

AGENDA

**SPECIAL MEETING OF THE BOARD OF COMMISSIONERS
VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY (VWVRA)
15776 Main Street, Room 146, Hesperia, CA 92345
Phone: (760) 948-9849**

MEETING DATE: FRIDAY, JANUARY 7, 2011

TIME: 2:00 PM

CLOSED SESSION

PUBLIC COMMENTS – CLOSED SESSION AGENDA

CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted. Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; or (c) employment actions, or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

CONFERENCE WITH LEGAL COUNSEL-POTENTIAL LITIGATION (Govt. Code Sec. 54957.6)

1. Significant Exposure to Litigation: One (1) Potential Case

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code Sec. 54956.8):

2. Property: Acquisition of Easements – APN: 0415-011-05 and APN: 0415-262-01

Agency Negotiators: Logan Olds, General Manager; Piero C. Dallarda, Best Best & Krieger;
Brett Paulson, Cornerstone Acquisition Services

Negotiating Party/Parties: Robar Enterprises, Inc. and Hi Grade Materials Co.

Under Negotiation: Price and Terms

REGULAR SESSION (Scheduled to begin at 3:00 PM)

CALL TO ORDER & PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS – REGULAR SESSION AGENDA

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ACTION & DISCUSSION ITEMS

- 3. Declaration of Emergency Condition: (a) Report from General Manager or Designee Regarding Declaration of Emergency and Actions Necessary to Respond to Emergency; (b) Ratification of Declaration of Emergency and Authorization to Fund Repairs to Upper Narrows Emergency Bypass System**
- 4. Resolution 2011-4: Authorizing General Manager to Expend Any Sums Necessary to Safeguard Life, Health, or Property**
- 5. Request from City of Victorville to Extend the Term of the Temporary Sludge Treatment Agreement between VVWRA and the City of Victorville for Treatment of Flows from the Victorville Industrial Wastewater Treatment Plant**

NEXT BOARD MEETING:

Thursday, January 27, 2010 - Regular Meeting of the Board of Commissioners

COMMISSIONER COMMENTS

ADJOURNMENT

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Agenda Posting: In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Authority's Administrative offices not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Board Secretary.

Items Not Posted: In the event any matter not listed on this agenda is proposed to be submitted to the Board for discussion and/or action, it will be done in compliance with Section 54954.2(b) as an emergency item or because there is a need to take immediate action, which came to the attention of the Board subsequent to the posting of the agenda, or as set forth on a supplemental agenda posted in the manner as above, not less than 72 hours prior to the meeting date.

Public Comments: Any member of the public may address the Board of Commissioners on specific agenda items or matters of general interest. As determined by the Chair, speakers may be deferred until the specific item is taken for discussion and remarks may be limited to five minutes. Persons desiring to submit paperwork to the Board of Commissioners shall provide a copy of any paperwork to the Board Secretary for the official record.

Matters of Interest addressed by a member of the public and not listed on this agenda cannot have action taken by the Board of Commissioners except as authorized by Section 54954.2(b). If you wish to speak, please complete a Speaker's Form (located at the table in the lobby outside of the Board Room) and give it to the Board Secretary prior to the start of the meeting.

If any individual wishes to challenge an action of the Commission in court, he or she may be limited to raising those issues that were raised at the public hearing pertaining to the Commission's actions, or in any written correspondence delivered to the Commission on or prior to the public hearing.

Consent Calendar: All matters placed on the Consent Calendar are considered as not requiring discussion or further explanation and unless any particular item is requested to be removed from the Consent Calendar by a Commissioner, staff member or member of the public in attendance, there will be no separate discussion of these items. All items on the Consent Calendar will be enacted by one action approving all motions, and casting a unanimous ballot for resolutions included on the consent calendar. All items removed from the Consent Calendar shall be considered in the regular order of business.

The Chair will determine if any items are to be deleted from the Consent Calendar.

Items Continued: Items may be continued from this meeting without further notice to a Committee or Board meeting held within five (5) days of this meeting per Government Code Section 54954.2(b)(3).

