

14. DISCUSSION REGARDING CORROSION PROTECTION PROPOSALS
15. DISCUSSION REGARDING DESIGN OF PUMP STATION 1
16. DISCUSSION REGARDING DESIGN OF WEESE WTP PERMANENT EMERGENCY INTERCONNECT AND PUMP STATION
17. DISCUSSION AND POSSIBLE ACTION TO APPOINT 2019 COMMITTEE OFFICERS
18. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT SCHEDULED ENGINEERING AND OPERATIONS COMMITTEE MEETING
19. ADJOURNMENT

ATTEST TO POSTING:



Hayden Hamilton
Secretary of the Board

11/27/18 @ 3:00 p.m.
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**MINUTES OF THE ENGINEERING AND OPERATIONS COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
OCTOBER 3, 2018**

1. **CALL TO ORDER** – The Engineering and Operations Committee Meeting of the Rainbow Municipal Water District on October 3, 2018 was called to order by Chairperson Prince at 3:00 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. Chairperson Prince, presiding.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

Present: Member Prince, Member Taufer, Member Brazier, Member Marnett.

Also Present: General Manager Kennedy, District Engineer Strapac, Associate Engineer Powers, Operations Manager Gutierrez, Project Manager Gerdes, Engineering Tech Rubio.

Absent: Member Stitle, Member Ratican, Member Robertson, Alternate Nelson, Alternate Kirby.

No members of the public were present.

4. **SEATING OF ALTERNATES**

There was no seating of alternates.

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

There were no changes.

6. **PUBLIC COMMENT RELATING TO ITEMS ON THE AGENDA**

There were no comments.

COMMITTEE ACTION ITEMS

7. **APPROVAL OF MINUTES**

A. September 5, 2018

Motion: Approve the minutes as written.

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

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

Ayes: Member Prince, Member Brazier, Member Taufer, Member Marnett.

Absent: Member Stitle, Member Ratican, Alternate Nelson, Alternate Kirby.

8. RIGHTS-OF-WAY POLICY REVIEW

Ms. Brown provided copies of Mr. Nelson's comments regarding the draft Right-of-Way Policy. She proceeded to go through the policy inviting the committee members to provide comments.

Mr. Taufer asked for the definition of a Right-of-Way. Ms. Brown responded a Right-of-Way encompasses more rights and an easement was more defined.

Mr. Kennedy said regarding existing easements, any existing non-conforming use would be dealt with similar to future non-conforming uses. Ms. Brazier stated just because there was no mechanism in place before does not mean it should not be enforced. Mr. Prince asked if the District was changing existing easements. Mr. Kennedy responded no. He pointed out that he was not aware of any easement allowing anyone to build on top of the District's easements.

Mr. Stapac said the policy would provide staff direction and procedures. He explained the policy would not take away land or place greater encumbrances on a person's property. Mr. Kennedy said the policy also establishes the process for staff to issue encroachment permits.

Mr. Prince placed his focus on existing easement situations, which had no clear policy in place. Mr. Kennedy responded the District has clear legal rights under existing easement documents, which describe the District's rights and what is prohibited. Discussion ensued.

Mr. Prince expressed concerns regarding changes to the Right-of-Way Policy being reviewed by legal before the committee's approval, if approved. He stated, in his opinion the policy related more to legal than engineering. He asked for a legal opinion on what the District has compared to what would be changed. Ms. Brazier pointed out the District was not changing anything. She explained the District was only building on the current legal easements. Mr. Kennedy explained the District would be able to enforce everything in the old policy that was in the new policy. Mr. Prince replied he would feel better to have an attorney review the new policy. Mr. Kennedy stated all documents are reviewed by the District's legal counsel prior to going to the Board. Ms. Brazier pointed out a couple of technical rules to the committee, she said the committee does not officially "approve", it merely provides recommendations. The Board hires and directs legal counsel, the committee does not. Discussion ensued.

