

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

MINUTES February 4, 2021

A Special Meeting of the Board of Directors of the Chino Basin Desalter Authority was held via teleconference and videoconference on the above date. The meeting was called to order at 2:00 p.m. by Director McLaughlin, Jurupa Community Services District.

Directors Present:

Ken McLaughlin, Jurupa Community Services District –Chair
Jim Bowman, City of Ontario – Vice Chair
Eunice Ulloa, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Steve Elie, Inland Empire Utilities Agency
Vicki Rupe, Santa Ana River Water Company
Gracie Torres, Western Municipal Water District

Directors Absent:

None

Others Present:

Thomas O'Neill, CDA General Manager/CEO
Michael Chung, CDA CFO/Treasurer
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
Chris Waggener, Inland Empire Utilities Agency
Ben Armel, Jurupa Community Services District
Bryan Smith, Jurupa Community Services District
John Lopez, Santa Ana River Water Company
Todd Minten, Santa Ana River Water Company
Derek Kawaii, Western Municipal Water District
Cindy Miller, Hazen & Sawyer
Bob Bowcock, Integrated Resources Management/SB County Airports

PUBLIC COMMENT ON NON-AGENDA ITEMS

There were no public comments.

ACTION ITEMS

1. MINUTES OF JANUARY 7, 2021 REGULAR BOARD MEETING

Motion: It was moved by Director Ulloa/City of Chino and seconded by Director Bowman/City of Ontario to approve Action Item 1.

Motion carried:

Ayes: Eunice Ulloa, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Jim Bowman, City of Ontario
Vicki Rupe, Santa River Water Company
Gracie Torres, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

2. AMENDMENT 2 TO ACCO ENGINEERED SYSTEMS, INC. MAINTENANCE SERVICES AGREEMENT FOR HVAC PREVENTIVE MAINTENANCE AND REPAIR SERVICES

Report by: Thomas O'Neill, CDA General Manager/CEO

Staff Recommendation:

1. Approve Amendment 2 to ACCO Engineered Systems, Inc. Maintenance Services Agreement for HVAC Preventive Maintenance and Repair Services in the amount of \$100,000.
2. Authorize the General Manager/CEO to finalize and execute the amendment with a not-to-exceed total of \$200,000.

General Manager O'Neill reviewed the recommendation to approve Amendment 2 to the Maintenance Services Agreement with ACCO Engineered Systems, Inc. He reported that CDA advertised a Request for Proposal for HVAC Preventative Maintenance Services for 59 units at Chino I and Chino II facilities. Six proposals were received, with ACCO Engineered Systems, Inc. being the lowest responsive and responsible bidder, CDA entered into a Maintenance Service Agreement for regularly scheduled preventive maintenance services in the amount of \$3,425 per month for all units. An amendment to the agreement was subsequently issued to include repair services for a not-to-exceed total of \$100,000. Expenditures for maintenance and repairs at Chino I and Chino II facilities are \$99,000 to date. Monthly Preventive Maintenance for the remainder of the contract term amounts to \$20,000 and staff is requesting \$80,000 for potential system repair services. The not-to-exceed total of the agreement would be \$200,000. There were no questions or comments.

Motion: *It was moved by Director Bowman/City of Ontario and seconded by Director Rogers/City of Chino Hills to approve Action Item 2.*

Motion carried:

Ayes: Eunice Ulloa, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Jim Bowman, City of Ontario
Vicki Rupe, Santa River Water Company
Gracie Torres, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

3. SOUTH ARCHIBALD PLUME PROJECT: AMENDMENT NO. 3 TO VALI COOPER/TRC'S AGREEMENT FOR PROGRAM 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 \$492,823.39; and
2. Authorize the General Manager/CEO to finalize and execute the amendment, with subsequent authorizations up to a not-to-exceed total of \$2,667,242.

Program Manager Miller reviewed the recommendation to approve an amendment to the Professional Services Agreement with Vali Cooper/TRC (TRC) for Construction Management and Inspection Services. She reviewed that In December 2018, CDA entered into an agreement with TRC in the amount of \$1,783,264. In March 2020, CDA Board approved Amendment No. 1 in the amount of \$217,143.38 for additional CM and inspection services for the Remington Pipeline and added utilities in the Public Utilities Easement. In November 2020, the General Manager/CEO authorized Amendment No. 2 in the amount of \$47,000 for additional soils testing budget under his authorization limit, bringing TRC's revised contract total to date is \$2,047,407.38.

Amendment 3 will provide for continued CM and Inspection services required through project closeout. The original budget, based on the best schedule information available two years ago, estimated a construction completion date of February 2021 and project closeout completion of March 31, 2021. Since that time, construction schedule start dates and durations have changed, with a revised completion date of June 2021 and project closeout at the end of July 2021. Additionally, overlap of construction contracts were

decreased, resulting in reduced opportunity for resource efficiencies assumed in TRC's original scope and budget. There were no questions or comments.

Motion: It was moved by Director Rogers/City of Chino Hills and seconded by Director Torres/Western Municipal Water District to approve Action Item 3.

