



**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

APRIL 25, 2023

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, April 25, 2023, in-person and livestream via YouTube.

ROLL CALL

Attendee Name	Title	Status	Arrived
Cecilia "Toni" Callicott	President	Present	9:30 AM
Wayne Hendrix	Vice President	Absent	N/A
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 4E:

A. PAYROLL:

	<u>Water Fund</u>	<u>Sewer Treatment</u>	<u>Sewer Collections</u>	<u>Total</u>
Claims:305388-305552				
Accounts Payable	\$545,308.30	\$685,337.37	\$12,071.58	\$1,242,717.25
Gross Payroll				
03/27/23-	<u>\$318,260.48</u>	<u>\$234,794.03</u>	<u>\$82,589.42</u>	<u>\$635,643.92</u>
04/09/23				
TOTALS	<u>\$863,568.78</u>	<u>\$920,131.40</u>	<u>\$94,661.00</u>	<u>\$1,878,361.17</u>

Payroll for the pay period beginning April 10, 2023 through April 23, 2023.

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

C. MINUTES: April 11, 2022.

D. CLAIMS SETTLEMENTS – QUARTERLY REPORT: In accordance with Policy 20.090 – Claims Handling, the Environmental and Regulatory Compliance Division prepared the Quarterly Claims Settlements Report detailing all claims processed for the period of January 2023 through March 2023, as submitted.

E. REVISED JOB DESCRIPTION FOR WATER CONSERVATION/PUBLIC AFFAIRS SPECIALIST: The job description for Water Conservation/Public Affairs Specialist was updated to clarify specific duties, with education and experience requirements being revised in order to receive a larger pool of qualified candidates.

MOTION: Approve the revised job description for Water Conservation/Public Affairs Specialist (21874), as submitted.

RESULT: APPROVED 4-0 BY ROLL CALL VOTE W/ 1 ABSENT
MOVER: T. Brickley
SECONDER: R. Johnson
ABSTAINED: N/A
ABSENT: W. Hendrix

DISCUSSION ITEMS

- 5. FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH S. VERDEMONT, LLC (GFR) FOR A FAIR SHARE CONTRIBUTION TO BUILD THE VERDEMONT PHASE II WATER INFRASTRUCTURE PROJECT:** On March 14, 2023, the Water Board approved a memorandum of understanding (MOU) with S. Verdemont, LLC (GFR) for a fair share contribution to build the Verdemont Phase II Water Infrastructure project.

On April 6, 2023, GFR proposed an amendment to the MOU that provides GFR the option to obtain “Fee Credits” in lieu of a cash refund if GFR was due a refund when a reconciliation occurs at the end of the project. The proposed amendment was reviewed by Department staff and legal counsel and was found to be acceptable.

There was no immediate fiscal impact associated with approving this amendment. Staff would bid out the project and present bid results to the Water Board for potential award.

Commissioner Mlynarski asked if the credits would apply to any of costs incurred by GFR.

General Manager Guerrero stated that all costs must be related to the 2300 Pressure Zone.

MOTION: Approve First Amendment to Memorandum of Understanding with S. Verdemont, LLC for fair share contribution to build Verdemont Phase 2 Water Infrastructure project. The General Manager was authorized to execute the Amendment.

RESULT:	APPROVED 4-0 BY ROLL CALL VOTE W/ 1 ABSENT
MOVER:	R. Johnson
SECONDER:	D. Mlynarski
ABSTAINED:	N/A
ABSENT:	W. Hendrix

- 6. AWARD OF CONTRACT – TERTIARY TREATMENT SYSTEM PROJECT - SPECIFICATION NO. 1723:** The San Bernardino Municipal Water Department (Department), in partnership with neighboring public water agencies, had been planning for the Clean Water Factory (CWF) recycled water project since 2010.

The original project’s physical facilities included a Title 22 Microfiltration Tertiary Treatment System, a Pilot-Demonstration Membrane Bioreactor (MBR) with Advanced Purification System, a Full-Scale Advanced Purification System, a Recycled Water Distribution System, and Spreading Basins.

