SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
CHINO BASIN DESALTER AUTHORITY

MINUTES
January 9, 2020

The Special Meeting of the Board of Directors of the Chino Basin Desalter Authority was held at the City of Ontario, 303 E. “B” Street, Ontario, CA, on the above date. The meeting was called to order at 2:00 p.m. by Director Robert Stockton, Western Municipal Water District.

Directors Present:
Robert Stockton, Western Municipal Water District – Chair
Tom Haughey, City of Chino – Vice Chair
Steven Elie, Inland Empire Utilities Agency
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Jim Bowman, City of Ontario

Directors Absent:
Betty Anderson, Jurupa Community Services District - Secretary
J. Arnold Rodriguez, Santa Ana River Water Company

Others Present:
Thomas O’Neill, CDA General Manager/CEO
Todd Minten, CDA Operations Manager
Jose Garcia, CDA Principal Accountant
Casey Costa, CDA Executive Assistant
Allison Burns, CDA Deputy General Counsel
Dave Crosley, City of Chino
Chris Bonadurer, City of Ontario
Ben Armel Jurupa Community Services District
Derek Kawai, Western Municipal Water District
Cindy Miller, Hazen & Sawyer
Alex Rahimian-Pour, Hazen & Sawyer
Bob Bowcock, Integrated Resources Management/SB County Airports
Peter Hall, MIH Water
Steve Corrington, MIH Water

FLAG SALUTE
The Pledge of Allegiance was led by Tom Haughey, City of Chino

PUBLIC COMMENT ON NON-AGENDA ITEMS
There were no comments from the public.
CONSENT CALENDAR ITEMS

Consent Calendar items are expected to be routine and non-controversial to be acted upon by the Board at one time without discussion. If any Board member, staff member, or interested person requests that an item be removed from the Consent Calendar, it will be moved to the first item on the Action Items.

1. MINUTES OF NOVEMBER 7, 2019 SPECIAL BOARD MEETING

2. TREASURER’S FINANCIAL AFFAIRS REPORT FOR QUARTER ENDED SEPTEMBER 2019
   Report by: Jose Garcia, CDA Principal Accountant

3. TREASURER’S REPORT ON GENERAL DISBURSEMENTS FOR THE QUARTER ENDED SEPTEMBER 2019
   Report by: Jose Garcia, CDA Principal Accountant

4. BUDGET VARIANCE REPORT FOR THE QUARTER ENDED SEPTEMBER 2019
   Report by: Jose Garcia, CDA Principal Accountant

5. INVESTMENT REPORT
   Report by: Jose Garcia, CDA Principal Accountant

**Motion:** It was moved by Director Haughey/City of Chino and seconded by Director Bowman/City of Ontario to approve Consent Items 1-5.

**Motion carried:**

*Ayes:* Tom Haughey, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Jim Bowman, City of Ontario
Robert Stockton, Western Municipal Water District

*Noes:* None

*Absent:* J. Arnold Rodriguez, Santa Ana River Water Company
Betty Anderson, Jurupa Community Services District

*Abstained:* None
ACTION ITEMS

Prior to action of the CDA Board, any member of the audience will have the opportunity to address the CDA Board on any item listed on the agenda, including those on any consent calendar. Please submit a comment card to the secretary with the agenda item number noted.

6. CHINO AIRPORT PLUME PROJECT: PROFESSIONAL SERVICES AGREEMENT FOR DESIGN OF CHINO I DESALTER VOC TREATMENT FACILITIES PROJECT

Report By: Thomas O’Neill, CDA General Manager/CEO

Staff Recommendation:

1. Approve a Professional Services Agreement with Hazen and Sawyer in the not-to-exceed amount of $993,372 for design of Chino I Desalter VOC Treatment Facilities; and

2. Authorize the General Manager/CEO to finalize and execute the agreement and approve up to $1,092,709 in authorized expenditures.

General Manager O’Neill reviewed the recommendation to approve an agreement with Hazen in Sawyer for design of the Chino I Desalter VOC Treatment Facilities, according to the agreement with the County of San Bernardino that provides that CDA will construct GAC treatment systems at the Chino I Desalter. Water from CDA wells I-1 through I-4 will be treated through the CDA GAC unit and will be a CDA cost for construction and O&M. The second GAC treatment facility will treat CDA wells I-16, I-17, and I-18 and 10 future County wells, and will be a County cost for construction and O&M.

