

**MINUTES OF THE ENGINEERING AND OPERATIONS COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
OCTOBER 5, 2022**

1. **CALL TO ORDER** – The Engineering and Operations Committee Meeting of the Rainbow Municipal Water District on October 5, 2022, 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 Johnson, Member Marnett, Member McKesson, Member Nelson, Member Brazier *(arrived at 3:52 p.m. via video conference)*, Member Gasca *(arrived at 4:11 p.m. via teleconference)*.

Also Present: General Manager Kennedy, Customer Service Representative Kilmer, Operations Manager Gutierrez, Finance Manager Largent, Information Technology Manager Khattab.

Also Present Via Teleconference or Video Conference:

Engineering and CIP Program Manager Williams, Project Manager Tamimi.

One member of the public was present in person, via teleconference or video conference.

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

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

5. **SEATING OF ALTERNATES**

There were no alternates seated.

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. September 7, 2022

Motion:

To approve the minutes.

Action: Approve, Moved by Member Johnson, Seconded by Member McKesson.

Motion passed unanimously.

9. GENERAL MANAGER COMMENTS

Mr. Kennedy reported an election took place at the SDCWA Board meeting for officer positions which included a contested election for the position of Secretary. He also mentioned a draft report from LAFCO on the detachment is expected within the next couple of weeks which is expected to be brought to the full commission in February for consideration.

Mr. Nelson inquired as to processes that will take place regarding LAFCO's detachment report. Mr. Kennedy explained it will be presented to the several committees prior to being presented to the commission.

Ms. Johnson inquired as to whether RMWD has any Board Members up for election. Mr. Kennedy stated Directors Gasca and Stewart.

10. ENGINEERING AND CIP PROGRAM MANAGER COMMENTS

Mr. Williams deferred his comments to the agenda items.

11. OPERATIONS MANAGER COMMENTS

A. Gird Road Construction Update

Mr. Gutierrez provided an update on both the Gird Road and Wilt Road projects, respectively. Discussion ensued.

12. COMMITTEE MEMBER COMMENTS

Mr. McKesson announced he would not be in attendance at the November committee meeting due to a work commitment.

13. BOARD ACTION UPDATES

Mr. Williams reported the Board approved a resolution authorizes staff to submit applications for CalRecycle for which RMWD would be eligible. He noted the bulk of the meeting was focused on the grant processes presentation.

14. PROPOSED SCHEDULE FOR ALL COMMITTEE MEMBER SITE VISITS (ENGINEERING/OPERATIONS)

Mr. Williams announced both November 1st and November 10th would be the best dates on which to schedule site visits. He noted the tours would begin with meeting at RMWD headquarters at 9:00 a.m., having lunch around noon, and then returning to the District at approximately 2:30 with carpools provided by staff.

Ms. Johnson inquired as to whether there was a particular date those who went on a recent site visit tour should attend. Mr. Williams stated the tours would be the same on both dates.

Mr. Nelson requested a list of the sites to be toured be provided. Mr. Williams agreed to provide a list to the committee members and Director Moss.

***15. ON CALL CIVIL ENGINEERING (ENGINEERING)**

Mr. Williams referenced the draft memos provided in the agenda packet which will be provided to the Board on the Consent Calendar. He asked the committee members to let him know if they believe the Board may want to discuss these items so the letters can be revised to action letters prior to the agenda being prepared.

Mr. Williams reported ten proposals were received with four resulting in a four-way tie among all the reviewers. He stated with going with four firms as opposed to three may provide a better pool with which to work. He pointed out Dudek was the only firm previously on the on-call list that reapplied. He mentioned these agreements would be for three years with each being up to \$150,000 and how the first task is already lined up.

Member Brazier joined the meeting at 3:52 p.m.

Mr. McKesson inquired as to how it is decided which firm works on which assignments. Mr. Williams explained an assignment letter providing the project along with the details and schedule is issued to each of the firms who in turn respond to staff at which time the details and costs are discussed. He noted the firm with the lowest costs are most often selected; however, there are period anomalies.

Mr. Nelson ask how much money would staff expect to spend in association with these as-needed agreements. Mr. Williams stated the plans are to not spend the entire \$150,000 in the first fiscal year, but rather that it be divided over a three-year term. Mr. Williams shared the amount spent for these types of services over the past three years.

