

ORDINANCE NO. 68

ORDINANCE OF THE BOARD OF DIRECTORS OF INLAND EMPIRE UTILITIES AGENCY\*, SAN BERNARDINO COUNTY, CA, AUTHORIZING THE CHIEF EXECUTIVE OFFICER/ GENERAL MANAGER TO APPROVE THE CONVEYANCE OF INTEREST IN REAL PROPERTY BY DEED OR GRANT FOR THE PURPOSES OF NEW CONSTRUCTION, MAINTENANCE OR REPAIR; TO APPROVE AND DELEGATE THE APPROVAL OF ANY PERMITS FOR NEW CONSTRUCTION, MAINTENANCE OR REPAIR; TO APPROVE, ACCEPT AND CONSENT TO ANY INDENTURES OR AGREEMENTS WITH ANY RAILROAD OR OTHER COMPANY FOR NEW CONSTRUCTION, MAINTENANCE OR REPAIR

WHEREAS, Section 71301 of the Water Code provides that Inland Empire Utilities Agency\* may delegate and re-delegate any executive, administrative, and ministerial powers to any office created by the Board of Directors;

WHEREAS, the acceptance and execution for recordation purposes, of deeds or grants of real property, easements, permits, indentures or agreements with any public agency, private company or individual for construction or maintenance fall under the general terms of "executive, administrative, and ministerial powers";

WHEREAS, Section 71309 of the Water Code provides that the Board may by ordinance delegate and re-delegate to officers of the Inland Empire Utilities Agency\*, under such conditions and restrictions that shall be fixed by the Board, the power to bind the Inland Empire Utilities Agency\* by contract;

WHEREAS, deeds or grants of real property, easements, permits, indentures or agreements fall under the general definition of "contract"; and

WHEREAS, the construction of new pipelines, and modifications or connections to or realignment of existing pipelines routinely require the acquisition of temporary and permanent right-of-way, or the crossing of or the encroachment into existing rights-of-way owned by other entities, for the new construction and future monitoring/maintenance or repair of the pipeline or connection:

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Inland Empire Utilities Agency\* as follows:

Section 1. That the Chief Executive Officer/General Manager is hereby authorized and directed to approve, quit claim, accept and consent for purposes of recordation all deeds, easements or other grants conveying any interest in real property to or from the Inland Empire Utilities Agency.\*

Section 2. That the Chief Executive Officer/General Manager is hereby authorized and directed to approve, or accept and consent to any permits or similar documents issued by any public agency, including the Inland Empire Utilities Agency\*, which are required for any new construction authorized in accordance with the provisions of the latest Purchase Ordinance of the Inland Empire Utilities Agency\* or which are required for any maintenance or repair on systems owned and/or operated by Inland Empire Utilities Agency\*.

Section 3. That the Chief Executive Officer/General Manager is hereby authorized to approve, accept and consent to any indentures or agreements with owners of rights-of-way including, but not limited to, any railroad or other public or private agency, company, or individual for the use of their right-of-way or other property required for any new construction authorized in accordance with the provisions of the latest Purchase Ordinance of the Inland Empire Utilities Agency\* or which are required for any maintenance or repair on systems owned and/or operated by Inland Empire Utilities Agency\*.

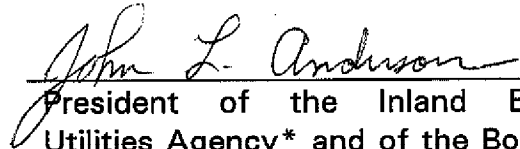
Section 4. That the Chief Executive Officer/General Manager is hereby authorized to delegate to a staff member chosen by the Chief Executive Officer/General Manager, the responsibility for approving, quit claiming or accepting and consenting to any easements, permits, indentures, agreements or similar documents issued by any private entity or public agency, including the Inland Empire Utilities Agency\*, which are required for any new construction authorized in accordance with the provisions of the latest Purchase Ordinance of the Inland Empire Utilities Agency\* or which are required for any maintenance or repair on systems owned and/or operated by Inland Empire Utilities Agency\*.

Section 5. That such authorizations designated in Sections 1, 2, 3, and 4, herein and above stated, are limited to indentures, easements, permits or agreements which bind the Inland Empire Utilities Agency\* for an amount less than the stipulated amount in the latest Purchase Ordinance of the Inland Empire Utilities Agency\*.


Section 6. Upon the passage of this Ordinance, Resolution No. 79-12-1 is superseded and repealed in its entirety.

Section 7. This Ordinance shall become effective upon its passage.

ADOPTED this 3rd day of May, 2000.

  
\_\_\_\_\_  
President of the Inland Empire  
Utilities Agency\* and of the Board of  
Directors thereof.

ATTEST:

  
\_\_\_\_\_  
Secretary of the Inland Empire  
Utilities Agency\* and of the Board of  
Directors thereof.


(SEAL)

\*A Municipal Water District

STATE OF CALIFORNIA )  
 )SS  
COUNTY OF )  
SAN BERNARDINO )

I, Anne Dunihue, Secretary of the Inland Empire Utilities Agency\*,  
DO HEREBY CERTIFY that the foregoing Ordinance being No. 68,  
was adopted at a regular Board Meeting on May 3, 2000, of said Agency by the  
following vote:

AYES: Dunihue, Troxel, Catlin, Koopman, Anderson  
NOES: None  
ABSTAIN: None  
ABSENT: None.

  
Secretary

\*A Municipal Water District