



**City of San Bernardino  
Municipal Water Department**

399 Chandler Place  
San Bernardino, CA 92408  
<http://www.sbcitywater.org>

*President Cecilia "Toni"  
Callicott*

**Commissioners**  
*Wayne Hendrix  
David Mlynarski  
Rikke Johnson  
Thomas Brickley*

**MINUTES  
FOR THE  
WATER BOARD OF THE CITY OF SAN BERNARDINO**

**FEBRUARY 9, 2021  
WEB-CONFERENCE**

**CALL TO ORDER**

The Regular Meeting of the Water Board of the City of San Bernardino was called to order by President Toni Callicott at 9:30 AM, Tuesday, February 9, 2021, via web-conference and livestream via YouTube.

**ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Cecilia "Toni" Callicott	President	Present	9:30 AM
Wayne Hendrix	Vice President	Present	9:30 AM
David Mlynarski	Board Member	Present	9:30 AM
Rikke Johnson	Board Member	Present	9:30 AM
Thomas Brickley	Board Member	Present	9:30 AM
Miguel Guerrero	General Manager	Present	9:30 AM

- 1. ANNOUNCEMENTS BY THE BOARD:** None.
- 2. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA:** None.
- 3. PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA:** None.

**4. CONSENT CALENDAR – ITEMS 4A THROUGH 4D:****A. PAYROLL:**

	<u>Water Fund</u>	<u>Sewer Treatment</u>	<u>Sewer Collections</u>	<u>Total</u>
Claims:295323-295521				
Accounts Payable	\$890,366.70	\$628,245.95	\$86,714.68	\$1,605,327.33
Gross Payroll				
01/04/21-01/17/21	<u>276,365.49</u>	<u>206,546.14</u>	<u>71,683.83</u>	<u>554,595.46</u>
TOTALS	<u>\$1,166,732.19</u>	<u>\$834,792.09</u>	<u>\$158,398.51</u>	<u>\$2,159,922.79</u>

Payroll for the pay period beginning February 1, 2021 through January 14, 2021.

**B. CONTRACTS AND BILLS:** Contracts and bills presented at this meeting.

**C. MINUTES:** January 26, 2021.

**D. RATIFY LEAVE OF ABSENCE WITHOUT PAY FOR ADRIAN RODRIGUEZ, WATER UTILITY WORKER III:** The San Bernardino Water Department Employees' Association Memorandum of Understanding (MOU) Section 5.7 provided that the Water Board may grant a Leave of Absence without pay for an employee not eligible for leave under the Family Medical Leave Act (FMLA).

**MOTION:** Leave of Absence Without Pay ratified for Adrian Rodriguez for the period December 14, 2020 through December 18, 2020, as submitted.

<b>RESULT:</b>	<b>APPROVED BY ROLL CALL VOTE</b>
<b>MOVER:</b>	D. Mlynarski
<b>SECONDER:</b>	R. Johnson
<b>ABSTAINED:</b>	N/A
<b>ABSENT:</b>	N/A

**END OF CONSENT CALENDAR**

9:33 a.m. – Brief recess taken

9:36 a.m. – Reconvene meeting

5. **REGIONAL RECYCLED WATER AD-HOC COMMITTEE BETWEEN SAN BERNARDINO MUNICIPAL WATER DEPARTMENT, SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT, AND EAST VALLEY WATER DISTRICT:** In 2015, the Regional Recycled Water Ad-Hoc Committee (Committee) between the City of San Bernardino Municipal Water Department, San Bernardino Valley Municipal Water District (Valley District), and East Valley Water District was formed to discuss and coordinate the development of recycled water in the San Bernardino Basin Area (SBBA).

Committee has not met for years, and several members of the Committee have since left their respective agencies. Valley District recently contacted the Department to discuss restarting Committee meetings to continue coordination of recycled water in the SBBA, considering recent developments including water quality and recharge location challenges.

**MOTION:** Appoint Wayne Hendrix and David Mlynarski of the Water Board to the Regional Recycled Water Ad-Hoc Committee between the San Bernardino Municipal Water Department, San Bernardino Valley Municipal Water District, and East Valley Water District.

