



## **AGENDA**

### **REGULAR MEETING OF THE BOARD OF DIRECTORS**

**WEDNESDAY, DECEMBER 21, 2011  
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. 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 December 6, 2011, Special Joint FY 2012/13 Rate Proposal Budget Workshop, and the December 7, 2011, Board of Directors meeting.

**B. TREASURER'S REPORT**

It is recommended that the Board approve the following:

1. Check Registers for the period of November 23, 2011 December 8, 2011;
2. Employees' Payroll for December 2, 2011; and
3. Wire Transfers/ACH Payments for the period of November 23, 2011 to December 8, 2011.

**C. APPROVAL OF FISCAL YEAR 2010/11 SINGLE AUDIT REPORT**

It is recommended that the Board:

1. Approve the Single Audit Report for the Fiscal Year 2010/11; and
2. Direct staff to distribute the report, as appropriate, to the State Controller's Office, the Federal Audit Clearing House, and other interest parties.

**D. AWARD OF A BLANKET PURCHASE AGREEMENT TO DOWNS ENERGY FOR SUPPLY AND DELIVERY OF DIESEL FUEL**

It is recommended that the Board:

1. Approve a three-year blanket purchase agreement to Downs Energy covering "as needed" purchases and deliveries of diesel fuel to various Agency locations; and
2. Authorize the Manager of Contracts and Procurement to issue said blanket purchase agreement.

**E. ADOPTION OF RESOLUTION NO. 2011-12-2, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN CALPERS AND IEUA**

It is recommended that the Board adopt Resolution No. 2011-12-2, authorizing an amendment to 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).

**F. SALE OF ONE NON-RECLAIMABLE WASTEWATER SYSTEM (NRWS) CAPACITY UNIT**

It is recommended that the Board:

1. Approve the sale of one NRWS capacity unit to Repet, Inc. for \$215,000; and
2. Authorize the General Manager to execute the NRWS Capacity Right Agreement.

**G. ADOPTION OF RESOLUTION NO. 2011-12-3, ADOPTING THE AGENCY'S 2011 HAZARD MITIGATION PLAN UPDATE**

It is recommended that the Board adopt Resolution No. 2011-12-3, adopting the Agency's 2011 Hazard Mitigation Plan Update and its inclusion in the County of San Bernardino Multi-Jurisdictional Hazard Mitigation Plan.

**H. AUTHORIZE USE OF THE GM CONTINGENCY ACCOUNT**

It is recommended that the Board authorize the General Manager to transfer budgetary amounts in the FY 2011/12 GM Contingency Account, in the Regional Operations and Maintenance (RO) Fund, between funds and expense categories as needed to support unexpected costs during the fiscal year.

**2. ACTION ITEMS**

**A. APPROVAL OF FISCAL YEAR 2010/11 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)**

It is recommended that the Board:

1. Approve the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2011; and
2. Direct staff to distribute the reports, as appropriate, to the various federal, state, and local agencies, financial institutions, bond rating agencies, and other interested parties.

**B. ADOPTION OF RESOLUTION NO. 2011-12-1, ESTABLISHING REVISED FEES AND CHARGES FOR THE NON-RECLAIMABLE WASTEWATER SYSTEM IN FISCAL YEAR (FY) 2011/12**

It is recommended that the Board:

1. Adopt Resolution No. 2011-12-1, establishing revised monthly capacity charges, volumetric charges, excess strength charges, application fees, and waste permit application fees for the Non-Reclaimable Wastewater System (NRWS) in FY 2011/12, retroactive to July 1, 2011; and

2. Approve the reconciliation of volumetric charges paid by the North NRWS customers and credit any affected industries and trucking companies accordingly for the period FY 2005/06 through 2010/11.

3. **INFORMATION ITEMS**

- A. **FY 2012/13 RATE PROPOSAL FOR THE REGIONAL WASTEWATER AND RECYCLED WATER PROGRAMS (WRITTEN/PP)**
- B. **DRAFT 2012 FEDERAL AND STATE LEGISLATIVE PRIORITIES AND STRATEGY4 (WRITTEN/PP)**
- C. **GOING GRIDLESS BY 2020 UPDATE (POWERPOINT)**

