

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

**MINUTES**

**March 5, 2020**

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 2:00 p.m. by Director Robert Stockton, Western Municipal Water District.

**Directors Present:**

Tom Haughey, City of Chino - Chair  
Betty Anderson, Jurupa Community Services District – Vice Chair  
Jim Bowman, City of Ontario - Secretary  
Don Galleano, Western Municipal Water District  
Steven Elie, Inland Empire Utilities Agency  
Peter Rogers, City of Chino Hills  
Greg Newton, City of Norco  
Vicki Rupe, Santa Ana River Water Company

**Directors Absent:**

None

**Others Present:**

Thomas O'Neill, CDA General Manager/CEO  
Todd Minten, CDA Operations Manager  
Jose Garcia, CDA Principal Accountant  
Michael Chung, CDA CFO/Treasurer  
Casey Costa, CDA Executive Assistant  
Allison Burns, CDA Deputy General Counsel  
Dave Crosley, City of Chino  
Chris Bonadurer, City of Ontario  
Aaron Anderson, Jurupa Community Services District  
Ben Armel Jurupa Community Services District  
Cindy Miller, Hazen & Sawyer  
Bob Bowcock, Integrated Resources Management/SB County Airports  
Sam Gershon, Albert A. Webb Associates  
Julie Bowes  
Lisa Rodriguez

**FLAG SALUTE**

The Pledge of Allegiance was led by Director Steven Elie Inland Empire Utilities Agency.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

There were no public comments.

**SWEARING-IN OF BOARD MEMBER**

The Oath of Office for the Office of Director of Chino Basin Desalter Authority was administered to Vicki Rupe, Santa Ana River Water Company.

## **PRESENTATIONS**

A Memorial Resolution honoring the memory of Chino Basin Desalter Authority Director J. Arnold Rodriguez was presented to his daughters, Julie Bowes and Lisa Rodriguez.

## **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.*

### **1. MINUTES OF FEBRUARY 6, 2020 SPECIAL BOARD MEETING**

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

**Motion carried:**

**Ayes:** Tom Haughey, City of Chino  
Peter Rogers, City of Chino Hills  
Betty Anderson, Jurupa Community Services District  
Greg Newton, City of Norco  
Jim Bowman, City of Ontario  
Vicki Rupe, Santa River Water Company  
Don Galleano, Western Municipal Water District

**Noes:** None

**Absent:** None

**Abstained:** None

### **2. EMERGENCY REPAIRS TO 30-INCH FIBERGLASS REINFORCED RO INFLUENT PIPELINE AT CHINO I DESALTER**

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

**Staff Recommendation:**

1. The Board of Directors receive a report on recent failure of the 30-inch Fiberglass Reinforced RO influent feed pipeline at the Chino I Desalter; and
2. Ratification by the CDA Board of Directors for the non-competitive procurement of emergency services to make repairs and return the Chino I Desalter to service.

General Manager O'Neill reviewed the incident on February 18, 2020, when Chino I Desalter experienced a catastrophic rupture of the 30-inch Reverse Osmosis Influent Pipeline and recommended the ratification for the non-competitive procurement of services to render repairs. The lead time for the replacement part is expected to be approximately 4-5 weeks, at which time Pascal & Ludwig will reinstall. General Manager O'Neill estimated the initial cost for the fiberglass to be about \$30,000. There will be safety features added to the replacement, which will help prevent a failure such as this from occurring in the future.

***Motion:*** It was moved by Director Bowman/City of Ontario and seconded by Director Anderson/Jurupa Community Services District to approve Action Item 2.