<b>RESULT:</b>	<b>APPROVED BY ROLL CALL VOTE</b>
<b>MOVER:</b>	T. Brickley
<b>SECONDER:</b>	R. Johnson
<b>ABSTAINED:</b>	N/A
<b>ABSENT:</b>	N/A

6. **RATE STUDY PROCESS OVERVIEW PRESENTATION (INFORMATIONAL ONLY):** Raftelis presented an overview of the Cost of Service study to the Water Board. The presentation included the process and requirements, goals and objectives of the Board, and a proposed timeline to complete the Cost of Service study. (INFORMATION ITEM ONLY)

Commissioner Brickley asked when the last rate study and public outreach were completed.

General Manager Guerrero stated that the last rate study was in 2016 and the first rate increase was in October 2016. This was the Water side and there were four (4) or five (5) community outreach meetings before the increase was implemented. The last rate study for the sewer side was in October 2015.

General Manager stated that the biggest change on the sewer side was that due to the Charter change, the sewer rates are now governed by the Water Board.

Commissioner Brickley requested that Management conduct a workshop to update the Water Board on the rate study for all questions and concerns the Water Board may have in relation to the rate study.

Commissioner Mlynarski stated that the rate study presentation was a starting point and asked if the Water Board would have an opportunity to interact with staff and the consultants on specific issues because he had a list of issues but would save them for individual discussion with staff and/or the consultants.

General Manager Guerrero stated that the rate study presentation was a kick off for the Water Board and that staff would provide an update in the future and conduct a workshop to receive input from the Water Board and to answer any questions or issues that any Water Board Commissioner may have in relation to the rate study.

Commissioner Hendrix asked the consultants if the rate design would be able to not only look at one (1) big jump or annual increase, but look at two (2) or more smaller increases instead.

John Wright, consultant for Raftelis, stated that a cogent set of smaller increases that were predictable was something that they will strive to achieve for the Department and the stakeholders.

Commissioner Johnson asked for clarification on the conservation charge that was listed in the rate study.

Lauren Demine, consultant for Raftelis, stated that the conservation charge would only get charged if a consumer should exceed a certain allotment. This charge was usually for residential customers on a tiered basis and non-residential or multi-family conservation charges are usually written into their commodity rate. This typically does not vary by meter size only by customer class.

President Callicott thanked Rafetis for the presentation and stated that the Water Board was looking forward to working with them.

- 7. APPROVAL OF EXPENDITURE FOR 2021 INTERIM DIGESTER D CLEANING PROJECT:** Anaerobic Digesters (“Digesters”) A and B were constructed when the Water Reclamation Plant was built in 1958. Digesters C and D were constructed in 1989 during a plant expansion. Digesters were designed to be removed from service and cleaned every 7 to 10 years. The WRP Master Plan stated that Digester cleaning would occur on Digesters C and D immediately after the complete replacement of Digester B.

Unfortunately, the extent of grit, debris, and “rag” build-up in the Digesters caused operational efficiency reductions and repair frequencies that threatened to exceed the Department’s ability to reliably maintain regulatorily compliant anaerobic digestion. For this reason, Department staff reconsidered the recommended cleaning schedule and pursued rapid implementation of a 2021 Interim Digester D Cleaning Project.

As the work required cannot be accurately determined until Digester D was opened for the first time, the Department was required to commit to a firm on a Time and Materials basis based upon consideration of qualifications, experience, unit pricing, availability, and overall ability to perform with assumed totals for the essential services. It was estimated that Digester D would be taken out of service for no more than one and one-half weeks.

Due to the emergent nature of the unforeseen work and the increasing risk of inability to comply with Environmental Protection Agency (EPA) Part 503 Biosolids Rule requirements as each day passed, staff recommended proceeding with issuance of a Time and Materials Purchase Order to SB Ultravac in compliance with the emergency work procedures as defined in Purchasing Policy 51.030.

The funding source for this project was the FY 2020/2021 Sewer Fund Capital Project titled Annual R/R – WRP Mechanical (C.O. 00241) with an approved budget of \$285,000. The latest construction order summary showed that there were sufficient unencumbered funds available for this work.

**MOTION:** Approve the emergency expenditure as outlined in Purchasing Policy 51.030 for the 2021 Interim Digester D Cleaning Project for the issuance of a Purchase Order to SB Ultra Vac as outlined above on a Time and Materials basis in an amount initially estimated not-to-exceed Two Hundred Seventy-Five Thousand, Two Hundred Eleven and 00/100 Dollars (\$275,211).

