

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

1. **CALL TO ORDER** – The Engineering and Operations Committee Meeting of the Rainbow Municipal Water District on December 2, 2020 was called to order by Chairperson Nelson at 3:02 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 (*via teleconference*), Member Marnett, Member Nelson, Member Ratican (*arrived at 3:11 p.m.*).

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

**Also Present Via Teleconference or Video Conference:**

Alternate Largent, Associate Engineer Powers, Project Manager Tamimi, Operations Manager Gutierrez, Meter Services Supervisor Wilson, Construction and Maintenance Supervisor Lagunas, Engineering Technician Rubio, Project Manager Tamimi, Information and Technology Manager Khattab.

One member of the public was 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 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)**

Mr. Nelson requested for Item #21 be discussed after Item #16.

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

There were no comments.

**\*8. APPROVAL OF MINUTES**  
**A. November 4, 2020**

***Motion:***

***To approve the minutes.***

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

***Vote: Motion carried by unanimous roll call vote (summary: Ayes = 3).***

***Ayes: Member Brazier, Member Marnett, Member Nelson.***

***Absent: Member Ratican.***

**9. GENERAL MANAGER COMMENTS**

Mr. Kennedy stated the District will remain operating status quo in terms of reopening the District to the public. He also mentioned at the November SDCWA Board Meeting there was discussion regarding whether to continue to Regional Water Conveyance System came up and was controversial. He explained a letter was written to SDCWA from the City of San Diego CFO and Comptroller stating the City cannot afford this project. He noted most of the North County agencies also sent a letter requesting for this project to be stopped because it was not a good idea. He said the SDCWA continued forward with the process and had somehow convinced six out of the City's ten members to approve the project which passed by motion at 55.5%. He pointed out this gives SDCWA approval to spend another \$2M to keep the project alive which will cost the RMWD ratepayers approximately \$10.00 per month which he pointed out in his comments to SDCWA. He stated several will be putting together a letter reiterating the City of San Diego statement the City cannot afford this project and question why it was approved. He added the Urban Water Management Plan Forecasts findings continue to be a topic of discussion.

Discussion ensued regarding the scope of the Regional Water Conveyance System and who stands to benefit from it.

**10. DISTRICT ENGINEER COMMENTS**

There were no comments.

**11. OPERATIONS MANAGER COMMENTS**

Mr. Gutierrez gave a presentation updating the committee on the North River Road CIPP project. He reported this project is being worked on during evening hours and how the first phase has been completed, phase two was currently active, and the design for the third phase was nearly finished. He said the estimated completion date for Phase 2 is December 25, 2020.

Mr. Gutierrez described the District's level of efforts and the planning processes involved. He presented pictures, videos, and props as he explained the work taking place at the site. Discussion followed.

## **12. COMMITTEE MEMBER COMMENTS**

There were no comments.

Discussion returned from Item #14.

Mr. Nelson asked for a status update on the environmental issues associated with the PUP project. Mr. Kennedy stated there was additional environmental work required.

Discussion went to Item #15.

## **13. BOARD ACTION UPDATES**

There were no updates.

## **14. THOROUGHbred LIFT STATION UPDATE**

### **A. Initial Study/Mitigated Negative Declaration Public Comments**

Mr. Kennedy reported this has been released for public comment.

Mr. Tamimi reported the only comments received was from one of the residents on Old River Road which was more about the construction phase as opposed to the project itself. He confirmed the comments must be received no later than December 5, 2020.

Discussion returned to Item #12.

## **15. WATER SERVICE UPGRADE PROGRAM (WSUP) UPDATE**

Mr. Gutierrez reported the project was now 31% complete and close to halfway on the backfill. He explained there were some adjustments to the Concord work to assist in catching up on the backfilling and once that it complete, Concord will return to their original tasks.

Mr. Gutierrez pointed out the meters in and around the River Village area have been replace utilizing internal resources during evening hours.

Mr. Kennedy talked about how plans for an internal lunch celebration for reaching the 25% milestone has been updated to procuring gift cards using the District's accumulated American Express points to present to those who worked on the project.

