

## Attachment 1



**City of San Bernardino**  
290 North D Street  
San Bernardino, CA 92401  
<http://www.sbcity.org>

*Chairperson Tawnya Rhoades-Hensley*  
*Vice Chairperson – Anthony R. Aguirre*  
**Commissioners**  
*Steven W. Bielak*  
*Darlene M. Herrera*  
*Michael J. Segura*  
*Lucy J. Sunga*  
*Robert Porter*  
*Alissa Payne*  
*Alfredo Quirarte*

### MINUTES

FOR THE

### ARTS AND HISTORICAL PRESERVATION COMMISSION OF THE CITY OF SAN BERNARDINO

**MONDAY, SEPTEMBER 19, 2022**  
**BOARD ROOM**

#### CALL TO ORDER

The Regular Meeting of the Arts and Historical Preservation Commission of the City of San Bernardino was called to order by Tawnya Rhoades-Hensley, Chairperson at 4:01 pm, September 19, 2022, in the Board Room, 201 North "E" Street, 3<sup>rd</sup> Floor, San Bernardino, CA.

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

Attendee Name	Title	Status	Arrived
Steven W. Bielak	Commissioner, Ward 1	Present	3:58 pm
Darlene M. Herrera	Commissioner, Ward 2	Present	3:56 pm
Anthony R. Aguirre	Commissioner, Ward 3	Absent	
Tawnya D. Rhoades-Hensley	Commissioner, Ward 4	Present	3:56 pm
Michael J. Segura	Commissioner, Ward 5	Present	4:01 pm
Lucy J. Sunga	Commissioner, Ward 6	Present	3:52 pm
Robert A. Porter	Commissioner, Ward 7	Present	3:56 pm
Alfredo Quirarte	Commissioner, Mayor's Appointee	Absent	
Alissa Payne	Commissioner, Mayor's Appointee	Present	4:10 pm
Lydie Gutfeld	Staff Liaison	Absent	

**PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA****CONSENT CALENDAR****1. Approval of Draft Minutes**

**Recommendation:** Approve the minutes of the regular meeting of July 18, 2022

**RESULT:** ADOPTED (6-0)  
**MOVER:** Steven Bielak  
**SECONDER:** Robert Porter  
**AYES:** Porter, Sunga, Rhoades-Hensley, Segura, Bielak, Herrera  
**ABSENT:** Payne, Quiarte, Aguirre

**2. Individual Artists Grants**

**Recommendation:** Motion to approve the individual Artists Grants to receive up to \$250 for City event participation

**RESULT:** ADOPTED (7-0)  
**MOVER:** Robert Porter  
**SECONDER:** Steven Bielak  
**AYES:** Porter, Sunga, Rhoades-Hensley, Payne, Herrera, Segura, Bielak  
**ABSENT:** Quirarte, Aguirre

**3. Memorial Monuments Repair/Replace**

**Recommendation:** Motion to request the Parks, Recreation and Community Services Department Director and staff investigate the cost of replacement of memorial monuments instead of repair

**RESULT:** ADOPTED (7-0)  
**MOVER:** Steven Bielak  
**SECONDER:** Robert Porter  
**AYES:** Porter, Sunga, Rhoades-Hensley, Payne, Herrera, Segura, Bielak  
**ABSENT:** Quirarte, Aguirre

**4. Adjournment**

The meeting adjourned at 5:25 pm

The next Regular *Meeting* of the Arts and Historical Preservation Commission will

be held on ***Monday, October 17, 2022 at 4:00 pm in the Board Room located at 201 North "E" Street, 3<sup>rd</sup> Floor***, San Bernardino, California 92401.

By: *Lesa Nichols*

Lesa Nichols,  
Administrative  
Assistant/Secretary



## City of San Bernardino

290 North D Street  
San Bernardino, CA 92401  
<http://www.sbcity.org>

Chairperson Reginald Woods  
Vice Chairperson Gary Blake  
**Commissioners**  
Maria Lanas  
Sandra Kurkoske  
Alejandro E. Faz  
Maxine Henderson  
Alberta (Bertie) R. Vanettes  
Angela Halfman

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### MINUTES FOR THE ANIMAL CONTROL COMMISSION OF THE CITY OF SAN BERNARDINO

**WEDNESDAY, SEPTEMBER 14, 2022  
MULTI-PURPOSE ROOM**

#### CALL TO ORDER

The Regular Meeting of the Animal Control Commission of the City of San Bernardino was called to order by Chair Reginald Woods at 4:05 p.m. Wednesday, September 14, 2022.

#### PLEDGE OF ALLEGIANCE

Commissioner, Angela Halfman, led the Pledge of Allegiance.

#### ROLL CALL

Attendee Name	Title	Status	Arrived
Maria Lanas	Commissioner, Ward 1	Present	4:00 p.m.
Gary Blake	Commissioner, Ward 2	Present	4:00 p.m.
Sandra Kurkoske	Commissioner, Ward 3	Absent	Absent
Vacant	Commissioner, Ward 4	N/A	N/A
Alejandro E. Faz	Commissioner, Ward 5	Absent	Absent.
Maxine Henderson	Commissioner, Ward 6	Present	4:00 p.m.
Alberta R. Vanettes	Commissioner, Ward 7	Present	4:00 p.m.
Dr. Reginald Woods	Commissioner, Mayor's Appointee	Present	4:05 p.m.
Angela Halfman	Commissioner, Mayor's Appointee	Present	4:00 p.m.
Director Kristine Watson	Staff Liaison	Present	4:00 p.m.

#### PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

None.

**CONSENT CALENDAR****1. Commission Approval of Minutes****Approved**

**Motion:** Approve the minutes of the Animal Control Commission Regular Meeting of August 10, 2022.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Gary Blake, Vice Chairperson, Ward 2  
**SECONDER:** Maxine Henderson, Commissioner, Ward 6  
**AYES:** Blake, Henderson, Halfman, Vanettes, Woods, Lanas,  
**ABSENT:** Faz, Kurkoske

**END OF CONSENT CLENDAR****2. STAFF REPORT****1. Department Updates**

Director, Kristine Watson provided an oral report with Department updates, discussed staffing, facility updates and neighborhood association meetings.

**2. Statistics**

Director, Kristine Watson provided current statistics for the shelter.

**3. Adjournment**

The meeting adjourned at 4:43 p.m.

The next *Regular Meeting* of the Animal Control Commission will be held on **October 12, 2022, at 4:00 p.m. Multi-purpose Room 201 N "E" Street, second floor, San Bernardino, CA 90241.**

By: Wanda Billbe

Wanda Billbe



## City of San Bernardino

290 North D Street  
San Bernardino, CA 92401  
<http://www.sbcity.org>

*Chairperson Philip M. Savage*  
*Vice Chairperson Vicki R. Lee*

### **Committee Members**

*Casey A. Dailey*  
*Susan Green-Dantzler*  
*Angela M. Torres*  
*Rabbi Hillel Cohn*  
*Vacant Committee Member, Ward 5*  
*Paul W. Sanborn*  
*Sean Kelley*

## **MINUTES** FOR THE **CHARTER REVIEW COMMITTEE** OF THE CITY OF SAN BERNARDINO

**JUNE 2, 2022**  
**BOARD ROOM**

### **CALL TO ORDER**

The Regular Meeting of the Charter Review Committee of the City of San Bernardino was called to order by Philip M. Savage at 6:00 PM, June 2, 2022, in the Board Room, 201 North "E" Street, San Bernardino, CA.

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Casey A. Dailey	Committee Member, Ward 1	Present	6:00 PM
Susan Green-Dantzler	Committee Member, Ward 2	Absent	-
Angela M. Torres	Committee Member, Ward 3	Present	6:00 PM
Rabbi Hillel Cohn	Committee Member, Ward 4	Present	6:00 PM
Vacant	Committee Member, Ward 5	Vacant	-
Vicki R. Lee	Committee Member, Ward 6	Absent	-
Philip M. Savage	Committee Member, Ward 7	Present	6:00 PM
Paul W. Sanborn	Committee Member, Mayor's Appointee	Present	6:00 PM
Sean Kelley	Committee Member, Mayor's Appointee	Present	6:00 PM
Cory Hodges	Staff Liaison	Present	6:00 PM
Albert Maldonado	City Attorney's Office	Present	6:00 PM

**COMMENTS FROM COMMITTEE MEMBERS**

Paul Sanborn – No comments.

Sean Kelley – No comments.

Philip Savage –

- Questioned when Ranked Choice Voting would be on the City Council agenda and requested that the committee be informed of when the presentation will be on the agenda.
- Discussed his belief that the Charter Review Committee needs to revisit how items get on the Mayor and City Council agenda for consideration, and possibly broaden the scope of the Charter Review Committee to also include reviewing and making recommendations to amend the San Bernardino Municipal Code.

Rabbi Cohn –

- Discussed his belief that it would be a good idea for the Charter Review Committee to give presentations to candidates up for election so they can become more familiar with it. Requested that this be placed on the next meeting's agenda for discussion.

Angela Torres – No comments.

Casey Dailey –

- Stated that he was absent from last month's meeting and wanted to know how the discussion on the Charter Review Performance Review went. Committee members noted that there was nothing significant discussed.
- Requested the voter turnout data that was outlined in a May 5, 2022, Charter Review Committee staff report

**PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA**

- No comments from the public.

