

**A REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
11310 VALLEY BOULEVARD, EL MONTE, CALIFORNIA 91731
8:00 A.M. – MAY 17, 2011**

A regular meeting of the Board of Directors of the Upper San Gabriel Valley Municipal Water District was held in the office of the District, 11310 Valley Boulevard, City of El Monte, County of Los Angeles, State of California, within said Water District, on May 17, 2011 at the hour of 8:00 a.m.

ROLL CALL	DIRECTORS PRESENT:	Robinson, Fellow, Treviño, Chavez and Urias.
	DIRECTORS ABSENT:	None.
	STAFF PRESENT:	Shane Chapman, General Manager; Reymundo Trejo, Assistant General Manager/Chief Engineer; E. Clarke Moseley, Legal Counsel; Steve Johnson, Consulting Engineer; Evelyn M. Rodriguez, Chief Financial Officer; Christy Hawkins, Executive Assistant; Peter Rodriguez, Community and Government Affairs Manager; Kenya Torres, Administrative Assistant.
OTHERS PRESENT		R. K. Brown, Stephen Millard, Dan Arrighi, Jim Byerrum, Ken Tcheng, Michael Barba, Grace Mallen, Ed Barajas, Nelson Martinez, Jim Prior, Michael Camacho, Ernie Camacho, Richard Rich, Ben Lewis, Richard Padilla, Mark Johnson and Boyd Hill.
ADOPTION OF AGENDA		On motion by Director Fellow and seconded by Vice President Urias, the agenda was unanimously accepted as presented.
PUBLIC COMMENT		Mr. Stephen Millard discussed agencies that have missed funding opportunities due to an Integrated Resources Plan (IRP) not being in place. He recommended that the Upper District invest in the development of an IRP. Mr. Michael Barba, a representative of Friends of the Whittier Narrows Natural Area, urged the Board to reevaluate the plans for construction of the San Gabriel River Discovery Center to preserve the Whittier Nature Center urban habitat. Mr. R. K. Brown asked that the Board approve the proposal for the development of an IRP to further state funding opportunities for recycled water projects.
DISCUSSION REGARDING PROPOSALS RECEIVED FOR THE DEVELOPMENT OF AN INTEGRATED RESOURCES PLAN (IRP)		The General Manager discussed the evaluation process for three proposals received for the preparation of the IRP and the level of effort required for the project. He also discussed the evaluation team's recommendation to award the contract to the lowest responsive bidder, Camp, Dresser & McKee (CDM), to provide services for the preparation of the IRP in the amount of \$173,090 as well as a water demand analysis in the amount of \$49,860 for a total combined amount of \$222,950.

Director Fellow moved to authorize the General Manager to execute a professional services agreement with CDM to provide services for the preparation of an IRP and a water demand analysis in an amount not-to-exceed \$222,950. Vice President Urias seconded the motion.

Director Chavez asked that the bid be reevaluated by the appropriate committee as discussed at the prior meeting.

Director Robinson stated that, although he is convinced additional grant money can be obtained with the implementation of an IRP, he feels that the Upper District is misallocating resources by cutting approximately \$1 million from the water conservation budget in order to cover the Upper District's 5-year office lease.

The motion was not approved by the following roll call vote:

ROBINSON:	ABSTAIN
FELLOW:	AYE
TREVIÑO:	NAY
CHAVEZ:	NAY
URIAS:	AYE

President Treviño moved to have the matter sent to the Water Policy Committee for further review and discussion. Vice President Urias seconded the motion.

Director Robinson and District Legal Counsel discussed potential violations, if a firm other than CDM is chosen.

President Treviño suggested developing a policy allowing all local and emerging firms to contract for projects to promote jobs in the San Gabriel Valley.

The motion to discuss the matter at the Water Policy Committee was not approved by the following roll call vote:

ROBINSON:	NAY
FELLOW:	NAY
TREVIÑO:	AYE
CHAVEZ:	AYE
URIAS:	NAY

President Treviño moved to send the matter to the Administrative Committee for further review and discussion. Director Chavez seconded the motion.

Vice President Urias and the General Manager discussed the possibility of rebidding the project.

The motion to discuss the matter at the Administrative Committee meeting was approved by the following roll call vote:

ROBINSON: **AYE**
FELLOW: **NAY**
TREVIÑO: **AYE**
CHAVEZ: **AYE**
URIAS: **NAY**

**DISCUSSION REGARDING
SOLICITATION FOR GENERAL
COUNSEL SERVICES**

The matter was deferred to closed session.

DIRECTOR'S COMMENTS

None.

FUTURE AGENDA ITEMS

Vice President Urias requested that a policy be developed for a project labor agreement and prioritizing award of contracts to smaller emerging firms in the San Gabriel Valley for job stimulation.

President Treviño referred Vice President Urias' request to the Administrative Committee.

Director Robinson expressed his wish to discuss the budget allocated for water conservation before the IRP is brought to the Board for discussion.

President Treviño asked that the Legislative Advocacy Group proposal be discussed at the upcoming meeting.

ADJOURN TO CLOSED SESSION

A closed session was held with respect to consultation with Special Legal Counsel regarding existing litigation in the matter of Tronox, Inc. et al Case No. 09-10156 and Case No. CV-02-4565. (*Closed session consideration authorized under Government Code Section 54956.9.*) as well as solicitation for general counsel services. (*Closed session consideration authorized under Government Code Section 54957.*)

**RESUME REGULAR MEETING AND
REPORT ON CLOSED SESSION**

District Legal Counsel reported that Special Legal Counsel provided a general status report of the existing litigation in the matter of Tronox, Inc. et al Case No. 09-10156 and Case No. CV-02-4565.

No vote nor action was taken.

District Legal Counsel then reported that, after a brief discussion was held regarding the interview of three law firms: Lemieux and O'Neil; Olivarez, Gallagher and Padilla; and Best, Best and Krieger, to provide general counsel services, the Board referred the matter to open session for discussion.

District Legal Counsel then asked the Board to confirm the action taken.

By general consensus, the Board affirmed the action taken in closed session.

Director Chavez moved to retain Lemieux and O'Neil to provide general counsel services pending negotiations of a final contract with the General Manager. Vice President Urias seconded the motion, which was unanimously approved.

ADJOURNMENT

President Treviño asked if there were other business to come before the Board; there being none, the meeting was duly adjourned to a regular meeting of the Board of Directors to be held on June 7, 2011 at 6:30 p.m. at the Upper District offices, 11310 Valley Boulevard, El Monte, CA 91731.

ATTEST



PRESIDENT



SECRETARY



SECRETARY

SEAL