Mr. Marnett inquired as to whether the money in the bundle could be moved around among the four firms without Board approval. Mr. Kennedy stated once the costs reach \$150,000, it would be best to bring it back to the Board.

Motion:

To recommend the Board adopt Staff Recommendation Option 1 – Make a determination that the action defined herein does not constitute a “project” as defined by CEQA, and authorize staff to award four Professional Services Agreements in the amount of \$150,000 each to Ardurra, Dexter Wilson Engineering, Harris & Associates, and Waterworks Engineers.

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

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

Ayes: Member Brazier, Member Johnson, Member Marnett, Member McKesson, Member Nelson.

***16. ON CALL REAL ESTATE SERVICES (ENGINEERING)**

Mr. Williams reported there were two proposals received in response to the Request for Proposal and how both met all the necessary criteria. He pointed out these disciplines significantly less; therefore, they are for \$50,000 per form for a three-year term.

Mr. Marnett inquired as to the services these firms would provide. Mr. Williams clarified it would be for when RMWD needs easements or appraisals.

Member Gasca joined the meeting at 4:11 p.m. via teleconference.

Motion:

To recommend the Board approve staff recommendation Option 1 – Make a determination that the action defined herein does not constitute a “project” as defined by CEQA and authorize staff to award two Professional Services Agreements in the amount of \$50,000 each to Anderson & Brabant and Epic Land Solutions.

Action: Approve, Moved by Member McKesson, Seconded by Member Johnson.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 6).

Ayes: Member Brazier, Member Johnson, Member Marnett, Member McKesson, Member Nelson, Member Gasca.

***17. LIFT STATION 1 CHANGE ORDER 02- KENNEDY JENKS (ENGINEERING)**

Mr. Williams explained this item is for a Change Order in the amount up to and not-to-exceed \$40,000 necessary to comply with the County of San Diego requirements in terms of how RMWD crosses the bridges. He noted the plans have been approved with the County and that RMWD was close to completing the submittal phases.

Mr. McKesson asked whether these changes was due to the is because the project went beyond the as-builts provided in the original contract. Mr. Williams explained it was not included in the original scope when it was provided in 2014.

Director Gasca inquired as to whether this was a situation where it was a total surprise or was there a potential it may transpire that maybe should be prepared for in the future. Mr. Kennedy recalled what transpired when RMWD was seeking easements in relation to this project that caused an issue in this case.

Mr. Nelson asked how much the contract with Kennedy Jenks totaled. Mr. Williams stated the original contract was for approximately \$49,000 and in March 2022 the first change order was for \$25,000. Mr. Nelson clarified he was asking about the original contact for design. Mr. Tamimi said the 2014 contract was approximately \$1.2-\$1.4 million; however, it was not for just the lift station, but rather multiple phases. Mr. Nelson stated this \$40,000 was a small increment on a contract with Kennedy Jenks that was primarily in support of this project; therefore, given what has occurred with this project, he would like to say this was very small and totally understandable and not unpredictable change order.

Motion:

To recommend the Board approve staff recommendation Option 1 – Authorize the General Manager to execute Change Order #2 to the Professional Services Agreement with Kennedy Jenks to provide Engineering Services During Construction in the amount of \$40,000, extend the contract term from January 31, 2023 to July 31, 2023, and make a determination that the action identified herein was sufficiently analyzed in the Initial Study Mitigated Negative Declaration adopted by the Board in Resolution No. 21-02 on January 26, 2021 and does not require additional analysis.

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

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 6).

Ayes: Member Brazier, Member Johnson, Member Marnett, Member McKesson, Member Nelson, Member Gasca.

***18. SUMAC COMMUNICATION TOWER PV & BACK UP POWER SYSTEM (ENGINEERING)**

Mr. Williams explained staff was asking the Board to enter into a Construction Agreement to design, procure, and construct a Sumac Communications Tower PV and Back Up Power System. He noted RMWD owns the Sumac Communication tower that is critical infrastructure between RMWD and North County Fire. Mr. Gutierrez pointed out it is the hub for RMWD's entire SCADA system as well as the backup radio communications for North County Fire which repeatedly experiences power outages.

Mr. Williams stated the key objective for this project is to provide RMWD as well as North County Fire Protection District with a redundant power source.

Ms. Johnson requested that this site be added to the facilities tours scheduled for November 1st and 10th. Mr. Williams acknowledged this request.

