

# AGENDA

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

WEDNESDAY, JUNE 2, 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 minutes from the May 19, 2010, regular Commission meeting.

#### B. APPOINTMENT OF INTERIM TREASURER

It is recommended that the Commissioners approve the appointment of Thomas A. Love, Interim Chief Executive Officer/General Manager to serve as Interim Treasurer for 2010.

### 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. **PUBLIC HEARING ON PROPOSED FY 2010/11 NON-RECLAIMABLE WASTEWATER AND WATER RESOURCES PROGRAMS RATES, AND DECLARE ITS INTENT TO ADOPT BUDGETS FOR THE REGIONAL SEWAGE PROGRAM**
2. **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 May 19, 2010, Board Meeting.
- B. **TREASURER'S REPORT**  
Treasurer's Report on General Disbursements
- C. **ADOPTION OF RESOLUTION NO. 2010-6-16, AMENDING THE INLAND EMPIRE UTILITIES AGENCY SECTION 125 CAFETERIA PROGRAM PLAN**  
It is recommended that the Board:
  1. Adopt Resolution No. 2010-6-16, amending the Inland Empire Utilities Agency Section 125 Cafeteria Program Plan; and

2. Authorize the Interim Chief Executive Officer/General Manager the authority to amend the plan as needed.

**D. APPROVAL OF RESOLUTION NO. 2010-6-17, ADOPTING AN ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR FACILITIES MASTER PLAN PROGRAM**

It is recommended that the Board approve Resolution No. 2010-6-17, adopting an Addendum to the Environmental Impact Report for Facilities Master Plan Program.

**E. ADOPTION OF RESOLUTION NO. 2010-6-19 AUTHORIZING THE INTERIM CHIEF EXECUTIVE OFFICER/GENERAL MANAGER TO SIGN GRANT AND LOAN RELATED DOCUMENTS**

It is recommended that the Board adopt Resolution No. 2010-6-19, which authorizes the Interim Chief Executive Officer/General Manager, or his designee, to sign documents related to grants and loans, and Executive Managers to serve as an alternate signer in the absence of the Interim Chief Executive Officer/General Manager.

**3. ACTION ITEM**

**FOLLOW-UP ACTION ON FY 2010/11 MONTHLY EDU RATE EFFECTIVE DATE**

It is recommended that the Board confirm the effective date of July 1, 2010 for the Regional EDU Volumetric rate increase from \$10.75/EDU to \$11.14/EDU for all contracting member agencies, as approved by the Regional Policy Committee on May 6, 2010, and the IEUA Board on May 19, 2010.

**4. INFORMATION ITEM**

**LEGISLATIVE REPORTS (ORAL)**

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.

**5. INTERIM 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) Taisei-T&K Joint Venture vs. IEUA, Case No. CIVRS 914130
- (4) Westco vs. IEUA, Case No. 37-2009-00058161-CU-BC-NC
- (5) Martin vs. IEUA, Case No. CIVRS 1000767
- (6) C&C Scrap vs. IEUA, Case No. CIVRS 1002119
- (7) Regional Board vs. IEUA, Case No. ACL R8-2010-0013

**B. 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

**C. PURSUANT TO GOVERNMENT CODE SECTION 54957.6 –  
CONFERENCE WITH LABOR NEGOTIATOR**

Meet and Confer Negotiations – All Units

**D. PURSUANT TO GOVERNMENT CODE SECTION 54957 – PERSONNEL  
MATTERS**

Interim Chief Executive Officer/General Manager

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

One (1) case

**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**

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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, May 27, 2010.

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April Woodruff

## **Standing Meetings**

### **May 2010**

05-04-10 SAWPA Commission Workshop (tc/ja)  
05-05-10 IEUA Board Meeting  
05-06-10 Regional Policy Committees (tc)  
05-06-10 Regional Tech Committees  
05-06-10 CBWM Appropriative & Non-Agricultural Pool Meeting (mc/tc)  
05-10-10 MWD Standing Committee Meetings (as)  
05-11-10 MWD Standing Committee and Board Meetings (as)  
05-12-10 IEUA Public, Legislative Affairs & Water Resources Committee (as/mc)  
05-12-10 IEUA Engineering, Operations and Biosolids Management Committee (ja/mc)  
05-12-10 IEUA Finance, Legal and Administration Committee (gk/tc)  
05-13-09 CDA Board Meeting (ja/mc)  
05-13-10 CBWM Agricultural Pool Meeting (mc/tc)  
05-17-10 Association of Special Districts Dinner Meeting (ja/gk)  
05-18-10 SAWPA Commission Meeting (tc/ja)  
05-19-10 IEUA Board Meeting  
05-20-10 IEUA Dry Year Yield Meeting @CBWM (mc/tc)  
05-20-10 CBWM Advisory Committee Meeting @CBWM (mc/tc)  
05-25-10 MWD Executive Committee Meeting (as)  
05-27-10 Watermaster Board Meeting @ CBWM (mc/tc)

### **JUNE 2010**

06-01-10 SAWPA Commission Workshop (tc/ja)  
06-02-10 IEUA Board Meeting/CBRFA  
06-03-10 Regional Policy Committees (tc)  
06-03-10 Regional Tech Committees  
06-03-10 CBWM Appropriative & Non-Agricultural Pool Meeting (mc/tc)  
06-09-10 IEUA Audit Committee (tc/as)  
06-09-10 IEUA Public, Legislative Affairs & Water Resources Committee (as/mc)  
06-09-10 IEUA Engineering, Operations and Biosolids Management Committee (ja/mc)  
06-09-10 IEUA Finance, Legal and Administration Committee (gk/tc)  
06-10-10 CBWM Agricultural Pool Meeting (mc/tc)  
06-14-10 MWD Standing Committee Meetings (as)  
06-15-10 MWD Standing Committee and Board Meetings (as)  
06-15-10 SAWPA Commission Meeting (tc/ja)  
06-16-10 IEUA Board Meeting/CBRFA  
06-17-10 IEUA Dry Year Yield Meeting @ CBWM (mc/tc)  
06-17-10 CBWM Advisory Committee Meeting @CBWM (mc/tc)  
06-21-10 Association of Special Districts Dinner Meeting (ja/gk)  
06-24-10 Watermaster Board Meeting @ CBWM (mc/tc)