



**SPECIAL**

**BOARD OF DIRECTORS MEETING**

**February 7, 2019**

**11:00 a.m.**

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**City of Ontario – Council Chambers  
303 E. “B” Street, Ontario, CA**

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

**February 7, 2019  
11:00 a.m.**

Council Chambers, of the City of Ontario  
303 E. "B" Street, Ontario, CA

*All documents available for public review are on file with the Authority's secretary  
located at 2151 S. Haven Avenue, Suite 202, Ontario, CA 91761.*

**AGENDA**

**CALL TO ORDER**

**FLAG SALUTE**

**PUBLIC COMMENT**

*Members of the public may address the Board at this time on any non-agenda matter. Please complete a Comment Card and give it to the Secretary. Comments are limited to three (3) minutes per individual. State your name and address for the record before making your presentation. This request is optional, but very helpful for the follow-up process.*

*Under the provisions of the Brown Act, the CDA Board is prohibited from taking action on oral requests. However, Board Members may respond briefly or refer the communication to staff. The CDA Board may also request the Secretary to calendar an item related to your communication at a future CDA Board meeting.*

**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. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
**Property: APN 0218-231-13, 15, City of Ontario**  
**CDA Negotiators: Tom O'Neill, Allison Burns**  
**Negotiating parties: SC Ontario Development Company**  
**Under negotiation: Price and terms of payment**
  
- 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)**  
**(ONE POTENTIAL CASE)**
  
- 4. Pursuant to Government Code section 54957:**  
**PUBLIC EMPLOYEE APPOINTMENT**  
**Title: General Manager**

## **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.*

### **5. MINUTES OF JANUARY 10, 2019 SPECIAL BOARD MEETING**

### **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 3.60% for CDA employees effective Pay Period 1 of 2019.

### **7. PHASE 3 EXPANSION PROJECT: CHANGE ORDER NO. 2 TO HELIX ENVIRONMENTAL PURCHASE ORDER FOR BIOLOGICAL CONSULTING SERVICES FOR SANTA ANA RIVER CROSSING HDD PROJECT**

Report by: Cindy Miller, Phase 3 Program Manager

#### **Staff Recommendation:**

1. Approve Change Order No. 2 in the amount of \$25,000 to the Helix Environmental purchase order for Biological Consulting Services for Santa Ana River Crossing HDD Project, for a total contract amount of \$94,600; and
2. Authorize the Interim General Manager to execute Change Order No. 2 and approve authorized expenditures up to a not-to-exceed total of \$104,060.

## **STAFF COMMENTS**

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

## **DIRECTOR COMMENTS**

## **ADJOURNMENT – To the Special Meeting on March 7, 2019**

### ***Declaration of Posting***

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*I, Casey Costa, Executive Assistant to the Chino Basin Desalter Authority, hereby certify that a copy of this agenda has been posted by 11:00 a.m. at the Chino Basin Desalter Authority's main office, 2151 S. Haven Ave., Ontario, CA on Monday, February 4, 2019.*

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*Casey Costa, Executive Assistant*



# Board of Directors Meeting

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## Agenda Item

**No. 1**

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

MINUTES

January 10, 2019

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 11:00 a.m. by Robert Stockton, Western Municipal Water District.

**Directors Present:**

Robert Stockton, Western Municipal Water District, Chair  
Tom Haughey, City of Chino, Vice Chair  
Betty Anderson, Jurupa Community Services District, Secretary  
Peter Rogers, City of Chino Hills  
Greg Newton, City of Norco  
Jim Bowman, City of Ontario  
Jasmin Hall, Inland Empire Utilities Agency  
J. Arnold Rodriguez, Santa Ana River Water Company

**Directors Absent:**

None

**Others Present:**

Tom O'Neill, Interim CDA General Manager  
Michael Chung, CDA CFO/Treasurer  
Allison Burns, CDA Deputy General Counsel  
Jose Garcia, CDA Principal Accountant  
Casey Costa, CDA Executive Assistant  
Dave Crosley, City of Chino  
Eldon Horst, Jurupa Community Services District  
Derek Kawaii, Western Municipal Water District  
Cindy Miller, Hazen & Sawyer  
Cindy Krebs, Alliance Resource Consulting

