meters was pretty much caught up. He noted 41% means just over 3,600 meter exchanges has been completed with approximately 4,800 remaining to finish the project.

Mr. Kennedy added RMWD has received a few small claims related to the work which have been addressed. He said the low number of claims is a testament to the work involved with outreach and communications to the customers.

Discussion went to Item #16.

16. BACKFLOW CHARGE INVESTIGATION PROCESS UPDATE

Mr. Kennedy noted the anomalies found in the data as reported to the committee in January have been researched further; however, due to other priorities related to the pandemic a detailed report would not be available to present to the committee until March.

Mr. Marnett inquired as to whether staff was trying to figure out how to cut some customers off the backflow testing. Mr. Kennedy mentioned this was being investigated as part of the WSUP project. Mr. Gutierrez explained as part of the WSUP project, if there is buried double-check backflow device found, staff was actively notifying customers to let them know these devices can be removed. Mr. Marnett asked if staff finds a customer has a backflow valve determined to no longer be necessary, would RMWD simply stop testing and billing for it. Mr. Kennedy stated technically this could be done; however, the preference would be it be straight piped to avoid having to shuffle paperwork or find a way to signal regular testing is not necessary.

Discussion went to Item #18.

17. CIP STRATEGIC PLAN REVIEW

Mr. Nelson asked if all the committee members were able to see the information on the screen. Ms. Brazier stated although she could not see the screen and her computer would not open the presentation emailed to the committee members, she would listen carefully and request any information in writing if necessary. Mr. Nelson encouraged staff to make the presentation as easy to understand as possible for those committee members who do not have the information before them.

Mr. Williams gave a presentation of the updated version of the plan. He noted the updated version did not change a great deal on the first slide; however, going through the background, the District was evaluating a consistent and transparent methodology for prioritizing CIP projects as part of the goal to develop a framework and guidelines for CIP project prioritization, benefit, as well as provide internal and external stakeholders with a transparent methodology for CIP project selection and implementation.

Mr. Williams referenced the Calibrated CIP Strategic Plan as he pointed out staff evaluated current and proposed projects, provided updated scheduling, and remaining necessary funding. He noted for the mid-year budget adjustments based on actual project schedules and funds spent year to date, staff adjusted as necessary to each CIP. He said the preliminary planning for FY22 which begins July 1, 2021, staff segwayed from the mid-year to FY22 and continued projecting future expenditures through 2026. He noted some of the names assigned to existing CIP projects have changed as well as the CIP projects being deemed obsolete. He said as such, staff was currently in the process of updating a sheet showing all the name changes noting staff found this to be a critical part of the transparency of this process in that they did not want projects to simply vanish from the 5-year CIP plan.

Mr. Williams talked about the rating system which is made of six key focus areas noting for a project to be considered a CIP project, it must fall under at least one of these six he listed. He reviewed the project qualification process noting for a project gets its determination in that it must be defined as a CIP project, fall under one of the six key focus areas, and provide water and wholesale efficiency. Mr. Kennedy pointed out the wholesale water efficiency projects have a

different source of funding which show a straight return of investment and are expected to be funded through other identified sources.

Mr. Williams shared a screenshot of the Excel spreadsheet as he reviewed the information it contained. He pointed out staff has also developed a Gantt Chart which provides the overall CIP budget for that current fiscal year with each CIP project deducting from the total to ensure RMWD does not go over budget or have an excess of funds. He explained the other helpful aspects associated with utilizing the Gantt Chart.

Mr. Williams mentioned the various staff members involved with accomplishing developing this CIP Strategic Plan.

Mr. Nelson asked if the CIP budget includes an allocation of labor for the operations department. Mr. Williams explained when operations is working on a CIP project, all of the labor is being capitalized. Mr. Kennedy added each work order is attached to the capital project numbers within the EAM so the funds come from capital reserves which Ms. Largent is able to track and report back to manage.

Mr. Ratican asked if soft cost contingencies are a collapsed task with more of a breakdown as to where those costs come from. He explained he was not asking for specifics, but rather if this chart would be prepared to answer a question regarding this matter. Discussion ensued.

Mr. Marnett asked if there was something hidden underneath describing the engineering and operations manpower in terms of tracking the amount of time each person devotes to these projects. Mr. Kennedy confirmed determining the amount of manpower needed to be dedicated to a project will be made part of the process so that if there was a need for additional manpower, it could be taken to the Board for consideration.

Mr. Williams continued with his presentation noting to prioritize the CIP projects to be incorporated into the 5-Year CIP plan, all CIP projects must be rated, compared to the prioritized list, determine allocation of funding based on prioritizing, update the raking semi-annually, and schedule the projects. He noted this will be a continuous process so it can be prepared in conjunction with the mid-year budget review.

Mr. Marnett inquired as to whether rating the projects will include items such as potential risks. Mr. Nelson recalled the rating process was discussed at a prior meeting.

Discussion ensued to the mid-year budget review process in relation to the CIP Strategic Plan.

Mr. Ratican made recommendations as to how to determine the amount of manpower should be allocated to a project. Mr. Kennedy explained what would be taken into account when determining the manpower a project would require to ensure the manpower needs are calibrated appropriately.

Mr. Nelson pointed out the District has an extremely generous PTO (paid time off) policy in respect that indicates the District could easily have 15%-20% of an average employee not being available to work due to PTO which was an unusual characteristic Mr. Kennedy may want to take into consideration when calibrating the necessary manpower a project would require. Mr. Kennedy acknowledged Mr. Nelson's comment.

Mr. Nelson expressed his sincere gratitude for the level of detail staff has put into this project.

Discussion went to Item #15.

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

Mr. Williams pointed out there were a few new tasks added to the right-of-way engineering land surveying services.

Discussion went to Item #19.

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

It was noted the updates on the WSUP program, backflow charge investigation process, and district headquarters development study as well as the As-Needed Expenditure Summary should be on the next committee agenda.

Discussion went to Item #20.

20. ADJOURNMENT

The meeting was adjourned by Chairperson Nelson.

The meeting adjourned at 4:25 p.m.

Flint Nelson, Committee Chairperson

Dawn M. Washburn, Board Secretary