A Request for Proposals was advertised through PlanetBids from October 28, 2019 until December 3, 2019. Notifications were sent to 98 vendors, 38 potential bidders registered to download bid documents and 9 potential bidders attended the mandatory preproposal meeting held on November 12, 2019. Proposals were due on December 3, 2019, with only one proposal received from Hazen and Sawyer. Of the 38 potential bidders, 11 were engineering firms, and 3 of those were present at the mandatory pre-proposal meeting. Potential bidders were polled to find out why they did not submit a bid and the primary reason given was that they were too busy. General Manager O’Neill reviewed that Hazen and Sawyer has the expertise to provide these services and have discounted their regular rates.

Motion: It was moved by Director Haughey/City of Chino and seconded by Director Bowman/City of Ontario to approve Action Item 8.

Motion carried:

Ayes: Tom Haughey, City of Chino
     Greg Newton, City of Norco
     Jim Bowman, City of Ontario
     Robert Stockton, Western Municipal Water District

Noes: None

Absent: J. Arnold Rodriguez, Santa Ana River Water Company
        Betty Anderson, Jurupa Community Services District

Abstained: Peter Rogers, City of Chino Hills
7. SOUTH ARCHIBALD PLUME PROJECT: AMENDMENT NO. 1 TO VALI COOPER/TRC’S AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES  
Report By: Cindy Miller, South Archibald Plume Program Manager  

Staff Recommendation:  

1. Approve an amendment to the professional services agreement with Vali Cooper & Associates / TRC for construction management and inspection services in the not-to-exceed amount of $439,008.38; and  
2. Authorize the General Manager to finalize and execute the amendment, with subsequent authorizations up to a not-to-exceed total of $2,445,000.  

Program Manager Miller reviewed the recommendation to approve an amendment to the agreement with TRC for construction management and inspection services due to revised schedules and the addition of pipeline in Remington Avenue, utilities and grading. Also, survey staking was added to the TRC scope of instead of including it in the contractor’s scope.  

Director Newton/Norco questioned whether the amount of the contractor’s budget will decrease by removing survey staking from their scope of work. He also expressed concern about the possibility of increased liability to CDA if there were a bust in the survey. Program Manager Miller responded that the survey staking was not included in the contractor’s scope of work when it went out to bid, so there would be no change to the contracted amount. She added that if there were a bust in the survey, CDA would be able to pursue remedy from the Construction Manager.  

Director Stockton/WMWD expressed concern about the Construction Manager performing the survey; if there were a survey bust it is typically the be Construction Manager that would mediate a dispute between the contractor and the surveyor.  

Program Manager Miller noted that the surveyor would be subcontracted by TRC and Director Stockton recommended that the survey staking be contracted separately to avoid a conflict of interest. There were no objections from other Board Members and the agenda item was deferred to a future Board Meeting.  

8. COST OF LIVING ADJUSTMENT – CDA EMPLOYEES  
Report by: Michael Chung, CDA CFO/Treasurer  

Staff Recommendation:  

1. Approve a Cost of Living Adjustment (COLA) of 3.0% for CDA employees, with the exception of the General Manager/CEO, effective Pay Period 1 of 2020.  

General Manager O’Neill reviewed the recommendation to approve a cost of living adjustment for CDA employees, according to an increase of 3.0% in the Consumer Price Index from November 2018 to November 2019 for Riverside-San Bernardino-Ontario area.
Motion: It was moved by Director Haughey/City of Chino and seconded by Director Bowman/City of Ontario to approve Action Item 8.

Motion carried:
Ayes:
- Tom Haughey, City of Chino
- Peter Rogers, City of Chino Hills
- Greg Newton, City of Norco
- Jim Bowman, City of Ontario
- Robert Stockton, Western Municipal Water District

Noes: None

Absent:
- J. Arnold Rodriguez, Santa Ana River Water Company
- Betty Anderson, Jurupa Community Services District

Abstained: None

9. ELECTION OF OFFICERS OF THE BOARD OF DIRECTORS
Report by: Thomas O'Neill, CDA General Manager/CEO

Staff Recommendation:

1. Elect a Chairperson, Vice-Chairperson and Secretary of the Board of Directors of the Chino Basin Desalter Authority for the calendar year 2020.