**FLAG SALUTE**

The Pledge of Allegiance was led by Director Anderson/JCSD

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

None

## **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. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
**Property: APN 0218-231-13, 15, City of Ontario**  
**CDA Negotiators: Tom O'Neill, Allison Burns**  
**Negotiating parties: SC Ontario Development Company**  
**Under negotiation: Price and terms of payment**
  
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)**  
**(ONE POTENTIAL CASE)**
  
4. **Pursuant to Government Code section 54957:  
PUBLIC EMPLOYEE APPOINTMENT**  
**Title: General Manager**

The Board recessed into Closed Session at 11:03 a.m. and reconvened at 2:40 p.m. Deputy General Counsel Burns reported on Items 1-4; Board gave direction to staff and General 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.*

5. **MINUTES OF DECEMBER 6, 2018 SPECIAL BOARD MEETING**
  
6. **TREASURER'S FINANCIAL AFFAIRS REPORT FOR QUARTER ENDED  
SEPTEMBER 2018**  
Report by: Jose Garcia, CDA Principal Accountant
  
7. **TREASURER'S REPORT ON GENERAL DISBURSEMENTS FOR THE QUARTER  
ENDED SEPTEMBER 2018**  
Report by: Jose Garcia, CDA Principal Accountant
  
8. **BUDGET VARIANCE REPORT FOR THE QUARTER ENDED SEPTEMBER 2018**  
Report by: Jose Garcia, CDA Principal Accountant
  
9. **INVESTMENT REPORT**  
Report by: Jose Garcia, CDA Principal Accountant

**Motion:** *It was moved by Director Anderson/JCSD and seconded by Director Haughey/Chino to approve Consent Items 5-9.*

***Motion carried:***

*Ayes: T. Haughey/Chino, P. Rogers/Chino Hills, G. Newton/Norco, J. Bowman/Ontario, B. Anderson/JCSD, J.A. Rodriguez/SARWC, R. Stockton/WMWD*

*Noes: None*

*Absent: None*

*Abstained: None*

## **ACTION ITEMS**

### **10. APPROVAL OF ANNUAL FINANCIAL REPORT FOR FISCAL YEAR 2017/18**

Report by: Jose Garcia, CDA Principal Accountant

#### **Staff Recommendation:**

1. Approve the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2018; and
2. Direct staff to make distribution, as appropriate, to the various federal, state and local agencies, financial institutions, bond rating agencies and other interested parties.

Board members acknowledged that they had reviewed the Annual Financial Report and a motion was called for.

**Motion:** *It was moved by Director Haughey/Chino and seconded by Director Bowman/Ontario to approve Action Item 10.*

***Motion carried:***

*Ayes: T. Haughey/Chino, P. Rogers/Chino Hills, G. Newton/Norco, J. Bowman/Ontario, B. Anderson/JCSD, J.A. Rodriguez/SARWC, R. Stockton/WMWD*

*Noes: None*

*Absent: None*

*Abstained: None*

**11. PHASE 3 EXPANSION PROJECT: CHANGE ORDER NO. 1 TO HELIX ENVIRONMENTAL PURCHASE ORDER FOR BIOLOGICAL CONSULTING SERVICES FOR SANTA ANA RIVER CROSSING HDD PROJECT**

Report by: Cindy Miller, Phase 3 Expansion Program Manager

**Staff Recommendation:**

1. Approve Change Order No. 1 in the amount of \$19,600 to the Helix Environmental purchase order for Biological Consulting Services for Santa Ana River Crossing HDD Project, for a total contract amount of \$69,600.
2. Authorize the Interim General Manager to execute Change Order No. 1 and approve authorized expenditures up to a not-to-exceed total of \$77,000.

Program Manager Miller reviewed the recommendation to approve Change Order 1 to Helix Environmental for biological consulting services for the Santa Ana River Crossing Project. There were no questions or comments.