***Motion carried:***

**Ayes:** Tom Haughey, City of Chino  
Peter Rogers, City of Chino Hills  
Betty Anderson, Jurupa Community Services District  
Greg Newton, City of Norco  
Jim Bowman, City of Ontario  
Vicki Rupe, Santa River Water Company  
Don Galleano, Western Municipal Water District

**Noes:** None

**Absent:** None

**Abstained:** None

**3. LEASE OF SANTA ANA RIVER INTERCEPTOR CAPACITY**

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

**Staff Recommendation:**

1. Approve to extend the agreement an additional six months with Santa Ana Watershed Authority for the lease of .4 MGD of Santa Ana River Interceptor capacity; and
2. Authorize the General Manager/CEO to finalize and execute the agreement and approve and additional \$305,000 in expenditures.

General Manager O'Neill reviewed the recommendation to extend the agreement with Santa Ana Watershed Authority for the lease of .4MGD of Santa Ana River Interceptor Capacity and approve an additional \$305,000 in expenditures. The original Lease Agreement was a six-month term, with the option to extend the lease for an additional six months. The Concentrate Reduction Facility (CRF) is nearing completion and is currently in operation, at 95% of goal. The additional SARI capacity is needed while the final adjustments are being made to the CRF. There were no comments or questions.

***Motion:*** It was moved by Director Rogers/City of Chino Hills and seconded by Director Bowman/City of Ontario to approve Action Item 3.

***Motion carried:***

**Ayes:** Tom Haughey, City of Chino  
Peter Rogers, City of Chino Hills  
Betty Anderson, Jurupa Community Services District  
Greg Newton, City of Norco  
Jim Bowman, City of Ontario  
Vicki Rupe, Santa River Water Company  
Don Galleano, Western Municipal Water District

**Noes:** None

**Absent:** None

**Abstained:** None

**4. PURCHASE OF REVERSE OSMOSIS (RO) MEMBRANES ELEMENTS**  
Report By: Jose Garcia, CDA Principal Accountant

**Staff Recommendation:**

1. Approve a purchase order with Dupont Water Solutions for the supply of 340 RO membrane elements in the amount of \$144,500.

General Manager O'Neill reviewed the recommendation to approve a purchase order with Dupont Water Solutions for the purchase of 340 RO membrane elements for Chino II RO Train 2 which has exceeded its expected 5-year lifespan.

***Motion:*** *It was moved by Director Anderson/Jurupa Community Services District and seconded by Director Newton/City of Norco to approve Action Item 4.*

***Motion carried:***

**Ayes:** Tom Haughey, City of Chino  
Peter Rogers, City of Chino Hills  
Betty Anderson, Jurupa Community Services District  
Greg Newton, City of Norco  
Jim Bowman, City of Ontario  
Vicki Rupe, Santa River Water Company  
Don Galleano, Western Municipal Water District

**Noes:** None

**Absent:** None

**Abstained:** None

**5. SOUTH ARCHIBALD PLUME CLEANUP PROJECT: RAW WATER PIPELINE PROJECT PHASE II CDASAP-19-12**

Report By: Cindy Miller, South Archibald Plume Program Manager

**Staff Recommendation:**

1. Approve the contract award to Gwinco Construction & Engineering, Inc. in the not-to-exceed amount of \$6,957,169.
2. Authorize the General Manager/CEO to execute the contract and approve authorized expenditures up to a not-to-exceed total of \$7,653,000.

**Action Item 5 was pulled from the agenda.**

**6. SOUTH ARCHIBALD PLUME CLEANUP PROJECT: RAW WATER PIPELINE PROJECT PHASE III CDASAP-19-13**

Cindy Miller, South Archibald Plume Program Manager

**Staff Recommendation:**

1. Dismiss the first apparent low bid as non-responsive
2. Approve the contract award to Gwinco Construction & Engineering, Inc. in the not-to-exceed amount of \$1,857,770.

3. Authorize the General Manager/CEO to execute the contract and approve authorized expenditures up to a not-to-exceed total of \$2,044,000.

Program Manager Miller reviewed the recommendation to award the contract for Phase III Raw Water Pipeline for the South Archibald Plume Project to Gwinco Construction and Engineering, the lowest responsive and responsible bidder out of 4 bids received. Weka, Inc.'s bid package was deemed non-responsive because it was missing required DBE form 4500-4. There were no comments or questions.

