

MINUTES
 BOARD OF WATER COMMISSIONERS
 OF THE CITY OF SAN BERNARDINO

REGULAR MEETING
 March 1, 2016
 Water Reclamation Plant Conference Room
 399 Chandler Place
 San Bernardino, California
 9:30 a.m.

The Regular Meeting of the Board of Water Commissioners of the City of San Bernardino was called to order by President Callicott at 9:30 a.m. on March 1, 2016 in the Water Reclamation Conference Room, 399 Chandler Place, San Bernardino, California.

ROLL CALL: Roll call was taken by the Secretary with the following being present: President Callicott; Commissioners Valles, Fernández, Hendrix, and Mlynarski; staff Aldstadt, Ohama, Claus, Guerrero, Shepardson, and Willoughby; Steven Graham, City Attorney's Office; Patrick Sanchez, Sr. Business Systems Analyst; Amy Smith, Executive Secretary.

Members of the Public: J.T. Visbal, First Tee
 James Morales, East Valley Water District
 Jose Martinez, East Valley Water District

1. CLOSED SESSION: President Callicott adjourned the Regular Meeting of the Board of Water Commissioners to a Closed Session. At 9:52 a.m., the Regular Meeting of the Board of Water Commissioners was recessed and a Closed Session was called to order in accordance with the following Government Code Sections:

B. Conference with legal counsel – anticipated litigation – significant exposure to litigation – pursuant to Subdivision (b) (1), (2), (3) (A-F) of Government Code Section 54956.9 (one claim). The claim was taken off of the agenda and will be brought forward at a later date. One item was added to Item 1B. No action was taken.

2. ANNOUNCEMENTS BY MEMBERS OF THE BOARD OF WATER COMMISSIONERS: None

3. CONSENT CALENDAR: Upon motion by Commissioner Valles, duly seconded by Commissioner Hendrix, it was voted to approve the following Consent Calendar, Agenda Items 3A through 3F:

A. WAIVE FULL READING OF RESOLUTIONS: Waive full reading of the resolutions on the regular or supplemental agendas of the Board of Water Commissioners.

B. PAYROLL

	<u>Water Fund</u>	<u>Sewer Fund</u>	<u>Total</u>
Claims: 268288-268569			
Accounts Payable	\$301,001.71	\$359,287.88	\$660,289.59
Gross Payroll: 01/25/16– 02/07/16	<u>243,537.18</u>	<u>179,825.61</u>	<u>423,362.79</u>
TOTALS	<u>\$544,538.89</u>	<u>\$539,113.49</u>	<u>\$1,083.652.38</u>

Payroll for the pay period February 8, 2016 through February 21, 2016.

- C. CONTRACTS AND BILLS: Contracts and bills presented at this meeting.
- D. MINUTES: February 16, 2016
- E. PERSONNEL ACTIONS
 - 1. APPOINTMENT: Kaitlyn Smith, Engineering Student Intern, Section 3060, Range 100T, effective March 7, 2016. This position was in the budget and based on the needs and staffing for this section, the position was justifiable under the budget.
 - 2. APPOINTMENT: Adam Oakes, Environmental Control Technician, Section 4050, Range 150, ratify effective February 16, 2016. This position was in the budget and based on the needs and staffing for this section, the position was justifiable under the budget.
- F. NOTICE OF COMPLETION – CONTRACT NO. 1599 – UNIT 1 PRIMARY CLARIFIER AND AERATION SYSTEM UPGRADE PROJECT (CO 00086):
The final acceptance date of February 4, 2016, staff was directed to file a Notice of Completion, and release the retention in accordance with Contract No. 1599.

END OF CONSENT CALENDAR

- 4. ADDITIONS TO THE AGENDA: None.
- 5. NEGOTIATION OF A LONG-TERM LEASE AGREEMENT BETWEEN THE CITY OF SAN BERNARDINO MUNICIPAL WATER DEPARTMENT AND BRIGHTON HILL ACADEMY SPORTS AND LEARNING CENTER – THE FIRST TEE OF THE INLAND EMPIRE: On July 2, 2015, the Water Department purchased 5.04 acres of real property from J.G. Golfing Enterprises, Inc. The property was adjacent to the golf course and was used, in part, to increase the size of the parking lot and to accommodate a maintenance shed for the San Bernardino Golf Course/Club. The Department purchased the property as buffer, so that some future development would not occur around the water reclamation plant.

Brighton Hill Academy Sports and Learning Center (Brighton) is a private, non-profit, 501(c)(3) corporation dedicated to youth character development and academic excellence, specifically in the areas of science and mathematics. The First Tee of the Inland Empire is an initiative by various professional golf organizations to introduce golf to children and to imbue them with core values for the future, such as honesty and integrity. Brighton intends to enter into a Letter of Intent with The First Tee, to bring the youth program to San Bernardino.

As there was no plan to construct on the parcel of property that we purchased by the golf course, Brighton proposed a public use for the property and enter into a long-term lease with the Department.

