

## AGENDA

### REGULAR MEETING OF THE BOARD OF DIRECTORS

WEDNESDAY, NOVEMBER 2, 2011  
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. PUBLIC HEARING AND ADOPTION OF RESOLUTION OF NECESSITY, RESOLUTION NO. 2011-11-2, REGARDING CONDEMNING CERTAIN PROPERTY NECESSARY FOR AN EASEMENT FOR THE UPLAND INTERCEPTOR RELIEF SEWER

It is recommended that the Board:

1. Conduct a Public Hearing regarding the Resolution of Necessity, Resolution No. 2011-11-2, regarding condemning certain property necessary for an easement for the Upland Interceptor Relief Sewer and temporary construction easements; and
2. After closing the Public Hearing, adopt Resolution of Necessity, Resolution No. 2011-11-2, authorizing the commencement of eminent domain proceedings.

2. **STATE LEGISLATIVE BRIEFING FROM MR. MICHAEL BOCCODORO – DOLPHIN GROUP**

3. **PROPOSED DIVISION BOUNDARY REDISTRICTING WORKSHOP**

4. **CONSENT CALENDAR ITEMS**

A. **MINUTES**

The Board of Directors will be asked to approve the minutes from the October 12, 2011, Special Board Workshop and the October 19, 2011 Regular Board meeting.

B. **TREASURER’S REPORT**

1. Treasurer’s Report on General Disbursements
2. Investment Report

C. **PROJECT ACCEPTANCE FOR THE RP-4 STORAGE POND IMPROVEMENTS, PROJECT NO. EN11028**

It is recommended that the Board:

1. Accept the work as performed by AToM, Inc. as complete under the construction contract for the RP-4 Storage Pond Improvements, Project No. EN11028; and
2. Authorize the General Manager to execute the Notice of Completion.

5. **ACTION ITEMS**

A. **ADOPTION OF RESOLUTION NO. 2011-11-1, DECLARING THE AGENCY’S INTENT TO AMEND THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM AND THE INLAND EMPIRE UTILITIES AGENCY BOARD OF DIRECTORS**

It is recommended that the Board:

1. Adopt Resolution No. 2011-11-1, declaring the Agency’s intention to amend the Agency’s contract with CalPERS for employee retirement benefits, to provide a different level of benefits to local miscellaneous members entering membership for the first time after the effective date of this amendment to contract as follows: 2% @ 55 Modified and Full Formula (Section 21354) and Three-Year Final Compensation (Section 20037); and
2. Disclose the cost resulting from the Agency’s contract amendment with CalPERS for employee retirement benefits.

**B. PREEMPTIVE REPLENISHMENT AGREEMENT AND PURCHASE OF REPLENISHMENT WATER**

It is recommended that the Board:

1. Approve the final Preemptive Replenishment Agreement with Chino Basin Watermaster (Watermaster) for the storage of up to 25,000 acre feet (AF) of replenishment water from Metropolitan Water District of Southern California (MWD); and
2. Authorize the General Manager to finance the purchase of replenishment water with either reserves or commercial paper.

**6. INFORMATION ITEMS**

**A. LEGISLATIVE REPORTS (ORAL)**

**B. REPLENISHMENT UPDATE (ORAL)**

**RECEIVE AND FILE INFORMATION ITEMS**

**C. FISCAL YEAR 2012/13 RATE PROPOSALS**

**D. CALIFORNIA STRATEGIES, LLC MONTHLY UPDATE (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.

**7. GENERAL MANAGER'S REPORT (WRITTEN)**

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

**9. 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.

**10. 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. RCV118354

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

(5) IEUA vs. Ontario Redevelopment Agency, Case No. CIVRS1100454

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

Two (2) Cases

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

(1) General Manager

(2) Manager of Internal Audit

(3) Board Secretary

**11. 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 (911) 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, October 27, 2011.

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April Woodruff

## **Standing Meetings**

### **October 2011**

10-04-11 SAWPA Commission Workshop (tc)  
10-05-11 IEUA Board Meeting/CBRFA  
10-06-11 Regional Tech Committee  
10-06-11 Regional Policy Committee  
10-06-11 CDA Board Meeting (as)  
10-06-11 Southern Coalition (mc)  
10-06-11 SAWPA Project Agreement 321 (tc)  
10-10-11 MWD Standing Committee Meetings (mc)  
10-11-11 MWD Standing Committee and Board Meetings (mc)  
10-12-11 IEUA Public, Legislative Affairs & Water Resources Committee  
10-12-11 IEUA Engineering, Operations and Biosolids Management Committee  
10-12-11 IEUA Finance, Legal and Administration Committee  
10-13-11 CBWM Appropriative & Non-Agricultural Pool Meeting (se)  
10-17-11 Association of Special Districts Dinner Meeting (se)  
10-19-11 IEUA Board Meeting/CBRFA  
10-20-11 IEUA Dry Year Yield Meeting @ CBWM  
10-20-11 CBWM Advisory Committee Meeting @CBWM (se)  
10-20-11 CBWM Land Subsidence Committee Meeting (se)  
10-18-11 SAWPA Commission Meeting (tc)  
10-25-11 MWD Executive Committee (mc)  
10-27-11 Watermaster Board Meeting @ CBWM (se)

### **November 2011**

11-01-11 SAWPA Commission Workshop  
11-02-11 IEUA Board Meeting/CBRFA  
11-03-11 CDA Board Meeting (as)  
11-03-11 Southern Coalition (mc)  
11-07-11 MWD Standing Committee Meetings (mc)  
11-08-11 MWD Standing Committee and Board Meeting (mc)  
11-09-11 IEUA Special Audit Committee (tc/mc)  
11-09-11 IEUA Public, Legislative Affairs & Water Resources Committee (as/se)  
11-09-11 IEUA Engineering, Operations and Biosolids Management Committee (mc/tc)  
11-09-11 IEUA Finance, Legal and Administration Committee (gk/se)  
11-10-11 CBWM Appropriative & Non-Agricultural Pool Meeting (se)  
11-15-11 SAWPA Commission Meeting (tc)  
11-17-11 IEUA Dry Year Yield Meeting @ CBWM  
11-17-11 CBWM Advisory Committee Meeting @CBWM (se)  
11-19-11 IEUA Board Meeting/CBRFA  
11-21-11 Association of Special Districts Dinner Meeting (se)  
11-22-11 MWD Executive Committee (mc)  
11-24-11 Watermaster Board Meeting @ CBWM (se)