

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

MINUTES May 6, 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 Bowman, City of Ontario.

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
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
Chris Bonadurer, City of Ontario
John Lopez, Santa Ana River Water Company
Todd Minten, Santa Ana River Water Company
Derek Kawaii, Western Municipal Water District
Cindy Miller, Hazen & Sawyer
Kevin Sage, Integrated Resources Management/SB County Airports

PUBLIC COMMENT ON NON-AGENDA ITEMS

There were no public comments.

1. MINUTES OF APRIL 1, 2021 SPECIAL BOARD MEETING

Motion: It was moved by Director Bowman/City of Ontario and seconded by Director Ulloa/City of Chino 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 NO. 1 TO AGREEMENT WITH TE ROBERTS, INC. FOR ENVIRONMENTAL CLEANUP SERVICES AND SOLIDS HANDLING SUPPORT
Report By: Thomas O'Neill, CDA General Manager/CEO

Staff Recommendation:

1. Approve Amendment No. 1 to the Maintenance Services Agreement with TE Roberts, Inc. for Environmental Cleanup Services and Solids Handling Support in the not-to-exceed amount of \$50,000.
2. Authorize the General Manager/CEO to finalize and execute the amendment and approve authorized expenditures up to a new not-to-exceed total of \$100,000.

General Manager O'Neill reviewed the recommendation to approve Amendment 1 to the Maintenance Services Agreement with TE Roberts, Inc. for on-call services for environmental cleanup services and solids handling support to vacuum and dispose of pellets generated by the Concentrate Reduction Pellet Reactor.

Compared to United Pumping, a significant savings is realized, due to a lower hourly rate and efficiencies realized with TE Roberts' high-capacity vector, eliminating the need for on-site dewatering bins and enabling transportation directly to the landfill. There were no questions or comments.

Motion: It was moved by Director Newton/City of Norco and seconded by Director Ulloa/City of Chino 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. ADOPTION OF FISCAL YEAR 2021/22 CAPITAL AND O&M BUDGET

By: Jose Garcia, CDA Principal Accountant

Staff Recommendation:

1. Approve the adoption of the proposed Fiscal Year 2021/22 Capital and O&M Budget in accordance with the Authority's Joint Powers Authority Agreement.

Principal Accountant Garcia reviewed the proposed Fiscal Year 2021/22 Capital and O&M Budget, including proposed cost of water per acre foot. He reviewed Administration and O&M budgets for Chino I and Chino II Desalters and proposed CIP projects and budget.

Motion: It was moved by Director Ulloa/City of Chino and seconded by Director Bowman/City of Ontario 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

INFORMATION ITEMS

4. BROWN ACT REVISIONS AND UPDATE

By: Allison E. Burns, General Counsel

Deputy General Counsel Burns reviewed Brown Act Revisions which prohibit members of the legislative body of a public agency from "discussing amongst themselves" specific matters within its jurisdiction via social media and prohibits the use of digital icons to react to communications by other board members (eg. "liking" a comment by a fellow board member).

STAFF COMMENTS

- i. Deputy CDA General Counsel, Allison Burns
- ii. CDA CFO/Treasurer, Michael Chung
- iii. CDA General Manager/CEO, Thomas O'Neill

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).

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

6. **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

ADJOURN



Secretary of the Board of Directors