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

***Motion carried:***

**Ayes:** Tom Haughey, City of Chino  
Peter Rogers, City of Chino Hills  
Betty Anderson, Jurupa Community Services District  
Greg Newton, City of Norco  
Jim Bowman, City of Ontario  
Vicki Rupe, Santa River Water Company  
Don Galleano, Western Municipal Water District

**Noes:** None

**Absent:** None

**Abstained:** None

7. **SOUTH ARCHIBALD PLUME CLEANUP PROJECT: CONSTRUCTION CONTRACT AWARD FOR DRILLING, CONSTRUCTION, DEVELOPMENT, AND TESTING OF CDA WELL II-12**  
Cindy Miller, South Archibald Plume Program Manager

**Staff Recommendation:**

1. Dismiss the first apparent low bid as non-responsive.
2. Approve the contract award to Southwest Pump and Drilling, Inc. for the Drilling, Construction, Development, and Testing of CDA Well II-12 in the not-to-exceed amount of \$1,437,944.
3. Authorize the General Manager/CEO to execute the contract and approve authorized expenditures up to a not-to-exceed total of \$1,582,000.

Program Manager Miller reviewed the recommendation to award a contract for drilling of Well II-12 for the South Archibald Plume Project to Southwest Pump and Drilling, Inc., the lowest responsive and responsible bidder out of 5 bids received. Bakersfield's bid package was deemed non-responsive for failure to utilize the bid schedule updated in Addendum 2 and for the failure to acknowledge Addendum 3. There were no comments or questions.

***Motion:*** It was moved by Director Anderson/Jurupa Community Services District and seconded by Director Bowman/City of Ontario to approve Action Item 7.

***Motion carried:***

**Ayes:** Tom Haughey, City of Chino  
Peter Rogers, City of Chino Hills  
Betty Anderson, Jurupa Community Services District  
Greg Newton, City of Norco  
Jim Bowman, City of Ontario  
Vicki Rupe, Santa River Water Company  
Don Galleano, Western Municipal Water District

**Noes:** None

**Absent:** None

**Abstained:** None

8. **SOUTH ARCHIBALD PLUME PROJECT: AMENDMENT NO. 1 TO VALI COOPER/TRC'S AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES**  
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 \$217,143.38; and
2. Authorize the General Manager/CEO to finalize and execute the amendment, with subsequent authorizations up to a not-to-exceed total of \$2,200,500.

Program Manager Miller reviewed the recommendation to approve an amendment to the professional services agreement for construction management and inspection services for the South Archibald Plume Project. Program Manager Miller reviewed that the Board had previously considered the amendment at the January 2020 Board Meeting and was in agreement that the construction survey, which was included as part of the amendment, should be removed from TRC's scope of work and completed by an independent consultant. The revised amendment is being presented for approval.

***Motion:*** It was moved by Director Anderson/Jurupa Community Services District and seconded by Director Rogers/City of Chino Hills to approve Action Item 8..

***Motion carried:***

**Ayes:** Tom Haughey, City of Chino  
Peter Rogers, City of Chino Hills  
Betty Anderson, Jurupa Community Services District  
Greg Newton, City of Norco  
Jim Bowman, City of Ontario  
Vicki Rupe, Santa River Water Company  
Don Galleano, Western Municipal Water District

**Noes:** None

**Absent:** None

**Abstained:** None

9. **PHASE 3 EXPANSION PROJECT: AMENDMENT 4 TO ALBERT A WEBB ASSOCIATES AGREEMENT FOR CHINO II WELL FIELDS EQUIPPING DESIGN OF THREE WELLS**

Cindy Miller, South Archibald Plume Program Manager

**Staff Recommendation:**

1. Approve an amendment to the professional services agreement with Albert A. Webb Associates for engineering design in the not-to-exceed amount of \$85,154; and
2. Authorize the General Manager/CEO to finalize and execute the amendment, with subsequent authorizations up to a not-to-exceed total of \$665,000.