***Motion:*** *It was moved by Director Rogers/Chino Hills and seconded by Director Bowman/Ontario to approve Action Item 11.*

***Motion carried:***

*Ayes: T. Haughey/Chino, P. Rogers/Chino Hills, G. Newton/Norco, J. Bowman/Ontario, B. Anderson/JCSD, J.A. Rodriguez/SARWC, R. Stockton/WMWD*

*Noes: None*

*Absent: None*

*Abstained: None*

**12. SOUTH ARCHIBALD PLUME – MEMORANDUM OF UNDERSTANDING REGARDING THE TECHNICAL ADVISORY COMMITTEE WITH THE STATE WATER RESOURCES CONTROL BOARD, SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD, INLAND EMPIRE UTILITIES AGENCY, AND THE CHINO BASIN DESALTER AUTHORITY**

Report by: Cindy Miller, South Archibald Plume Program Manager

**Staff Recommendation:**

1. Approve the Memorandum of Understanding (MOU) between the CDA, Inland Empire Utilities Agency, the State Water Resources Control Board, and the Santa Ana Regional Water Quality Control Board.
2. Authorize the General Manager/CEO to execute necessary documents associated with the approval.



Program Manager Miller reviewed the recommendation to approve the MOU between the CDA, Inland Empire Utilities Agency, the State Water Resources Control Board, and the Santa Ana Regional Water Quality Control Board related to Prop 1 funding.

Recommendation 2 was amended as follows: Replace “General Manager/CEO” with “Interim General Manager”.

***Motion:*** *It was moved by Director Bowman/Ontario and seconded by Director Rodriguez/SARWC to approve Action Item 12 as amended.*

***Motion carried:***

*Ayes: T. Haughey/Chino, P. Rogers/Chino Hills, G. Newton/Norco, J. Bowman/Ontario, B. Anderson/JCSD, J.A. Rodriguez/SARWC, R. Stockton/WMWD*

*Noes: None*

*Absent: None*

*Abstained: None*

**INFORMATION ITEMS**

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

- 13. QUARTERLY DESALTER EXPANSION REPORT**  
**Report By: Cindy Miller, Phase 3 Expansion Program Manager**
- 14. QUARTERLY SOUTH ARCHIBALD PLUME REPORT**  
**Report By: Cindy Miller, South Archibald Plume Program Manager**
- 15. QUARTERLY OPERATIONS REPORT**  
**Report By: Todd Minten, CDA Operations Manager**

**STAFF COMMENTS**

- (i) CDA Deputy General Counsel Allison Burns had no comments.
- (ii) CDA CFO/Treasurer Michael Chung had no comments
- (iii) CDA Interim General Manager O’Neill announced that Ben Armel, Chief Plant Operator for Chino II, has announced his resignation from Jurupa Community Services District. Interim General Manager O’Neill commended Mr. Armel for his hard work and contributions, including his work with the Concentrate Reduction Facility project.

**DIRECTOR COMMENTS**

There were no comments.

**ADJOURNMENT** – There being no further business to come before the Board, the meeting was adjourned at 2:57 p.m.

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Secretary of the Board of Directors/cc



# Board of Directors Meeting

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## Agenda Item

**No. 2**

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**SUBJECT: COST OF LIVING ADJUSTMENT – CDA EMPLOYEES**

**RECOMMENDATION:**

Staff recommends that the Board approve a Cost of Living Adjustment (COLA) of 3.60% for CDA employees effective Pay Period 1 of 2019.

**BACKGROUND:**

The purpose of a Cost of Living Adjustment (COLA) is to keep employee salaries competitive to attract and retain qualified employees. The most recent COLA for CDA employees was one year ago in January 2018. The staff recommendation during that discussion was to standardize the COLA discussion/recommendation each year using October to October comparisons of the Consumer Price Index. The recommended COLA would apply to all CDA employees (both full-time and part-time). As the Bureau of Labor Statistic has changed the reporting timing of Consumer Price Index (CPI) for the region, Staff recommends we review the data annually from November to November.

The Consumer Price Index change from November 2017 to November 2018 (12-month period) for the Riverside-San Bernardino-Ontario was 3.60%. The source data comes from Bureau of Labor Statistics. The last COLA increase was in January 2018 for 3.1%.

This item was reviewed/approved by the:

- Technical Advisory Committee (TAC) on 1/8/2019
- Finance Committee on 1/24/2019

**IMPACT ON BUDGET:**

The total increase of labor cost of approximately \$8,407 for the last six months of FY 2018/19 has been included in the adopted FY 2018/19 Budget.

