



**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 28, 2020**  
**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, April 28, 2020, via web-conference and YouTube livestream.

**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	Absent	N/A
David Mlynarski	Board Member	Present	9:34 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 4C:

A. PAYROLL:

	<u>Water Fund</u>	<u>Sewer Treatment</u>	<u>Sewer Collections</u>	<u>Total</u>
Claims:292210-292351				
Accounts Payable	\$588,690.60	\$628,793.26	\$253,711.14	\$1,471,195.00
Gross Payroll				
03/30/20-04/12/20	<u>259,240.30</u>	<u>193,416.77</u>	<u>72,784.68</u>	<u>525,441.75</u>
TOTALS	<u>\$847,930.90</u>	<u>\$822,210.03</u>	<u>\$326,495.82</u>	<u>\$1,996,636.75</u>

Payroll for the pay period beginning March 30, 2020 through April 12, 2020 and April 13, 2020 through April 26, 2020.

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

C. **MINUTES:** April 14, 2020.

D. **RATIFICATION OF REVISED POLICY #32.070 FAMILY, MEDICAL, AND PREGNANCY DISABILITY LEAVE AND NEW POLICY #32.085 EMERGENCY PAID SICK LEAVE POLICY:** On March 18, 2020, the Senate passed the Families First Coronavirus Response Act (FFCRA) and it was signed into law the same day with effective dates of April 1, 2020 through December 31, 2020.

Policy #32.070 - *Family, Medical, and Pregnancy Disability Leave* was revised to include the expanded emergency medical leave to care for a child whose school, place of care, or childcare provider is closed or unavailable due to COVID-19. The policy was also revised to clarify some of the definitions and terminology.

Policy #32.085 - *Emergency Paid Sick Leave* was created to encompass the requirements for this benefit as specified in Department of Labor and the Internal Revenue Service guidelines.

MOTION: Ratify Policy #32.070 Revised Family, Medical, and Pregnancy Disability Leave; and

Policy #32.085 New Emergency Paid Sick Leave, effective April 1, 2020, as submitted.

**RESULT:** APPROVED BY ROLL CALL VOTE – 3-0  
**MOVER:** R. Johnson  
**SECONDER:** T. Brickley  
**ABSTAINED:** N/A  
**ABSENT:** W. Hendrix; D. Mlynarski absent for Item #4 only

## END OF CONSENT CALENDAR

5. **COOPERATIVE AGREEMENT FOR THE MOUNTAIN VIEW AVENUE RELOCATION PROJECT (CO 10553) WITH THE INLAND VALLEY DEVELOPMENT AGENCY:** Construction of the Mountain View Avenue Relocation Project (Project) by the Inland Valley Development Agency (IVDA), would begin mid to late 2020. A Cooperative Agreement for the Mountain View Avenue Project (Agreement) between the Department and IVDA would allow IVDA and its contractor to install the Department's 12" transmission main as part of the overall construction of Mountain View Avenue Project. In an attempt to install the proper utilities prior to the Mountain View Avenue construction, the SBMWD determined that a 12" water main currently in Mountain View Avenue between Coulston Avenue and San Bernardino Avenue required extension to Coulston Avenue.

The Agreement sets forth payment terms, operations and maintenance of the pipeline during and after construction, indemnification of the SBMWD by IVDA and vice versa, as well as transfer of title to the SBMWD of the pipeline and appurtenances.

The Mountain View Avenue 12" transmission main project would be constructed by IVDA's contractor as a part of the overall Mountain View Avenue construction contract and would be publicly bid as a separate bid item in the IVDA bidding documents. The estimated project cost as detailed in the Agreement is \$437,699.00, and it would be funded in the Fiscal Year 2020/2021 budget.

Commissioner Brickley asked if the amount in the Agreement covered all costs.

Director Miller stated that the amount would cover all costs and that the cost would be covered in the 2020/21 Fiscal Year budget.

President Callicott stated that there was a small sub-specialty children's hospital that is at the point of construction and requested information regarding the time frame and the traffic mitigation measures IVDA would be taking in order for the public to gain access to this facility.

Director Miller stated that several utility agencies were involved with this project and were eager to have this project completed.

General Manager Guerrero stated that the Department would reach out to IVDA for the information President Callicott requested and would update the Water Board as soon as the information was obtained.

Commissioner Johnson asked what the time frame was for this project.

Director Miller stated that the project was in the final design phase and would most likely be completed by the end of 2020.

**MOTION:** Approve the Cooperative Agreement for the Mountain View Road Project (Agreement) in the amount of \$437,699.00. The General Manager was authorized to execute the agreement.

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

6. **ADOPTION OF 2019 SEWER MASTER PLAN UPDATE – SPECIFICATION NO. 1674:** Kevin Stewart, Director of Water Reclamation, presented the 2019 Sewer Master Plan (SMP) Update to the Water Board for adoption.

The recommended activities listed in the CIP provided in the San Bernardino Municipal Water Department SMP Update would be proposed to the Water Board in the draft budget for the Sewer Collections Fund.

President Callicott stated that the SMP looked very precise and she appreciated all of the hard work that was put into this plan.

