

REVISED AGENDA

**REGULAR MEETING OF THE
BOARD OF DIRECTORS**

**WEDNESDAY, SEPTEMBER 15, 2010
10:00 A.M.**

**INLAND EMPIRE UTILITIES AGENCY*
AGENCY HEADQUARTERS
6075 KIMBALL AVENUE, BUILDING A
CHINO, CALIFORNIA 91710**

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 September 1, 2010, regular Board meeting.

B. TREASURER'S REPORT

1. Treasurer's Report on General Disbursements
2. Investments

C. ADDITION OF A SECONDARY INVESTMENT BANKING INSTITUTION

It is recommended that the Board approve staff's recommendation to add a secondary banking institution for the investment of surplus funds.

D. INTERNAL AUDIT DEPARTMENT ANNUAL AUDIT PLAN FOR FISCAL YEAR ENDING JUNE 30, 2011

It is recommended that the Board:

1. Approve the 2010/11 Internal Audit Department Annual Audit Plan; and
2. Direct the Manager of Internal Audit to finalize the 2010/11 Audit Plan.

E. ADOPTION OF RESOLUTION NO. 2010-9-2, PROCEDURES FOR RECORDS RETENTION, DESTRUCTION, AND AMENDMENTS TO THE RECORDS RETENTION SCHEDULE

It is recommended that the Board:

1. Adopt Resolution No 2010-9-2, Procedures for Records Retention, Destruction, and Amendments to the Records Retention Schedule; and
2. Approve the amendments to the Agency's Records Retention Schedule.

F. 1630 WEST RECYCLED WATER PUMP STATION LICENSE AND USE PERMIT AGREEMENT WITH THE CITY OF ONTARIO, PROJECT NO. WR10032

It is recommended that the Board:

1. Approve the License and Use Permit Agreement between Inland Empire Utilities Agency (IEUA) and the City of Ontario (City) for the 1630 West Recycled Water Pump Station for the Northwest Project Area, Project No. WR10032; and
2. Authorize the Chief Executive Officer/General Manager to execute the License and Use Permit Agreement.

G. CONTRACT TERMINATION AND CONSTRUCTION CONTRACT AWARD FOR THE PRADO LAKE DISCHARGE MODIFICATIONS & TP-1 SBS PUMP IMPROVEMENTS, PROJECT NOS. EN07010.04 AND EN07006.04

It is recommended that the Board:

1. Terminate the construction contract for the Prado Lake Discharge Modifications, Project No. EN07010.04, and TP-1 SBS Pump Improvements, Project No. EN07007.04, with Sepulveda Construction;

2. Authorize the Chief Executive Officer/General Manager to execute the termination notice;
3. Award the construction contract for the Prado Lake Discharge Modifications, Project No. EN07010.04, and TP-1 SBS Pump Improvements, Project No. EN07006.04, to the second lowest responsive bidder, Coconstruction, Inc. for their low bid of \$434,700; and
4. Authorize the Chief Executive Officer/General Manager to execute the contract.

H. CONSTRUCTION MANAGEMENT CONSULTANT CONTRACT AMENDMENT NO. 4 WITH GK & ASSOCIATES, CONTRACT NO. 4600000105

It is recommended that the Board:

1. Approve Contract Amendment No. 4600000105-004 with GK & Associates to perform project management services for capital improvement projects for the not-to-exceed fee of \$544,300; and
2. Authorize the Chief Executive Officer/General Manager to execute the contract amendment.

I. PROJECT ACCEPTANCE FOR THE RP-2 AND RP-5 IPS OVERFLOW PROTECTION PROJECT, PROJECT NO. EN10006

It is recommended that the Board:

1. Accept the work as performed by Mike Bubalo Construction, Inc. as complete under the construction contract for the RP-2 and RP-5 IPS Overflow Protection Project, Project No. EN10006; and
2. Authorize the Chief Executive Officer/General Manager to execute the Notice of Completion.