**CONSENT CALENDAR****1. Approval of Draft Minutes**

**Motion:** Approve the draft minutes from May 5, 2022, Charter Review Committee Regular Meeting.

**RESULT:** ADOPTED (Unanimous)  
**MOVER:** Rabbi Hillel Cohn  
**SECONDER:** Paul W. Sanborn  
**AYES:** Angela M. Torres, Philip M. Savage, Sean Kelley, Paul W. Sanborn, Rabbi Hillel Cohn  
**ABSENT:** Susan Green-Dantzler, Vicki R. Lee  
**ABSTAIN:** Casey A. Dailey

## DISCUSSION

### 2. Democracy Dollars

**Action:** Committee members requested that this item be continued to the next meeting.

### 3. Term Limits

**Action:** Committee members held a discussion on the possibility of recommending a charter amendment that establishes term limits for the Mayor and City Council members. Committee members requested that this item be continued to the next meeting. Committee members also requested that staff prepare a report for discussion at the next meeting regarding other charter cities have term limits for the Mayor and City Council members, what those limits are, and how they vary for the following groups: large cities, cities with population sizes between 200,000 – 299,000, and small cities.

### 4. City Manager Qualifications

**Motion:** Remove this item from future agendas.

**RESULT:** Failed  
**MOVER:** Rabbi Hillel Cohn  
**SECONDER:** Philip M. Savage  
**AYES:** Philip M. Savage, Rabbi Hillel Cohn  
**NOS:** Casey A. Dailey, Angela M. Torres, Sean Kelley, Paul W. Sanborn  
**ABSENT:** Susan Green-Dantzler, Vicki R. Lee

**Action:** Committee members held a discussion on the possibility of recommending a charter amendment that establishes qualification requirements for the position of City Manager, including being a CPA. Committee members requested a staff report for the next meeting that includes the City of San Bernardino's job description/requirements for



the position of City Manager. Additionally, they requested that the staff report also include if any other cities, of similar size, have degree or certification requirements for the position of City Manager.

## **5. Charter Review Committee Recommendations**

**Action:** Committee members held a discussion on how to increase the value of the Charter Review Committee and the possibility of recommending a charter amendment that mandates for Committee recommendations to be placed on the City Council's agenda for discussion. Committee members requested that this item be continued to the next meeting. Committee members also requested that staff prepare a report for the next meeting discussing the procedure of how other charter cities get items on the Mayor and City Council agenda and how many other cities have a Charter Review Committee.

## **6. Request for a City Charter Consultant**

**Action:** Committee members requested that this item to be a standing item and continued to the next meeting.

## **7. Quarterly Meetings**

**Action:** Committee members held a discussion about the possibility of switching to a quarterly meeting schedule and establishing which sections of the City Charter will be reviewed at upcoming meetings. Committee members requested that this item be continued to the next meeting. Committee members also mentioned conducting a future discussion on issuing an annual report at the next meeting.

**Motion:** Have a discussion at the next meeting about presenting an annual report at a Regular Meeting of the Mayor and City Council.

<b>RESULT:</b>	<b>ADOPTED (Unanimous)</b>
<b>MOVER:</b>	Casey A. Dailey
<b>SECONDER:</b>	Paul W. Sanborn
<b>AYES:</b>	Casey A. Dailey, Angela M. Torres, Philip M. Savage, Sean Kelley, Paul W. Sanborn, Rabbi Hillel Cohn
<b>ABSENT:</b>	Susan Green-Dantzler, Vicki R. Lee

**8. Items to be Considered for a Future Meeting**

1. Review and amend the governing Charter Review Committee Resolution
2. Appoint a Vice Chairperson for 2022

**9. Adjournment**

The meeting adjourned at 7:10 PM June 2, 2022.

The next Regular Meeting of the Charter Review Committee will be held on **September 1, 2022, at 6:00 PM in the Board Room located at 201 North "E" Street, San Bernardino, California 92401.**

By: \_\_\_\_\_

  
Cory Hodges, Staff Liaison



## City of San Bernardino

290 North D Street  
San Bernardino, CA 92401  
<http://www.sbcity.org>

President Carolyn Tillman  
Vice President Valerie Lichtman  
**Board Members**  
Thomas Rennard, DMin  
Jennifer Grant  
VACANT

### MINUTES

FOR THE

LIBRARY BOARD OF TRUSTEES OF THE CITY OF SAN BERNARDINO

**TUESDAY, MAY 10, 2022**  
**FELDHEYM CENTRAL LIBRARY**

#### CALL TO ORDER

The Regular Meeting of the Library Board of the City of San Bernardino was called to order by Carolyn Tillman at 3:00 PM, Tuesday, May 10, 2022, in Feldheym Central Library Kellogg Room B, 555 West 6<sup>th</sup> Street, San Bernardino, CA.

#### PLEDGE OF ALLEGIANCE

Dr. Thomas Rennard led the Pledge of Allegiance.

#### ROLL CALL

Attendee Name	Title	Status	Arrived
Carolyn Tillman	President	Present	3:00 PM
Valerie Lichtman	Vice President	Present	3:00 PM
Jennifer Grant	Board Member	Absent	-----
Dr. Thomas Rennard	Board Member	Present	3:00 PM
VACANT	Board Member	-----	-----
Ed Eravek	Staff Liaison	Present	3:00 PM

#### PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

No public comments.

#### CLOSED SESSION

##### A. PERSONNEL (Pursuant to Government Code Section 54957):

No items.

**CLOSED SESSION REPORT**

No items.

**CONSENT CALENDAR****1. Approval of Draft Minutes****Approved****Motion:**

Approve the minutes of the Regular Library Board of Trustees Meeting of February 8, 2022.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Dr. Thomas Rennard, Board Member  
**SECONDER:** Valerie Lichtman, Vice President  
**AYES:** Lichtman, Rennard, Tillman  
**ABSENT:** Grant

**Approved****Motion:**

Approve the minutes of the Regular Library Board of Trustees Meeting of April 12, 2022.

Tabled until next meeting.

**LIBRARY DIRECTOR'S REPORT****2. Month in Review – Oral Report**

The library received money from the state library to hold events for Cinco de Mayo/Día de Niño's on May 5<sup>th</sup> that included 38 participants. Bilingual books were on display for check-out.

New chairs for Feldheim and the branches were ordered and received.

Each branch will now accept credit cards.

Summer Reading program will run June 6<sup>th</sup> through August 6<sup>th</sup>. A big thank you to The Friends of the Library for continuing to sponsor the program!

Along with ongoing events, Inghram will have trivia, game, and movie nights on Wednesdays throughout May.

The library is in the process of filling the remaining full-time position.

**3. Review of Library Statistics**

April 2022 statistics were reviewed by the Board.

**4. Review of Library Budget**

Year-to-date Library and Literacy budget was reviewed by the Board.

**LIBRARY BOARD PRESIDENT'S REPORT – ORAL REPORT**

President Tillman attended funereal services for Mary Chartier.

**STAFF REPORTS****5. Temporary Suspension from Library****Approved  
Motion:**

Temporary suspension of six months from all city libraries for Marco Spears for several violations of the Patron Rules of Conduct Policy.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Valerie Lichtman, Vice President  
**SECONDER:** Dr. Thomas Rennard, Board Member  
**AYES:** Lichtman, Rennard, Tillman  
**ABSENT:** Grant

**6. Temporary Suspension from Library****Approved  
Motion:**

Temporary suspension of six months from all city libraries for unknown patron for several violations of the Patron Rules of Conduct Policy.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Dr. Thomas Rennard, Board Member  
**SECONDER:** Valerie Lichtman, Vice President  
**AYES:** Lichtman, Rennard, Tillman  
**ABSENT:** Grant

**ADJOURNMENT**

The meeting adjourned at 3:17 PM

The next *Regular Meeting* of the Library Board will be held on Tuesday, **June 14, 2022 at 3:00 PM in the Feldheym Central Library Kellogg Room B located at 555 West 6<sup>th</sup> Street**, San Bernardino, California 92410.

By: Edward R. Erjavek  
Ed Erjavek, Library Director/Staff Liaison



## City of San Bernardino

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San Bernardino, CA 92401  
<http://www.sbcity.org>

*President Carolyn Tillman*  
*Vice President Valerie Lichtman*  
**Board Members**  
*Thomas Rennard, DMin*  
*Jennifer Grant*  
**VACANT**

### MINUTES

FOR THE

LIBRARY BOARD OF TRUSTEES OF THE CITY OF SAN BERNARDINO

**September 13, 2022**  
**FELDHEYM CENTRAL LIBRARY**

#### CALL TO ORDER

The Regular Meeting of the Library Board of the City of San Bernardino was called to order by Carolyn Tillman at 3:13 PM, Tuesday, September 13, 2022, in Feldheym Central Library Kellogg Room B, 555 West 6<sup>th</sup> Street, San Bernardino, CA.

Boardmember Jennifer Grant led the Pledge of Allegiance.

#### ROLL CALL

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Carolyn Tillman	President	Present	3:00 PM
Valerie Lichtman	Vice President	Present	3:08 PM
Jennifer Grant	Board Member	Present	3:01 PM
Dr. Thomas Rennard	Board Member	Absent	
VACANT	Board Member	-----	-----
Ed Erjavek	Staff Liaison	Present	

**PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA**

No public comments.

