

NOTICE OF MEETING

OF THE
BOARD OF DIRECTORS
OF THE



WILL BE HELD ON
WEDNESDAY, MARCH 17, 2021
10:00 A.M.

TELECONFERENCE ACCESSIBILITY FOR THE GENERAL PUBLIC:
In all efforts to prevent the spread of COVID-19, until further notice, the Inland Empire Utilities Agency will be holding all Board and Committee meetings by teleconferencing.

The meeting will be accessible at:
(415) 856-9169/Conference ID: 811 284 110#

This meeting is being conducted virtually by video and audio conferencing. There will be no public location available to attend the meeting; however, the public may participate and provide public comment during the meeting by calling into the number provided here. The public may also view the meeting live through the Agency's website. Alternatively, email your public comments to the Board Secretary/Office Manager Denise Garzaro at dgarzaro@ieua.org no later than 24 hours prior to the scheduled meeting time. Comments will then be read into the record during the meeting.



**AGENDA
REGULAR MEETING OF THE
BOARD OF DIRECTORS**

**WEDNESDAY, MARCH 17, 2021
10:00 A.M.**

**INLAND EMPIRE UTILITIES AGENCY*
VIEW THE MEETING LIVE ONLINE AT IEUA.ORG
TELEPHONE ACCESS: (415) 856-9169 / Conf Code: 811 284 110#**

PURSUANT TO THE PROVISIONS OF EXECUTIVE ORDER N-25-20 ISSUED BY GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, AND EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020 AND IN AN EFFORT TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19, THERE WILL BE NO PUBLIC LOCATION FOR ATTENDING IN PERSON.

The public may participate and provide public comment during the meeting by dialing into the number provided above. Alternatively, public comments may be emailed to the Board Secretary/Office Manager Denise Garzaro at dgarzaro@ieua.org no later than 24 hours prior to the scheduled meeting time. Comments will be read into the record during the meeting.

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 email the Board Secretary no later than 24 hours prior to the scheduled meeting time or address the Board during the public comments section of the meeting. Comments will be limited to three 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.

NEW, PROMOTED AND RECLASSIFIED EMPLOYEE INTRODUCTIONS

1. PUBLIC HEARING

A. ADOPTION OF REGIONAL WASTEWATER ORDINANCE NO. 109

Staff recommends that the Board:

1. Hold a Public Hearing to receive public comments prior to the adoption of Ordinance No. 109, regulating the availability and use of the Regional Sewerage System; and
2. After closing the Public Hearing, adopt Regional Wastewater Ordinance No. 109.

2. CONSENT ITEMS

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

Approve minutes of the February 3, 2021 Board Workshop/Meeting and the February 17, 2021 Board Meeting.

B. REPORT ON GENERAL DISBURSEMENTS (*Finance & Admin*)

Staff recommends that the Board approve the total disbursements for the month of January 2021, in the amount of \$12,101,038.58.

C. EXTERNAL FINANCIAL AUDIT SERVICES AND SINGLE AUDIT SERVICES CONTRACT AWARD (*Audit*)

Staff recommends that the Board:

1. Award a contract for the annual financial audit and single audit services for Inland Empire Utilities Agency to CliftonLarsonAllen, LLP, for an 3-year term and two single year options to complete audit services beginning in Fiscal Year 2021/22, for a not-to-exceed amount of \$115,115; and
2. Authorize the General Manager or his designee to execute the contract.

D. ADOPT POSITIONS ON VARIOUS STATE BILLS (*Community & Leg*)

Staff recommends that the Board:

1. Adopt a position of "Oppose" for the following bills: AB 1434 (Friedman) and AB 377 (Rivas); and
2. Adopt a position of "Support" for the following bills: AB 818 (Bloom); SB 230 (Portantino); and SB 273 (Hertzberg).

- E. **ADOPT POSITION OF SUPPORT FOR H.R. 535/S. 91 SPECIAL DISTRICTS PROVIDE ESSENTIAL SERVICES ACT** (*Community & Leg*)
Staff recommends that the Board adopt a “Support” position for H.R. 535/ S. 91, the Special Districts Provide Essential Services Act.
- F. **REQUEST FOR WAIVER OF LATE FEE PENALTY**
Staff recommends that the Board waive the late fee penalty in the amount of \$6,002.49 for Ventura Foods, LLC and authorize staff to credit their account accordingly.

