

CITY OF SAN BERNARDINO MUNICIPAL WATER DEPARTMENT

AGENDA REGULAR MEETING WATER BOARD

Tuesday, January 28, 2020 – 9:30 a.m.
MARGARET H. CHANDLER WATER RECLAMATION PLANT
399 CHANDLER PLACE
San Bernardino, California

WATER BOARD

TONI CALLICOTT
President

Commissioners
WAYNE HENDRIX, P.E.
DAVID E. MLYNARSKI
RIKKE V. JOHNSON
THOMAS BRICKLEY



MIGUEL J. GUERRERO, P.E.
General Manager
ROBIN L. OHAMA
Deputy General Manager
STEVE R. MILLER
Director of Water Utility
KEVIN T. STEWART, P.E.
Director of Water Reclamation
CYNTHIA J. MOUSER
Director of Finance
JENNIFER L. SHEPARDSON
Director of Environmental &
Regulatory Compliance

“Trusted, Quality Service since 1905”

Welcome to a meeting of the Water Board of the City of San Bernardino.

- The City of San Bernardino Municipal Water Department recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the General Manager’s Office (909-384-5191) two working days prior to the meeting for any requests for reasonable accommodation, to include interpreters.
- All documents for public review are on file with the Water Department located at 1350 South “E” Street, San Bernardino or may be accessed online at http://www.sbcity.org/water/newsalerts/agendas_n_minutes.asp
- Please turn off or mute your cell phone while the meeting is in session.
- Any member of the public desiring to speak to the Water Board concerning any matter not on the agenda, but which is within the subject matter jurisdiction of the Water Board, may address the body during the period reserved for public comments. Said total period for public comments shall not exceed forty-five (45) minutes, unless such time limit is extended by the Water Board. A three-minute limitation shall apply to each member of the public, unless such time limit is extended by the Water Board. No member of the public shall be permitted to “share” his/her three minutes with any other member of the public.
- The Water Board may refer any item raised by the public to staff for appropriate action or have the item placed on the next agenda of the Water Board. However, no other action shall be taken nor discussion held by the Water Board on any item which does not appear on the agenda unless the action is otherwise authorized in accordance with the provisions of subdivision (b) of Section 54954.2 of the Government Code.
- Public comments will not be received on any item on the agenda when a public hearing has been conducted and closed.

CALL TO ORDER

1. ANNOUNCEMENTS BY MEMBERS OF THE WATER BOARD
2. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA: A three-minute limitation shall apply to each member of the public who wishes to address the Water Board of any item not listed on the agenda. There is no limit on the number of items that may be discussed within the three-minute time limit. **To be called by the Water Board President, please turn in individual speaker slips to the Secretary of the Board at the beginning of the meeting.**
3. PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA: A three-minute limitation shall apply to each member of the public who wishes to address the Water Board of any item listed on the agenda, excluding public hearings. There is no limit on the number of items that may be discussed within the three-minute time limit. **To be called by the Water Board President, please turn in individual speaker slips to the Secretary of the Board at the beginning of the meeting.**

4. CONSENT CALENDAR

MOTION: That the motions indicated by consent calendar items 4A through 4D be adopted, except for _____.

MOTION: _____ SECONDED: _____

A. PAYROLL

MOTION: Approve the payroll for pay period beginning January 6, 2020 through January 19, 2020.

B. CONTRACTS AND BILLS

MOTION: Approve the payment of contracts and bills to be presented at this meeting.

C. MINUTES

MOTION: Approve the minutes of December 10, 2019 of the Water Board.

D. NOTICE OF COMPLETION – CONTRACT NO. 1706– WATER QUALITY SAMPLE STANDS REPLACEMENT PHASE IV PROJECT (CO 10886): The contract work performed by AToM Engineering Construction, Inc. for the Water Quality Sample Stands Replacement Phase IV Project has been completed and final inspection by staff has been made.

MOTION: Approve the Final Acceptance date of January 10, 2020, for the Water Quality Sample Stands Replacement Phase IV Project; and direct staff to file a Notice of Completion and release the retention in accordance with Contract No. 1706, as submitted.

END OF CONSENT CALENDAR5. REQUEST FOR PROPOSALS FOR SHORT-TERM LEASE OF THIRD STREET PROPERTY (APN 1192-231-01 AND APN 1192-241-01): The Department acquired the 3rd Street Property in April 2019. On May 7, 2019, the Department received a letter from Frontier Enterprises expressing interest in the 3rd Street Property and requesting an exclusive right to negotiate. At its June 25, 2019, regular meeting, the Water Board denied this request from Frontier and decided to hold the property with the consensus being that current activity in and around the airport would appreciate the value of the property. The Board also expressed interest in leasing the property to retain ownership and control of the site while providing an ongoing revenue stream.