<b>RESULT:</b>	<b>APPROVED BY ROLL CALL VOTE</b>
<b>MOVER:</b>	T. Brickley
<b>SECONDER:</b>	W. Hendrix
<b>ABSTAINED:</b>	N/A
<b>ABSENT:</b>	N/A

8. **CONTRACT 1716 – BIG BEN, INC. – CHANGE ORDER NO. 4 – RIALTO AVENUE AND “J” STREET SEWER MAIN REPLACEMENT AND HIGHLAND AVENUE AND CEDAR STREET SEWER AND MAINTENANCE HOLE REHABILITATION PROJECT (CO 50018, CO 50019):** On December 30, 2019, the Water Board entered into Contract No. 1716 with Big Ben Engineering, Inc. (Big Ben) for Rialto Avenue and “J” Street Sewer Main Replacement and Highland Avenue and Cedar Street Sewer and Maintenance Hole Rehabilitation Project. Change Order No. 4 included additional CCTV work, additional concrete removal, additional air vacuum valves, and upgraded pipe material.

The funding source for this Change Order was C.O. 50019, *Highland Avenue and Cedar Street Sewer and Maintenance Hole Rehabilitation Project* and C.O. 50018, *Rialto and “J” Street Sewer Main Replacement Project* which had sufficient available funds for this change.

Commissioner Mlynarski asked if this was a design project or an exploratory project once the street was opened for examination.

Director Stewart stated that it was a design project.

Commissioner Mlynarski stated that he wanted to convey to the public that even with the best plans and intentions sometimes there could be no way of knowing what issues the Department could run into until the street is excavated and the Department was able to examine the extent of issues underground.

Commissioner Johnson asked if the lateral connections in the field differed from those in the Contract Drawings would occur in the future.

Director Stewart stated that this would occur due to the lack of accurate records of the sewer system which would make it difficult to fully be aware of where business or residential laterals tie into the sewer system.

Commissioner Hendrix asked if the Department locates the laterals with GPS when it cameras the lines.

Director Stewart stated GPS was not used but that the laterals were visible while the CCTV is used when inspecting the sewer system.

**MOTION:** Approve Change Order No. 4 to Contract No. 1716 with Big Ben, Inc., in the amount of THIRTY THOUSAND ONE HUNDRED EIGHTY-SEVEN AND 59/100 DOLLARS (\$30,187.59). The General Manager was authorized to execute the change order.

<b>RESULT:</b>	<b>APPROVED BY ROLL CALL VOTE</b>
<b>MOVER:</b>	D. Mlynarski
<b>SECONDER:</b>	R. Johnson
<b>ABSTAINED:</b>	N/A
<b>ABSENT:</b>	N/A

9. **QUARTERLY CHANGE ORDER REPORT – QUARTER ENDING ON DECEMBER 31, 2020:** In accordance with Policy 51.020, staff prepared the change order report for the quarter ending December 31, 2020. (INFORMATION ITEM ONLY)

10. **REPORTS:**

A. **Report of the President – None.**

B. **Report of the Commissioners – None.**

C. **Report of the Directors – None.**

D. **Report of the General Manager**

1. General Manager Guerrero stated that the number of COVID-19 cases was improving within the Department which was in line with regional and national trends.
2. General Manager Guerrero stated that there were fourteen (14) positive COVID-19 cases in December, eleven (11) cases in January, and zero (0) cases so far in February.
3. General Manager Guerrero stated that the County was offering vaccines to eligible candidates in Phases 1A and 1B at this time.

General Manager Guerrero stated that Department employees would fall under Phase 1C, but there was no definite date or set schedule of when the vaccine will be available to candidates in this tier.

**11. PUBLIC COMMENT ON CLOSED SESSION ITEMS: None.**

**12. CLOSED SESSION:**


Pursuant to Government Code Section(s):

- A. Conference with legal counsel – existing litigation – pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9 (a) - *Berkley National Insurance Company v. City of San Bernardino, Et Al.*, Case No. EDCV 19-02189 DDP (SPx).

No reportable action was reported.

**13. ADJOURNMENT**

The next regular meeting of the Water Board was scheduled for 9:30 a.m., February 23, 2021, via web-conference and livestreaming on YouTube.

By:   
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Miguel J. Guerrero, P.E.  
General Manager