

AGENDA

SPECIAL COMMISSION MEETING OF THE CHINO BASIN REGIONAL FINANCING AUTHORITY AND REGULAR MEETING OF THE BOARD OF DIRECTORS

WEDNESDAY, MARCH 17, 2010
10:00 A.M.

INLAND EMPIRE UTILITIES AGENCY*
AGENCY HEADQUARTERS
6075 KIMBALL AVENUE, BUILDING A
CHINO, CALIFORNIA 91708

CALL TO ORDER OF THE CHINO BASIN REGIONAL FINANCING AUTHORITY

FLAG SALUTE

PUBLIC COMMENT

Members of the public may address the Commission on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2 of the Government Code.

ADDITIONS TO THE AGENDA

In accordance with section 54954.2 of the Government Code (Brown Act), additions to the agenda require two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action can be the attention of the local agency subsequent to the agenda being posted.

1. ACTION ITEMS

A. MINUTES

The Commission will be asked to approve the March 3, 2010, minutes from the Special commission meeting.

B. ADOPTION OF RESOLUTION NO. 2010-2, ESTABLISHING THE TIME AND PLACE OF REGULAR MEETINGS

It is recommended that the Commission adopt Resolution No. 2010-2, establishing the time and place of regular meetings.

2. ADJOURN

CALL TO ORDER
OF THE INLAND EMPIRE UTILITIES AGENCY BOARD OF DIRECTORS MEETING

FLAG SALUTE

PUBLIC COMMENT

Members of the public may address the Board on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) of Section 54954.2 of the Government Code. Those persons wishing to address the Board on any matter, whether or not it appears on the agenda, are requested to complete and submit to the Board Secretary a "Request to Speak" form which are available on the table in the Board Room. Comments will be limited to five minutes per speaker. Thank you.

ADDITIONS TO THE AGENDA

In accordance with Section 54954.2 of the Government Code (Brown Act), additions to the agenda require two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

1. CONSENT CALENDAR

NOTICE: All matters listed under the Consent Calendar are considered to be routine and non-controversial and will be acted upon by the Board by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Board votes unless any Board members, staff or the public requests specific items be discussed and/or removed from the Consent Calendar for separate action.

A. MINUTES

The Board will be asked to approve the minutes from the March 3, 2010, Board meeting.

B. TREASURER'S REPORT

Treasurer's Report on General Disbursements

C. CONTRACT NO. 4600000648 FOR FINANCIAL SERVICES WITH PUBLIC FINANCIAL MANAGEMENT FOR THE 1994 REFUNDING

It is recommended that the Board:

1. Approve award of Contract No. 4600000648 for financial advisory services with Public Financial Management (PFM) for \$50,000, plus expenses up to \$2,000 for a not-to-exceed amount of \$52,000, in connection with the refinancing of the 1994 Revenue Bonds; and
2. Authorize the Chief Executive Officer/General Manager to execute Contract No. 4600000648.

D. ADOPTION OF RESOLUTION NO. 2010-3-3, APPROVING THE AMENDMENT NO. 3 TO THE CHINO BASIN DESALTER AUTHORITY (CDA) JOINT EXERCISE OF POWERS AGREEMENT

It is recommended that the Board:

1. Approve the Amendment No. 3 to the CDA Joint Exercise of Powers Agreement; and
2. Adopt Resolution No. 2010-3-3, approving the Amendment No. 3 to the CDA Joint Exercise of Powers Agreement.

E. ADOPTION OF RESOLUTION NO. 2010-3-2, IMPLEMENTING AN UPDATED EMPLOYER-EMPLOYEE RELATIONS RESOLUTION OF THE INLAND EMPIRE UTILITIES AGENCY

It is recommended that the Board adopt Resolution No. 2010-3-2, implementing an updated Employer-Employee Relations Resolution of the Inland Empire Utilities Agency.

F. SUPPORT FOR AB 2256 (HUFFMAN) – “FLUSHABLE” PRODUCT LABELING

It is recommended that the Board adopt a position of support for AB 2256 (Huffman) on “Flushable” Product Labeling.

G. PROJECT ACCEPTANCE FOR THE CALIFORNIA INSTITUTION FOR MEN (CIM) RECYCLED WATER PIPELINE, PROJECT NO. EN08014.00

It is recommended that the Board:

1. Accept the work as performed by Murrieta Development Company as complete under the construction contract for the CIM Recycled Water Pipeline Project, Project No. EN08014.00; and
2. Authorize the Chief Executive Officer/General Manager to execute the Notice of Completion.

H. PURCHASE OF AIR DIFFUSERS FOR CARBON CANYON WATER RECLAMATION FACILITY (CCWRF) AND REGIONAL PLANT NO. 5 (RP-5)

It is recommended that the Board approve the purchase of replacement air diffusers in CCWRF and RP-5 aeration basins, for a not-to-exceed aggregate amount of \$250,000, including all taxes and freight charges.

