

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

MINUTES April 1, 2021

A Regular 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 Bowman, City of Ontario.

Directors Present:

Ben Armel, Jurupa Community Services District (Alternate)
Jim Bowman, City of Ontario – Vice Chair
Eunice Ulloa, City of Chino
Peter Rogers, City of Chino Hills
Greg Newton, City of Norco
Marco Tule, 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
Amanda Coker, City of Chino
Mark Wiley, City of Chino Hills
Courtney Jones, City of Ontario
Albert Gastelum, City of Ontario Municipal Utilities Company
Chris Waggener, Inland Empire Utilities Agency
John Lopez, Santa Ana River Water Company
Todd Minten, Santa Ana River Water Company
Tim Barr, Western Municipal Water District
Cindy Miller, Hazen & Sawyer
Jennifer Saldivar, TRC Companies
Bob Bowcock, Integrated Resources Management/SB County Airports

ADMINISTER OATH OF OFFICE

CDA Deputy General Counsel Burns administered the oath of office to Alternate Director Armel/Jurupa Community Services District

PUBLIC COMMENT ON NON-AGENDA ITEMS

There were no public comments.

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).

- 1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Title: General Manager
- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:
CONSIDERATION OF INITIATION OF LITIGATION PURSUANT TO
GOVERNMENT CODE SECTION 54956.9(D)(4)**
(TWO POTENTIAL CASES)
- 3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:
SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT
CODE SECTION 54956.9(D)(2)**
(TWO POTENTIAL CASES)

The Board recessed into closed session at 2:09 p.m. and reconvened at 2:14 p.m. Deputy General Counsel Burns reported that during Closed Session the Board took up Item 1: Public Employee Performance Evaluation and gave direction to Legal Counsel. There was no reportable action.

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

- 4. MINUTES OF MARCH 4, 2021 SPECIAL BOARD MEETING**
- 5. TREASURER'S FINANCIAL AFFAIRS**
Report by: Jose Garcia, CDA Principal Accountant
- 6. TREASURER'S REPORT ON GENERAL DISBURSEMENTS**
Report by: Jose Garcia, CDA Principal Accountant
- 7. BUDGET VARIANCE REVIEW**
Report by: Jose Garcia, CDA Principal Accountant

8. INVESTMENT REPORT

Report by: Jose Garcia, CDA Principal Accountant

Motion: *It was moved by Director Ulloa/City of Chino and seconded by Director Newton/City of Norco to approve Consent Items 4-8.*

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
Ben Armel, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

ACTION ITEMS

*Prior to action of the CDA Board, any member of the public will have the opportunity to address the CDA Board on any item listed on the agenda by submitting written comments **at least one hour prior to the start of the meeting at (909) 218-3230 or ccosta@chinodesalter.org**. Please note the agenda item number in your email.* Comments will be read aloud during the meeting by the Board Secretary.

9. CONSIDERATION OF APPROVAL OF SECOND AMENDED AND RESTATED EMPLOYMENT AGREEMENT WITH THOMAS O'NEILL

Report By: Allison Burns, CDA Deputy General Counsel

Staff Recommendation:

1. Approve the Second Amended and Restated Employment Agreement with Thomas O'Neill effective April 1, 2021; and
2. Authorize the Board Chairman to execute the Second Amended and Restated Employment Agreement with Thomas O'Neill with an effective date of April 1, 2021.

Allison Burns, General Counsel reviewed the recommendations to approve and authorize the Second Amended and Restated Employment Agreement with Thomas O'Neill effective April 1, 2021. There were no questions or comments.

Motion: It was moved by Director Rogers/City of Chino Hills and seconded by Director Newton/City of Norco to approve Action Item 9.

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
Ben Armel, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

10. CLARIFIER SOLIDS TRANSPORT AND MANAGEMENT AGREEMENT WITH DENALI WATER SOLUTIONS

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

Staff Recommendation:

1. Approve a contract in the not-to-exceed amount of \$648,000 to Denali Water Solutions for transport and disposal of clarifier solids; and
2. Authorize the General Manager/CEO to finalize and execute the agreement and extend the contract for up to four additional one-year periods consistent with CDA Board approved budget.

General Manager O'Neill reviewed the recommendation to approve and authorize a contract in the not-to-exceed amount of \$648,000 to Denali Water Solutions for transport and disposal of clarifier solids and extend the agreement consistent with CDA Board approved budget. The RFP was issued via PlanetBids website with 28 potential bidders notified and 3 bids submitted. Denali Water Solutions was the low bidder at \$54.00 per ton. There were no questions or comments.