Department staff, in conjunction with legal counsel and City Real Property staff, are developing a request for proposal (RFP) for short-term lease of the 3rd Street Property. Board comments and direction and additional discussions with City staff and legal counsel will lead to the final RFP.

The appraised lease and sale market values, as detailed in a May 2019 appraisal report, are \$296,205 per year and \$5,642,000, respectively. Annual maintenance of the property is estimated at \$5,000. Leasing the property may eliminate maintenance cost, and a lease would provide an ongoing revenue that would benefit the Wastewater Treatment Enterprise Fund.

MOTION: Direct staff to finalize and issue a Request for Proposals for the short-term ground lease of the Third Street Property (APN 1192-231-01 and APN 1192-241-01).

MOTION: _____ SECONDED: _____

6. APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE SAN BERNARDINO MUNICIPAL WATER DEPARTMENT AND JOHN ZINK COMPANY, LLC FOR ULE FLARE PRESELECTION, AS PART OF RULE 1110.2 RESULTANT PROJECTS (SPECIFICATION NO. 1715): The Department's Water Reclamation Plant (WRP) generates Digester Gas (DG) to be beneficially used in the facility under the regulations of South Coast Air Quality Management District (SCAQMD) Rule 1110.2 regulating emissions from gaseous and liquid-fueled engines, and Rule 1118.1 regulating emissions from non-refinery flares. The Department has embarked upon an ambitious program to achieve compliance with the SCAQMD Rules 1110.2 and 1118.1.

The Department has evaluated and determined that a number of projects are necessary to comply with the rules, which is referred as the "Rule 1110.2 Resultant Projects." The Department retained Hazen and Sawyer (Hazen) for the final design of the Rule 1110.2 Resultant Projects and the Low Emissions Flare Replacement Project in November 2018.

The Department directed Hazen to prepare preselection RFP's for these three pieces of equipment. In October 2019, SBMWD had solicited and received one proposal (prior to the proposal deadline) for preselecting a new ULE flare system manufacturer from John Zink Company, LLC (John Zink). Based upon staff's review of the RFP response and the revised proposal, staff recommends that the pre-selection of the ULE flare be awarded to John Zink.

All direct costs attributed to the procurement of the new ULE flare would be paid by a future General Contractor as part of the Rule 1110.2 Resultant Projects. The only direct cost that has been attributed to this MOU is early shop drawings development costs. CO 00199, *Flare Replacement Project*, has an unencumbered balance of \$3,062,548.

MOTION: Approve the Memorandum of Understanding (MOU) with John Zink for preselection of ULE flare and authorize the General Manager to execute the MOU.

MOTION: _____ SECONDED: _____

7. QUARTERLY CHANGE ORDER REPORT – QUARTER ENDING ON DECEMBER 31, 2019: In accordance with Policy 51.020, staff has prepared the change order report for the quarter ending December 31, 2019. **(INFORMATION ITEM ONLY)**

8. QUARTERLY CONSERVATION MONITORING REPORT – OCTOBER/NOVEMBER/DECEMBER 2019: This report continues to monitor and track the effects of the prolonged drought by monitoring groundwater levels in select wells located in the Department’s service area. The quarterly report will provide valuable data needed to contemplate important policy decisions related to Water Supply Shortage Stages outlined in Rule and Regulation No. 21. **(INFORMATION ITEM ONLY)**
9. PRESENTATION OF SERVICE AWARDS: Employee service awards will be presented acknowledging employees for their years of service to the Department.
10. REPORTS:
 - A. Report of the President
 - B. Report of the Commissioners
 - C. Report of the Directors
 - D. Report of the General Manager
11. PUBLIC COMMENT ON CLOSED SESSION ITEMS: A three-minute limitation shall apply to each member of the public who wishes to address the Water Board. No member of the public shall be permitted to “share” his or her three minutes with any other member of the public.
12. CLOSED SESSION:

Pursuant to Government Code Section(s):

 - A. Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to Government Code Section 54956.9 (d) (2): One Case.

**END OF CLOSED SESSION
RECONVENE MEETING**

13. ADJOURNMENT

NOTE: The next regular meeting of the Water Board is scheduled for *9:30 a.m., February 11, 2020* in the Margaret H. Chandler Water Reclamation Plant Conference Room, 399 Chandler Place, San Bernardino, California, 92408.