

**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

JUNE 13, 2023

Two members of the Water Board wished to attend the June 13, 2023 meeting pursuant to AB 2449, which creates an exception to the Brown Act that allows legislative body members to appear by teleconference at a meeting due to "just cause" or "emergency circumstance" without complying with the standard teleconferencing requirements that each teleconference location be identified in the notice and the agenda and that each teleconference location be accessible to the public.

Commissioner Johnson stated that he was using the "just cause" exception as he was dealing with a contagious illness and was unable to attend in person as a result.

The record reflects that Commissioner Johnson attended this meeting via the "just cause" exception as outlined by AB 2449.

President Callicott stated that she was using the "emergency circumstance" exception as she was dealing with an ongoing physical medical emergency that limited her mobility significantly and was unable to attend in person.

Pursuant to AB 2449, utilizing the "emergency circumstances" exception required a formal vote of the Board to approve.

Commissioner Mlynarski motioned and Commissioner Hendrix seconded, and with a vote of 4-0, President Callicott's attendance of this meeting pursuant to the "emergency circumstances" exception of AB 2449 was approved.

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 9:37 AM, Tuesday, June 13, 2023, in-person, via Zoom, and livestream via YouTube.

ROLL CALL

Attendee Name	Title	Status	Arrived
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:305924-306105 Accounts Payable Gross Payroll	\$1,944,883.32	\$858,182.84	\$8,178.10	\$2,811,244.26
05/08/23-05/21/23	<u>\$336,065.43</u>	<u>\$312,102.57</u>	<u>\$7.11</u>	<u>\$648,175.10</u>
TOTALS	<u>\$2,280,948.75</u>	<u>\$1,170,285.41</u>	<u>\$8,185.21</u>	<u>\$3,459,419.36</u>

Payroll for the pay periods beginning May 22, 2023 through June 4, 2023, and June 5, 2023 through June 18, 2023.

- B. CONTRACTS AND BILLS:** Contracts and bills presented at this meeting.
- C. MINUTES:** May 23, 2022.
- D. REPORT ON WATER DEPARTMENT INVESTMENTS – QUARTER ENDING MARCH 31, 2023:** Staff recommends that the Water Board receive and file the Investment Report for the quarter ending March 31, 2023, as submitted.

RESULT: APPROVED 5-0 BY ROLL CALL VOTE
MOVER: W. Hendrix
SECONDER: R. Johnson
ABSTAINED: N/A
ABSENT: N/A

DISCUSSION ITEMS**5. RESOLUTION APPROVING THE NEW MEMORANDUM OF UNDERSTANDING WITH THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL #47 EFFECTIVE JULY 1, 2023:**

The current Memorandum of Understanding (MOU) with the San Bernardino Water Department Employees' Association would expire on June 30, 2023. The MOU governed certain terms and conditions of employment with the General unit employees.

A new MOU was accepted by a majority vote of IBEW members. The new MOU provided for a five (5) year agreement effective July 1, 2023 through June 30, 2028. The salary schedule was updated to reflect the MOU changes.

Commissioner Brickley asked if the Department was responsible for employing a Department union representative position.

General Manager Guerrero stated that the Department did allow for meetings with proper notification, if representation was needed, by six (6) Department stewards that were established who covered different sections of the Department.

General Manager Guerrero stated that the Department also allowed for 108 combined hours of IBEW seminars and/or training for the stewards to attend at the union's expense.

MOTION: Adopt Resolution No. 2023-014, approving the MOU with the International Brotherhood of Electrical Workers Local #47 with an effective date of July 1, 2023.

RESULT:	APPROVED 5-0 BY ROLL CALL VOTE
MOVER:	W. Hendrix
SECONDER:	R. Johnson
ABSTAINED:	N/A
ABSENT:	N/A

6. RESOLUTION APPROVING THE NEW MEMORANDUM OF UNDERSTANDING WITH THE SAN BERNARDINO ASSOCIATION OF WATER DEPARTMENT MID-MANAGERS EFFECTIVE JULY 1, 2023:

The current Memorandum of Understanding (MOU) with the San Bernardino Association of Water Department Mid-Managers would expire on June 30, 2023. The MOU governed certain terms and conditions of employment with the Mid-Management unit employees.

A new MOU was accepted by a majority vote of Association members. The new MOU provided for a five (5) year agreement effective July 1, 2023 through June 30, 2028. The salary schedule was updated to reflect the MOU changes.

MOTION: Resolution No. 2023-015, approving the MOU with the San Bernardino Association of Water Department Mid-Managers with an effective date of July 1, 2023.

RESULT: APPROVED 5-0 BY ROLL CALL VOTE
MOVER: D. Mlynarski
SECONDER: W. Hendrix
ABSTAINED: N/A
ABSENT: N/A

7. **RESOLUTION ESTABLISHING A COMPENSATION AND BENEFITS PLAN FOR THE WATER DEPARTMENT CONFIDENTIAL EMPLOYEES EFFECTIVE JULY 1, 2023:** As the title for the Management group of employees was changed to Executive to align more closely with other agencies including the City, the Management and Confidential Compensation and Benefits Plan was separated into two resolutions, one for Confidential employees and one for Executive employees.

A new Resolution establishing a Compensation and Benefits Plan for Water Department Confidential employees would supersede Resolution No. 928. The salary schedule was updated to reflect the Compensation and Benefits Plan changes.

MOTION: Adopt Resolution No. 2023-016. establishing a Compensation and Benefits Plan for the Water Department Confidential Employees effective July 1, 2023, superseding Resolution No. 928.