Discussion ensued regarding the expected reduced loss revenue and increased efficiencies.

## **16. CIP STRATEGIC PLAN UPDATE**

Mr. Kennedy gave a presentation on the CIP Strategic Plan update noting staff was seeking feedback from the committee. He pointed out the idea was to come up with a transparent rational comparative methodology for prioritizing RMWD's CIP projects. He explained the rating system and project qualification processes. Discussion ensued.

Mr. Kennedy stated as part of the process will be holding workshops with staff and committee members to review the plan and work toward ranking the projects appropriately. He said staff wants to get feedback from the committee on the categories, the ratings, and the process to get

concurrence on the process so the appropriate staff can sit down and look at every project very closely from a cost standpoint.

Mr. Marnett recommended adding supplemental columns showing justification for the projects and how they are prioritized as well as the order in which they must be completed.

Mr. Kennedy referenced the CIP Gantt Chart provided in the presentation and explained how this component will assist with decision making.

Mr. Nelson stated he personally found what was being proposed to be a very good idea and commended the team for taking this on and trying to build some rationality into the front end of the CIP planning process. He said he would not provide any comments at this time; however, some may come up once data is collected or as the process progresses. Discussion ensued regarding the focus areas set forth in the Strategic Plan and how they are valuable.

Mr. Nelson asked how CIP projects are invented and then meshed with the scoring system in relation to condition assessment. Mr. Kennedy explained how this would happen. Mr. Nelson clarified he wanted to know who identifies the project and how does the condition assessment rank. Mr. Kennedy noted each year when data is updated, the Engineering and Capital Improvement Program Manager will take the information and reassess the projects.

Mr. Ratican pointed out timing is also an aspect to consider when prioritizing projects and asked if this will be taken into consideration in relation to the budget. Ms. Largent stated she was looking forward to obtaining accurate capital planning. She pointed out this plan will need to include a three-year period to ensure the District is able to follow through on its projects.

Discussion ensued regarding state and federal grant funding programs.

Mr. Nelson said he would contact Mr. Williams with his minor inquiries.

Discussion went to Item #21.

## **17. DISCUSSION REGARDING POSSIBLE REFUNDING OF BACKFLOW TESTING CHARGES**

Mr. Kennedy reported this matter has been discussed with District's Legal Counsel and was told although the refunds were not required by law, the Board could choose to approve refunding these charges if the funds are not utilized for something else. He pointed out the other step was to identify the magnitude of this matter and how he hopes to have a final analysis to be presented to the committee as well as the Board for consideration.

Mr. Marnett expressed concern the District was making this harder than it should. He stated this was a matter of approximately 1,000 customers being billed and paying \$9.62 per month for backflow testing services that were not provided in 2018. He stressed there was no away around the customers knowing they were charged for services they did not receive, and they should be refunded. Mr. Kennedy stated staff needs quantitative analytics to present to the Board when they take this matter into consideration.

Mr. Marnett strongly disagreed with the actions taken by the District. He said there was no ambiguity associated with this matter; the customers were charged a fee presented straight forward on their bills for a service they did not receive. He pointed out this matter has taken more

than a year to resolve. Mr. Kennedy said staff will gather the appropriate information to be provided to the Board for consideration at the next committee meeting.

**\*18. AS-NEEDED SERVICES EXPENDITURE REPORT**

Mr. Nelson referenced the report noting some of the updated information.

It was noted the sheets should be in landscape orientation but were switched when utilizing the software to create the agenda packets. Ms. Washburn agreed to look into why this happens with these documents.

**19. HEADQUARTERS DEVELOPMENT STUDY AD-HOC COMMITTEE UPDATE**

Mr. Ratican stated this ad hoc committee was moving forward; however, he was not totally convinced it was moving in the right direction which he will discuss with Mr. Kennedy outside of this meeting. Mr. Kennedy asked Mr. Ratican to describe his concerns for the other committee members. Mr. Ratican explained before anything can be done on-site, it may need to be defined where the floodway and flood plain exist. He explained the developer partner on this has picked a few product types to start studying to see if the District can achieve the densities the marketing study shows can be done.

