

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

**MINUTES
June 3, 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 Chair 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
Marco Tule, Inland Empire Utilities Agency
Vicki Rupe, Santa Ana River Water Company
Gracie Torres, Western Municipal Water District
Mike Gardner, Western Municipal Water District (Alternate)

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
John Lopez, 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 MAY 6, 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
Mike Gardner, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

2. BRENNTAG PACIFIC CONTRACTS FOR SUPPLY OF SODIUM HYDROXIDE, POLYMERS, SODA ASH, SULFURIC ACID, MAGNESIUM CHLORIDE

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

Staff Recommendation:

1. Approve Amendment 1 with Brenntag Pacific Inc, for supply and delivery of Soda Ash, Sulfuric Acid, Magnesium Chloride, and Polymers for FY 2021/22; and
2. Approve Amendment 1 with Brenntag Pacific Inc., for supply of Sodium Hydroxide for Fiscal Year 2021/22; and
3. Authorize the General Manager/CEO to execute amendments for additional (1) one-year periods according to each contract, consistent with CDA Board approved budgets.

General Manager O'Neill reviewed the recommendation to approve contract amendments with Brenntag Pacific for supply of chemicals for fiscal year 2021/22. Brenntag held their current pricing for the duration of the amendment. There were no questions or comments.

Motion: *It was moved by Director Ulloa/City of Chino 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
Mike Gardner, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None
Absent: None
Abstained: None

3. ACCO ENGINEERED SYSTEMS AGREEMENT FOR HVAC MAINTENANCE AND REPAIR

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

Staff Recommendation:

1. Approve Amendment 3 for HVAC Preventive Maintenance and Repair Services with ACCO Engineered Systems, Inc. in the amount of \$120,000 for an additional one-year period for a not-to-exceed total of \$320,000.
2. Authorize the General Manager/CEO to execute amendments for two additional (1) one-year periods according to the agreement, consistent with CDA Board approved budgets.

General Manager O'Neill reviewed the recommendation to approve Amendment 3 to the agreement with ACCO Engineered Systems in the amount of \$120,000 for HVAC Preventive Maintenance and Repairs for fiscal year 2021/22. ACCO increased their pricing by 2% for the duration of the amendment. 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 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
Mike Gardner, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None
Absent: None
Abstained: None

4. PROCUREMENT OF REPLACEMENT REVERSE OSMOSIS MEMBRANES FOR THE CONCENTRATE REDUCTION FACILITY

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

Staff Recommendation:

1. Approve a purchase order with Biwater Inc. for the supply of 425 RO membrane elements in the amount of \$220,000.

General Manager O'Neill reviewed the recommendation to purchase RO membranes for the Concentrate Reduction Facility. The membranes in two of the trains have reached the end of their useful life and require replacement. These membranes are different than those used in Chino I and Chino II RO systems. Carollo reviewed the available membranes and recommended specific Filmtec or Toray membranes. Quotes were solicited for both and Toray membranes purchased from Biwater Inc. were significantly lower in cost. 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 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
Mike Gardner, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None
Absent: None
Abstained: None

5. CHINO BASIN DESALTER AUTHORITY URBAN WATER MANAGEMENT PLAN 2020

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

Staff Recommendation:

1. Hold a public hearing to receive testimony regarding the Chino Basin Desalter Authority (CDA) 2020 Urban Water Management Plan; and
2. Approve Resolution No. 2021-04 adopting the 2020 UWMP.

Chair McLaughlin opened the Public Hearing at 2:10 p.m.

General Manager O'Neill reviewed that CDA is required to submit an Urban Water Management Plan (UWMP) every five years. The previous plan submitted was the 2015 UWMP. He reviewed that CDA had entered into an agreement with other local water service providers to implement cost-saving measures, including development of their UWMP's. He reviewed the recommendation to approve Resolution 2021-04 adopting the 2020 Urban Water Management Plan (UWMP). The 2020 UWMP was made available for review by the public on CDA's website on May 20, 2021 and notice of the public hearing was published on May 11, 2021 and May 18, 2021 in the Inland Valley Daily Bulletin and May 12, 2021 and May 19, 2021 in the Riverside Press Enterprise.