Phase 1 of the CWF project included the preparation of a Recycled Water Planning Investigation Study and the Environmental Impact Report (EIR), which was certified by the Water Board on March 7, 2017. As a result of some challenges, the Department elected to proceed to Phase 2 with only a portion of the CWF: the Tertiary Treatment System (TTS). On July 10, 2018, the Water Board approved the final design contract with AECOM Consultants.

Specifications were advertised for a portion of Phase 4 of the CWF, the Tertiary Treatment System Project, on January 24, 2023, for Specification No. 1723, "to furnish all labor, equipment, and materials for the Tertiary Treatment System Project, located in San Bernardino, California" and six (6) bids received and opened on March 24, 2023.

The funding source for this project was the FY 2023/2024 Sewer Treatment Fund Capital Improvement Project titled Phase 4-Tertiary Treatment System (Construction) Project (C.O. 00194) which had a total of \$15,095,112.65 in unencumbered funds.

Commissioner Brickley asked if the Department vetted Myers and Sons Construction (Myers and Sons) and felt comfortable choosing them for the project.

Director Stewart stated that the Department hadn't worked with Myers and Sons, but they had the proper experience, acceptable references, and the lowest bid per the bidding process.

Director Miller stated that Myers and Sons was based in Sacramento and had been in the industry for a long period of time.

Commissioner Mlynarski asked if the unencumbered funds stay in the accounts mentioned for any unforeseen circumstances.

Director Stewart confirmed that those funds would most likely be used for change orders and any unforeseen circumstances.

Commissioner Brickley asked when construction would begin on this project.

Director Stewart stated that the project would begin in approximately two (2) months.

MOTION: Accept the bid of Myers and Sons Construction as the lowest responsive, responsible bidder and award a contract in the amount of THIRTEEN MILLION EIGHT HUNDRED FORTY-FOUR THOUSAND AND 00/100 DOLLARS (\$13,844,000.00) for Tertiary Treatment System, retain the bid securities in accordance with Specification No. 1723. The General Manager was authorized to execute the contract and sign and verify a Notice of Completion.

RESULT: APPROVED 4-0 BY ROLL CALL VOTE W/ 1 ABSENT
MOVER: D. Mlynarski
SECONDER: R. Johnson
ABSTAINED: N/A
ABSENT: W. Hendrix

7. **CONTRACT NO. 1696 – HAZEN & SAWYER – CHANGE ORDER NO. 3 - PRELIMINARY DESIGN OF RULE 1110.2 RESULTANT PROJECTS (CO 00199,00200,00201):** On November 15, 2018, the Water Board approved Contract No. 1696 with Hazen & Sawyer (Hazen) to provide Preliminary Design Services for the Rule 1110.2 Resultant Projects. Change Order Nos. 1 and 2 were approved by the Water Board in March 2019 and May 2021, respectively.

Additional time and funds were necessary to provide Design, Bidding Support, and Engineering Support During Construction Services for the additional work efforts by Hazen. The consultant would integrate the additional tasks into the 1110.2 Resultant Projects contract package. Change Order No. 3 in the amount of \$87,280.00 was prepared for this extra work to be performed by Hazen and Sawyer under Contract No. 1696.

The funding sources for this Change Order were CO 00199, *Flare Replacement*, 00200, *Blower Decentralization*, and 00201, *Digester Gas Storage*, which had sufficient available funds for this change.

MOTION: Approve the Change Order No. 3 to Contract No. 1696 with Hazen & Sawyer in the amount of EIGHTY-SEVEN THOUSAND TWO HUNDRED EIGHTY AND 00/100 DOLLARS (\$87,280.00). The General Manager was authorized to execute the change order.

RESULT: APPROVED 4-0 BY ROLL CALL VOTE W/ 1 ABSENT
MOVER: T. Brickley
SECONDER: R. Johnson
ABSTAINED: N/A
ABSENT: W. Hendrix

8. **CONTRACT NO. 1571 – CANYON SPRINGS ENTERPRISES – CHANGE ORDER NO. 3 – SEISMIC UPGRADES FOR LYTLE CREEK NO. 2 AND PERRIS HILL CONCRETE RESERVOIR PROJECTS (CO 10535):** On June 28, 2022, the Water Board approved Contract No. 1571 with Canyon Springs Enterprises (CSE) for the Seismic Upgrades for Lytle Creek No. 2 and Perris Hill Concrete Reservoirs Project. These retrofits range from the addition of footings to fiber wrapping of the interior area for added strength, along with other associated work to secure seismic compliance as well as the structural integrity of each reservoir.