## CLOSED SESSION

### A. PERSONNEL (Pursuant to *Government Code* Section 54957):

Annual Evaluation of Library Director – went to Closed Session at 3:14 p.m.

## CLOSED SESSION REPORT

Annual Evaluation of Library Director – returned from Closed Session at 3:24 p.m.

## CONSENT CALENDAR

### 1. Approval of Draft Minutes

#### Approved

Motion: Approve the minutes of the Library Board of Trustees Meeting of July 12, 2022.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jennifer Grant, Member
<b>SECONDER:</b>	Val Lichtman, Board Member
<b>AYES:</b>	Tillman, Lichtman, Grant

## LIBRARY DIRECTOR'S REPORT

### 2. Month in Review – Oral Report

New FT Library Technician Sarah Dizon has joined the new staff as the Executive Assistant position is now the only vacant position. Ms. Dizon will eventually become the site supervisor of the Rowe Branch.

Villaseñor parking lot is now being re-surfaced.

The Library received a \$25,000 donation from the Irving Hiller Trust. Mr. Hiller was a local business man who knew Rabbi Norman Feldheym, for whom the Central Library is named. The funds will be deposited into the Memorial Trust Fund for a yet-to-be determined project.



Feldheim Children's Department will be celebrating Hispanic Heritage Month with Loteria (Mexican Bingo) on September 20.

Things You Should: Financial Literacy for Teens workshop is scheduled Oct. 12 at Feldheim.

Murder/Mystery event with clues around the library scheduled at Villaseñor Oct. 12.

**3. Review of Library Statistics**

July and August statistics were reviewed by the Library Board.

**4. Review of Library Budget**

Year-to-date Library and Literacy budget was reviewed by the Board.

**LIBRARY BOARD PRESIDENT'S REPORT – ORAL REPORT**

Nothing to report.

**STAFF REPORTS**

**5. Temporary Suspension from Library**

**Approved**

**Motion:** Temporary suspension of six months from all city libraries for unknown patron for several violations of the Patron Rules of Conduct Policy.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jennifer Grant, Member
<b>SECONDER:</b>	Val Lichtman, Vice President
<b>AYES:</b>	Grant, Lichtman, Tillman

**6. Temporary Suspension from Library**

**Approved**

**Motion:** Temporary suspension of six months from all city libraries for Peace Ingram for several violations of the Patron Rules of Conduct Policy.

**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Val Lichtman, Vice President  
**SECONDER:** Jennifer Grant, Member  
**AYES:** Grant, Lichtman, Tillman

**7. Temporary Suspension from Library**

**Approved**

**Motion:** Temporary suspension of six months from all city libraries for unknown patron for several violations of the Patron Rules of Conduct Policy.

**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Val Lichtman, Vice President  
**SECONDER:** Jennifer Grant, Member  
**AYES:** Grant, Lichtman, Tillman

**8. Temporary Suspension from Library**

**Approved**

**Motion:** Temporary suspension of six months from all city libraries for unknown patron for several violations of the Patron Rules of Conduct Policy.

**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Val Lichtman, Vice President  
**SECONDER:** Jennifer Grant, Member  
**AYES:** Grant, Lichtman, Tillman

**9. Ingram Library Books Purchasing**

**Approved**

**Motion:** Receive and file that an agreement to purchase library books from Inghram Library Services of an amount Not to Exceed \$100,000 in FY 2022/23 has been submitted to the Mayor and City Council for its September 21, 2022 meeting.

**RESULT: RECEIVED AND FILED REPORT  
(No Action Required)**

**10. Aquarium Maintenance Agreement****Approved****Motion:**

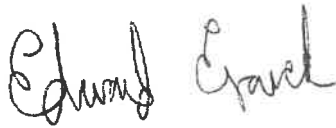
Approve a four-year agreement with an annual cost of \$5,460 for weekly aquarium maintenance at Feldheym Central Library Children's Room.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Val Lichtman, Vice President
<b>SECONDER:</b>	Jennifer Grant, Member
<b>AYES:</b>	Grant, Lichtman, Tillman

**ADJOURNMENT**

The meeting adjourned at 4:07 PM

The next *Regular Meeting* of the Library Board will be held on Tuesday, October 11, 2022 at 3:00 PM in the **Feldheym Central Library Kellogg Room B located at 555 West 6<sup>th</sup> Street**, San Bernardino, California 92410.



By: \_\_\_\_\_

Ed Erjavek, Library Director/Staff Liaison



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*Chairperson Monique Guerrero*  
*Vice Chairperson Dolores Armstead*  
**Commissioners**  
*Jesus Flores*  
*Ronnie E. Lewis*  
*Amelia Lopez*  
*Harmoni Morales*  
*Larry Quiel*  
*Elizabeth Sanchez*

**MINUTES**  
FOR THE  
**PLANNING COMMISSION**  
**OF THE CITY OF SAN BERNARDINO**

**SEPTEMBER 13, 2022**  
**BOARD ROOM, 201 NORTH E STREET, 3<sup>RD</sup> FLOOR**

**CALL TO ORDER**

The Meeting of the Planning Commission of the City of San Bernardino was called to order by Dolores Armstead at 6:00pm August 9, 2022, in the Board Room, 201 North E Street, San Bernardino, CA.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Attendee Name	Title	Status	Arrived
Monique Guerrero	Commissioner, Ward 1	E	
Amelia S. Lopez	Commissioner, Ward 2	P	X
Vacant	Commissioner, Ward 3		
Larry Quiel	Commissioner, Ward 4	A	
Jesus F. Flores	Commissioner, Ward 5	P	X
Dolores Armstead	Commissioner, Ward 6	P	X
Ronnie E. Lewis III	Commissioner, Ward 7	P	X
Vacant	Commissioner, Mayor's Appointee		
Harmoni Morales	Commissioner, Mayor's Appointee	P	X
David Murray	Staff Liaison	P	X

**PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA**

**CONSENT CALENDAR****1. Approval of Draft Minutes**

**Recommendation:** Approve the minutes of the Regular Meeting of August 9, 2022.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Commissioner Lopez
<b>SECONDER:</b>	Commissioner Morales
<b>ABSTAIN:</b>	None
<b>AYES:</b>	Lopez, Armstead, Flores, Lewis, and Morales
<b>ABSENT:</b>	Guerrero and Quiel

**2. Economic Development Update**

**Recommendation:** Staff recommended that the Planning Commission receive and file the City's Economic Development Update presentation.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Commissioner Lewis
<b>SECONDER:</b>	Commissioner Flores
<b>ABSTAIN:</b>	None
<b>AYES:</b>	Lopez, Armstead, Flores, Lewis, and Morales
<b>ABSENT:</b>	Guerrero and Quiel

**PUBLIC HEARINGS****3. Development Code Amendment 22-06**

**Subject:** A City-initiated amendment to Section 19.70.035 (Development and Operational Standards for Temporary Use Permits) of the City of San Bernardino Development Code (SBMC Title 19) to update standards for Sub-Section (B) - On-Site and Off-Site Contractor's Construction Yards with regard to stockpiles and material crushing and grinding.

Environmental Determination: Exempt under the California Environmental Quality Act ("CEQA"), pursuant to Section 15061(b)(3) (Review for Exemption) of the State CEQA Guidelines

Ward: All

**Recommendation:** Staff recommended that the Planning Commission adopt Resolution No. 2022-043 forwarding a recommendation to the Mayor and City Council recommending the approval of Development Code Amendment 22-06, based on the Findings of Fact; and finding the project subject to an Exemption under the California Environmental Quality Act.

Public Speakers:  
James Penman

Hank Mitchell

<b>RESULT:</b>	<b>CONTINUED TO OCTOBER 11, 2022 MEETING</b>
<b>MOVER:</b>	Commissioner Lewis
<b>SECONDER:</b>	Commissioner Morales
<b>ABSTAIN:</b>	None
<b>AYES:</b>	Lopez, Armstead, Flores, Lewis, and Morales
<b>ABSENT:</b>	Guerrero and Quiel

## PLANNING COMMISSION REPORTS / ANNOUNCEMENTS

### DIRECTOR'S REPORT

### ADJOURNMENT

The meeting adjourned at 7:27 pm.

The next regular meeting of the Planning Commission will be held on **Tuesday, October 11, 2022 at 6:00pm in the Board Room located at 201 North E Street, 3<sup>rd</sup> Floor**, San Bernardino, California 92401.