Motion: *It was moved by Director Rogers/City of Chino Hills and seconded by Director Newton/City of Norco to approve Action Item 10.*

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
Ben Armel, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

11. SOUTH ARCHIBALD PLUME CLEANUP PROJECT: CONSTRUCTION CONTRACT CHANGE ORDERS FOR CHINO II DESALTER AIR STRIPPER PROJECT

Report By: Cindy Miller, South Archibald Plume Program Manager

Staff Recommendation:

1. Approve Change Orders in the total amount of \$91,632.73 to the construction contract CDASAP-20-01 for Pascal & Ludwig for construction of the Chino II Desalter Air Strippers Project, for a total revised contract amount of \$2,891,632.73.
2. Authorize the General Manager/CEO to execute the contract and approve authorized expenditures up to a not-to-exceed total of \$3,050,000.00.

Program Manager Miller reviewed the recommendations to approve change orders in the total amount of \$91,632.73 to the construction contract CDASAP-20-01 for Pascal & Ludwig for construction of the Chino II Desalter Air Strippers Project, for a total revised contract amount of \$2,891,632.73 and approve authorized expenditures up to a not-to-exceed total of \$3,050,000.00. She reviewed the change in field conditions that resulted in the proposed change orders. There were no questions or comments.

Motion: *It was moved by Director Newton/City of Norco and seconded by Director Rogers/City of Chino Hills to approve Action Item 11.*

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
Ben Armel, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

12. SOUTH ARCHIBALD PLUME PROJECT: CONSULTANT SELECTION FOR DESIGN OF WELL I-11 BOOSTER PUMP STATION DESIGN

Report By: Cindy Miller, South Archibald Plume Program Manager

Staff Recommendation:

1. Approve a professional services agreement with Albert A. Webb Associates for engineering design and construction phase services in the not-to-exceed amount of \$159,859; and
2. Authorize the General Manager/CEO to finalize and execute the agreement, with subsequent authorizations up to a not-to-exceed total of \$175,000.

Program Manager Miller reviewed the recommendation to approve a professional services agreement with Albert A. Webb Associates for engineering design and construction phase services in the not to exceed amount of \$159,859. A booster pump station will allow the flow from Well I-11 to be conveyed to the Chino II Desalter for TCE removal to meet State and Federal drinking water standards. The raw pipeline improvements were completed as part of the Phase 3 Pipeline Project. An RFP was publicly advertised through PlanetBids and 3 proposals were received, with Webb determined to be the highest ranked firm for this project. There were no questions or comments.

Motion: It was moved by Director Newton/City of Norco and seconded by Director Armel/Jurupa Community Services District to approve Action Item 12.

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
Ben Armel, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

INFORMATION ITEMS

13. QUARTERLY SOUTH ARCHIBALD PLUME REPORT

Report By: Cindy Miller, South Archibald Plume Program Manager

Program Manager Miller reviewed the progress of project components of the South Archibald Plume Project, expected to be complete June 2021. Production Well II-12 drilling is complete; well equipping is underway and is currently estimated to be complete May 2021. Monitoring Wells MW-II-3, MW-II-4, and MW-II-5 have been constructed. Waiting for water quality test results for MW-II-4 and MW-II-5. Raw Water Pipeline Phases 1 and 3 are complete. Raw Water Pipeline Phase 2 is in progress with expected completion in May 2021. The Chino II Decarbonator Project is the primary treatment process to remove TCE. The project is expected to be complete June 2021. Program Manager Miller reviewed project costs and grant funding for the project. There were no questions or comments.

14. QUARTERLY OPERATIONS REPORT

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

General Manager O'Neill reviewed product water deliveries at 100% of entitlements. He reviewed plant production, nitrate and TDS levels and Brine Line Discharge. Well I-10 was returned to service after well, pump and motor rehabilitation. Wells I-1 2, 3 and 17 remain offline due to high levels of TCE. Well II-6 is out of service for rehabilitation and Well II-10 is undergoing repairs. There were no questions or comments.

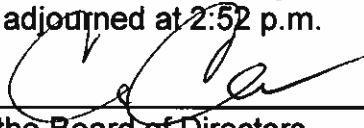
STAFF COMMENTS

- 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 thanked the Board of Directors in consideration of his employment contract renewal and stated that he looks forward to continuing in his role.

DIRECTOR COMMENTS

Board Members thanked General Manager O'Neill for his service to CDA, and commended him for his hard work and job performance.

ADJOURNMENT – There being no further business to come before the Board, the meeting was adjourned at 2:52 p.m.



Secretary of the Board of Directors