Mr. Prince repeated concerns with the new changes and how it would affect existing easements. Mr. Kennedy reiterated the new policy would not alter any existing easements. Mr. Prince focused on having the policy reviewed by the attorney. Mr. Kennedy stated the attorney is given final drafts to review and not in process drafts, in order to keep costs down. He said he prefers the committee review the engineering aspects of the draft and set aside the legal concerns for now.

Ms. Brazier stated the Engineering and Operations committee was to operate on those two subjects, legal not being within this committee's purview. She said this policy does not matter unless the Board votes on it and makes it part of the Administrative Code with the force of law. She continued, prior to the votes legal counsel will review the policy and recommend to the Board whether there were any concerns.

Mr. Kennedy wanted to discuss Mr. Nelson's comments. Mr. Prince mentioned the committee would review the engineering aspects of the policy and take a break from the legality aspects. Discussion ensued regarding Mr. Nelson's comments, administrative corrections and other committee member comments.

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Mr. Marnett suggested engineering and operations staff review and correct the inconsistencies prior to approving the policy.

Mr. Prince stated he was not ready to do anything but would rather see it all over again. He said he does not want to delay anything and was totally in support of this by the way, but he could see a great deal of conflict. He specified as far as legal he does not want to give any approval without any sort of legal position on how this might affect existing landowners. He noted as far as new contracts, business, and developments he does not have a problem with that because people can read them, and they could be drafted, but where he can see a lot of problems is with existing easements. Mr. Kennedy reiterated existing easements would not be affected. Ms. Brazier stated that the Board could approve the policy with or without any input from the committee. She explained the Board seeks input from the committee to guide their choices, although they don't have to. Mr. Prince suggested based on the comments provided to revise the policy and bring it back for review. Discussion ensued.

Mr. Kennedy voiced concerns of delaying the policy approval for two months. He recommended going forward to the Board and expressing any concerns within the motion.

Motion:

Mr. Prince made a motion to have the Right-of-Way Policy reviewed by legal counsel, prior to the committee's recommendation. No second. Motion died.

Ms. Brazier stated legal counsel will review the policy, but not at the committee's instruction. She explained the motion cannot stipulate any action to be taken, because the committee cannot command any action. She said the committee's function is advisory only to the Board. Discussion ensued.

Motion:

Mr. Marnett made a motion to conditionally approve the Right-of-Way Policy with engineering cleanup. No second. Motion died.

9. TANK FALL PROTECTION

Mr. Strapac said based on the committee's recommendation staff would be recommending to the Board to award the tank fall protection to Suez Advanced Solutions (Utility Service Co., Inc.).

10. CORROSION PROTECTION PROGRAM

Mr. Strapac said the RFP was out and he has been receiving numerous questions from interested consultants. He anticipates receiving at least four proposals. Mr. Strapac stated the selected firm would develop a corrosion prevention program. Discussion ensued.

11. CODE OF ETHICS AND CLIMATE CHANGE POLICIES REVIEW

Mr. Kennedy said the Board adopted the Code of Ethics and Climate Change policies last month. He directed the committee to the Code of Ethics Policy and pointed out how the policy also applies to committee members. He briefly discussed the following items:

- All appointed members of the District's Standing Committees represent the Board of Directors on the committees and are held to the same expectations.

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- The ethics on how to follow the decision-making process.
- Non-Partisan Board Policy – staying away from partisan politics. Refrain from partisan discussions.
- Matters of Personal Interest – staying away from or recuse oneself from matters of personal interest. Leaving the room during discussion. Eliminate the perception of the conflict of interest.

Mr. Kennedy said the Climate Change Policy directs the Board of Directors to follow the science that forecasts the climate changes by staying within the explanations in the policy.

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

The following agenda items were suggested:

- Corrosion Protection Program
- Misc. Pipeline Replacement Project
- Service Upgrade Project (Meters)
- Review of Operations data going to the Board
- Operations Department Overview

13. ADJOURNMENT

The meeting adjourned at 5:07 p.m.