By: \_\_\_\_\_



Jessica Nametz



**City of San Bernardino**  
290 North D Street  
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<http://www.sbcity.org>

*Chairperson Monique Guerrero*  
*Vice Chairperson Dolores Armstead*  
**Commissioners**  
*Jesus Flores*  
*Ronnie E. Lewis*  
*Amelia Lopez*  
*Harmoni Morales*  
*Larry Quiel*  
*Ivan Garcia*

**MINUTES**  
FOR THE  
PLANNING COMMISSION  
OF THE CITY OF SAN BERNARDINO

**OCTOBER 11, 2022**  
**BOARD ROOM, 201 NORTH E STREET, 3<sup>RD</sup> FLOOR**

**CALL TO ORDER**

The Meeting of the Planning Commission of the City of San Bernardino was called to order by Monique Guerrero at 6:00pm October 11, 2022, in the Board Room, 201 North E Street, San Bernardino, CA.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Attendee Name	Title	Status	Arrived
Monique Guerrero	Commissioner, Ward 1	P	X
Amelia S. Lopez	Commissioner, Ward 2	P	X
Ivan Garcia	Commissioner, Ward 3	P	X
Larry Quiel	Commissioner, Ward 4	P	X
Jesus F. Flores	Commissioner, Ward 5	P	X
Dolores Armstead	Commissioner, Ward 6	P	X
Ronnie E. Lewis III	Commissioner, Ward 7	P	X
Vacant	Commissioner, Mayor's Appointee		
Harmoni Morales	Commissioner, Mayor's Appointee	E	
David Murray	Staff Liaison	P	X

**PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA**

**CONSENT CALENDAR****1. Approval of Draft Minutes**

**Recommendation:** Approve the minutes of the Regular Meeting of September 13, 2022.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Commissioner Armstead
<b>SECONDER:</b>	Commissioner Lopez
<b>ABSTAIN:</b>	None
<b>AYES:</b>	Lopez, Garcia, Quiel, Flores, Guerrero, Armstead, and Lewis
<b>ABSENT:</b>	Morales

**PUBLIC HEARINGS****2. Conditional Use Permit 21-04**

**Subject:** A request to allow the development, establishment, and operation of a restaurant with drive-thru (The Habit Burger Grill) containing approximately 2,822 square feet on a parcel containing approximately 0.48 acres

Address:	Southwest corner of West 2 <sup>nd</sup> Street and former Bungalow Court
Zone:	Commercial General (CG-1)
Environmental Determination:	Categorically Exempt, pursuant to §15332 (In-Fill Development Projects) of the State CEQA Guidelines
Owner/Applicant:	John Kaufman on behalf of JAKS, LLC
APN:	0134-337-17
Ward:	1

**Recommendation:** Staff recommended that the Planning Commission adopt Resolution No. 2022-045 approving Conditional Use Permit 21-04, based on the Findings of Fact and subject to the recommended Conditions of Approval; and finding the project is subject to a Categorical Exemption under the California Environmental Quality Act.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Commissioner Quiel
<b>SECONDER:</b>	Commissioner Lopez
<b>ABSTAIN:</b>	None
<b>AYES:</b>	Lopez, Garcia, Quiel, Flores, Guerrero, Armstead, and Lewis
<b>ABSENT:</b>	Morales



**3. Conditional Use Permit 22-04**

**Subject:** A request to allow the development, establishment, and operation of a restaurant with drive-thru (Rally's) containing approximately 1,008 square feet on a parcel containing approximately 0.53 acres.

Address: Southeast corner of E. Highland Avenue and N. Palm Avenue  
Zone: Commercial General (CG-1)  
Environmental Determination: Categorically Exempt, pursuant to §15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines  
Owner: TCH Investments, LLC  
Applicant: John Dodson  
APN: 1200-011-24  
Ward: 4

**Recommendation:** Staff recommended that the Planning Commission adopt Resolution No. 2022-046 approving Conditional Use Permit 22-04, based on the Findings of Fact and subject to the recommended Conditions of Approval; and finding the project is subject to a Categorical Exemption under the California Environmental Quality Act.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Commissioner Armstead
<b>SECONDER:</b>	Commissioner Lopez
<b>ABSTAIN:</b>	None
<b>AYES:</b>	Lopez, Garcia, Quiel, Flores, Guerrero, Armstead, and Lewis
<b>ABSENT:</b>	Morales

**4. Conditional Use Permit 22-08**

**Subject:** A request to modify previously approved Conditional Use Permit 10-15 to allow the expansion of the parking lot and vehicular queue for an existing restaurant with drive-thru (In-N-Out) on a property comprised of two (2) parcels containing a total of approximately 1.88 acres.

Address: 745 and 795 West 5<sup>th</sup> Street  
Zone: Commercial Regional (CR-2)  
Environmental Determination: Categorically Exempt, pursuant to §15332 (In-Fill Development Projects) of the State CEQA Guidelines

Owner: Gateway SB, LLC and In-N-Out Burger  
Applicant: In-N-Out Burger  
APN: 0134-093-05 and 48  
Ward: 1

**Recommendation:** Staff recommended that the Planning Commission adopt Resolution No. 2022-047 approving Conditional Use Permit 22-08, based on the Findings of Fact and subject to the recommended Conditions of Approval; and finding the project is subject to a Categorical Exemption under the California Environmental Quality Act.

**RESULT:** APPROVED  
**MOVER:** Commissioner Quiel  
**SECONDER:** Commissioner Guerrero  
**ABSTAIN:** None  
**AYES:** Lopez, Garcia, Quiel, Flores, Guerrero, Armstead, and Lewis  
**ABSENT:** Morales

## 5. Development Permit Type-P 22-01

**Subject:** A request to allow the development and establishment of a multiple-tenant retail building with eight (8) tenant spaces containing a total of approximately 6,996 square feet on a project site consisting of two (2) parcels containing a total of approximately 0.52 acres.

Address: North side of West 16th Street, approximately  
200 feet east of N. Mount Vernon Avenue  
Zone: Commercial General (CG-1)  
Environmental Determination: Categorically Exempt, pursuant to §15332 (In-Fill Development Projects) of the State CEQA Guidelines  
Owner/ Applicant: Alex Chernobelsky  
APN: 0144-113-32 and 33  
Ward: 6

**Recommendation:** Staff recommended that the Planning Commission continue Development Permit Type-P 22-01 to the next regularly scheduled meeting on November 8, 2022.

**RESULT:** CONTINUED TO NOVEMBER 8, 2022 PC MEETING  
**MOVER:** Commissioner Lewis  
**SECONDER:** Commissioner Armstead  
**ABSTAIN:** None  
**AYES:** Lopez, Garcia, Quiel, Flores, Guerrero, Armstead, and Lewis  
**ABSENT:** Morales

**6. Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Tract Map 20421)**

**Subject:** A request to change the Zoning District Classification of a parcel containing a total of 6.10 acres from Residential Low (RL) to Residential Suburban (RS); and, allow the subdivision of the property into twenty-five (25) single-family residential lots ranging in size from 7,372 to 9,377 square feet.

**Address:** Southwest corner of W. Belmont Avenue and N. Olive Avenue  
**Zone:** Residential Low (RL)  
**Environmental Determination:** Mitigated Negative Declaration, pursuant to §15074 (Adoption of a Mitigated Negative Declaration) of the State CEQA Guidelines  
**Owner:** Inland Self Storage Management  
**Applicant:** Rene Jacober  
**APN:** 0261-151-10  
**Ward:** 5

**Recommendation:** Staff recommended that the Planning Commission continue Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Tract Map 20421) to the next regularly scheduled meeting on November 8, 2022.

**RESULT:** CONTINUED TO NOVEMBER 8, 2022 PC MEETING  
**MOVER:** Commissioner Lewis  
**SECONDER:** Commissioner Armstead  
**ABSTAIN:** None  
**AYES:** Lopez, Garcia, Quiel, Flores, Guerrero, Armstead, and Lewis  
**ABSENT:** Morales

**7. Development Code Amendment 22-06**

**Subject:** A City-initiated amendment to Section 19.70.035 (Development and Operational Standards for Temporary Use Permits) of the City of San Bernardino Development Code (SBMC Title 19) to update standards for Sub-Section (B) - On-Site and Off-Site Contractor's Construction Yards.

Environmental Determination: Exempt under the California Environmental Quality Act ("CEQA"), pursuant to Section 15061(b)(3) (Review for Exemption) of the State CEQA Guidelines

Ward: All

**Recommendation:** Staff recommended that the Planning Commission continue Development Code Amendment 22-06 to the next regularly scheduled meeting on November 8, 2022 to allow for the Workshop discussion.

<b>RESULT:</b>	<b>CONTINUED TO NOVEMBER 8, 2022 PC MEETING</b>
<b>MOVER:</b>	Commissioner Lewis
<b>SECONDER:</b>	Commissioner Armstead
<b>ABSTAIN:</b>	None
<b>AYES:</b>	Lopez, Garcia, Quiel, Flores, Guerrero, Armstead, and Lewis
<b>ABSENT:</b>	Morales

**NON-PUBLIC HEARING****8. Workshop – Temporary Use Permits for On-Site and Off-Site Contractor's Construction Yards**

**Recommendation:** Staff recommended that the Planning Commission hold a workshop to discuss proposed amendments to Section 19.70.035 (Development and Operational Standards for Temporary Use Permits) of the City of San Bernardino Development Code (SBMC Title 19) Sub-Section (B) - On-Site and Off-Site Contractor's Construction Yards.

**Public Speakers**

Firenza Anderson Philpot  
Jim Penman

Kenesha Boyd  
Lessie Philpot

**PLANNING COMMISSION REPORTS / ANNOUNCEMENTS****DIRECTOR'S REPORT**

**ADJOURNMENT**

The meeting adjourned at 8:37 pm.

The next regular meeting of the Planning Commission will be held on ***Tuesday, November 8, 2022 at 6:00pm in the Board Room located at 201 North E Street, 3<sup>rd</sup> Floor***, San Bernardino, California 92401.