Mr. Williams mentioned staff contacted twenty-five different companies to which only one being very interested in working on this project. He noted this was a design-build project, the firm was evaluated and received 92 out of 96 points, and their proposal fee is for \$170,635.39.

Mr. Marnett asked for clarification that this was only for the backup power work and not for the generators. Mr. Williams confirmed this project is not related to the Magee or Gomez generators. Mr. Marnett inquired as to whether this solar and battery would stand alone unconnected to the grid. Mr. Kennedy and Mr. Williams explained whenever there is a public safety power outage or fire, this system would take over. Discussions ensued.

Mr. McKesson inquired as to whether North County Fire contributes to the cost. Mr. Kennedy answered RMWD shares in certain maintenance costs with North County Fire; however, RMWD also participated in a grant application process which will partially fund the project. Mr. McKesson asked if there was an excessive usage charge. Mr. Kennedy clarified this was not a net-metering system, but rather a backup system.

Mr. McKesson inquired about why there was only one firm very interested in this project. Mr. Williams explained everyone in every field has too much work and this firm had an opening in their schedule with a desire to keep their crews busy.

Ms. Brazier stated as a matter of curiosity, how would the batteries be kept cool. Mr. Williams noted part of this contract was a design, build, and construct; therefore, this question has not yet been answered. He added staff must buyoff on the design prior to construction proceeding.

Ms. Johnson asked what types of batteries would be utilized. Mr. Williams said this, too, has not been answered yet, but will be part of the design process.

Mr. Williams agreed to bring this item back to the committee to allow for an opportunity for the committee members to ask questions as well as review the schematics.

Mr. Nelson asked if there is a fire resulting in a power outage, is RMWD contemplating that during the daylight hours, the panels will generate enough electricity not only to run the system, but adequately feed enough energy into the charger to get the District through the night. Mr. Kennedy explained this would also be part of the design process. Mr. Williams pointed out the design requirements is that seven days of uninterrupted storage.

Ms. Johnson asked if there would be an inverter as part of the design. Mr. Kennedy stated this was doubtful because everything runs on D/C.

Mr. Nelson made inquiries as to how much of the \$300,000 grant funds were spent on the two generators as well as this project. Mr. Williams said although he did not have the exact amounts readily available, he could share that of the \$300,000 funds were used to procure the two generators, parts of this project, electrical components for the heli-hydrant, as well as the Rainbow Heights Pump Station generator. Mr. Nelson explained his concern was how much more money would be needed to complete this project. Discussion ensued.

Mr. Nelson suggested the funding being completely identified. Mr. Kennedy noted the fiscal impacts should be more transparent in the action letter presented to the Board for this item.

Motion:

To recommend the Board adopt Staff Recommendation Option 1 – Make a determination that the action defined herein is categorically exempt per Section 15303 and 15304 as defined by CEQA, establish appropriations in the amount of \$200,000 for the Sumac Communications Tower Solar Photovoltaic and Backup Battery System Design-Build Project, approve a Construction Agreement with Anderson Burton in the amount of \$170,635.39, and authorize the General Manager to execute a Construction Agreement subject to full disclosure of the funding being included in the memo to the Board.

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

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 6).

Ayes: Member Brazier, Member Johnson, Member Marnett, Member McKesson, Member Nelson, Member Gasca.

19. WRIKE UPDATE PRESENTATION (ENGINEERING)

Mr. Williams shared a demonstration of the new Wrike system being utilized by the Engineering department to manage CIP projects including some of the ways the software can be manipulated as well as its capabilities.

Mr. Kennedy noted one of the things he likes best about this application is the presentation layer that will assist staff in conveying project status updates in a simpler manner.

Mr. Gasca expressed how pleased he was with the product. Mr. McKesson agreed noting this software was very interesting.

Mr. McKesson inquired about the cost. Mr. Khattab stated it cost \$15,800 which is an annual subscription.

Discussion returned from Item #21.

Mr. Nelson requested demonstrations of the financial, scheduling, and manpower modules of the Wrike system during future meetings.

Discussion returned to Item #21.

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

There were no comments.

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

Discussion returned to Item #19.

Discussion returned from Item #19.

It was noted staff would determine the appropriate items for the next committee meeting.

22. ADJOURNMENT

The meeting was adjourned by Chairperson Nelson.

The meeting adjourned at 5:16 p.m.

Flint Nelson, Committee Chairperson

Dawn M. Washburn, Board Secretary