Mr. Kennedy talked about the analysis to determine what will drive the most money for the District. He noted commercial has worsened since the pandemic outbreak and residences cannot sell fast enough. He pointed out how it was already determined the floodway was further away which allows for more developable land; however, the processes need to be initiated. He mentioned the real estate work needs to be discussed by the Board in Closed Session.

Mr. Nelson clarified it was made clear the value of the land is much higher for a residential site as opposed to a District headquarters site.

Mr. Ratican pointed out as part of this process, how prudent it would be to start looking at locations for a new district headquarters in advance of trying to sell this property to avoid any issues with building a new headquarters should the current headquarters property sell rather quickly.

Mr. Marnett asked about the size of the current property. Mr. Kennedy stated there are approximately twenty acres of usable land. Discussion ensued regarding the difference between floodways and flood plains.

**20. DISCUSSION REGARDING COMMITTEE MEMBERSHIP (APPOINTMENTS AND REAPPOINTMENTS)**

Mr. Kennedy mentioned there were two aspects to item with the first being the appointment of Ms. Brazier so she can continue to serve as a member of the public and the reappointment of Mr. Marnett after four years of service.

Mr. Marnett indicated he would like to have his term renewed.

***Motion:***

***To recommend the Board appoint Ms. Brazier as a public member and reappoint Mr. Marnett due to the expiration of his four-year term.***

***Action: Approve, Moved by Member Ratican, Seconded by Member Nelson.***

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

***Ayes: Member Brazier, Member Marnett, Member Nelson, Member Ratican.***

Mr. Ratican suggested placing an advertisement in the upcoming newsletter soliciting for more committee members. Ms. Largent said she would have Ms. Gray add something to the newsletter to solicit for members on all three committees.

Discussion went to Item #22.

## **21. PROJECT MANAGEMENT DISCUSSION**

Mr. Ratican recalled this item came about at the last committee meeting when staff brought in a request to hire as-needed project management services in the amount of \$200,000. He said after considering this matter more, he thought maybe it should be analyzed whether it would be more beneficial to hire someone full time. He explained once RMWD starts inputting resources under the Gantt Chart, it will be surprising at how many are attached to CIP projects. Mr. Kennedy agreed noting the District's goal is to get projects done correctly at the lowest cost to the ratepayers and how he wants the new Engineering and Capital Improvement Program Manager to analyze the current system and department is functioning and operating well before adding more internal resources. Mr. Ratican reiterated the importance of putting the resources in the Gaant chart and how this committee is being diligent to ensure the proper recommendations are being made for the Board to consider.

Mr. Nelson asked if there was any current tentative plan for when this as-needed contract will be deployed. He pointed out it may be more efficient to use half of the monies allocated for the as-needed consultant toward increasing internal resources. Mr. Kennedy stated he suspected that within one year it will be easier to gather the necessary data in terms of additional resources.

Mr. Ratican inquired about the construction portion of the Hutton Turner project not being projected for completion for a year as noted on the Gantt Chart provided in the presentation. Mr. Kennedy explained when reviewing the Request for Proposals, there was some extended lead time provided due to land acquisition and environmental concerns.

Mr. Ratican recommended if RMWD was looking at the fact there is a project management/construction management lapse, it may be worthwhile to include engineering support during the construction phases in the Request for Proposals for the next few projects as opposed to hiring outside consultants. Mr. Kennedy agreed to bring this suggestion to Mr. Williams' attention.

Mr. Nelson asked Mr. Kennedy if he would be willing to arrive at these conclusions regarding additional resources in less than a year. Mr. Kennedy explained it could be possible to analyze the data collected as part of the 2021 budget process to take place next Spring.

Discussion went to Item #17.

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

It was noted updates on the WSUP program, CIP Strategic Plan, backflow refunds, and the Sanexen project should be on the next committee agenda respectively.

**23. ADJOURNMENT**

*The meeting was adjourned by Chairperson Nelson.*

The meeting adjourned at 5:03 p.m.

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**Flint Nelson, Committee Chairperson**

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**Dawn M. Washburn, Board Secretary**