Attachment: Bureau of Labor Statistics Report

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**Prepared by:** Michael Chung, CFO/Treasurer

Page 1 of 1

**Board of Directors:**     Approved         Continued         Denied

**CDA GM/CEO Acknowledgement:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Riverside-San Bernardino-Ontario, CA Economy at a Glance:

Data Series	Back Data	June 2018	July 2018	Aug 2018	Sept 2018	Oct 2018	Nov 2018
<b>Labor Force Data</b>							
Civilian Labor Force <sup>(1)</sup>		2,033.2	2,042.5	2,037.1	2,056.8	2,073.4	
Employment <sup>(1)</sup>		1,937.8	1,949.0	1,948.3	1,972.7	1,987.4	
Unemployment <sup>(1)</sup>		95.4	93.5	90.8	84.1	86.0	
Unemployment Rate <sup>(2)</sup>		4.7	4.6	4.5	4.1	4.1	
<b>Nonfarm Wage and Salary Employment</b>							
Total Nonfarm <sup>(3)</sup>		1,494.0	1,481.3	1,495.0	1,495.1	1,511.2	1,530.5
12-month % change		3.3	3.4	3.6	2.9	2.5	2.2
Mining and Logging <sup>(3)</sup>		0.9	0.9	0.9	1.0	0.9	0.9
12-month % change		0.0	0.0	0.0	11.1	0.0	0.0
Construction <sup>(3)</sup>		102.0	103.1	105.4	102.3	101.2	101.5
12-month % change		3.4	3.6	4.5	0.9	0.2	-0.4
Manufacturing <sup>(3)</sup>		99.4	99.7	100.1	99.7	100.4	100.0
12-month % change		-0.2	1.0	1.4	1.2	2.2	2.2
Trade, Transportation, and Utilities <sup>(3)</sup>		375.9	376.3	377.4	379.1	382.5	395.2
12-month % change		4.7	3.7	2.8	3.1	2.1	2.2
Information <sup>(3)</sup>		11.1	11.2	11.2	11.0	11.2	11.1
12-month % change		-0.9	-3.4	-2.6	-1.8	0.0	-1.8
Financial Activities <sup>(3)</sup>		45.0	44.2	44.6	44.5	44.7	45.3
12-month % change		1.8	0.0	0.7	0.9	-0.2	0.4
Professional and Business Services <sup>(3)</sup>		152.5	153.6	155.1	154.6	157.0	155.3
12-month % change		5.9	6.3	6.1	4.6	4.7	1.4
Education and Health Services <sup>(3)</sup>		229.7	227.5	230.4	231.1	233.3	234.7
12-month % change		3.3	1.8	2.4	2.2	1.0	1.4
Leisure and Hospitality <sup>(3)</sup>		169.8	170.6	171.2	169.5	170.0	174.1
12-month % change		1.8	4.5	5.2	4.2	4.0	4.9
Other Services <sup>(3)</sup>		47.2	46.8	47.5	47.1	46.8	46.4
12-month % change		2.8	2.4	3.7	2.8	2.4	-0.4
Government <sup>(3)</sup>		280.5	247.4	251.2	255.2	263.2	268.0
12-month % change		2.9	4.0	4.4	3.6	3.7	3.8
<b>Consumer Price Index: Riverside-San Bernardino-Ontario, CA</b>							
CPI-U, All items <sup>(4)</sup>			103.139		103.241		103.616
CPI-U, All items, 12-month % change <sup>(4)</sup>							
CPI-W, All items <sup>(5)</sup>			103.181		103.109		103.737
CPI-W, All items, 12-month % change <sup>(5)</sup>							
<b>Footnotes</b>							
<sup>(1)</sup> Number of persons, in thousands, not seasonally adjusted.							
<sup>(2)</sup> In percent, not seasonally adjusted.							
<sup>(3)</sup> Number of jobs, in thousands, not seasonally adjusted. See <a href="#">About the data</a> .							
<sup>(4)</sup> All Urban Consumers, base: December 2017=100, not seasonally adjusted.							
<sup>(5)</sup> Urban Wage Earners and Clerical Workers, base: December 2017=100, not seasonally adjusted.							
Preliminary							

Data extracted on: December 31, 2018 (5:11:37 PM)

CPI-All Urban Consumers (Current Series)

Series Id: CUURS49CSA0  
 Not Seasonally Adjusted  
 Series Title: All items in Riverside-San Bernardino-Ontario, CA, all urban consumers, not seasonally adjusted  
 Area: Riverside-San Bernardino-Ontario, CA  
 Item: All items  
 Base Period: DECEMBER 2017=100