I. EXTENDING THE USE OF THREE (3) NON-RECLAIMABLE WASTEWATER CAPACITY UNITS FOR THE CITY OF ONTARIO ION EXCHANGE PLANT

It is recommended that the Board:

1. Approve the temporary extension of the use of three (3) NRWS capacity units for the City of Ontario Ion-Exchange (IX) Plant until June 30, 2010;

2. Allow the City of Ontario to purchase three (3) NRWS capacity units at a total cost of \$450,000 prior to July 31, 2010; and
3. Authorize the Chief Executive Officer/General Manager to execute the NRWS Capacity Right Agreement for the City of Ontario IX Plant.

2. **ACTION ITEMS**

A. **ACQUISITION OF NRWS CAPACITY FROM CSDLAC**

It is recommended that the Board:

1. Approve purchasing 180,000 gallons per day Pipeline and Treatment Capacity for the total amount of \$1,405,721.27 from the County Sanitation Districts of Los Angeles County for the Edison Pipeline Non-Reclaimable Wastewater System; and
2. Authorize the Chief Executive Officer/General Manager to execute the agreement.

B. **SITE LEASE APPROVAL FOR THE RP-5 SOLIDS HANDLING AND RENEWABLE ENERGY EFFICIENCIES PROJECT FACILITIES**

It is recommended that the Board:

1. Approve the property lease agreement with Environ Strategy Consultants, Inc. for the lease of the RP-5 Solids Handling Facility (RP-5 SHF), and the Renewable Energy Efficiencies Project (REEP) facilities, (Project No. EN09043.00); and
2. Authorize the Chief Executive Officer/General Manager to finalize and execute the property lease agreement.

C. **RP-4 WIND TURBINE POWER PLANT POWER PURCHASE AGREEMENT (PPA) AND SITE LEASE**

It is recommended that the Board:

1. Award the PPA contract for the RP-4 Wind Turbine Power Plant to Foundation Wind Power (formerly Energy Alchemy LLC);
2. Authorize the Chief Executive Officer/General Manager to finalize and execute the PPA Agreement and Site Lease; and
3. Establish Project No. EN10011 for an amount of \$160,000 from the RC Fund.

3. **INFORMATION ITEMS**

A. **SELF-REGENERATING WATER SOFTENER CONTROL PROGRAM (WRITTEN)**

B. CHINO BASIN REGIONAL SEWAGE SERVICE CONTRACT AUDIT OF THE SEVEN MEMBER AGENCIES (WRITTEN)

RECEIVE AND FILE INFORMATION ITEM

C. TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR JANUARY 2010 (WRITTEN)

D. FY 2010/11 OVERVIEW OF THE DRAFT REGIONAL AND RECYCLED WATER BUDGETS (WRITTEN)

E. PUBLIC OUTREACH AND COMMUNICATIONS (WRITTEN)

F. LEGISLATIVE REPORT FROM AGRICULTURAL RESOURCES (WRITTEN)

G. LEGISLATIVE REPORT FROM GEYER AND ASSOCIATES (WRITTEN)

H. LEGISLATIVE REPORT FROM INNOVATIVE FEDERAL STRATEGIES (WRITTEN)

I. LEGISLATIVE REPORT FROM DOLPHIN GROUP (WRITTEN)

J. IEUA MONTHLY WATER NEWSLETTER (WRITTEN)

K. INTERNAL AUDIT DEPARTMENT STATUS REPORT FOR MARCH 2010 (WRITTEN)

L. PETTY CASH AUDIT (WRITTEN)

M. SAWPA – BASIN MONITORING PROGRAM TASK FORCE AND EMERGING CONSTITUENTS WORKGROUP SUPPORT AND FUNDING (WRITTEN)

N. MAGNOLIA CHANNEL IMPROVEMENTS UPDATE, PROJECT NO. EN06040.03 (WRITTEN)

O. RP-5 RECYCLED WATER PUMP STATION EXPANSION EQUIPMENT PRE-PURCHASE AND CONSTRUCTION CONTRACT AWARD UPDATE, PROJECT NO. EN10001.00 (WRITTEN)

P. OPERATIONS UPDATE (POWERPOINT)

Materials related to an item on this agenda submitted to the Agency, after distribution of the agenda packet, are available for public inspection at the Agency's office located at 6075 Kimball Avenue, Chino, California during normal business hours.

4. AGENCY REPRESENTATIVES' REPORTS

A. SAWPA REPORT

Meeting rescheduled to March 30, 2010.

B. MWD REPORT (WRITTEN)

C. REGIONAL SEWERAGE PROGRAM POLICY COMMITTEE REPORT (WRITTEN)

D. CHINO BASIN WATERMASTER REPORT (WRITTEN)

5. CHIEF EXECUTIVE OFFICER/GENERAL MANAGER'S REPORT (WRITTEN)

6. BOARD OF DIRECTORS' REQUESTED FUTURE AGENDA ITEMS

7. DIRECTORS' COMMENTS

A. CONFERENCE REPORTS

This is the time and place for the Members of the Board to report on prescheduled Committee/District Representative Assignment meetings, which were held since the last regular Board meeting, and/or any other items of interest.