By: \_\_\_\_\_  
Jessica Nametz



## City of San Bernardino

290 North D Street  
San Bernardino, CA 92401  
<http://www.sbcity.org>

*Chairperson Terry Elliott*  
*Vice Chair Savannah J. Taylor*  
**Commissioners**  
*Jesse J. Carrillo*  
*Jose D. Guzman*  
*Sean E. Kelley*  
*John H. Walters*  
*Ricardo Tomboc*  
*Anthony J. Roberson*  
*Deana Cervantez*

### MINUTES

FOR THE

### PUBLIC SAFETY AND HUMAN RELATIONS COMMISSION OF THE CITY OF SAN BERNARDINO

**SEPTEMBER 12, 2022**  
**BOARD ROOM**

#### CALL TO ORDER

The Regular Meeting of the Public Safety and Human Relations Commission of the City of San Bernardino was called to order by Chairman Terry Elliott at 6:00 PM, Monday, September 12, 2022, in the Board Room, 201 North "E" Street, 3<sup>rd</sup> Floor, San Bernardino, CA.

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

Attendee Name	Title	Status	Arrived
Jose D. Guzman	Commissioner, Ward 1	Present	
Sean E. Kelley	Commissioner, Ward 2	Excused	
John H. Walters	Commissioner, Ward 3	Present	
Ricardo Tomboc	Commissioner, Ward 4	Present	
Anthony J. Roberson	Commissioner, Ward 5	Present	
Savannah J. Taylor	Commissioner, Ward 6	Present	
Deana Cervantez	Commissioner, Ward 7	Present	
Jesse J. Carrillo	Commissioner, Mayor's Appointee	Present	
Terry Elliott	Commissioner, Mayor's Appointee	Present	
Alex Qishta, Deputy Director of Public Works	Staff Liaison	Present	
Captain Nelson Carrington, Chief's Designee	Staff Liaison	Present	

Azzam Jabsheb, Traffic Engineer, Public Works, was present.

**PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA - None****CONSENT CALENDAR****1. Approval of Draft Minutes**

**Motion:** Approve the minutes of the June 13, 2022, Public Safety and Human Relations Commission Regular Meeting and the August 16, 2022, Public Safety and Human Relations Commission Special Meeting.

**RESULT:** ADOPTED (UNANIMOUS)  
**MOVER:** Tomboc, Commissioner, Ward 4  
**SECONDER:** Roberson, Commissioner, Ward 5  
**AYES:** Guzman, Walters, Tomboc, Roberson, Taylor, Cervantez, Carrillo, Elliott  
**ABSENT:** Kelley

**STAFF REPORTS****2. Traffic Calming Measures on 28<sup>th</sup> Street between H Street and Waterman Avenue**

Azzam Jabsheh, Traffic Engineer, of Public Works, went over the elements of the measures. Public Works staff answered questions from the Commission.

**Motion:** Accept the first phase of this project. Motion Amended to Adopt the staff report and ask the Police Department and Public Works to report back in six months after the start of installation.

**RESULT:** ADOPTED (UNANIMOUS)  
**MOVER:** Tomboc, Commissioner, Ward 4  
**SECONDER:** Walters, Commissioner, Ward 3  
**AYES:** Guzman, Walters, Tomboc, Roberson, Taylor, Cervantez, Carrillo, Elliott  
**ABSENT:** Kelley

**SUB-COMMITTEE ITEMS****Police Sub-Committee****3. California State Auditor Report 2021-105 – Chairman Elliott**

Captain Carrington provided information on the results of the audit performed last September. The department was found to be in compliance with POST guidelines and met all obligations but also received recommendations that could help mitigate potential bias in recruitment and public relations. Captain Carrington answered questions from the Board.

**MOTION BY COMMISSIONER ROBERSON, SECOND BY COMMISSIONER GUZMAN** that Captain Carrington return within six months of the audit to provide

a report. **MOTION was amended to have a police department representative report back. Motion carried 8-0. Passed Unanimously.**

**4. Memo from City Manager Regarding Media – Chairman Elliott**

Chairman Elliott shared a memo from the City Manager regarding guidelines on media interaction since commissioners are representatives of the City. Commissioner Tomboc objected and discussion ensued.

**MOTION BY COMMISSIONER TOMBOC, SECOND BY COMMISSIONER CERVANTEZ, that this memo not be applied to the Commission but referred back to the City Council for approval whether or not they want commissioners to abide by this memo. Motion Passed.**

Chairman Elliott asked Commissioner Tomboc to draft a memo to the Mayor and City Council asking for direction on this matter, with the assistance of Commissioner Cervantez. Commissioner Tomboc agreed and will have it ready for the next meeting.

**MOTION BY COMMISSIONER GUZMAN, SECOND BY VICE CHAIR TAYLOR, to continue this item to the next Commission meeting. Motion carried 8-0. Passed Unanimously.**

**Fire Sub-Committee**

**5. Status of County Fire Reporting Request – Sub-Committee Chair Sean Kelley**

**MOTION BY COMMISSIONER ROBERSON, SECOND BY COMMISSIONER WALTERS, to continue this item to the next meeting. Motion carried 8-0. Passed Unanimously.**

**ANNOUNCEMENTS/REPORTS/ITEMS TO BE CONSIDERED FOR FUTURE AGENDAS**

(ORDER REVERSED; 7 first, then 6)

**6. Public Safety and Human Relations Commission Announcements/Reports**

Commissioner Tomboc advised he submitted for consideration to recall and dismiss the sub-committee structure because he, his council person, and several other council persons want their people to have direct contact with department leaders and not have to go through sub-committees.

Board secretary advised she explained to Commissioner Tomboc sub-committees are provided for in the Bylaws, Article 5, Section 1, and the current Chair has elected to use them.

Chairman Elliott stated it was never suggested commissioners could not have direct access to department heads and City staff. He explained sub-committees were approved by majority at a Commission meeting. Their purpose is for continuity on agendas and to focus on items specific to the three departments overseen – Fire, Police and Public Works – so that items can be channeled in to get work done and be brought back to the full commission.



Commissioner Tomboc requested sub-committees be put to a vote again, be appointed as needed, or members be rotated. Chairman Elliott advised getting it on the agenda as an item to be considered for future agenda.

Chairman Elliott noted that a bi-annual report has not been received from the Police Department, though Fire provided theirs. He asked for stats on the first six months of 2022, compared to the same time period in 2021. Commissioner Tomboc requested the stats in written form.

Chairman Elliott asked that the Board consider a recognition for Assistant Fire Chief Dan Mejia who is retiring after 35 years of service.

Commissioner Cervantez reported there are new District Resource Officers in her ward – Officers Sanchez and Koehn. She expressed appreciation for them and said each ward should recognize their officers. She encouraged Commissioners to get out and get to know the officers in their wards and that they attend events in their wards and in the city.

Commissioner Elliott asked that information be sent to commissioners on city events, such as Coffee with a Cop.

Commissioner Guzman advised that two photos in agenda item #2 are of his street, which received attention from Public Works in the Bobbitt Dr/Olive corridor. The clean-up resulted in much improvement and blight reduction. The installation of chicanes solved the problem of street racing. He would like to celebrate that blight in San Bernardino is being dealt with. He will speak with his councilperson to see how they can recognize the positive work done there.

Vice-Chair Taylor gave a shout out to policewomen in honor of "Policewomen's Day."

Commissioner Roberson announced the San Manuel Pow Wow is taking place this weekend, September 16-18, and provided schedule details.

Commissioner Roberson inquired about a "storm" after-action plan from Public Works. Public Works Deputy Director Alex Qishta shared that staff assesses the danger for impeding traffic and safety, identify hot spots, and send crews to clean up impacted areas. Infrastructure is not sufficient enough to drain all the flooding that takes place, and in some instances, they can only put up "Flooded" signs. It takes about a month to clean up 62 square miles of city after a storm like this one.

Commissioner Roberson asked how many rescues there were during the storm. Captain Carrington did not have the exact number but shared that motorists saw officers helping people, took video, and got it on the news.

Commissioner Tomboc shared about the American Red Cross Heroes Event national recognition. He suggested the Police Department make submissions for storm rescues or any other incidents to the San Bernardino Chapter of the American Red Cross.

Commissioner Walters reported that he checked out the shopping center in the bench area of Pepper/Rialto. Most merchant are happy, but the transient problem is continuous. While there, he was approached twice for drugs. There is also a lot of prostitution. The bus bench at Rialto/Meridian was totally dark with no lighting. At 2<sup>nd</sup>/Meridian there was a lot of debris and shopping carts, and Nicholson Park looks horrible. He also visited Fire Station #29 on Second/Meridian. He tried the intercom, but

it was locked, he rang the bell and banged on the door, but no one responded. Dispatch advised him staff was there. He contacted the Battalion Chief, who said he would look into it. Commissioner Walters said the public should be able to contact fire staff inside the station when they're in and they should be able to use the call box to reach dispatch.

Alex Qishta advised of plans for Nicholson Park with \$10 million in CIP improvements. Captain Carrington said he would get this information to Lieutenant Flores for follow up.

Commissioner Tomboc shared that the 210 freeway off ramp at E Street is filled with homeless people and tents and is an eyesore. It's the same at the 210 Waterman on ramp. Part of the problem is that it's CalTrans jurisdiction. Alex Qishta shared currently, there is discussion at the City Manager level on how we can address this issue with CalTrans so, we may see something coming up on this.