Download: xlsx

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2017												100.000			
2018	100.916		101.897		102.929		103.139		103.241		103.616			102.023	



# Board of Directors Meeting

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## Agenda Item

### No. 3

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**SUBJECT: PHASE 3 EXPANSION PROJECT: CHANGE ORDER NO. 2 TO HELIX ENVIRONMENTAL CONTRACT FOR BIOLOGICAL CONSULTING SERVICES FOR SANTA ANA RIVER CROSSING HDD PROJECT**

**RECOMMENDATION:**

Staff recommends that the Board:

1. Approve Change Order No. 2 in the amount of \$25,000 to Helix Environmental's purchase order for Biological Consulting Services for Santa Ana River Crossing HDD Project, for a total revised contract amount of \$94,600.
2. Authorize the Interim General Manager to execute Change Order No. 2 and approve authorized expenditures up to a not-to-exceed total of \$104,060.

**BACKGROUND:**

Helix is currently providing biological consulting services to the CDA in support of the construction of the HDD Crossing of the Santa Ana River. The original scope of work provided by Helix did not anticipate the need for extended work hours; however, in an effort to expedite construction, the contractor is now planning to work up to 12-hour days and on weekends. This change in the original construction plan has necessitated additional biological monitoring required pursuant to the requirements of the 1602 permit issued by the California Department of Fish and Wildlife for the project.

This agenda item was reviewed/approved by the Sponsor Group and Technical Advisory Committee on January 22, 2019 and the Finance Committee on January 24, 2019.

**IMPACT ON BUDGET:**

Western MWD will deposit the total contract amount.

**ATTACHMENTS:** Helix Environmental Budget Augmentation Letter, dated January 18, 2019.

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**Prepared by:** Thomas O'Neill, Interim General Manager

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**Board of Directors:**     Approved         Continued         Denied

**CDA GM/CEO Acknowledgement:** \_\_\_\_\_ **Date:** \_\_\_\_\_

HELIX Environmental Planning, Inc.  
7578 El Cajon Boulevard  
La Mesa, CA 91942  
619.462.1515 tel  
619.462.0552 fax  
www.helixepi.com



January 18, 2019

Tom O'Neill  
Chino Basin Desalter Authority  
2151 S. Haven Avenue, Suite 202  
Ontario, CA 91761

CNB-01

**SUBJECT: Contract Augment to Provide Additional Services for the Chino Desalter Phase III Expansion Project**

The original written contract dated November 20, 2018 between HELIX Environmental Planning, Inc. (HELIX) and Chino Basin Desalter Authority (Client) is hereby augmented as follows:


**SCOPE OF WORK** (See attached)

<b>CURRENT CONTRACT TOTAL</b>		<b>\$69,600</b>
<b>Task</b>		
<b>Number</b>	<b>Task Name</b>	<b>Cost</b>
1	Biological Construction Monitoring	<u>\$25,000</u>
<b>TOTAL REVISED CONTRACT</b>		<b>\$94,600</b>

I hereby authorize HELIX to continue work in accordance with this Augment and the original Terms and Conditions and Schedule of Fees.

HELIX Environmental Planning, Inc.

\_\_\_\_\_  
(Client)

By:   
\_\_\_\_\_  
Amir Morales  
Biology Group Manager

By: \_\_\_\_\_

Date: January 18, 2019

Date: \_\_\_\_\_



## SCOPE OF WORK

Task 1 Biological Construction Monitoring. HELIX is requesting additional budget for the Biological Construction Monitoring task approved by Client in the contract dated November 20, 2018 to cover coordination with project team and additional hours required to monitor drilling activities. The additional budget includes Principal Regulatory Specialist and Project Manager time for oversight of monitoring activities and progress meetings. If Client requests additional services that cause HELIX to exceed the time allocated these activities, additional authorization would be required.

For cost-estimating purposes, this augmented task assumes 35 days to monitoring drilling activities. This includes budget to cover extended work days associated with drilling activities. This augmented task also assumes that only one biological monitor will be required. If multiple nests are identified and require work within the avoidance buffer, additional budget may be required for a second monitor to allow construction to occur simultaneously in multiple locations.

This augmented task does not include construction monitoring during the least Bell's vireo (LBVI) breeding season (March 15 through August 31). If construction activities should occur during the LBVI breeding season, a CDFW-approved biologist shall be retained to perform nesting surveys and monitoring for this species.