J. SURPLUS MANURE COLLECTION AND TRANSPORTATION EQUIPMENT

It is recommended that the Board:

1. Approve to surplus manure collection and transportation equipment, which is anticipated to have an aggregate value of greater than \$200,000;
2. Approve the sale of the surplus equipment to obtain best market value; and
3. Authorize the Chief Executive Officer/General Manager to enter into agreements to sell the equipment.

K. PURCHASE OF GENERAL LIABILITY INSURANCE

It is recommended that the Board authorize the procurement of excess general, automobile, and public entity errors and omissions liability insurance for the period of October 1, 2010, to September 30, 2011, in the amount of \$234,495.

L. REGIONAL LANDSCAPE EVALUATION AND AUDIT PROGRAM FOR FY 2010/11

It is recommended that the Board:

1. Approve Agreement No. 4600000771 with Chino Basin Water Conservation District to provide landscape evaluation and audit services for member agency residential and commercial retail water customers for a not-to-exceed amount of \$75,000; and
2. Authorize the Chief Executive Officer/General Manager to execute the agreement.

M. SODIUM BISULFITE CONTRACT AWARD

It is recommended that the Board:

1. Approve issuance of Contract No. 4600000787 to Basic Chemical Solutions, L.L.C. for supply of sodium bisulfite for up to a five-year period and an initial unit price of \$0.224/dry pound (delivered), plus tax; and
2. Authorize the Chief Executive Officer/General Manager to execute and issue said contract.

N. UNARMED UNIFORMED SECURITY GUARD AND PATROL SERVICES CONTRACT AWARD

It is recommended that the Board:

1. Approve the award of Contract No. 4600000788 with Universal Protective Services, unarmed uniformed security services, for a not-to-exceed amount of \$861,000, up to a five-year term; and
2. Authorize the Chief Executive Officer/General Manager to execute the contract.

O. BUDGET AMENDMENT FOR FISCAL YEAR 2009/10 ENCUMBRANCES

It is recommended that the Board approve the amendment of Fiscal Year 2010/11 Budget for open encumbrances carried forward from FY 2009/10 in the amount of \$11,404,771.

2. **ACTION ITEM**

A. **RP-1 FUEL CELL POWER PURCHASE AGREEMENT AWARD, PROJECT NO. EN10012.00**

It is recommended that the Board:

1. Award RP-1 Fuel Cell Power Purchase Agreement to UTS BioEnergy, LLC; Project No. EN10012.00; and
2. Authorize the Chief Executive Officer/General Manager to finalize and execute the Power Purchase Agreement.

3. **INFORMATION ITEMS**

A. **CONSTRUCTION MANAGEMENT EXECUTIVE SUMMARY PRESENTATION (POWERPOINT)**

RECEIVE AND FILE INFORMATION ITEMS

B. **TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR JULY 2010 (WRITTEN)**

C. **FY 2009/10 FOURTH QUARTER BUDGET VARIANCE AND PERFORMANCE GOALS UPDATES (WRITTEN)**

D. **PUBLIC OUTREACH AND COMMUNICATIONS (WRITTEN)**

E. **LEGISLATIVE REPORT FROM INNOVATIVE FEDERAL STRATEGIES (WRITTEN)**

F. **LEGISLATIVE REPORT FROM DOLPHIN GROUP (WRITTEN)**

G. **CONSTRUCTION MANAGEMENT FOLLOW UP AUDIT (WRITTEN)**

H. **PAYROLL AUDIT (WRITTEN)**

I. **AUDIT COMMITTEE RESPONSIBILITIES REPORT (WRITTEN)**

J. **INTERNAL AUDIT DEPARTMENT STATUS REPORT FOR SEPTEMBER 2010 (WRITTEN)**

K. **ANNUAL WATER USE REPORT FOR FISCAL YEAR 2009/10 (WRITTEN)**

L. **MWD'S 2010 INTEGRATED RESOURCE PLAN (IRP) UPDATE (WRITTEN)**

M. **REGIONAL LONG TERM WATER USE EFFICIENCY BUSINESS PLAN (WRITTEN)**

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 (Next Commission meeting September 21)**
 - 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) Taisei-T&K Joint Venture vs. IEUA, Case No. CIVRS 914130
 - (4) Westco vs. IEUA, Case No. 37-2009-00108161-CU-BC-NC
 - (5) Martin vs. IEUA, Case No. CIVRS 1000767
 - B. **PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
 - (1) 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