Meeting Adjournment: This meeting may be adjourned to a later time and items of business from this agenda may be considered at the later meeting by Order of Adjournment and Notice in accordance with Government Code Section 54955 (posted within 24 hours).

Accommodations for the Disabled: In compliance with the Americans with Disabilities Act (ADA), the Board of Commissioners Meeting Room is wheelchair accessible. If you require any special disability related accommodations, please contact the Victor Valley Wastewater Reclamation Authority Board Secretary's office at 760-246-2892 at least 72 hours prior to the scheduled meeting. Requests must specify the nature of the disability and the type of accommodation requested.

UPPER NARROWS EMERGENCY
Purchase Orders Summary
January 4, 2011

Vendor Name	Purpose	Estimated Total of P.O.'s to be Issued
Access Control Security	Security	
Air Bay Supplies	Parts - air bays	
American Express	Misc. items for pipeline support	
Apple Valley Construction	Construction	
Babcock	Lab services	
Burlington Northern Santa Fe	Assistance - pipe repairs	
Carollo Engineers	Engineering	
Godwin Pumps	Two pump purchase	
Godwin Pumps	Three pump rental	
Hall & Foreman	Surveying	
Inland Water Works	Parts - equipment	
Innerline Engineering	Pipe cleaning	
Larry Walker Associates	Regulatory consulting	
Lee Graham (Graham Equipment)	Levee & berm repair	
Level Sensors	Detection of pump level	
Maskell Pipe & Supply	Pipe	
ProPipe	Piping Services	
Rain for Rent	Set up fees	
RBF Consulting	Engineering	
Temp staffing	Manpower	
Tunnel Vision Pipeline	Video inspection	
V&A Consulting Engineers	Flow Monitoring	
VWRA Overtime	Hours related to emergency work	
Yucca Crane	Equipment rental	
Estimated Total		\$2,048,876.50

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RESOLUTION NO. 2011-4

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE VICTOR VALLEY WASTEWATER RECLAMATION
AUTHORITY, STATE OF CALIFORNIA, REGARDING
DECLARATION OF STATE OF EMERGENCY--PUBLIC
CONTRACT CODE SECTIONS 1102, 20168 AND 22050**

WHEREAS, the Victor Valley Wastewater Reclamation Authority is a Joint Powers Authority which functions under the laws applicable to municipalities;

WHEREAS, the weather pattern and uncharacteristically heavy rains in the last two weeks have heavily impacted the Victor Valley;

WHEREAS, beginning on or about December 20, 2010, the treatment plant began receiving flows of over 30 million gallons per day on a consistent basis;

WHEREAS, on or about December 21, 2010, VVWRA faced sanitary sewer overflows on "I" Avenue in the City of Hesperia, the Nanticoke pump station in the Town of Apple Valley was flooded, and VVWRA began receiving also increasing flows from the Victorville Industrial wastewater treatment plant;

WHEREAS, the high flow of the Mojave River due to releases from Silverwood Lake also caused flooding of several manholes in Oro Grande;

WHEREAS, the County of San Bernardino as well as neighboring agencies have declared a state of emergency in light of the heavy rains;

WHEREAS, VVWRA declared an emergency under Public Contract Code sections 1102 and 22050 (b)(1) and VVWRA's Resolution 2009-12 and VVWRA's Procurement Policy;

WHEREAS, subsequent to the declaration of emergency by VVWRA, on Monday, December 27, 2010, staff discovered an anomaly with the facility's influent flow;

WHEREAS, after a diligent search for the source of the anomaly and after inspecting miles of pipeline, staff discovered surcharging in an upstream manhole from the Upper Narrows;

WHEREAS, the VVWRA interceptor running through the Upper Narrows runs in the Mojave River is currently under water due to massive releases of flows from Silverwood Lake.

