

# AGENDA

## REGULAR MEETING OF THE BOARD OF DIRECTORS

WEDNESDAY, OCTOBER 6, 2010  
10:00 A.M.

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

### 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 AND ADOPTION OF THE PEACE II AGREEMENT SUBSEQUENT PROGRAM ENVIRONMENTAL IMPACT REPORT (SEIR)

It is recommended that the Board:

1. Hold a Public Hearing to receive public comments for the Board to adopt the final Peace II Agreement Subsequent Program Environmental Impact Report; and
2. After closing the Public Hearing:
  - a. Certify the Final Peace II Agreement Subsequent Program Environmental Impact Report (SEIR) and determine that the documentation is adequate and reflects the independent judgment of the Inland Empire Utilities Agency (Agency) acting as the CEQA lead agency on behalf of Chino Basin Watermaster;

- b. Approve the Peace II Agreement Program and authorizes the Chief Executive Officer/General Manager to file the Notice of Determination that relies upon the Final Peace II Agreement Subsequent Program Environmental Impact Report as the basis for complying with CEQA for approving the Peace II Agreement Program for implementation within the Chino Basin by IEUA, the Chino Basin Watermaster and the stakeholders in the Chino Groundwater Basin; and
- c. Authorize the Chief Executive Officer/General Manager to file the Notice of Determination for the Peace II CEQA and pay the \$2,842.25 filing fee to the San Bernardino County Clerk of the Board.

**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 September 15, 2010, Board Meeting.

**B. TREASURER'S REPORT**

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

**C. PROJECT ACCEPTANCE FOR THE RP-2 SARI DUMP SITE RELOCATION, PROJECT NO. EN07117 AND RP-2 DEWATERED LAKE STORAGE SYSTEM, PROJECT NO. EN06014**

It is recommended that the Board:

- 1. Accept the work as performed by Olsson Construction as complete under the construction contract for the RP-2 SARI Dump Site Relocation, Project No. EN07117 and RP-2 Dewatered Lake Storage System, Project No. EN06014; and
- 2. Authorize the Chief Executive Officer/General Manager to execute the Notice of Completion.

**3. INFORMATION ITEMS**

**A. SELECTION OF METROPOLITAN WATER DISTRICT BOARD CHAIRMAN (ORAL)**

**B. LEGISLATIVE REPORTS (ORAL)**

**C. FISCAL YEAR 2011/12 RATE PROPOSALS (POWERPOINT)**

**RECEIVE AND FILE ITEMS**

**D. IEUA MONTHLY WATER NEWSLETTER (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. 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) 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 54957 – PERSONNEL MATTERS**

- (1) Chief Executive Officer/General Manager
- (2) Manager of Internal Audit
- (3) Board Secretary

**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, September 30, 2010.

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April Woodruff

## **Standing Meetings**

### **Standing Meetings**

#### **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)

#### **November 2010**

11-02-10 SAWPA Commission Workshop (tc/ja)  
11-03-10 IEUA Board Meeting/CBRFA  
11-04-10 CBWM Appropriative & Non-Agricultural Pool Meeting (mc/tc)  
11-04-10 Regional Policy Committees (tc)  
11-04-10 Regional Tech Committees  
11-04-10 CDA Board Meeting (ja/mc)  
11-04-10 Southern Coalition(as)  
11-08-10 MWD Standing Committee Meetings (as)  
11-09-10 MWD Standing Committee and Board Meetings (as)  
11-10-10 IEUA Public, Legislative Affairs & Water Resources Committee (as/mc)  
11-10-10 IEUA Engineering, Operations and Biosolids Management Committee (ja/mc)  
11-10-10 IEUA Finance, Legal and Administration Committee (gk/tc)  
11-11-10 CBWM Agricultural Pool Meeting (mc/tc)  
11-16-10 SAWPA Commission Meeting (tc/ja)  
11-17-10 IEUA Board Meeting/CBRFA  
11-18-10 IEUA Dry Year Yield Meeting @ CBWM (mc/tc)  
11-18-10 CBWM Advisory Committee Meeting @CBWM (mc/tc)  
11-18-10 Watermaster Board Meeting @ CBWM (mc/tc)  
11-22-10 Association of Special Districts Dinner Meeting (ja/gk)  
11-23-10 MWD Executive Committee (as)  
11-25-10 Agency Holiday – Office Closed  
11-26-10 Agency Holiday – Office Closed