Commissioner Brickley asked how the plan was going to be funded and if the Board would be voting on the funding at this meeting.

Director Stewart stated that it will be funded through the Fiscal Year 2020/21 budget and the Board would not be voting on the funding at this meeting. The financial material that was in the SMP were projections that would be discussed in the Long-Term Financial Plan update by Director Mouser on Item 7 of the current agenda.

Director Mouser stated that the Long-Term Financial Plan for Sewer Collection would show what the different options were for funding projects.

Commissioner Mlynarski stated that he heard through various sources that the City was also going to be doing some fee and rate studies. He stated there was a whole layering of fee issues that were coming to light and it might be useful for staff to have a solid foundation of what that looked like for existing business and future businesses, and to have a comprehensive understanding of what that meant.

Commissioner Mlynarski stated that the City had Measure Z coming up later along with a lot of fee issues, which are all necessary, but to have a broader understanding was helpful.

General Manager Guerrero stated that the Mike Huntley, Director of Community Development, sent an e-mail about fees and that the Department will be working with Community Development to coordinate future fee studies. The City is working on a Services Fee study similar to the Department's study that was adopted by the Water Board on March 10, 2020. The Department would be looking at capacity fees on the sewer side now if the SMP was adopted.

General Manager Guerrero stated that the Department and the City would work together and it would make sense to collaborate on a "one-stop" document showing staff and developers what to expect regarding fees.

Commissioner Johnson asked if 133 miles still required assessment.

Director Stewart stated that was correct and that a CCTV was used on a select portion of the system as a representation of the whole system.

Commissioner Brickley asked what types of diameters were being referred to and was digging and replacement the only option or were there other ways to fix the system.

Director Stewart stated that the diameter sizes were mostly 8" and 12" sewer pipe. There were a number of repair options for replacement such as slip lining, digging up a portion to replace, or complete replacement from manhole to manhole.

At 10:04 a.m., Mayor Valdivia addressed the Water Board.

Mayor Valdivia stated that he saluted the Board for their efforts for the community regarding water quality.

Mayor Valdivia asked what the policy was regarding the main replacement and sewer line replacement with regard to asphalt rehabilitation. He stated that certain parts of the City were not getting as much attention as others with regard to asphalt rehabilitation during projects and would like to see a broader policy addressing the subject.

General Manager Guerrero stated that the Department and the Public Works Department hold quarterly meetings to coordinate projects in order to minimize paving issues. There is an agreed method approach for rehabilitation of a section of a street that would be impacted by new pipeline installation construction. Typically, the Department would offset pipeline approximately 7 feet from the curb when possible and per standard approval by Public Works, grind and overlay approximately 10 feet of the initial lane, which would be beyond the initial pipeline project. The Department's goal was that anytime there is construction, repair, etc. where the street is impacted, the Department would leave the portion of the street in better condition than it was before the work began.

Mayor Valdivia stated that he respected what was said, but this might be a policy decision that the Water Board would have to make, and how would the Department and City amend that process in order to become better and provide a service to residents.

Mayor Valdivia stated that if there was a lateral or mainline being replaced, couldn't curb to curb asphalt replacement be done, and if not, what policy would have to be amended to include Public Works improvements alongside of it.

Mayor Valdivia stated that from a policy prospective, was there an obligation from the Water Department to do curb to curb asphalt improvements as replacement projects were being undertaken.

Mayor Valdivia stated that the problem was that the appearance, quality, and integrity of the asphalt suffers, for instance from Rialto Avenue to K Street.

General Manager Guerrero stated that the Department would follow up on Mayor Valdivia's concerns. There is a right-of-way study that was recently completed involving a transfer from the Water Department to Public Works for street improvement CIP projects on the Public Works side that was meant to rehabilitate and maintain streets which would be involved in this discussion.

General Manager Guerrero stated that rates would be part of this discussion because rates were based on CIP, which typically doesn't include curb to curb rehabilitation. This would increase the cost immensely, possibly doubling in some cases, which would have to be considered.

General Manager Guerrero stated that staff would discuss this and look at options and see where the Department would be able to go with this idea.

Commissioner Brickley stated that staff would know in advance regarding the replacement projects and asked if it was a possibility to check if there were additional funds or a way to partner with Public Works and work in conjunction with them to replace the whole street curb to curb.

General Manager Guerrero stated that staff and Public Works had run into areas where there is overlap and had coordinated projects through the quarterly coordination meetings.

Commissioner Johnson stated that when new schools are constructed, only the portion of the street near the school is paved and the other part of the street is not rehabilitated. It would behoove the Department to coordinate and trade off on some of these aspects and take on some of the whole streets as we look at the entire master plan.

**MOTION:** Adopt the 2019 Sewer Collection System Master Plan Update post on the SBMWD website as a public document.

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

**7. PRESENTATION OF LONG-TERM FINANCIAL PLAN FOR SEWER**

**COLLECTION:** Fieldman, Rolapp and Associates was hired to develop a financial model for the Department's three enterprise funds – Water, Sewer, and Sewer Collection.