WHEREAS, according to the Lower Narrows USGS gauging station, the Upper and Lower Narrows is currently flowing with approximately 530 cubic feet per second of water being released from Silverwood Lake, and, therefore, that sector of the pipeline is inaccessible

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for direct physical inspection;

WHEREAS, despite the physical limitations, staff was able to access a manhole approximately 2,200 feet downstream (Manhole 5-1) and was able to identify surcharging there as well;

WHEREAS, attempts to jet rod that portion of the interceptor with a vactor truck proved unsuccessful and a CCTV sewer line video contractor was engaged to inspect the line in the late evening of Monday, December 27, 2010, and a sewer line cleaning contractor was immediately engaged to attempt to alleviate the sediment and possibly correct the surcharge condition on or about Tuesday, December 28, 2010;

WHEREAS, the CCTV inspection showed signs of potential compromise and the surcharge was not alleviated by cleaning;

WHEREAS, staff has confirmed a compromise in that portion of the interceptor and has determined that a bypass is the only solution to safeguard life, health and property;

WHEREAS, at or on about the same time that the compromise was found to exist, VVWRA staff also identified 10 inch rocks in VSD #4 in Victorville and those rocks were promptly removed in the morning of December 28, 2010 ;

WHEREAS, also at or about the same time, staff also mobilized to the Hesperia interceptor in the vicinity of Ridgecrest Road close to the Mojave Narrows Park where a 15-inch sewer line in a wash leading to the Mojave Narrows Park was found exposed due to heavy erosion with a large concrete slab with a jagged edge resting on top of the line, which required the intervention of a contractor to assist staff in stabilizing the line and protecting it from the upcoming rain;

WHEREAS, under VVWRA's Resolution 2009-12 and VVWRA's Procurement Policy and under Public Contract Code sections 1102 and 22050 (b)(1), VVWRA's General Manager and/or his designee are empowered with the ability to declare an emergency and have done so in light of the events described above,

NOW, THEREFORE, BE IT RESOLVED that, under Public Contract Code Sections 1102, 20168 and 22050 (b)(1), the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority, State of California, hereby declares an emergency;

BE IT FURTHER RESOLVED that, the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority ratifies the declarations of emergency by staff on or about December 20, 2010, and on or about December 31, 2010; and ratifies the expenditures incurred therein by staff to deal with such emergency;

BE IT FURTHER RESOLVED that, in light of the existing emergency, public bidding would impermissibly delay VVWRA's ability to respond to the emergency in a manner that would effectively safeguard life, health, or property;

BE IT FURTHER RESOLVED that the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority declare that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property, beyond and in addition to the expenditures already made and ratified; and,

BE IT FURTHER RESOLVED that the Secretary to this Board of Commissioners shall provide a certified copy of this resolution and declaration of emergency as may be necessary to any public agency that requests it.

APPROVED AND ADOPTED this 7th day of January, 2011.

Jeff Rigney, Chair
VVWRA Board of Commissioners

ATTEST:

Rudy Cabriaes, Secretary
VVWRA Board of Commissioners

APPROVED AS TO FORM:

Piero Dallarda of
Best Best & Krieger LLP,
General Counsel for VVWRA

BOARD SECRETARY CERTIFICATION

I, _____, Secretary to the Board of Commissioners of the Victor Valley Wastewater Reclamation Authority, State of California, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 2011-4, adopted by the Board of Commissioners of said Authority at a special meeting held on January 7, 2011.

Patricia J. Johnson
Secretary to the Board of Commissioners

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Agenda Item 5

From: Sean McGlade
Sent: Tuesday, December 21, 2010 5:30 PM
To: Logan Olds
Cc: Jim Cox; Rudy Cabriaes
Subject: Temp Agreement extension

Logan,

We have had several delays to our schedule, exacerbated by the inclement weather, resulting in our inability to complete the Title 22 certification by the end of the year. I just confirmed with Sean McCarthy (CDPH Senior Sanitary Engineer) that they would not be able to review the report until the New Year, due to their staff shortage over the Holiday period and it would take about thirty days to review. In addition, High Desert Power Project incurred weather delays and also will not be ready to receive Title 22 water until end of January.

As a result, we will need to continue the temporary arrangement for another 30-60 days. I was really hoping that we could meet the Dec 31st deadline, but there have been too many issues that we cannot control. I would request that we place a request item on the January Board agenda for a 60- day extension of the temporary agreement.

Thanks,

Sean

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