Upon motion by Commissioner Valles, duly seconded by Commissioner Fernández, it was unanimously voted to approve negotiation of a long-term lease with Brighton for the property adjacent to the golf course.

6. APPROVAL OF RELEASE OF LIABILITY AGREEMENT FOR CAJON CREEK, LLC (EPN 2012-002): The San Bernardino Municipal Water Department (Department) entered into a Developer-Installed Agreement with Cajon Creek, LLC (Developer) on October 17, 2013. The Agreement required the Developer to install approximately 6,000 feet of 12" ductile iron pipeline in Cajon Boulevard to serve three (3) future warehouse projects. The approved water improvement plans directed the Developer to relocate approximately 900 feet of existing water pipeline per separate plan prior to construction of surrounding street improvements (curb and gutter).

The Developer completed construction of the 12" water pipeline and conveyed the water system to the Department on May 6, 2014. Approximately one (1) year later, the Department was notified by the Public Works Department that approximately 900 feet of curb and gutter had been installed above the existing Department water pipeline. The Developer acknowledged that the work required to relocate the water pipeline had not been completed and proposed compensation in the amount of \$113,850.00 for the Department to relocate the pipeline in exchange for a signed release of liability agreement. Engineering staff reviewed the release of liability agreement and found it to be acceptable for execution.

Upon motion by Commissioner Mlynarski, duly seconded by Commissioner Hendrix, it was unanimously voted to approve the release of liability agreement and the General Manager was authorized to execute said agreement to free Cajon Creek, LLC from relocating the 12" pipeline.

7. APPROVAL OF AGREEMENT WITH JANUS CORPORATION FOR HAZARDOUS MATERIALS ABATEMENT AT 1350 SOUTH "E" STREET: The Department was working with City staff to assign the property at 1350 South "E" Street for Department use as a Customer Service Facility. The property was previously occupied by the City's Parks and Recreation Department, however, active use of the buildings at the site was discontinued approximately two (2) years ago. Since that time, site maintenance was minimal, and the building interiors and exteriors were heavily vandalized.

In preparation for a future relocation of the Department's Customer Service Section, staff retained a qualified hazardous materials specialist to sample and test the buildings for asbestos and lead containing materials. Lab test results confirmed the presence of asbestos in the floor tile adhesive and exterior stucco, and also identified lead content in the restroom wall tiles.

Janus Corporation provided a lower overall cost for both the abatement work and the general building cleanup. Due to the time constraints involved in relocating the Department's staff from City Hall, staff requested that the Board authorize the hazardous material abatement as a special procurement.

The funding source for this project was the Fiscal Year 2015/16 CIP Budget, Construction Order 10777, "Customer Service Relocation to 1350 South "E" Street"; sufficient funds were available to complete the proposed work.

Upon motion by Commissioner Hendrix, duly seconded by Commissioner Fernández, it was unanimously voted to approve the abatement of asbestos and lead containing materials at 1350 South "E" Street as a special procurement. The General Manager was authorized to enter into an agreement with Janus Corporation for associated work within the City's former Parks and Recreation Department Headquarters Building.

8. MID-YEAR BUDGET REVIEW AND ADJUSTMENT: On June 16, 2015, the Board of Water Commissioners (BOWC) approved the Fiscal Year 2015/16 Operating and Capital Improvement Budget. The budget was prepared based on anticipated workloads, past history and knowledge of upcoming events that may have budgetary impacts.

In order to keep the BOWC up-to-date on the fiscal health of the San Bernardino Municipal Water Department (Department), staff prepared an analysis of the Department's financial performance as of December 31, 2015. Comparisons were made between the adopted budget and actual revenues and expenses at this time, and these comparisons were used to project anticipated results for the entire year.

Upon motion by Commissioner Hendrix, duly seconded by Commissioner Valles, it was unanimously voted to approve the budget adjustments as stated in this report.

9. REPORTS:

- A. Report of the President: None
- B. Report of the Commissioners: Commissioner Valles reported that the Board of Water Commissioners attended the Mayor and Common Council Meeting on Monday, February 29, 2016 to hear the recommendations by the Charter Review Committee.
- C. Report of the Directors: Director Willoughby reported that the Water Department received the Operating Budgeting Meritorious Award for Fiscal Year 2015-2016 and the Outstanding Financial Reporting Award for Fiscal Year Ending June 30, 2015 from the California Society of Municipal Finance Officers.
- D. Report of the General Manager: None

10. PUBLIC COMMENTS: This is the time specified for public comments concerning specific items not on the agenda or matters of general interest.

J.T. Visbal from Brighton Hill Academy spoke about the First Tee program. This program uses golf to teach children between the ages of five and seventeen years of age the nine core values and character development.

11. ADJOURN MEETING: The meeting adjourned at 10:07 a.m. to the next Regular Meeting to be held on Tuesday, March 15, 2016, at 9:30 a.m. in Margaret H. Chandler Water Reclamation Plant Conference Room, 399 Chandler Place, San Bernardino, California, 92408.

BY: 
TONI CALLICOTT
President

BY: 
ROBIN L. OHAMA
Deputy City Clerk & Ex-Officio Secretary