Timothy Prince, Committee Chairperson

Dawn M. Washburn, Board Secretary

**MINUTES OF THE ENGINEERING AND OPERATIONS COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
NOVEMBER 7, 2018**

1. **CALL TO ORDER** – The Engineering and Operations Committee Meeting of the Rainbow Municipal Water District on November 7, 2018 was called to order by Chairperson Prince at 3:00 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. Chairperson Prince, presiding.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

Present: Member Prince, Member Stitle, Member Taufer, Member Ratican, Member Marnett, Alternate Nelson, Member Brazier (*arrived at 3:10 p.m.*).

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

Excused: Alternate Kirby, Member Robertson.

No members of the public were present.

4. **SEATING OF ALTERNATES**

Mr. Nelson was invited to take a voting seat.

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

Mr. Strapac requested adding a possible Change Order for Pump Station 1 at Rainbow Heights to use an EFI pre-manufactured pump station. It was confirmed it would be added as Item #12A.

6. **PUBLIC COMMENT RELATING TO ITEMS ON THE AGENDA**

There were no comments.

7. **REVIEW OF ADMINISTRATIVE CODE POLICY 2.09 – COMMITTEES**

Mr. Kennedy stated Board President Brazier requested this be on each of the committee agendas to provide direction for the committee members. He said the Board has directed him to ensure committee discussions stay on topic relative to the agenda items and stop any discussion when something could be considered a committee member working through a personal interest functioning as a committee member or taking an unethical path.

It was recommended the sentence relating to the first initial committee chairpersons be removed from the policy.

Ms. Brazier joined the meeting at 3:10 p.m.

COMMITTEE ACTION ITEMS

***8. APPROVAL OF MINUTES**

A. October 3, 2018

Mr. Prince requested the first paragraph, second sentence on Page 5 of 6 be reviewed and revised to state his intent in that he wanted to support the policy but wanted it to go through Legal Counsel first. Mr. Kennedy offered to have staff listen to the recording to determine what was stated and make any necessary revisions accordingly. It was noted the minutes approval would be postponed until next month.

No action taken.

9. REVIEW CORROSION PROTECTION PROGRAM SELECTION AND PROVIDE RECOMMENDATION TO BOARD

Mr. Strapac noted a request for proposal was put out last month to which responses were received. He mentioned the staff's selection would be ECM due to their familiarity with what RMWD needed as opposed to merely telling the District what they would do for it. Mr. Stitle inquired as to the costs involved. Mr. Strapac noted this information would be provided in the proposals being supplied for committee review; however, ECM came in at the middle in terms of pricing.

Mr. Nelson asked for the total estimated value of this engagement and over what duration of time. He also inquired if staff was seeking the committee's support of their recommendation to the Board to select the contractor staff preferred. Mr. Strapac answered affirmatively. Mr. Nelson noted when a set of proposals is received by the committee, the members do not always have an opportunity to review all the materials, but rather a summary was provided comparing the proposals and significant elements as well as fundamental criteria for selection including why a particular firm was chosen. He said although he supports the need for a corrosion program, he would be compelled to abstain from making a recommendation due to his not having much information for which to base his decision. He requested a synopsis be sent to each committee member.

Mr. Kennedy agreed to have a summary of the proposals emailed to the committee members and then this matter be continued until the next committee meeting.

Mr. Strapac explained Qualification Base Selection (QBS).

Discussion ensued regarding the causes of corrosion.

No action taken.

10. MISCELLANEOUS PIPELINE PROJECT UPDATE

Mr. Strapac reported Omnis had just started working on the design effort. Mr. Kennedy noted this project was part of the District's response to the Condition Assessment Program in which certain pipelines with high break rates have been made identified as high priority. He explained the goal was to move old pipelines out of customer properties to manage the District's risk.