Motion carried:

Ayes: Eunice Ulloa, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Jim Bowman, City of Ontario
Vicki Rupe, Santa River Water Company
Gracie Torres, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

4. SOUTH ARCHIBALD PLUME PROJECT: APPROVAL OF RESOLUTION NO. 2021-02 FOR PROP 68 GROUNDWATER OPERATIONS AND MAINTENANCE GRANT

Report by: Thomas O'Neill, CDA General Manager/CEO

Staff Recommendation:

1. Adopt Resolution No. 2021-02, authorizing the CDA to enter into an Operations and Maintenance Grant Agreement with the State Water Resources Control Board (SWRCB) as a co-signer with the Inland Empire Utilities Agency (IEUA) to support the Chino Basin Improvement and Groundwater Clean-up Operations and Maintenance Project (Project) and authorizing the CDA General Manager/CEO to execute the agreement.

General Manager O'Neill reviewed the recommendation to adopt Resolution No. 2021-02, which will authorize the CDA to enter into a Grant Agreement with SWRCB as a cosigner with IEUA. In January 2020, IEUA submitted a grant application for Proposition 68 Groundwater Treatment and Remediation Grant Program, in the amount of \$1,000,096. These grant funds will help cover costs associated with the South Archibald Plume Project operations and maintenance, including power costs, chemicals, and staff time. IEUA will administer all compliance requirements of the grant. There were no questions or comments.

Motion: It was moved by Director Bowman/City of Ontario and seconded by Director Ulloa/City of Chino to approve Action Item 4.

Motion carried:

Ayes: Eunice Ulloa, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Jim Bowman, City of Ontario
Vicki Rupe, Santa River Water Company
Gracie Torres, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

5. APPOINTMENT OF REPRESENTATIVE ON THE ACWA/JPIA BOARD OF DIRECTORS

Report by: Thomas O'Neill, CDA General Manager/CEO

Staff Recommendation:

1. Appoint a Representative on the Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA) Board of Directors.

Director Ulloa/Chino submitted her

Motion: It was moved by Director Rogers/City of Chino Hills and seconded by Director Bowman/City of Ontario to appoint Director Ulloa/City of Chino as Chino Basin Desalter Authority Representative on the ACWA/JPIA Board of Directors.

Motion carried:

Ayes: Eunice Ulloa, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Jim Bowman, City of Ontario
Vicki Rupe, Santa River Water Company
Gracie Torres, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

6. COST OF LIVING ADJUSTMENT – CDA EMPLOYEES

Report by: Michael Chung, CDA CFO/Treasurer

Staff Recommendation:

1. Approve a Cost-of-Living Adjustment (COLA) of 2.1% for CDA employees, with the exception of the General Manager/CEO, effective Pay Period 1 of 2021.

Treasurer Chung reviewed the recommendation to approve a cost-of-living increase of 2.1% for CDA employees, with the exception of the General Manager/CEO according to previous years' practice of using the November to November increase in the Consumer Price Index for the Urban Wage Earners in the San Bernardino-Riverside area. Director Rogers/Chino Hills reported that in previous years the CPI has been the basis for the recommended rate increase for cost-of-living adjustments. There were no further questions or comments.

Motion: It was moved by Director Ulloa/City of Chino and seconded by Director Newton/City of Norco to approve Action Item 6.

Motion carried:

Ayes: Eunice Ulloa, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Jim Bowman, City of Ontario
Vicki Rupe, Santa River Water Company
Gracie Torres, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

7. CHANGE TO EMPLOYEE BENEFIT PACKAGE FOR CDA EMPLOYEES

Report by: Michael Chung, CDA CFO/Treasurer

Staff Recommendation:

1. Approve an increase of \$200 per month in the health insurance contribution for CDA fulltime employees (excluding the General Manager/CEO), effective Pay Period #1 of 2021.

Treasurer Chung reviewed the recommendation to approve and increase of \$200 per month in the health insurance contribution for CDA full time employees. The current allowance for health insurance is \$1,500 per month per employee, and the recommended allowance is \$1,700 per month per employee. The latest premium increase effective January 2021 is 8%. There were no questions or comments.

Motion: *It was moved by Director Bowman/City of Ontario and seconded by Director Rogers/City of Chino Hills to approve Action Item 7.*

Motion carried:

Ayes: Eunice Ulloa, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Jim Bowman, City of Ontario
Vicki Rupe, Santa River Water Company
Gracie Torres, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

STAFF COMMENTS

- i. Deputy CDA General Counsel, Allison Burns had no comments.
- ii. CDA CFO/Treasurer, Michael Chung had no comments.
- iii. CDA General Manager/CEO, Thomas O'Neill commented that the Concentrate Reduction Facility is shut down for winter service maintenance. The duration of the shutdown is approximately 4 weeks. Deliveries continue to remain at 100%.

CLOSED SESSION

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

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

The Board did not enter into Closed Session.

DIRECTOR COMMENTS

ADJOURNMENT – There being no further business to come before the Board, the meeting was adjourned at 2:26 p.m.


Secretary of the Board of Directors