

# AGENDA

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

WEDNESDAY, APRIL 7, 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 17, 2010, minutes from the Special Commission Meeting.

##### B. ADOPTION OF RESOLUTION NO. 2010-3, AUTHORIZING THE ISSUANCE OF A NOT-TO-EXCEED AMOUNT OF \$57,000,000 IN REVENUE BONDS, SERIES 2010A, AND APPROVING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH AND CERTAIN OTHER MATTERS

It is recommended that the Commission adopt Resolution No. 2010-3, to ratify Resolution No. 2010-1 authorizing the issuance of Revenue Bonds, Series 2010A, for a not-to-exceed amount of \$57,000,000 and approving the

execution of delivery of certain documents in connection therewith and certain other matters.

## 2. ADJOURN

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### 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 17, 2010, Board Meeting, and the March 17, 2010, Special Board Workshop.

### B. TREASURER'S REPORT

Treasurer's Report on General Disbursements

### C. PROJECT ACCEPTANCE FOR THE REGIONAL PLANT NO. 5 RENEWABLE ENERGY EFFICIENCY PROJECT, PROJECT NO. EN03029 – DAVIS ELECTRIC

It is recommended that the Board:

1. Accept the work as performed by Davis Electric as complete under the construction contract for the Regional Plant No. 5 Renewable Energy Efficiency Project, Project No. EN03029; and
2. Authorize the Chief Executive Officer/General Manager to execute the Notice of Completion.

**D. PROJECT ACCEPTANCE FOR THE VICTORIA AND SAN SEVAINE – WELLS AND LYSIMETER INSTALLATION, PROJECT NO. EN09012**

It is recommended that the Board:

1. Accept the work as performed by Best Drilling Inc. as complete under the construction contract for the Victoria and San Sevaime – Wells and Lysimeter Installation, Project No. EN09012; and
2. Authorize the Chief Executive Officer/General Manager to execute the Notice of Completion.

**E. PROJECT ACCEPTANCE FOR THE RP-1 DIGESTER NO. 3 ROOF REPAIR, PROJECT NO. EN08024**

It is recommended that the Board:

1. Accept the work as performed by DenBoer Engineering and Construction, Incorporated as complete under the construction contract for the RP-1 Digester No. 3 Roof Repair, Project No. EN08024; and
2. Authorize the Chief Executive Officer/General Manager to execute the Notice of Completion.

**2. ACTION ITEMS**

**A. LAFCO SPECIAL DISTRICT REPRESENTATIVE ELECTION**

It is recommended that the Board select, by majority roll call vote, their candidate of choice for the positions of Regular Special District member and Alternate Special District member of LAFCO.

**B. MWD PROPOSED RATES AND CHARGES**

It is recommended that Board support the MWD's General Manager recommended rates and charges of 12.4% increase.

**3. INFORMATION ITEMS**

**A. LEGISLATIVE REPORTS (ORAL)**

**B. WATER SOFTENER UPDATE (ORAL)**

**C. SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD CIVIL LIABILITY COMPLAINT (CBWM AND IEUA) REGARDING CDA HYDRAULIC CONTROL (WRITTEN)**

**RECEIVE AND FILE INFORMATION ITEMS**

**D. EDU AUDIT FOLLOW-UP INFORMATION (WRITTEN)**

**E. FY 2010/11 DRAFT BUDGET AND TYCIP TO THE REGIONAL TECHNICAL COMMITTEE (WRITTEN)**

**F. RECYCLED WATER PROGRAM 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. CHIEF EXECUTIVE OFFICER/GENERAL MANAGER'S REPORT (WRITTEN)**

**5. BOARD OF DIRECTORS' REQUESTED FUTURE AGENDA ITEMS**

**6. 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.

**7. 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

(9) C&C Scrap vs. IEUA, Case No. CIVRS 1002119

**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**

Property: RP-1 Fuel Cell

Negotiating Parties: Biofuels Energy, LLC, UTS/HDR/Filanc, and Otto H. Rosentreter Co.

Under Negotiation: Price and Terms of Lease

**8. 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, April 1, 2010.

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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)