

## ENGINEERING COMMITTEE NOTES

July 7, 2020

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### Attendees:

Committee members: Randall Reed (Chair) and Kevin Kenley

Staff members: Eduardo Espinoza, Rob Hills, Chad Brantley, Mike Maestas, Tuan Truong, Praseetha Krishnan, Gidti Ludesirishoti, and Nik Baykal

Members of the Public: Gus Romo.

**Call to Order:** 5:00 p.m.

**Public Comment:** See discussion below.

**Additions/Deletions to Agenda:** None.

### Introductory Remarks by Chair Reed

Chair Reed announced for the record that this meeting was conducted by teleconference pursuant to the Brown Act waivers provided for under the Governor's executive Orders in response to the COVID-19 State of Emergency. Further, the agenda stated that there was no public location for attending this meeting in person. The agenda stated that the public may listen and provide comment telephonically by calling the number listed on the agenda. Chair Reed took a roll call of Committee members and staff present on the call as listed above.

### I. CP20006 Sewer Main in Hellman Avenue and 4<sup>th</sup> Street (verbal)

- Staff updated the committee on the progress of this project and the District's coordination with the County of San Bernardino (County) regarding the aforementioned project.
- This project has carried over multiple years in the District's CIP budgets, mostly due to permitting and coordination with the County's Flood Control District (FCD) since the new sewer alignment is proposed within FCD's property and crosses Cucamonga Creek, an engineered concrete flood control channel, just north of 4<sup>th</sup> Street. The design was reviewed by FCD and Army Corp of Engineers, which took over a year to complete, and late last year the design was approved.
- Earlier this year the bid package was completed, advertised for bid, and a low bid has been received. Staff is holding award until an easement can be secured, which is in negotiations with FCD and has its own delays. The project budget is currently sufficient to proceed with construction and an easement as currently negotiated.
- For several months now District staff has been negotiating an easement agreement and price with FCD because the proposed sewer would be in FCD property. An easement and cost is typical for this kind of arrangement. The difficulty has been that certain terms of FCD's easement agreement are too restrictive as advised by District legal counsel, BB&K, and the price is excessive compared to the rights offered in the agreement. FCD has made few concessions to District's comments. District staff have

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also questioned FCD's preferred appraisal method, which takes "across the fence" values, in this case residential and commercial properties adjacent to the channel. Staff requested an "open space" comparison since the channel was constructed in a natural creek and is likely not developable land in the future. FCD has not been open to this suggestion.

- Directors Reed and Kenley both asked various questions to better understand the costs of the easement and possible alternative methods and rationale for these. Staff will follow up and provide this information. Both Directors Reed and Kenley expressed intentions to inquire with the County. They also requested to have an additional discussion on this item before it is brought to the Board of Directors.

### 2. Grant of Easement for Water Purposes in 9945 Snow Drop Road

- Staff updated the committee on the status of the replacement waterline in Snow Drop Road. The new waterline, which replaced the pipe that failed in February near the property in 9945 Snow Drop Road, still runs through the same property and private property owners are granting an easement to the District. The property owners have agreed to the District's standard easement and are granting the easement at no cost. The property owners have already signed the agreement, it was presented to the committee for review, and staff recommends the committee forward to the Board of Directors for approval.
- Director Reed asked if the owner should share in responsibility since they constructed a driveway on the failed line. Staff clarified that the owner did not know a line ran under their home since the District never secured an easement for the original line. The repairs for their property is being handled through a claim.
- The committee concurred with staff's recommendation to push this item to the Board of Directors.

### 3. Change Order to WesTech Engineering Inc. for the Nitrate Treatment Facility Project

- Staff briefly reminded the committee of the project's status and previous change orders:
  - The construction phase is complete aside from punch list items. The facility is in startup following the successful loading of the biocatalyst. Demonstration testing is expected to begin following the stabilization of the treatment process.
  - The last change order (Change Order No. 3) incorporated on-site electrical scope and an extension to on-site security to the project. Since the last change order brought the total changes above 10%, any additive change would require board approval per the District's purchasing policy.
- The staff report indicates the District is still in final negotiations on the price. However, staff was able to finalize negotiations earlier in the day. The revised value of Change Order No. 4 is approximately 0.5% of the original project budget. The amendment includes field orders associated with on-site electrical (as directed by SCE inspectors or District staff); a final extension of on-site security into December; and credits to the District.

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- The amendment is only to the WesTech contract. The changes are still within the overall project budget; it will not require any changes to the overall project budget. The committee concurred with staff's recommendation to forward the item to the Board of Directors.

#### 4. Public Comment

- At his discretion as chair of the committee, Director Reed re-opened the public comment for a local resident who joined the call late. Mr. Gus Romo requested to speak regarding the landscaping at the new nitrate treatment facility on the corner of 19<sup>th</sup> and Sapphire.
- Mr. Romo expressed that he believes the District could do more for the aesthetics on the project site and would like the committee to consider additional architectural improvements. He specifically recommended that there could be some additions to the side of the building facing the street, perhaps a trellis with fake ivy. Mr. Romo also indicated he saw a previous version where the tanks were painted. The current version of the rendering shows the tanks will remain black. He believes it would significantly help the view if the tanks were painted.
- Mr. Romo also mentioned the facility is one of the first things you see as you enter the city from Upland on 19<sup>th</sup> Street. It is somewhat of an entry to the city, this area is popular around Christmas time for the street with all of the Christmas lights. This facility could really show off what CVWD is about.
- Director Reed shared his appreciation of Mr. Romo's participation and comments, advised that the District does their best to balance cost and need, requested staff consider additional cost effective options and follow up with Mr. Romo.

Meeting Adjourned at 5:40 p.m.