- (2) Property: Parcel on the northeast corner of El Prado and Flower
Negotiating Parties: The Carson Companies
Under Negotiation: Price and Terms of Sale
- (3) Property: RP-5 SHF
Negotiating Parties: Environ Strategies
Under Negotiation: Terms of Lease

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

Meet and Confer Negotiations – General Unit and Operators’ Association
Negotiating Parties: Patrick Sheilds and Gina Hillary

**D. PURSUANT TO GOVERNMENT CODE SECTION 54954.5 – PUBLIC
EMPLOYEE DISMISSAL/DISCIPLINE/RELEASE**

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.

Declaration of Posting

Proofed by: _____

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, September 9, 2010.

April Woodruff

Standing Meetings

September 2010

09-01-10 IEUA Board Meeting/CBRFA
09-02-10 CBWM Appropriative & Non-Agricultural Pool Meeting (mc/tc)
09-02-10 Regional Policy Committees (tc)
09-02-10 Regional Tech Committees
09-02-10 CDA Board Meeting (ja/mc)
09-06-10 Labor Day-Agency Holiday-Office Closed
09-07-10 SAWPA Commission Workshop (tc/ja)
09-10-10 IEUA Audit Committee (tc/as)
09-10-10 IEUA Public, Legislative Affairs & Water Resources Committee (as/mc)
09-10-10 IEUA Engineering, Operations and Biosolids Management Committee (ja/mc)
09-10-10 IEUA Finance, Legal and Administration Committee (gk/tc)
09-09-10 CBWM Agricultural Pool Meeting (mc/tc)
09-13-10 MWD Standing Committee Meetings (as)
09-14-10 MWD Standing Committee and Board Meetings (as)
09-15-10 IEUA Board Meeting/CBRFA
09-16-10 IEUA Dry Year Yield Meeting @ CBWM (mc/tc)
09-16-10 CBWM Advisory Committee Meeting @CBWM (mc/tc)
09-20-10 Association of Special Districts Dinner Meeting (ja/gk)
09-21-10 SAWPA Commission Meeting (tc/ja)
09-23-10 Watermaster Board Meeting @ CBWM (mc/tc)
09-28-10 MWD Executive Committee (as)

October 2010

10-05-10 SAWPA Commission Workshop (tc/ja)
10-06-10 IEUA Board Meeting/CBRFA
10-07-10 CBWM Appropriative & Non-Agricultural Pool Meeting (mc/tc)
10-07-10 Regional Policy Committees (tc)
10-07-10 Regional Tech Committees
10-07-10 CDA Board Meeting (ja/mc)
10-11-10 MWD Standing Committee Meetings (as)
10-12-10 MWD Standing Committee and Board Meetings (as)
10-13-10 IEUA Public, Legislative Affairs & Water Resources Committee (as/mc)
10-13-10 IEUA Engineering, Operations and Biosolids Management Committee (ja/mc)
10-13-10 IEUA Finance, Legal and Administration Committee (gk/tc)
10-14-10 CBWM Agricultural Pool Meeting (mc/tc)
10-19-10 SAWPA Commission Meeting (tc/ja)
10-20-10 IEUA Board Meeting
10-21-10 IEUA Dry Year Yield Meeting @CBWM (mc/tc)
10-21-10 CBWM Advisory Committee Meeting @CBWM (mc/tc)
10-26-10 MWD Executive Committee Meeting (as)
10-28-10 Watermaster Board Meeting @ CBWM (mc/tc)