Commissioner Tomboc spoke about the heat emergency that would take power out for four days. He expressed advocating for citizens to Edison regarding maintenance on hot days. Alex Qishta said it was of great concern, but it didn't happen. He shared the City has cooling stations with food and water at City owned buildings such as community centers.

Commissioner Carrillo shared how his neighbors networked to assist him and his family during his hospitalization and illness. He stated there are a lot of fine people in San Bernardino. He advised of a live video he received of five citizens helping a woman who was caught in a flash flood. It was intense and these people stepped up to save her. He gave a shout out to his neighbors, the five citizens, and an unknown officer that got involved in the rescue. He shared information on the Big Air Kids Fair at Loma Linda Children's Hospital.

#### **7. Items to be Considered for Future Agendas**

- a) Discuss having opening prayer along with the Pledge of Allegiance at the start of meetings – Commissioner Tomboc

**MOTION BY COMMISSIONER TOMBOC, SECOND BY COMMISSIONER CARRILLO, to discuss opening prayer at a future meeting.**

- b) Discuss the 1000 Leads Award for Forensic Unit and give formal recognition from the Commission for outstanding work – Commissioner Tomboc

**MOTION BY COMMISSIONER TOMBOC, SECOND BY COMMISSIONER WALTERS, for the Commission to make a public recognition of the Forensics Unit's 1000 Leads Award as well as recognition for the upcoming National Forensic Science Week at a future meeting. Motion carried. Passed Unanimously.**

#### **ADJOURNMENT**

- 8. The meeting adjourned at 8:36 PM.

The next regular meeting of the Public Safety and Human Relations Commission will be held on **Monday, October 10, 2022, at 6:00 PM, in the Board Room located at 201 North "E" Street, 3<sup>rd</sup> Floor**, San Bernardino, California 92401.

By:   
Susanna Sandoval  
Recording Secretary



**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**

**SEPTEMBER 27, 2022**

**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, September 27, 2022, in-person, via web-conference, and livestream via YouTube.

**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	9:30 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:302841-303035				
Accounts Payable	\$986,310.94	\$655,890.67	\$23,849.14	\$1,666,050.75
Gross Payroll				
08/29/22-	<u>\$328,563.42</u>	<u>\$238,553.93</u>	<u>\$77,968.70</u>	<u>\$645,086.04</u>
09/11/22				
TOTALS	<u>\$1,314,874.36</u>	<u>\$894,444.60</u>	<u>\$101,817.84</u>	<u>\$2,311,136.79</u>

Payroll for the pay periods beginning September 12, 2022 through September 25, 2022.

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

**C. MINUTES:** September 13, 2022.

**D. EXTENSION OF RESOLUTION NO. 2021-014 - AUTHORIZATION OF REMOTE TELECONFERENCE MEETINGS:** On December 14, 2021, the Water Board approved Resolution No. 2021-014, authorizing remote teleconference meetings of the legislative bodies of the San Bernardino Municipal Water Department.

Section 4 stated that “the Water Board may extend the application of this Resolution by motion and majority vote by up to 30 days at a time, provided that it makes all necessary findings consistent with and pursuant to the requirements of Section 54953(e)(3).”

Due to the fluctuation of COVID-19 cases throughout California, it was necessary for the Water Board to continue to meet via teleconference.

**MOTION:** Extend the application of Resolution No. 2021-014, authorizing remote teleconference meetings for an additional thirty (30) days, as submitted.

**E. REVISION OF EXISTING PURCHASING CARD POLICY – 51.040:** Water Department staff recently reviewed the Purchasing Card Policy – 51.40 and an updated credit limit amount threshold was modified for a cardholder position.

These standards were necessary to ensure that the policy provided a responsive and effect practice in the financial industry and the Department.

There was no fiscal impact associated with this revision.

**MOTION:** Approve the revision to Purchasing Card Policy – 51.040, as submitted.

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

## END OF CONSENT CALENDAR

5. **APPROVAL OF PURCHASE ORDER FOR THE INSTALLATION OF TWELVE (12)-INCH COMBINATION 5/8-INCH DOMESTIC SERVICE BY 1-INCH FIRE SERVICE AT THE NORTHEAST CORNER OF MILL STREET AND MACY STREET (TRACT 18895):** The Department utilized the services of on-call contractors to augment staff's ability to provide a timely response to requests for water service installations, supporting proposed development within the Department's service area.

Staff received a request for installation services from Landexcorp, LLC (Monte Vista Homes) at the northeast corner of Mill Street and Macy Street (Tract 18895). Two (2) bids were received and opened on June 29, 2022.

Staff recommended that the Water Board approve the issuance of a Purchase Order in the amount of \$52,650.00 to El-Co Contractors, Inc.

The funding source for this contract was Construction Orders assigned for Fiscal Year 2022, *No. 11090 Combination Domestic/Fire Services*. A series of Construction Orders were generated each fiscal year to capture costs for the installation of typical service requests, including combination domestic/fire services. Monte Vista Homes would be issued an invoice to capture these installation fees, as well as the water capacity charges established by Rule and Regulation No. 5. The collected installation fees would be deposited into the account for Construction Order No. 11090.

**MOTION:** Approve the purchase order for the installation of twelve (12) combination 5/8-inch domestic service by 1-inch fire service by El-Co Contractors, Inc. in the amount of \$52,650.00.

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

6. **RATIFICATION OF EXPENDITURES FOR 450 NORTH E STREET GEOTHERMAL PIPELINE REPAIR AND STREET REPAIR:** On Friday, July 1, 2022, Distribution staff responded to a main leak at 450 North E Street. A leak within the geothermal pipeline was discovered and staff elected to have repairs performed by one of the Department on-call contractors. Two bids were received and opened on July 12, 2022.

On July 18, 2022, TK Construction, Inc. was awarded the project and completed the repairs to the initial geothermal pipeline leak on August 11, 2022. When an additional leak was discovered on the same pipeline, staff authorized TK Construction, Inc. to repair the new leak per Purchasing Policy – 51.030, Part V, Section F – *Emergency Purchases*.

The funding source for this emergency expenditure was the FY 2022/23 Water Fund Capital Improvement project titled *Annual R/R – Geothermal Wells and System Repair* (CO 11053) with an approved budget of \$100,000. Currently, \$83,700 remained available in this construction order for this work. Due to insufficient funds available to fund this work, an additional \$5,000 was needed to be added to this funding source.

President Callicott asked if the request for \$5,000 was sufficient to cover the cost for this repair.

Director Miller stated that this amount was sufficient and the Department would most likely request a budget increase at mid-year in order to replenish the geothermal funding source in anticipation of future expenditures.

**MOTION:** Ratify the emergency expenditure outlined in Purchasing Policy -51.030 in the amount of \$85,300 for the pipeline and pavement repairs at 450 North E Street; and

Approve an amount of \$5,000 to be added to the *Annual R/R – Geothermal Wells and System Repair* (CO 11053) capital projects budget to address the additional funding needs.

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

7. **PROCUREMENT OF RIX BASIN SAND:** The Operations and Maintenance staff at the RIX facility performed annual basin rehabilitation each year that entailed the removal of several inches of top layers of the basin soil and processing it through an onsite Sand Wash Plant. Through the RIX Facility's history, the rehabilitation process depleted approximately 180,000 cubic yards (cy) of sand.

The RIX JPA would like to purchase 40,000 cy of sand this fiscal year. Based on an assumed average weight of 2,700 pounds per cubic yard, staff estimated this to be approximately 54,000 tons. Delivered quantities would be in lots of 5,000 cubic yards (approximately 6,750 tons).

In fiscal year 2021/2022, the RIX JPA authorized the procurement of up to one million dollars (\$1,000,000) of sand from Vulcan Materials Co., following a public bidding period that concluded on June 25, 2021.

The funds source for this project was the RIX Facility Capital Improvement Fund. The approved FY 2022/2023 budget currently had a total of \$1,000,000 in unencumbered funds. The Department was responsible for eighty percent (80%) of the project costs.

**MOTION:** Accept the unit cost proposal from Vulcan Materials Co. of \$140,062.50 per 5,000 CY lots plus applicable sales tax and authorize the issuance of a Purchase Order for procurement not to exceed the budgeted amount of One Million Dollars (\$1,000,000) to be proposed for ratification at the next RIX JPA Quarterly Meeting.

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

**8. REPORTS:**

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

1. General Manager Guerrero provided a COVID-19 update to the Water Board. San Bernardino County current case rate was 11 per 100,000, and the current positivity rate was approximately 5.7%.

General Manager Guerrero stated that the Department currently had five (5) cases for the month of September, which was a significant decrease from previous months.

General Manager Guerrero stated that the Department was anticipating and preparing for a COVID-19 surge during the holidays, but as of now, current operations would remain in place.



2. General Manager Guerrero reported that he attended the Save Our Water Roundtable and press conference on Monday, September 19, 2022, hosted by the state and Valley District, at California State University, San Bernardino, that revolved around conservation and water supply reliability in San Bernardino Valley.

General Manager Guerrero stated that State Senator Ochoa-Bogh, State Water Resources Control Board Vice-Chair, Cal State San Bernardino President, and several water managers in the region, attended the event.