Motion: It was moved by Director Rogers/City of Chino Hills and seconded by Director Newton/City of Norco to elect Officers as follows: Chairperson - Tom Haughey/Chino, Vice Chairperson - Betty Anderson/JCSD, Secretary - Jim Bowman/Ontario

Motion carried:
Ayes:
- Tom Haughey, City of Chino
- Peter Rogers, City of Chino Hills
- Greg Newton, City of Norco
- Jim Bowman, City of Ontario
- Robert Stockton, Western Municipal Water District

Noes: None

Absent:
- J. Arnold Rodriguez, Santa Ana River Water Company
- Betty Anderson, Jurupa Community Services District

Abstained: None
10. BOARD OF DIRECTORS COMMITTEE APPOINTMENTS
Report by: Thomas O’Neill, CDA General Manager/CEO

Staff Recommendation:

1. Appoint members of the Board of Directors of the Chino Basin Desalter Authority to the Finance Committee for the calendar year 2020.

**Motion:** It was moved by Director Bowman/City of Ontario and seconded by Director Newton/City of Norco to appoint Directors from the following member agencies to the Finance Committee: City of Chino, City of Chino Hills and Jurupa Community Services District.

**Motion carried:**

Ayes: Tom Haughey, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Jim Bowman, City of Ontario
Robert Stockton, Western Municipal Water District

Noes: None

Absent: J. Arnold Rodriguez, Santa Ana River Water Company
Betty Anderson, Jurupa Community Services District

Abstained: None

**INFORMATION ITEMS**

*Information items are non-action items presented to the Board for their information.*

11. QUARTERLY SOUTH ARCHIBALD PLUME REPORT
Report By: Cindy Miller, South Archibald Plume Program Manager

Program Manager Miller reviewed the progress of project components: Property acquisition is being finalized, well drilling construction is scheduled to be completed July 2020, additional monitoring wells requested by Santa Ana Regional Quality Control Board and additional constituents to be monitored, three phases of raw water pipeline installation and decarbonator modifications at the Chino II Desalter.

Director Stockton questioned why PFOS is not being tested. Program Manager Miller replied that PFOS is being tested at the CDA wells, but the Regional Board has not requested the monitoring of PFOS as an additional constituent in the monitoring wells.

12. QUARTERLY OPERATIONS REPORT
Report By: Todd Minten, CDA Operations Manager

Operations Manager reviewed CDA production, water quality and well status.
13. **ACWA/JPIA PRESIDENTS SPECIAL RECOGNITION AWARD**  
Report by: Michael Chung, CDA CFO/Treasurer  
Principal Accountant Garcia reported that ACWA JPIA recognized CDA for achieving a loss ratio below 20% in the liability program for the period October 2015 to September 2018

**STAFF COMMENTS**

Deputy CDA General Counsel, Allison Burns had no comments.

CDA General Manager/CEO, Thomas O’Neill reported that the Concentrate Reduction Facility modifications are nearing completion, with start-up planned by the end of January 2020. It was discovered that the raceway supports holding the electrical conduit at Chino II is failing. Carollo Engineering was the Design Engineer and Construction Manager and will be absorb the cost to fix the problem.

A small leak was detected on the 30” waterline under Santa Ana River and will be repaired.

**CLOSED SESSION**

The Authority may adjourn to a Closed Session to consider litigation matters, personnel matters, or other matters as provided for in the Ralph M. Brown Act (Section 54950 et seq., of the Government Code).

14. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: CONSIDERATION OF INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4)**  
(TWO POTENTIAL CASES)

15. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2)**  
(ONE POTENTIAL CASES)

The Board recessed into Closed Session at 2:36 p.m. and reconvened at 2:41 p.m. Deputy General Counsel Burns reported that the Board took up Closed Session Item 15. Board gave direction to staff and General Counsel. There was no reportable action.

**DIRECTOR COMMENTS**

Director Elie, Inland Empire Utilities Agency, reported that IEUA Board President Kati Parker was appointed as the primary CDA Board Member.

**ADJOURNMENT** – There being no further business to come before the Board, the meeting was adjourned at 2:41 p.m.

Secretary of the Board of Directors/cc