Program Manager Miller reviewed the recommendation to approve an amendment to the professional services agreement to satisfy a condition of the Purchase and Sale Agreement with Lewis Management Corporation that mandates that the well building for the II-12 site match the architectural style of the proposed development. Webb is requesting an amendment to cover this architectural design that was not included in the previous scope of work. The amendment also includes a cost for preparation of exhibits for access/monitoring well and revisions from the 60% design submittal according comments received from CDA and the Prop 1 Grant Technical Advisory Committee.

**Motion:** *It was moved by Director Bowman/City of Ontario and seconded by Director Anderson/Jurupa Community Services District to approve Action Item 9.*

**Motion carried:**

**Ayes:** Tom Haughey, City of Chino  
Peter Rogers, City of Chino Hills  
Betty Anderson, Jurupa Community Services District  
Greg Newton, City of Norco  
Jim Bowman, City of Ontario  
Vicki Rupe, Santa River Water Company  
Don Galleano, Western Municipal Water District

**Noes:** None

**Absent:** None

**Abstained:** None

10. **PHASE 3 EXPANSION PROJECT: CHANGE ORDER NO. 1 TO CONSTRUCTION CONTRACT CHINO II DESALTER CONCENTRATE REDUCTION FACILITY CHEMICAL STORAGE AND METERING SYSTEM MODIFICATIONS AND PRIMARY RO CONCENTRATE PIPING MODIFICATIONS, CDA EXP3-19-07**

Cindy Miller, South Archibald Plume Program Manager

**Staff Recommendation:**

1. Approve Change Order No. 1 to Pascal & Ludwig for construction of the Chino II Desalter CRF Chemical Storage and Metering System Modifications and Primary RO Concentrate Piping Modifications in the not-to-exceed amount of \$207,851.
2. Authorize the General Manager/CEO to execute the contract and approve authorized expenditures up to a not-to-exceed total of \$603,300.

Program Manager Miller reviewed the recommendation to approve a change order to Pascal & Ludwig for the estimated costs for the addition of heat tracing to the soda ash pipeline at the Concentrate Reduction Facility at the Chino II Desalter, according to a design clarification provided by Carollo. Heat tracing and insulation are necessary to prevent soda ash from solidifying in the pipelines at a temperature of 70 degrees Fahrenheit. These modifications were not included in the original scope of work.

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

***Motion carried:***

**Ayes:** Tom Haughey, City of Chino  
Peter Rogers, City of Chino Hills  
Betty Anderson, Jurupa Community Services District  
Greg Newton, City of Norco  
Jim Bowman, City of Ontario  
Vicki Rupe, Santa River Water Company  
Don Galleano, Western Municipal Water District

**Noes:** None

**Absent:** None

**Abstained:** None

**INFORMATION ITEMS**

**11. POTENTIAL REFUNDING OF 2016A BONDS**  
Report By: Michael Chung, CDA CFO/Treasurer

Treasurer Chung reviewed Information Item 11, providing an analysis that indicated a negative savings of \$792,000 over the remaining term. As such, refunding the bonds would not benefit CDA.

**STAFF COMMENTS**

- i. Deputy CDA General Counsel, Allison Burns had no comments.
- ii. CDA CFO/Treasurer, Michael Chung reported the lease for the new office has been signed and escrow has closed on the Well II-12 property.
- iii. CDA General Manager/CEO, Thomas O'Neill had no 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).*

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



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

**(ONE POTENTIAL CASES)**

**14. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: General Manager**

The Board recessed into Closed Session at 2:32 p.m. and reconvened at 2:52 p.m. Deputy General Counsel Burns reported on Closed Session Items: Board gave direction to staff and General Counsel. There was no reportable action.

**DIRECTOR COMMENTS**

There were no comments.

**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/cc