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Mr. Nelson inquired as to whether the District was legally permitted to engage in a design-build configuration with a very aggressive valued engineering and constructability review led by staff. Mr. Strapac explained staff sought Legal Counsel's opinion on this matter who in turn provided detailed information that limited what the District was permitted do. Mr. Kennedy pointed out this was mainly related to treatment plants as opposed to pipeline projects.

Mr. Strapac pointed out most of the costs on this project were associated with the surveys due to private roads and easements. Mr. Kennedy would like to manage risk and control costs. Discussion followed.

Discussion ensued regarding the making sure the proper processes are followed including the use of certified welders and conducting proper inspections.

11. SERVICE UPGRADE PROJECT

Mr. Kennedy reported the Notice to Proceed has been issued and the contractor has been mobilized to the District. He announced the Board approved the resolution to obtain the financing and the funding was now in place. He stated the main limiting factor now would be the completion of the utility billing system conversion which should be completed in January-February 2019.

Mr. Kennedy mentioned the Project Manager recently hired will start on November 13th and how this project will be one of the first she will be tasked to oversee. He also the plan will be to mail the customers a four-page newsletter with detailed information regarding this project as well as place signage at each section at which work is being conducted. He pointed out at the completion of each phase, the project will stop to allow for review and adjustments to be made as deemed necessary. He noted the stopping phase has been built into the project schedule. He explained the steps to be taken related to the utility billing. He stated regular updates will be provided to the committee as the project progresses.

Mr. Stille asked if information regarding each segment will be provided on the website. Mr. Kennedy answered information would be on the website; however, since the project will be dynamic and moving around, there will be logo placed on barricades with basic descriptions as well as a link to the website for the customer to get more details. He added there may be a need to notify customers in advance provide advance notification to some customers that their meter boxes need to be cleared.

12. DISCUSSION REGARDING APPLICATION FOR VARIANCE TO ORDINANCE NO. 17-07

Mr. Marnett recused himself from the discussion at 4:08 p.m.

Mr. Powers explained Mr. Marnett has requested a variance to Ordinance No. 17-07 allowing Mr. Marnett to qualify for Capacity Class B which has a referenced meter size of 3/4". He stated Mr. Marnett currently has a 1" meter; however, the information provided in the handout shows the usage over the past several years has been well below the required maximum for Capacity Class B averaging approximately 8 units per month. He pointed out a comparison of Mr. Marnett's usage with RMWD's records was conducted and the usage do match exactly. He referenced the chart Mr. Marnett also provided as backup documentation.

Mr. Powers stated staff believes if Mr. Marnett's usage continues as it has been for several years, his usage will not reach the maximum usage for Capacity Class B. He clarified the policy states lot sizes less than .5 acres can qualify for a 3/4" meter, whereas Mr. Marnett's land is 7.36 acres which was why he was requesting a variance. He pointed out when the Ordinance No. 17-07 stating .5 acres may qualify for 3/4" meters, it was to protect the District by preventing someone

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with a very large lot getting a 3/4" meter and then increasing their usage by thousands of units. He suggested a recommendation to the Board include granting a variance with Mr. Marnett signing the same type of agreement included with the last variance the Board granted. He explained this agreement states if the usage exceeds the maximum usage of 50 units per month for a rolling twelve-month period, there would be a three-month period opportunity to cure and should it not be cured, customer will be required to pay the additional capacity fees matching their usage.

Mr. Taufer asked about the process to replace the meter. Mr. Powers stated the administrative downsize would be effective when and if the Board approves the variance; however, the actual meter exchange would take place as part of the meter replacement project.

Mr. Kennedy explained Mr. Marnett did downsize from a 1 1/2" meter to a 1" meter originally because at that time he was not allowed to downsize further due to the parcel size. Discussion ensued regarding the cost information Mr. Marnett provided.

Mr. Kennedy noted the question before the committee was whether this was a candidate that would meet the intent of the variance process the Board could approve with the terms and conditions provided in a signed agreement. He confirmed the proper format was followed. Discussion followed regarding further downsizing.