There were no questions or comments and members of the public were asked to speak on Item 5. There were no public statements, and the public hearing was closed at 2:15 p.m.

Motion: *It was moved by Director Bowman/City of Ontario and seconded by Director Ulloa/City of Chino to approve Action Item 5.*

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
Mike Gardner, Western Municipal Water District
Ken McLaughlin, Jurupa Community Services District

Noes: None

Absent: None

Abstained: None

6. SOUTH ARCHIBALD PLUME CLEANUP PROJECT: CONSTRUCTION CONTRACT CHANGE ORDERS FOR RAW WATER PIPELINE PROJECT PHASE II CDASAP-19-12

Report By: Cindy Miller, South Archibald Plume Program Manager

Staff Recommendation:

1. Approve Change Orders in the total amount of \$689,569.45 to the construction contract CDASAP-19-12 for Gwinco Construction & Engineering, Inc. for the Phase 2 Pipeline Project, for a total revised contract amount of \$8,086,507.45 (which represents approval of \$433,507.45 over the previous authorization limit).
2. Authorize the General Manager/CEO to execute the contract and approve authorized expenditures up to a not-to-exceed total of \$8,386,508.

Cindy Miller/Hazen & Sawyer reviewed the recommendation to approve change orders totaling \$689,569.45 to Gwinco Construction & Engineering for the Phase 2 Pipeline Project. Additional required changes were required. Through coordination with the City of Eastvale it was determined that the pipeline crossing Hamner and Bellegrave must be accomplished by jack and bore. Additionally, PFAS compounds with levels greater than established regulations were detected in Wells II-6, II-7 and II-8 and these wells will be connected to the RO system for removal. Other miscellaneous items required, based upon field conditions, are also needed. Director Newton/City of Norco expressed concern that change orders are over 16% of project costs. He inquired about Change Order 8: Jack and Bore at Bellegrave, as it is stated that there are traffic considerations in the City of Eastvale necessitating the change order. She replied that the revised alignment required a number of lane closures and a detour around the intersection. Utility conflicts and realignment of pipeline came to light after construction began.

Additionally, night work was not feasible in this area. Director Newton/Norco asked why the utility conflicts were not discovered earlier. Program Manager Miller replied that the record drawings were inaccurate, and the Engineer's design was based on the record drawings. Director Newton/Norco added that it would be beneficial if the Contractor's breakdown was attached to the staff report and any future staff reports in similar situations. Director Ulloa/Chino inquired about the source of funding for the project. Program Manager Miller replied that a portion of the cost is being borne by IEUA, who has secured grant funding from Prop 1 and the Bureau of Reclamation and from responsible parties identified when the Cleanup and Abatement order was executed. She added that costs associated with the connection to Well II-6 will not be eligible for grant funding because it is not associated with plume contamination. The connection is due to PFAS being discovered at the well; she added that the cost for this connection will be borne by IEUA. CDA member agencies will not pay for any portion of this project.

Motion: *It was moved by Director Rogers/City of Chino Hills and seconded by Director Bowman/City of Ontario to approve Action Item 6.*

Motion carried:

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

Noes: Greg Newton, City of Norco

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 bids were received for the Chino VOC Treatment Project, with bids coming in between \$10.9 Million and \$12.1 Million, higher than estimated due to increase in cost of materials.

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).

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

**8. 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

Director Torres/MMWD asked if consideration has been given to whether future meetings will be held in-person or continue to be teleconferenced or a hybrid scenario. General Counsel Burns replied that the Governor's order that allows for virtual meetings has not been lifted, which will allow public meetings via video conference. When the order is rescinded, advanced notice to public agencies will be given to allow time to adjust their meeting format.

Director Torres/MMWD regrettably announced that MMWD Director Don Galleano passed away. She added that Director Galleano was a staple in the water industry and the community. He was well loved and will be incredibly missed.

Director McLaughlin also expressed his sadness at the passing of Don Galleano, and acknowledged that he was a pillar and icon in the community and touched so many lives.

ADJOURN

The meeting was adjourned at 2:30 p.m. in honor and remembrance of Don Galleano and in support of his family.



Secretary of the Board of Directors