The approved plans and specifications for the project called for installing Fiber Reinforced Polymers (FRP) on the interior walls and ceilings of the reservoir. CSE noticed significant imperfections in the surface of the concrete. These imperfections were greater than what would typically be found in reservoirs of the same design, age and service history.

Change Order No. 3 in the amount of \$204,542.57 was prepared for this extra work to be performed by CSE under Contract No. 1571.

The funding source for this project was the FY 2021/2022 Water Fund Capital Improvement Project titled *Reservoir Seismic Upgrade Project*. (C.O. 10535) which currently had a total of \$16,691,553 in unencumbered funds.

Commissioner Brickley asked how the Department determined if the Change Order was reasonable in relation to the project.

Director Miller stated that the construction management staff worked with the contractor and made daily approvals and provided an acceptable amount for the Change Order.

MOTION: Approve the Change Order No. 3 to Contract No. 1571 with Canyon Springs Enterprises in the amount of TWO HUNDRED FOUR THOUSAND FIVE HUNDRED FORTY-TWO AND 57/100 DOLLARS (\$204,542.57). The General Manager was authorized to execute the change order.

RESULT:	APPROVED 4-0 BY ROLL CALL VOTE W/ 1 ABSENT
MOVER:	T. Brickley
SECONDER:	D. Mlynarski
ABSTAINED:	N/A
ABSENT:	W. Hendrix

9. REPORTS:

A. Report of the President – President Callicott stated that Board Member Susan Longville, San Bernardino Valley Water District (Valley District), was in attendance and provided information from Valley District’s “Dawn of a New Generation Celebration” that was held on April 5, 2023.

President Callicott commended Valley District and stated that it was a wonderful event.

B. Report of the Commissioners – Commissioner Johnson stated that Akoma Unity Center held an Earth Day event on April 23, 2023.

Commissioner Johnson stated that Senator Rosilicie Ochoa Bogh and Kristine Scott, Rancho Cucamonga Council Member, along with the Department, were in attendance.

C. Report of the Directors –

1. Director Miller reported that there was one-hundred percent (100%) allocation for State Water Project water.
2. Director Stewart reported that Department staff attended the CWEA Annual Conference that was held on April 18-21, 2023.

Director Stewart stated that the Department accepted the CWEA Engineering Achievement Award for the Digester Gas Beneficial Use Program and the award would be presented to the Water Board and the Mayor & City Council at a future scheduled meeting.

3. Deputy General Manager Ohama reported that President Callicott, Devin Arciniega, and she attended an open house for Senator James Ramos on April 20, 2023.

Deputy General Manager stated that Devin Arciniega attended various events and meetings throughout the City and was the Co-Chair of the Inland Solar Challenge, being held on May 20, 2023.

D. Report of the General Manager –

1. General Manager Guerrero stated that the Department was working with the City to develop a One-Stop Shop and he participated in tours of neighboring cities that currently provide this service.

General Manager Guerrero stated that a City Town Hall meeting was being held on Tuesday, April 25, 2023, to gain feedback from the community.

General Manager Guerrero stated that a City Town Hall meeting geared toward receiving feedback from developers would be held on Wednesday, April 26, 2023.

General Manager Guerrero stated that Department staff would attend both town hall meetings.


10. PUBLIC COMMENT ON CLOSED SESSION ITEMS: None.**11. CLOSED SESSION:**Pursuant to Government Code Section(s):

- A.** Conference with legal counsel – existing litigation – pursuant to Government Code Section 54956.9(a) and (d)(1): Claim #CSBY-10260, *Vejar, Veronica*.

No reportable action was taken.

12. ADJOURNMENT:

The next regular meeting of the Water Board was scheduled for 9:30 a.m., May 9, 2023 at the Margaret H. Chandler Water Reclamation Plant, located at 399 Chandler Place, San Bernardino, CA, 92408.

By: 

Miguel J. Guerrero, P.E.
General Manager