It was confirmed the District does record these agreements to tie them to the property.

Ms. Brazier asked if something should be added to the Administrative Code in the event RMWD receives a large volume of applications. Mr. Kennedy said this is something to take into consideration if it becomes too numerous.

Discussion ensued.

Motion:

The committee recommend to the Board it approve the variance with the recommended staff stipulation that there be an agreement between the homeowner and the District as specified by the staff and such agreement be recorded and run with the land and the perpetuity.

Action: Approve, Moved by Alternate Nelson, Seconded by Member Stitle.

Vote: Motion passed (summary: Ayes = 5, Noes = 0, Abstain = 1).

Ayes: Member Prince, Member Stitle, Member Taufer, Member Brazier, Alternate Nelson.

Abstain: Member Ratican.

Absent: Member Marnett

Excused: Alternate Kirby, Member Robertson.

Mr. Marnett joined the meeting at 4:32 p.m.

12A. CHANGE ORDER OF PUMP STATION 1 AT RAINBOW HEIGHTS ROAD

Mr. Strapac stated he will be bringing a Change Order for Pump Station 1 at Rainbow Heights Road to change the design to a pre-manufactured structure and complete pump station by EFl. He pointed out it would be manufactured in a controlled factory. He noted the estimated savings is \$2000,000; however, there would be an increase cost for design but a decrease in construction costs. Discussion followed.

13. REVIEW OF OPERATIONS BOARD REPORTS

This item was addressed under Item #14.

14. OPERATIONS DEPARTMENT OVERVIEW

Mr. Gutierrez explained when he started at RMWD seven weeks ago, he was provided a pile of documents the Operations Department supplies to the Board. He stated this item was to get input from the committee as to the level of detail of information and its relevance should be provided to the Board. Mr. Prince recommended an overview of the operations department be provided prior to discussion what the reports.

Mr. Gutierrez summarized his background and work experience within operations. He stated as the RMWD Operations Manager, he manages the wastewater collection, water operations, water quality, construction and maintenance, fleet service, technical services, as well as the meters department. He explained Mr. Kennedy has directed him to review the process of the department and consider what changes may be necessary to streamline some of the status quo processes; therefore, he was seeking recommendations for narrowing down the board reports to relevant and important information.

Mr. Stitle suggested Mr. Gutierrez select a dozen items and anticipate what would be completed over the course of a year and use percentages as opposed to actual numbers. Mr. Kennedy pointed out if there is no value to the reports, he would prefer staff not waste time preparing them. Mr. Gutierrez suggested he provide monthly operational updates at the Engineering and Operations Committee meetings.

Mr. Nelson said he would like to hear about the units that fall under operations, what each does, as well as the overall organizational performance. He explained this information would assist with determining the type of reports to be provided. He pointed out whatever information the Board wants in reports should be in their reports and how he would not advocate requesting reports be prepared for the committee that differ from those supplied to the Board.

Mr. Taufer stated he would think the Board would be interested if a problem on a project, whether it will be something that creates a major change in scheduling ultimately affecting other departments. Mr. Kennedy explained there are multiple projects transpiring every day; therefore, the pace and volume may not be something of relevance. He added; however, a matrix can be built in based on the information provided in the EAM system including the productive output.

Mr. Gutierrez mentioned he was an adjunct instructor at Palomar College for Water Distribution I and Water Distribution II.

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

It was determined the following items should be on the next committee agenda:

- Corrosion Overview
- Change Order for Rainbow Heights Pump Station
- Introduction of Project Manager
- Miscellaneous Pipe Relocation
- Record of Survey
- Operations Department Overview

16. ADJOURNMENT

The meeting was adjourned to Wednesday, December 5, 2018 by a motion made by Member Prince.

The meeting adjourned at 5:01 p.m.

Timothy Prince, Committee Chairperson

Dawn M. Washburn, Board Secretary