**RECEIVE AND FILE INFORMATION ITEMS**

- D. **TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR OCTOBER 2011 (WRITTEN)**
- E. **GRANTS AND SRF LOANS UPDATE (WRITTEN)**
- F. **INTERNAL AUDIT DEPARTMENT STATUS REPORT FOR DECEMBER 2011 (WRITTEN)**
- G. **EXERCISE OPTION THREE OF THREE TO EXTEND AUDIT COMMITTEE ADVISORY SERVICES FOR ONE YEAR THROUGH CALENDAR YEAR 2012 (WRITTEN)**
- H. **PUBLIC OUTREACH AND COMMUNICATIONS (WRITTEN)**
- I. **LEGISLATIVE REPORT FROM INNOVATIVE FEDERAL STRATEGIES (WRITTEN)**
- J. **LEGISLATIVE REPORT FROM DOLPHIN GROUP (WRITTEN)**
- K. **LEGISLATIVE REPORT FROM AGRICULTURAL RESOURCES (WRITTEN)**
- L. **CALIFORNIA STRATEGIES, LLC ACTIVITY REPORT FOR NOVEMBER (WRITTEN)**
- M. **IEUA MONTHLY WATER NEWSLETTER (WRITTEN)**
- N. **GARDEN IN EVERY SCHOOL PROGRAM UPDATE (WRITTEN)**
- O. **EMERGENCY REPAIR WORK ON COLUMN AND BEAMS AT IERCF, PROJECT NO. RA12008 (WRITTEN)**
- P. **IERCF FACILITY ENHANCEMENTS SUMMARY (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. **AGENCY REPRESENTATIVES' REPORTS**
  - A. **SAWPA REPORT (DARK IN DECEMBER)**
  - B. **MWD REPORT (WRITTEN)**
  - C. **REGIONAL SEWERAGE PROGRAM POLICY COMMITTEE REPORT (QUARTERLY)**
  - D. **CHINO BASIN WATERMASTER REPORT (WRITTEN)**
5. **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. 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
    - (6) Dezham vs. IEUA, Case No. CRIVRS 1109761

**B. PURSUANT TO GOVERNMENT CODE SECTION 54956.9 –  
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Three (3) Cases

**C. PURSUANT TO GOVERNMENT CODE SECTION 54956.8 –  
CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
(1) Property: 4 acres on El Prado Road  
Negotiating Parties: Carson Companies  
Under Negotiation: Price and Terms of Purchase

**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, December 15, 2011.

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April Woodruff

## Standing Meetings

### Standing Meetings

#### December 2011

12-01-11 Regional Tech Committee  
SAWPA Project Agreement 21 (tc) **(Dark in December)**

12-01-11 CDA Board Meeting (as)

12-06-11 SAWPA Commission Workshop (tc)

12-07-11 IEUA Board Meeting/CBRFA

12-08-11 Southern Coalition (mc)

12-08-11 CBWM Appropriative & Non-Agricultural Pool Meeting (se)

12-12-11 MWD Standing Committee Meetings (mc)

12-13-11 MWD Standing Committee and Board Meetings (mc)  
SAWPA Commission Meeting (tc) **(Dark in December)**

12-14-11 IEUA Audit Committee

12-14-11 IEUA Public, Legislative Affairs & Water Resources Committee

12-14-11 IEUA Engineering, Operations and Biosolids Management Committee

12-14-11 IEUA Finance, Legal and Administration Committee

12-15-11 CBWM Advisory Committee Meeting @CBWM (se)

12-15-11 IEUA Dry Year Yield Meeting @ CBWM

12-15-11 CBWM Land Subsidence Committee Meeting (se)

12-15-11 Watermaster Board Meeting @ CBWM (se)

12-19-11 Association of Special Districts Dinner Meeting (se)

12-21-11 IEUA Board Meeting/CBRFA

#### January 2012

01-03-12 SAWPA Commission Workshop

01-04-12 IEUA Board Meeting/CBRFA

01-05-12 Regional Policy Committee (tc/mc)

01-05-12 Regional Tech Committee

01-05-12 CDA Board Meeting (as)

01-05-12 Southern Coalition (mc)

01-09-12 MWD Standing Committee Meetings (mc)

01-10-12 MWD Standing Committee and Board Meeting (mc)

01-11-12 IEUA Public, Legislative Affairs & Water Resources Committee (as/se)

01-11-12 IEUA Engineering, Operations and Biosolids Management Committee (mc/tc)

01-11-12 IEUA Finance, Legal and Administration Committee (gk/se)

01-12-12 CBWM Appropriative & Non-Agricultural Pool Meeting (se)

01-16-12 Association of Special Districts Dinner Meeting (se)

01-17-12 SAWPA Commission Meeting (tc)

01-18-12 IEUA Board Meeting/CBRFA

01-19-12 IEUA Dry Year Yield Meeting @ CBWM

01-19-12 CBWM Advisory Committee Meeting @CBWM (se)

01-23-12 MWD Executive Committee (mc)

01-26-12 Watermaster Board Meeting @ CBWM (se)