RESULT: APPROVED 5-0 BY ROLL CALL VOTE
MOVER: R. Johnson
SECONDER: W. Hendrix
ABSTAINED: N/A
ABSENT: N/A

8. **RESOLUTION ESTABLISHING A COMPENSATION AND BENEFITS PLAN FOR THE WATER DEPARTMENT EXECUTIVE EMPLOYEES EFFECTIVE JULY 1, 2023:** As the title for the Management group of employees was changed to Executive to align more closely with other agencies including the City, the Management and Confidential Compensation and Benefits Plan was separated into two resolutions, one for Confidential employees and one for Executive employees.

A new Resolution establishing a Compensation and Benefits Plan for Water Department Executive employees would supersede Resolution No. 928.

MOTION: Adopt Resolution No. 2023-017, establishing a Compensation and Benefits Plan for the Water Department Executive Employees effective July 1, 2023, superseding Resolution No. 928.

RESULT: APPROVED 5-0 BY ROLL CALL VOTE
MOVER: T. Brickley
SECONDER: W. Hendrix
ABSTAINED: N/A
ABSENT: N/A

9. **RESOLUTION ESTABLISHING A COMPENSATION AND BENEFITS PLAN FOR THE WATER DEPARTMENT REGULAR PART-TIME EMPLOYEES EFFECTIVE JULY 1, 2023:** Regular part-time employees of the Water Department were provided certain limited benefits pursuant to a Water Board Resolution. Traditionally, regular part-time employees received salary adjustments and other related benefits equivalent to those given to regular full-time employees.

The General, Mid-Management, Confidential, and Part-Time Salary Schedule Exhibit was revised to reflect the salary changes effective July 1, 2023.

MOTION: Adopt Resolution No. 2023-018, establishing a Compensation and Benefits Plan for the Water Department Regular Part-Time Employees effective July 1, 2023, superseding Resolution No. 658.

RESULT:	APPROVED 5-0 BY ROLL CALL VOTE
MOVER:	D. Mlynarski
SECONDER:	T. Brickley
ABSTAINED:	N/A
ABSENT:	N/A

10. **APPROVAL OF GOODS PURCHASE AGREEMENT WITH COOMBS HOPKINS & DC FROST AFTERMARKET FOR THE VAREC GAS HANDLING EQUIPMENT ON DIGESTER C:** The Water Reclamation Plant (WRP) houses four (4) anaerobic digesters utilized as a part of the wastewater treatment process. Methane gas was produced by this process and was conveyed through piping at the top of the tanks. Gas handling equipment protected the tanks from over-pressurization, vacuum, and ignition sources. The design of the gas system did not allow for any maintenance to be performed because a bypass system was never installed.

Digester C needed cleaning and this agreement would give the Department the opportunity to have the system upgraded with a proper bypass system and brought up to date with industry standards.

The funding source for this agreement was the FY 2022/2023 budget under Account No. 200-4090-580-8080, CO 00277 - *Annual R/R- Solids Handling System*. There were sufficient funds to cover this purchase.

MOTION: Approve the Goods Purchase with Coombs Hopkins & DC Frost Aftermarket in an amount not-to-exceed SIXTY-FOUR THOUSAND, SEVEN HUNDRED THIRTY-THREE DOLLARS AND NINETY-SIX CENTS (\$64,733.96) to purchase the gas handling equipment for Digester C.

RESULT: APPROVED 5-0 BY ROLL CALL VOTE
MOVER: W. Hendrix
SECONDER: T. Brickley
ABSTAINED: N/A
ABSENT: N/A

- 11. OPERATING AND CAPITAL IMPROVEMENT BUDGET WORKSHOP AND BUDGET ADOPTION: FISCAL YEAR 2023/24:** The second presentation on the proposed budget for Fiscal Year 2023/24 was presented to the Water Board and included Environmental and Regulatory Compliance, Sewer Treatment, Sewer Collection, and an Operating & Capital Improvement summary. In addition, adoption of the proposed final budget would be recommended.

Commissioner Mlynarski asked that the Department to bring forth reserve amounts for a mid-year budget discussion between staff and the Water Board.

Director Mouser stated that the Department would bring forth this information when Finance brings forth any mid-year budget adjustments for Water Board approval.

Director Mouser thanked staff for all of their hard work with the budget.

President Callicott thanked Director Mouser and staff for informative presentations and for a thorough budget.

MOTION: Adopt the City of San Bernardino Municipal Water Department Operating and Capital Improvement Budget for Fiscal Year 2023/24.

RESULT: APPROVED 5-0 BY ROLL CALL VOTE
MOVER: W. Hendrix
SECONDER: T. Brickley
ABSTAINED: N/A
ABSENT: N/A

12. REPORTS:

- A. Report of the President – None.**
- B. Report of the Commissioners – None.**
- C. Report of the Directors –**

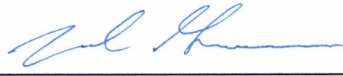
Deputy General Manager Ohama reported that Devin Arciniega attended two (2) neighborhood association meetings and an event at the Akoma Unity Center on Saturday, May 27, 2023.

D. Report of the General Manager –

General Manager Guerrero congratulated Commissioner Brickley on his reappointment to the Water Board at the June 7, 2023 Mayor & City Council meeting.

13. ADJOURNMENT:

The next regular meeting of the Water Board was scheduled for 9:30 a.m., June 27, 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