

# CITY OF SAN BERNARDINO MUNICIPAL WATER DEPARTMENT

## AGENDA REGULAR MEETING WATER BOARD Tuesday, February 23, 2021 – 9:30 a.m.

### WEB-CONFERENCE

#### 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 <https://www.sbmwd.org/agendacenter>

### IMPORTANT COVID-19 NOTICE

IN AN EFFORT TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19 (NOVEL CORONAVIRUS) AND TO ENABLE APPROPRIATE SOCIAL DISTANCING, THE WATER BOARD MEETING WILL NOT BE OPEN TO PUBLIC ATTENDANCE.

THE SAN BERNARDINO MUNICIPAL WATER DEPARTMENT ENCOURAGES THE PUBLIC TO VIEW THIS WATER BOARD MEETING ONLINE. THE MEETING WILL BE LIVE STREAMED VIA YOUTUBE AT: <https://bit.ly/YouTubeSBWater>

MEMBERS OF THE PUBLIC WHO WISH TO COMMENT ON MATTERS BEFORE THE WATER BOARD MAY PARTICIPATE IN THE FOLLOWING WAYS:

1. COMMENTS AND CONTACT INFORMATION MAY BE E-MAILED TO [Comments@sbmwd.org](mailto:Comments@sbmwd.org) BY 8:30 A.M. THE DAY OF THE SCHEDULED MEETING TO BE INCLUDED IN THE WRITTEN RECORD;
2. CALLING 909-453-6340, LEAVING A RECORDED MESSAGE BY 8:30 A.M. THE DAY OF THE SCHEDULED MEETING, NOT TO EXCEED THREE (3) MINUTES, WHICH WILL THEN BE PLAYED DURING THE PUBLIC COMMENT SECTION OF THE AGENDA.

3. A REQUEST TO SPEAK MAY BE E-MAILED TO [Comments@sbmwd.org](mailto:Comments@sbmwd.org) AND, AT THE TIME OF THE REQUESTED AGENDA ITEM, THE WATER BOARD SECRETARY WILL PLACE A PHONE CALL TO THE COMMENTER AND ALLOW THEM TO SPEAK TO THE BOARD VIA SPEAKERPHONE DURING THE LIVE MEETING FOR UP TO THREE (3) MINUTES. PLEASE INDICATE ON WHICH ITEM YOU WISH TO SPEAK.

### 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 see special public comments instructions above.**
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 see special public comment instructions above.**
4. CONSENT CALENDAR

**MOTION:** That the motions indicated by consent calendar items 4A through 4C be adopted, except for \_\_\_\_\_.

MOTION: \_\_\_\_\_ SECONDED: \_\_\_\_\_

A. PAYROLL

**MOTION:** Approve the payroll for the pay periods beginning February 15, 2021 through February 28, 2021.

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 February 9, 2021 of the Water Board.

### **END OF CONSENT CALENDAR**

5. DECLARATION OF SURPLUS PROPERTY FOR WATER DEPARTMENT PROPERTY LOCATED ON GLEN HELEN ROAD (APN 0349-191-08): The San Bernardino Municipal Water Department (Department) owns a 2.82-acre parcel located on Glen Helen Road, northwest of I-215 North and parallel to the Southern Pacific Railroad, in the Devore area of unincorporated San Bernardino County. However due to its irregular triangular shape, it has been ruled out as a possible well site. In addition, there are two (2) atypical easements: a 30-foot wide pipeline easement and an ingress-egress easement, that are considered detrimental to the development of the property. The Department has continued to maintain the vacant parcel since acquisition.

Staff has concluded that this property has no significant use for the Department. As such, Staff recommends that the property be declared surplus and disposed of in accordance with the Surplus Land Act. In preparation of establishing a fair market value for any potential sale, a property appraisal was conducted by Steven R. Smith to estimate the value of the property based on current market conditions. The report concluded that the estimated market value of the property as of June 22, 2020 was \$49,000 based on six (6) comparable sales in the general area in compliance with the Uniform Appraisal Standards for Federal Land Acquisitions, the State of California Standards for Acquisitions of Land as well as USPAP and the Appraisal Institute.

Nothing in the surplus land procedures requires the Department to sell the surplus land at less than fair market value. Any agreement for the sale of this parcel would be brought to the Board for consideration at a future date.

There is no fiscal impact associated with this action.

**MOTION:** Declare the 2.82-acre parcel located on Glen Helen Road (APN 0349-191-08) as surplus; and

Recommend to the Mayor and City Council that the property be declared surplus; and

Authorize the General Manager to comply with the requirements of the Surplus Land Act, Government Code, §54220 et seq. for the disposition of surplus land.