3. **ACTION ITEMS**

- A. **APPROVAL FOR SUBMITTAL OF WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT LOAN APPLICATION** (*Finance & Admin*)
Staff recommends that the Board:
 1. Approve to apply for a WIFIA loan for the Regional Wastewater Improvements Program for the maximum 49 percent of total project cost allowable by the WIFIA program; and
 2. Authorize payment of processing costs, including application submittal fee, credit rate fees, and reimbursement of credit processing fees to the EPA, for a not-to-exceed amount of \$950,000.
- B. **LOCAL STORAGE LIMITATIONS SOLUTION PROGRAM ENVIRONMENTAL IMPACT REPORT ADDENDUM NO. 2**
Staff recommends that the Board:
 1. Adopt Addendum No. 2 to the Optimum Basin Management Project; and
 2. Authorize the Filing of Notice of Determination (NOD) with the County Clerk and State Clearinghouse, Governor’s Office of Planning and Research.

4. **INFORMATION ITEMS**

- A. **WATER STORAGE INVESTMENT PROGRAM/CHINO BASIN PROGRAM UPDATE (ORAL)**
- B. **ENGINEERING AND CONSTRUCTION MANAGEMENT PROJECT UPDATES (POWERPOINT)** (*Eng/Ops/WR*)
- C. **FISCAL YEAR 2020/21 SECOND QUARTER BUDGET VARIANCE, PERFORMANCE GOAL UPDATES, AND BUDGET TRANSFERS (WRITTEN/POWERPOINT)** (*Finance & Admin*)
- D. **GRANTS DEPARTMENT SEMI-ANNUAL UPDATE (POWERPOINT)**

RECEIVE AND FILE INFORMATION ITEMS

- E. **REPORT ON THE AUDIT FUNCTION (WRITTEN/POWERPOINT)** *(Audit)*
- F. **INTERNAL AUDIT DEPARTMENT QUARTERLY STATUS REPORT FOR MARCH 2021 (WRITTEN)** *(Audit)*
- G. **REGULATORY UPDATE: WATER USE EFFICIENCY (POWERPOINT)** *(Community & Leg) (Eng/Ops/WR)*
- H. **RP-5 EXPANSION PROJECT UPDATE: MARCH 2021 (POWERPOINT)** *(Eng/Ops/WR)*
- I. **TREASURER'S REPORT OF FINANCIAL AFFAIRS (WRITTEN/POWERPOINT)** *(Finance & Admin)*
- J. **PUBLIC OUTREACH AND COMMUNICATION (WRITTEN)** *(Community & Leg)*
- K. **STATE LEGISLATIVE REPORT AND MATRIX FROM WEST COAST ADVISORS (WRITTEN)** *(Community & Leg)*
- L. **FEDERAL LEGISLATIVE REPORT AND MATRIX FROM INNOVATIVE FEDERAL STRATEGIES (WRITTEN)** *(Community & Leg)*
- M. **CALIFORNIA STRATEGIES, LLC MONTHLY ACTIVITY REPORT (WRITTEN)** *(Community & Leg)*

5. AGENCY REPRESENTATIVES' REPORTS

- A. **SANTA ANA WATERSHED PROJECT AUTHORITY REPORT (WRITTEN)**
March 16, 2021 SAWPA Commission meeting
- B. **METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA REPORT (WRITTEN)**
March 9, 2021 MWD Board meeting
- C. **REGIONAL SEWERAGE PROGRAM POLICY COMMITTEE REPORT (WRITTEN)**
March 4, 2021 Regional Sewerage Program Policy Committee meeting
- D. **CHINO BASIN WATERMASTER REPORT (WRITTEN)**
February 25, 2021 CBWM Board meeting
- E. **CHINO BASIN DESALTER AUTHORITY (WRITTEN)**
March 4, 2021 Special CDA Board meeting
- F. **INLAND EMPIRE REGIONAL COMPOSTING AUTHORITY (WRITTEN)**
The next IERCA Board meeting is scheduled for May 3, 2021.

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

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

8. **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.

9. **CLOSED SESSION**

A. **PURSUANT TO GOVERNMENT CODE SECTION 54957.6 –
CONFERENCE WITH LABOR NEGOTIATORS**

Successor Negotiations – All Bargaining Units
Negotiating Parties: Michael Dueñas, Employee and Labor Relations
Advocate and Recognized Employee Organizations

B. **PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) –
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Raymond Scott Walker vs. IEUA, Case No. CIVSB 2026701

C. **PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2)(e)1
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

One Case

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/Office Manager (909) 993-1736, 48 hours prior to the scheduled meeting so that the Agency can make reasonable arrangements.

Declaration of Posting

I, Denise Garzaro, Board Secretary/Office Manager 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. on the Agency's website at www.ieua.org and at the Agency's main office, 6075 Kimball Avenue, Building A, Chino, CA on Thursday, March 11, 2021.



Denise Garzaro, CMC