8. CLOSED SESSION

A. PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(1) IEUA vs. Mr. Anthony Maglica, Case No. RCV098354

(2) Chino Basin Municipal Water District vs. City of Chino, Case No. RCV51010

(3) Westech Engineering vs. IEUA, Case No. CIVRS 914130

(4) Taisei-T&K Joint Venture vs. IEUA, Case No. CIVRS

(5) Dispatch Transportation vs. IEUA, Case No. CIVDS 917754

(6) Westco vs. IEUA, Case Mp/ 37-2009-00058161-CU-BC-NC

(7) Prousys vs. IEUA, Case No. CIVRS 1000135

(8) Martin vs. IEUA, Case No. CIVRS 1000767

B. PURSUANT TO GOVERNMENT CODE SECTION 54956.9 - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

One (1) case

**C. PURSUANT TO GOVERNMENT CODE SECTION 54956.8 –
CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

- (1) Property: RP-5 Solids Handling Facility
Negotiating Parties: Environ Strategy Consultants, Inc and Onsite Power System, Inc.
Under Negotiation: Price and Terms of Lease

- (2) Property: RP-4 Wind Power
Negotiating Parties: Energy Alchemy and Johnson Controls
Under Negotiation: Price and Terms of Lease

- (3) Property: RP-1 Fuel Cell
Negotiating Parties: Biofuels Eneregy, LLC, UTS/HDR/Filanc, and Otto H. Rosentreter Co.
Under Negotiation: Price and Terms of Lease

9. ADJOURN

*A Municipal Water District

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Board Secretary (909) 993-1736, 48 hours prior to the scheduled meeting so that the Agency can make reasonable arrangements.

Proofed by: _____

Declaration of Posting

I, April Woodruff, Board Secretary of the Inland Empire Utilities Agency*, A Municipal Water District, hereby certify that a copy of this agenda has been posted by 5:30 p.m. at the Agency's main office, 6075 Kimball Avenue, Building A, Chino, CA on Thursday, March 11, 2010.

April Woodruff

Standing Meetings

March 2010

03-04-10 SAWPA Commission Workshop (tc/ja)
03-03-10 IEUA Board Meeting
03-04-10 Regional Policy Committees (tc)
03-04-10 Regional Tech Committees
03-04-10 CBWM Appropriative & Non-Agricultural Pool Meeting (mc/tc)
03-08-10 MWD Standing Committee Meetings (as)
03-09-10 MWD Standing Committee and Board Meetings (as)
03-10-10 IEUA Public, Legislative Affairs & Water Resources Committee (as/mc)
03-10-10 IEUA Engineering, Operations and Biosolids Management Committee (ja/mc)
03-10-10 IEUA Finance, Legal and Administration Committee (gk/tc)
03-11-10 CBWM Agricultural Pool Meeting (mc/tc)
03-15-10 Association of Special Districts Dinner Meeting (ja/gk)
03-16-10 SAWPA Commission Meeting (tc/ja)
03-17-10 IEUA Board Meeting
03-18-10 IEUA Dry Year Yield Meeting @CBWM (mc/tc)
03-18-10 CBWM Advisory Committee Meeting @CBWM (mc/tc)
03-25-10 Watermaster Board Meeting @ CBWM (mc/tc)

April 2010

04-01-10 Regional Policy Committees (tc)
04-01-10 Regional Tech Committees
04-01-10 CDA Board Meeting (ja/mc)
04-06-10 SAWPA Commission Workshop (tc/ja)
04-07-10 IEUA Board Meeting/CBRFA
04-08-10 CBWM Appropriative & Non-Agricultural Pool Meeting (mc/tc)
04-08-10 CBWM Agricultural Pool Meeting (mc/tc)
04-12-10 MWD Standing Committee Meetings (as)
04-13-10 MWD Standing Committee and Board Meetings (as)
04-14-10 IEUA Public, Legislative Affairs & Water Resources Committee (as/mc)
04-14-10 IEUA Engineering, Operations and Biosolids Management Committee (ja/mc)
04-14-10 IEUA Finance, Legal and Administration Committee (gk/tc)
04-15-10 IEUA Dry Year Yield Meeting @ CBWM (mc/tc)
04-15-10 CBWM Advisory Committee Meeting @CBWM (mc/tc)
04-19-10 Association of Special Districts Dinner Meeting (ja/gk)
04-20-10 SAWPA Commission Meeting (tc/ja)
04-21-10 IEUA Board Meeting/CBRFA
04-22-10 Watermaster Board Meeting @ CBWM (mc/tc)