**9. PUBLIC COMMENT ON CLOSED SESSION ITEMS: None.**

**10. CLOSED SESSION:**

Pursuant to Government Code Section(s):

- A. Conference with legal counsel – anticipated litigation – initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: Case 22-103 - *Oliva, Guadalupe*, represented by Avrek Law Firm.

By motion of Commissioner Johnson, and seconded by Commissioner Mlynarski, the Water Board voted 4-0, to deny the claim and directed staff to submit the claim to the Department's insurance carrier for further review and defense.

- B. Conference with legal counsel – anticipated litigation – initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: Case 22-118 - *Gladysz, Robert*.

By motion of Commissioner Johnson, and seconded by Commissioner Mlynarski, the Water Board voted 4-0, to deny the claim and directed staff to submit the claim to the Department's insurance carrier for further review and defense.

**11. ADJOURNMENT:**

The next regular meeting of the Water Board was scheduled for 9:30 a.m., October 11, 2022, at the Margaret H. Chandler Water Reclamation Plant, located at 399 Chandler Place, San Bernardino, CA, 92408 or via web-conference.

By: 

Miguel J. Guerrero, P.E.  
General Manager



**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

**OCTOBER 11, 2022**

**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, October 11, 2022, in-person, via web-conference, and livestream via YouTube.

**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	9:30 AM
Rikke Johnson	Board Member	Present	9:30 AM
Thomas Brickley	Board Member	Present	9:30 AM
Miguel Guerrero	General Manager	Absent	N/A

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:303036- 303211				
Accounts Payable	\$1,409,040.34	\$673,977.60	\$6,589.04	\$2,089,606.98
Gross Payroll				
08/29/22-	<u>\$327,362.24</u>	<u>\$231,877.28</u>	<u>\$76,775.20</u>	<u>\$636,014.71</u>
09/11/22				
TOTALS	<u>\$1,736,402.58</u>	<u>\$905,854.88</u>	<u>\$83,364.24</u>	<u>\$2,725,621.69</u>

Payroll for the pay periods beginning September 26, 2022 through October 9, 2022.

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

**C. MINUTES:** September 27, 2022.

**D. REVISED POLICY #32.087 – SUPPLEMENTAL PAID SICK LEAVE:** On February 9, 2022, Governor Newsom signed Senate Bill (SB) 114 into law. This law reauthorized COVID-19 Supplemental Paid Sick Leave (SPSL), providing paid leave entitlements to employees who were unable to work or telework due to a number of qualifying reasons related to COVID-19. The law became effective on February 19, 2022, was retroactive to January 1, 2022, and expired on September 30, 2022.

On September 29, 2022, Governor Newsom signed Assembly Bill (AB) 152 extending the expiration date to December 31, 2022, allowing employees with remaining SPSL leave balance(s) to use such leave unless this leave was exhausted prior to that date. AB 152 also provided additional guidance regarding follow-up COVID-19 testing.

The policy was revised to incorporate the changes specified in AB 152.

**MOTION:** Ratify Revised Policy #32.087 Supplemental Paid Sick Leave, as submitted.

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

**END OF CONSENT CALENDAR**

5. **CONTRACT 1722 – PCL CONSTRUCTION, INC. – CHANGE ORDER NO. 16 AND NOTICE OF COMPLETION – 1110.2 RESULTANT PROJECTS CONSTRUCTION PROJECT (CO 00199, 00200 AND 00201):** The Department embarked upon an ambitious program to achieve compliance with the SCAQMD Rules 1110.2 and 1118.1. On March 10, 2020, the Water Board entered into Contract No. 1722 with PCL Construction, Inc. (PCL) for construction of the 1110.2 Resultant Projects. This project combined construction of three (3) major elements of the greater Digester Gas Beneficial Use (DGBU) Program into a single design and construction package.

In accordance with Article 50 of the Department's General Conditions, PCL provided its time related overhead cost calculation, Time Impact Analysis (TIA). The contractor initially requested a total Time Related Overhead (TRO) cost of \$607,355.00 over a period of 221 calendar Days. Negotiation with the contractor resulted in a reduction in cost of \$436,879.65. The TRO assessment was agreed upon for a total cost of \$170,475.35 with 165 compensable calendar days and an additional 56 non-compensable calendar days. The Department requested the labor escalation be submitted on its own potential change order in accordance with the contract provisions.

The Department requested several requests for services of the DGBU project, and a time extension of four hundred fourteen (414) calendar days was recommended to be added to the contract time. Upon Water Board approval, the revised contract end date would be September 16, 2022.

Change Order No. 16 in the amount of \$122,283.83 was prepared and staff completed the final inspection of the contract work performed by PCL Construction, Inc. for the 1110.2 Resultant Projects and recommended acceptance of the project.

The funding source for this Change Order were C.O. 00200, *Blower Decentralization Project* and C.O. 00201, *Digester Gas Holding Project*, which had sufficient funds available for this change.

Commissioner Mlynarski asked what the total change order percentage was from the beginning of the project to present.

Director Stewart stated that total change order usage was approximately seven percent (7%).

**MOTION:** Approve Change Order No. 16 to Contract No. 1722 with PCL Construction, Inc., in the amount of ONE HUNDRED TWENTY-TWO THOUSAND TWO HUNDRED EIGHTY-THREE AND 83/100 DOLLARS (\$122,283.83). The General Manager was authorized to execute the change order; and

Approve the project with a final acceptance date of September 16, 2022; and direct staff to file a Notice of Completion.

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

**6. REPORTS:**

**A. Report of the President – None.**

**B. Report of the Commissioners – None.**

**C. Report of the Directors –**

1. Director Shepardson stated that she would be bring the Liability Insurance Renewal item to the next scheduled meeting for Water Board approval.
2. Director Miller stated that the Department would have its Annual Inspection on Thursday, October 20, 2022 with the Department of Toxic Substance Control and EPA for the Newmark Groundwater Contamination Superfund Site.
3. Deputy General Manager Ohama announced that the City hosted its first "Where Our Cultures Connect" Festival on Saturday, October 8, 2022 at Seccombe Lake in San Bernardino, California.

Deputy General Manager Ohama stated that there was a robust turnout and the Water Department was represented by Devin Arciniega and Department employees.

4. Deputy General Manager Ohama stated that Valley District would be hosting a forum titled "Equity Aspects of Water" on Thursday, October 20, 2022, at the Bear Springs Conference Center in Highland, California.

Deputy General Manager Ohama stated that General Manager Guerrero would by one of the speakers at the forum and the Water Board was welcomed to attend.

**D. Report of the General Manager – None.**

**7. ADJOURNMENT:**

The next regular meeting of the Water Board was scheduled for 9:30 a.m., October 25, 2022, at the Margaret H. Chandler Water Reclamation Plant, located at 399 Chandler Place, San Bernardino, CA, 92408 or via web-conference.

By: 

Miguel J. Guerrero, P.E.  
General Manager



**City of San Bernardino**  
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*President Cecilia "Toni"  
Callicott*

**Commissioners**  
*Wayne Hendrix  
David Mlynarski  
Rikke Johnson  
Thomas Brickley*

**MINUTES**  
FOR THE  
WATER BOARD OF THE CITY OF SAN BERNARDINO

**OCTOBER 25, 2022**

**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, October 25, 2022, in-person, via web-conference, 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	Absent	N/A
Miguel Guerrero	General Manager	Present	9:30 AM

1. **ANNOUNCEMENTS BY THE BOARD:** Commissioner Hendrix stated that he read that the Sites Reservoir received a sizeable amount of federal funding.

General Manager Guerrero stated that the state is focusing on the Sites Reservoir for the entire state and also the tunnel project for the Delta conveyance.

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:303212-303354				
Accounts Payable	\$645,505.36	\$346,576.82	\$43,405.31	\$1,035,487.49
Gross Payroll				
09/29/22-	<u>\$339,789.60</u>	<u>\$245,250.04</u>	<u>\$80,526.85</u>	<u>\$665,566.48</u>
10/09/22				
TOTALS	<u>\$985,294.96</u>	<u>\$591,826.86</u>	<u>\$123,932.16</u>	<u>\$1,701,053.97</u>

Payroll for the pay periods beginning October 10, 2022 through October 23, 2022.

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

**C. MINUTES:** October 11, 2022.

**D. EXTENSION OF RESOLUTION NO. 2021-014 - AUTHORIZATION OF REMOTE TELECONFERENCE MEETINGS:** On December 14, 2021, the Water Board approved Resolution No. 2021-014, authorizing remote teleconference meetings of the legislative bodies of the San Bernardino Municipal Water Department.

Section 4 states that “the Water Board may extend the application of this Resolution by motion and majority vote by up to 30 days at a time, provided that it makes all necessary findings consistent with and pursuant to the requirements of Section 54953(e)(3).”

Due to the fluctuation of COVID-19 cases throughout California, it was necessary for the Water Board to continue to meet via teleconference.

**MOTION:** Extend the application of Resolution No. 2021-014, authorizing remote teleconference meetings for an additional thirty (30) days, as submitted.

**E. REVISION OF EXISTING POLICY 51.010 - PETTY CASH:** Modifications and additional guideline revisions to *Policy 51.010 – Petty Cash*, as submitted.