MOTION:\_\_\_\_\_ SECONDED:\_\_\_\_\_

6. FISCAL YEAR 2020-2021 MID-YEAR BUDGET REVIEW: On June 9, 2020, the Water Board approved the Fiscal Year 2020-21 Operating and Capital Improvement Budget. The budget was prepared based on anticipated workloads, planned capital improvement projects, and history and knowledge of upcoming events that may have budgetary impacts.

In order to keep the Water Board up to date on the San Bernardino Municipal Water Department (Department) fiscal health, staff has prepared an analysis of the Department's financial performance through December 2020 which represents approximately 50% of the fiscal year completed.

Each year, operational changes, unanticipated events and circumstances beyond staff's control have budgetary consequences. In response, staff has identified those areas that require budget adjustments, as well as areas that have experienced savings, in order to meet operational and capital requirements for the balance of the fiscal year.

**MOTION:** Approve adjustments to the Fiscal Year 2020-21 Operating and Capital Improvement Budget as stated in the staff report.

MOTION:\_\_\_\_\_ SECONDED:\_\_\_\_\_

7. EXTENSION NO. 1 TO CONTRACT NO. 1692 – CONTRACT TO FURNISH AND DELIVER POSITIVE DISPLACEMENT AND/OR MULTI-JET WATER METERS – MUELLER SYSTEMS, LLC: The Water Board entered into a two-year contract, Contract No. 1692, with Mueller Systems, LLC (Mueller), to “Furnish and Deliver Positive Displacement and/or Multi-Jet Water Meters.” This contract has a provision for three (3) additional one (1) year extensions. Mueller has requested a six tenth percent (0.6%) increase to their unit cost citing increases in production costs. Staff conducted Producer Price Index (PPI) research for the years subsequent to contract execution. Results support Mueller’s pricing increase request.

The total cost increase amounts to \$1,400.00 for the year. All other terms and conditions remain the same. Extension No. 1 has been prepared which will extend the contract from February 11, 2021 to February 11, 2022. Two (2) additional one (1) year extensions remain for Contract No. 1692.

The funding source for this contract is the FY 2020/2021 Water Utility Maintenance and Operations Budget for Distribution Sections 3021 and 3023. There are sufficient funds to cover the contract extension including the increase for the rest of this fiscal year. The remainder of the contract will be budgeted in the Fiscal Year 2021/2022 Water Fund budget.

**MOTION:** Approve Extension No. 1 to Contract No. 1692 with Mueller Systems, LLC, extending the contract from February 11, 2021 to February 11, 2022, with a six tenth percent (0.6%) increase in unit cost and all other terms and conditions remaining the same; and authorize the General Manager to execute the Extension.

MOTION:\_\_\_\_\_ SECONDED:\_\_\_\_\_

8. CONTRACT 1719 – MCC PIPELINE, INC. – CHANGE ORDER NO. 4 – SYSTEM WIDE 2 WATER PIPELINE REPLACEMENT PROJECT (CO 10885): Each fiscal year, the Department replaces existing aging and undersized water mains throughout its service area. On February 25, 2020, the Water Board (Board) entered into Contract No. 1719 with MCC Pipeline, Inc. (MCC) to provide replacement services for this fiscal year.

Change Order No. 4 in the amount of \$301,018.64 has been prepared for this extra work to be performed by MCC under Contract No. 1719. A time extension of forty (40) calendar days is recommended to be added to the contract time with a revised contract end date of March 31, 2021.

The funding source for this project is the FY 2020/2021 Water Fund Capital Improvement Project titled *System Wide Pipeline Replacement* (C.O. 10885) which has sufficient funds to process this change order.

**MOTION:** Approve Change Order No. 4 to Contract No. 1719 with MCC Pipeline, Inc., in the amount of THREE HUNDRED ONE THOUSAND EIGHTEEN AND 64/100 DOLLARS (\$301,018.64) and authorize the General Manager to execute the Change Order.

MOTION:\_\_\_\_\_ SECONDED:\_\_\_\_\_

9. REPORTS:

- A. Report of the President
- B. Report of the Commissioners
- C. Report of the Directors
- D. Report of the General Manager

10. 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.

11. 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) – *Beth Rados v. Jack in the Box Inc. a Delaware Corporation, County of San Bernardino, City of San Bernardino, and DOES 1 through 100 v. Jack in the Box Inc., Pacific/Costanzo/Lewis-Fontana and ROES 1 through 50, Inclusive* - Case No. CIVDS 2017324.

12. ADJOURNMENT

**NOTE:** The next regular meeting of the Water Board is scheduled for 9:30 a.m., March 9, 2021, via web-conference.