Cynthia Mouser, Director of Finance, presented the initial draft of the Sewer Collection Fund long-term financial plan to the Water Board as an informational item only. (INFORMATION ONLY)

Commissioner Mlynarski asked if the Department receive any revenues streams through property taxes.

Director Mouser responded that the Department does not receive any revenues through property taxes.

Commissioner Mlynarski commented on the comments by Mayor Valdivia on valuing engineering and providing opportunities to increase the quality of life of the City's residents.

Commissioner Mlynarski stated that there was a significant component missing from this conversation which was the policy of the City Council as it related to economic development and growth within the City. The Water Department took over the sewer system that the City neglected and hadn't monitored. We spent hundreds of thousands of dollars of taxpayer money and now have taken on the responsibility that the City was charged with, per the City Charter, for decades. At the end of the day, the City was still sitting on over three hundred (300) pieces of property, underperforming assets, that were not even on the tax roll that could contribute immensely to the maintenance, longevity, and viability of the infrastructure of the City and quality of life of its residents.

Commissioner Mlynarski stated that he was confused because if this was a partnership between the Water Department and the City of San Bernardino, what steps was the City Council taking to ensure that there was revenue and was increasing property values. The IVDA was doing their part spending money from the airport, but there was a whole avenue of economic growth and development, including the increase of property values which would add more value to the bottom line.

Commissioner Mlynarski closed by stating the he hoped when the Department got into budget discussions, the City would become a willing and able partner and understand if values were raised across the board it would help everyone.

The rates and fees that may increase, basically doubling in seven (7) years, and the Department should look at the agencies, with the City being one of those, that need to be active participants in the economic development of its community and really needs to be discussed.

President Callicott stated that Commissioner Mlynarski's comments were very well said and thanked him.

Commissioner Brickley suggested that Commissioner Mlynarski take his comments to a City Council meeting.

Commissioner Brickley asked if the \$48 million on the item was a fluid number and if the Board would get a more concise number and vote on the different projects as they came up in the future.

Director Mouser stated that this item was informational only and that it was an average each year by looking at the SMP and giving it an escalator each year to keep up with costs.

Commissioner Brickley stated that there was no doubt the sewer system needed to be replaced and repaired and a revenue source was needed and asked what the vote would be on rates.

Director Mouser stated that the last sewer rate increase was in 2016 and the rate had not fully kept up with the cost of maintaining the system.

General Manager Guerrero stated that the next step would be to study the rates now that the SMP was adopted. The Water Reclamation Master Plan was almost completed and would come to the Board within the next couple of months for adoption, followed by a long-term financial plan for that enterprise fund.

Director Stewart stated that of the approximately ten (10) items in the rate increase back up from the City, the Department completed almost every one of those items by using the rate increase diligently.

8. **QUARTERLY CONSERVATION MONITORING REPORT – JANUARY/  
FEBRUARY/MARCH 2020:** This report continued 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 provided 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. **REPORTS:**
  - A. **Report of the President:** President Callicott commended Management and staff on the stellar job of keeping all of the employees and Board informed with COVID-19 updates.



**B. Report of the Commissioners:**

Commissioner Brickley reported that based on Mayor Valdivia's and Commissioner Mlynarski's comments, if the Department was going to do pavement projects, he would like staff to look into parlaying all the assets to see if the Department could do as much paving as we can do by grant funding, money from a City fund, or like Commissioner Mlynarski stated if the City realized what was required and the City sold a piece of property and put it in restricted funds, the Department would be able to help with some of the City's paving issues. It would make sense to get all of the parties together and move forward as part of the five (5) to seven (7) year plan.

**C. Report of the Directors:**

1. Director Stewart stated that the Department just learned about a large-diameter, 72-inch storm drain pipeline being installed near Orange Show Road and Washington Ave within close proximity to the Department's 54-inch trunk sewer pipeline. The Department made themselves abundantly available and worked diligently to encourage the Developer to submit an essential request for review.
2. Director Stewart stated that there were a number of different construction projects in progress pertaining to the Digester Gas Program.
3. Director Shepardson reported that the status update for the Stipulated Report of Abatement was on May 5, 2020.
5. Deputy General Manager Ohama reported that the Department had an increase in online payments, particularly through the free e-check payment option. The e-check payment option began in December 2019 and the stats went from one percent (1%) to approximately twenty percent (20%) participation.

**D. Report of the General Manager:**

1. General Manager Guerrero reported that there was a Watermaster conference call on April 23, 2020 with Valley District and Western Municipal. The topic of discussion was analyzing the Safe Yield that was established in 1969.

General Manager Guerrero stated that the COVID-19 guidelines the Department was using remained the same and all sections have settled in with the modified work schedule, wearing masks, etc. The discussion that management would have now would be the process of reopening the Customer Service and Engineering lobbies once the State of California begins to lift stay at home restrictions. The Board would be updated as soon as staff received any information from the local, state, and federal officials.

**10. ADJOURNMENT**

The meeting adjourned at 10:00 A.M.

The next *Regular Meeting* of the Water Board will be held on Tuesday, **May 12, 2020**, at **9:30 AM via web-conference**.

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