**F. 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 July 2022 through September 2022, as submitted.

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

## END OF CONSENT CALENDAR

### 5. MEETING DATE CHANGE OR CANCELLATION OF DECEMBER 27, 2022

**WATER BOARD MEETING:** Due to scheduled vacations and limited staffing during the holiday season, staff recommended cancelling the December 27, 2022 Regular Water Board meeting and adjourning the December 13, 2022 regular meeting to January 10, 2022.

**MOTION:** The Water Board approved the cancellation of the December 27, 2022 Regular Water Board meeting and would adjourn the December 13, 2022, regular meeting to January 10, 2022 at 9:30 a.m.

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

### 6. AUTOMATIC ANNUAL ACQUISITION OF SERVICE CHARGE INCREASE FOR

**FISCAL YEAR 2023/2024:** Rule and Regulation No. 5 required that "On July 1 of each calendar year the acquisition of service charge shall automatically increase in proportion to the published twelve-month increase measured in September each year in the Construction Cost Index. This index is published in "Engineering News Record," a publication of McGraw-Hill, Inc. The Board of Water Commissioners may, at its option, determine by resolution adopted prior to November 1, that such an increase shall not be effective for the next succeeding fiscal year (always starting on July 1). In the event the Construction Cost Index has not changed or has decreased, the charge shall not be changed."

The "Engineering News Record (ENR)" Construction Cost Index showed a 5.7 percent increase for the period of September 2021 through September 2022.

Commissioner Hendrix stated that the increase seemed reasonable and made the motion to approve the first motion listed.

Commissioner Mlynarski asked if this increase was factored into the FY 2022/23 budget.

Director Mouser stated that this increase was for the 2023/24 budget and would be factored into that budget next year.



**MOTION:** Allow the automatic ENR increase to 5.7 percent to the water capacity charges in Rule and Regulation No. 5 to become effective July 1, 2023. Staff was directed to provide notification to current and future project holders of the effective date and amount of water capacity charge increases.

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

**7. CONTRACT 1753-1-2 – GM SAGER CONSTRUCTION CO., INC AND MIKE ROQUET CONSTRUCTION, INC.– CHANGE ORDER NO. 1 – BIENNIAL CONTRACT FOR PAVEMENT REPAIR AND RESURFACING SERVICES**

**PROJECT:** On October 21, 2021, the Water Board entered into Contract No. 1753-1 with GM Sager Construction Co., Inc. (GM Sager) and Contract No. 1753-2 with Mike Roquet Construction, Inc. (Mike Roquet) for pavement repair and resurfacing services. The project was awarded to a primary contractor, GM Sager, for up to 60% of the work and for up to 40% of the work to the secondary contractor, Mike Roquet. Thus, reducing any potential scheduling conflicts with the contractor and ensuring the Department completed the work in a timely fashion.

Concrete repair services utilized by the Department were currently completed by different contractors. The services needed range from repairing damage sidewalks during meter box replacement to installation of curb and gutter during replacements or new service installation. Pursuant to Contract No. 1753-1-2, the work would be split with GM Sager receiving up to 60% of the work and Mike Roquet receiving up to 40% of the work.

The funding source for this contract was the FY 2020/2021 Water Fund Budget. (Account's 100-3021-530-6135 and 100-3023-530-6135). There were sufficient funds to cover these change orders.

**MOTION:** Approve Change Order No. 1 to Contract No. 1753-1 with GM Sager Construction Co., Inc., in the amount of ONE HUNDRED FORTY-NINE SEVEN HUNDRED FIFTY AND 00/100 DOLLARS (\$149,750.00) and approve Change Order No. 1 to Contract No. 1753-2 with Mike Roquet Construction, Inc. in the amount of TWO HUNDRED SIXTY-SEVEN THOUSAND NINE HUNDRED FIFTY AND 00/100 DOLLARS (\$267,950.00). The General Manager was authorized to execute the change orders.

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

**8. AWARD OF CONTRACT – MOUNTAIN PRESSURE ZONE MAIN**

**REPLACEMENTS PHASE 2 PROJECT - SPECIFICATION NO. 1645:** The Department's Water Facilities Master Plan included the upgrading of various water facilities within the Mountain Pressure Zone. These upgrades were required to adequately support fire flow and demand within the area.

Specifications were advertised on August 29, 2022, for Specification No. 1645, to "Furnish all labor, Equipment, and Materials for the Mountain Pressure Zone Main Replacements Phase 2 Project, located in San Bernardino, California" and six bids were received and opened on September 30, 2022. All bidders submitted the appropriate bid bond with their proposal.

The funding source for this project was the FY 2022/2023 Water Fund Capital Improvement Project titled *Mountain Pressure Zone Main Replacements Phase 2* (C.O. 10733) which currently had a total of \$2,619,588.00 in unencumbered funds.

**MOTION:** Accept the bid of MCC Equipment Rentals, Inc., as the lowest responsive, responsible bidder and award a contract in the amount of ONE MILLION FOUR HUNDRED EIGHTY-SEVEN THOUSAND EIGHTEEN AND 33/100 DOLLARS (\$1,487,018.33) for the MOUNTAIN PRESSURE ZONE MAIN REPLACEMENTS PHASE 2 PROJECT, retain the bid securities in accordance with Specification No. 1645. 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 ASBENT  
**MOVER:** R. Johnson  
**SECONDER:** W. Hendrix  
**ABSTAINED:** N/A  
**ABSENT:** T. Brickley

**9. CONTRACT 1728R – BLACK AND VEATCH CORPORATION – CHANGE ORDER NO. 4 – ENGINEERING DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR DIGESTER "B" REPLACEMENT PROJECT (CO 00254):** On November 24, 2020, the Water Board entered into Contract No. 1728R with Black and Veatch Corporation for Design and Construction Support Services for Digester "B" Replacement Project.

In order to identify as many unknown utilities as possible (common within the existing treatment plant), the Consultant must complete additional slot trench excavations in order to locate as many unknown buried utilities surrounding existing Digesters A and B as possible. These additional subsurface investigations would provide improved data during the design phase, thus enhancing the project's constructability and reducing potential changes during construction.

The funding source for this Change Order was C.O. 00254, *Digester B Replacement Project with Biosolids Strategic Plan*, which had sufficient funds available for this change.

**MOTION:** Approve Change Order No. 4 to Contract No. 1728R with Black and Veatch Corporation, in the amount of THIRTY-FIVE THOUSAND SIX HUNDRED NINETY-EIGHT AND 00/100 DOLLARS (\$35,698.00). The General Manager was authorized to execute the change order.

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

10. **ANNUAL LIABILITY INSURANCE RENEWAL – FY 2022/2023:** Effective October 30, 2022, the Department must renew its annual liability insurance coverage for casualty, excess liability, automobile, and cyber security. The Employment Practices Liability (EPL) policy was no longer renewed on the same schedule as the rest of the liability policies. A request to renew EPL coverage would come before the Water Board in December 2022. The pollution legal liability coverage was on a three (3) year term and the Department was on the third year of this coverage, so this policy was not renewing.

The Department's insurance broker, Marsh Risk & Insurance Services (Marsh), marketed the Department's 2022/2023 coverage requirements, negotiated terms, and received proposals on behalf of the Department for the Crime and Cyber Security coverage. Unfortunately, quotes were not forthcoming for General Casualty, Excess Liability and automotive lines of coverage at the time of this report.

Adequate funds were budgeted in fiscal year 2022/2023 to cover the Crime and Cyber Security insurance renewals. The total cost for these two policies was \$30,679.

**MOTION:** Approve the renewal of the Crime and Cyber Security insurance policies. The General Manager was authorized to bind these two policies effective October 30, 2022.

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

**11. REPORTS:**

**A. Report of the President – None.**

**B. Report of the Commissioners – None.**

**C. Report of the Directors –**

1. Director Stewart stated that the Department was submitting a nomination packet with Hazen for a CWEA award for the Digester Gas Beneficial Use Program.
2. Director Miller stated that the Annual Inspection was completed on Thursday, October 20, 2022 and that there were no deficiencies listed.
3. Deputy General Manager Ohama stated that Devin Arciniega was a speaker at the “Equity Aspects of Water” forum on Thursday, October 20, 2022, at the Bear Springs Conference Center in Highland, California.

Deputy General Manager Ohama stated that there was an excellent roster of speakers from the state and colleges.

4. Deputy General Manager Ohama stated that HomeServe would begin sending out mailers in November 2022 to residents of the City who wish to sign up for private home repair protection.

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

General Manager Guerrero provided a COVID-19 update to the Water Board. San Bernardino County current case rate was 5.7 per 100,000, and the current positivity rate was approximately 4.5%.

General Manager Guerrero stated that the state extended its COVID-19 SPSL leave through the end of this year.

General Manager Guerrero stated that the Department has had three (3) positive cases so far this month but was staying vigilant and was preparing for any surges due to the colder weather and holiday season.

General Manager Guerrero stated that the current variants seemed easier to manage but the Department was prepared and there would be no changes to daily operations at this time.

**12. ADJOURNMENT:**

The next regular meeting of the Water Board was scheduled for 9:30 a.m., November 8, 2022, at the Margaret H. Chandler Water Reclamation Plant, located at 399 Chandler Place, San Bernardino, CA, 92408 or via web-conference.

By: 

Miguel J. Guerrero, P.E.  
General Manager