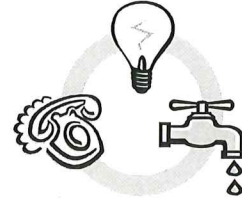


# INDUSTRY PUBLIC UTILITIES COMMISSION CITY OF INDUSTRY



SPECIAL MEETING AGENDA  
DECEMBER 21, 2021 8:30 A.M.

President Cory C. Moss  
Commissioner Michael Greubel  
Commissioner Cathy Marcucci  
Commissioner Mark D. Radecki  
Commissioner Newell W. Ruggles



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Location: City Council Chamber, 15651 Mayor Dave Way, City of Industry, California

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**Addressing the Commission:**

## **NOTICE OF TELEPHONIC MEETING:**

- **Pursuant to Section 42 of Executive Order N-08-21, issued by Governor Newsom on June 11, 2021, the regular meeting of the Industry Public Utilities Commission, as of July 8, 2021, will now be held in person and telephonically. Members of the public can attend the hybrid meeting and offer public comments either in person or telephonically, by calling the following conference call number: 950-297-907, then entering the following Conference ID: 982 693 788#. In accordance with Section 4 of the County of Los Angeles Department of Public Health, Order of the Health Officer, dated July 30, 2021, and the State of California Health Officer Order dated December 13, 2021, all individuals who attend the meeting in person must wear a mask. Pursuant to the Governor's Executive Order, and in compliance with the Americans with Disabilities Act, if you need special assistance to participate in the IPUC meeting (including assisted listening devices), please contact the City Clerk's Office at (626) 333-2211 by 5:00 p.m. on Thursday, December 16, 2021, to ensure that reasonable arrangements can be made to provide accessibility to the meeting.**
  
- **Addressing the Commission:**  
  
**Public Comments (Agenda Items Only):** During public comments, if you wish to address the Commission during this Special Meeting, under Government Code Section 54954.3(a), you may only address the Commission concerning any item that has been described in the notice for the Special Meeting.
  
- **Agendas and other writings:**  
  
In compliance with Government Code Section 54957.5(b), staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 Mayor Dave Way, City of Industry, California, at the office of the City Clerk of the City Council during regular business hours, Monday through Thursday, 8:00 a.m. to 5:00 p.m., Fridays 8:00 a.m. to 4:00 pm. City Hall doors are closed between 12:00 p.m. to 1:00 p.m. each day. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.

1. Call to Order
2. Flag Salute
3. Roll Call
4. Public Comments
5. **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no separate discussion of these items unless members of the Industry Public Utilities Commission (IPUC), request specific items be removed from the Consent Calendar for separate action.

- 5.1 Consideration of the Register of Demands for November 25, 2021 and December 9, 2021

*RECOMMENDED ACTION: Ratify the Register of Demands.*

- 5.2 Consideration of the minutes of the September 23, 2021, regular meeting and November 18, 2021 special meeting

*RECOMMENDED ACTION: Approve as submitted.*

- 5.3 Consideration of Change Order Nos. 1 through 4, in the amount of \$66,972.68 and Notice of Completion for Contract No. IPU-0008, 3rd Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue Waterline Improvements, to T.E. Roberts, Inc., (CIP-WU-P-19-057-B)

*RECOMMENDED ACTION: Approve Change Order Nos. 1 through 4. Authorize the President to execute the Change Orders and authorize the Contract Deputy IPU Engineer to execute the Notice of Completion.*

6. **BOARD MATTERS**

- 6.1 Consideration of Resolution No. IPUC 2021-10 - A RESOLUTION OF THE INDUSTRY PUBLIC UTILITIES COMMISSION CONTINUING THE AUTHORIZATION OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

*RECOMMENDED ACTION: Adopt Resolution No. IPUC 2021-10, authorizing the continuance of remote teleconferencing meetings pursuant to AB 361.*

- 6.2 Consideration of Resolution IPUC 2021-11 Declaring Water use Efficiency Practices and Water Conservation Measures for Users, and Adopting a Notice of Exemption Regarding Same

*RECOMMENDED ACTION:*  
11.

*Adopt Resolution IPUC 2021-*

- 6.3 Report from the General Manager for the La Puente Valley County Water District regarding the Industry Public Utilities Water Operations

*RECOMMENDED ACTION:*

*Receive and file the report*

7. **PUBLIC UTILITIES DIRECTOR COMMENTS**

8. **AB 1234 REPORTS**

9. **COMMISSIONER COMMUNICATIONS**

10. Adjournment. Next regular meeting: Thursday, January 13, 2022, at 8:30 a.m.

*INDUSTRY PUBLIC UTILITIES COMMISSION*

ITEM NO. 5.1



**INDUSTRY PUBLIC UTILITIES COMMISSION**

AUTHORIZATION FOR PAYMENT OF BILLS

Board Meeting November 25, 2021

<u>FUND</u>	<u>DESCRIPTION</u>	DISBURSEMENTS
161	IPUC - ELECTRIC	205,122.97

<u>BANK</u>	<u>DESCRIPTION</u>	DISBURSEMENTS
WFBK	IPUC ELECTRIC WELLS FARGO CHK	205,122.97

**APPROVED PER CITY MANAGER**

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**Industry Public Utilities Commission**  
**Wells Fargo - Electric**  
**November 25, 2021**

Check	Date	Payee Name		Check Amount
<b>IPUCELEC.WF.CHK - IPUC Electric Wells Fargo CHK</b>				
<b>10883</b>	11/10/2021	<b>FRONTIER</b>		<b>\$1,991.45</b>
	Invoice	Date	Description	Amount
	2022-00000728	10/28/2021	10/28-11/27/21 SVC - EM 21700 BAKER PKWY BLDG 23	\$57.06
	2022-00000729	10/28/2021	10/28-11/27/21 SVC - EM 21912 GARCIA LN, WALNUT	\$75.56
	2022-00000730	10/28/2021	10/28-11/27/21 SVC - EM 179 S GRAND AVE	\$41.19
	2022-00000734	10/25/2021	10/25-11/24/21 SVC - EM 21760 GARCIA LN	\$75.56
	2022-00000735	10/25/2021	10/25-11/24/21 SVC - EM 21535 BAKER PKWY BLDG 20	\$57.06
	2022-00000736	10/22/2021	10/22-11/21/21 SVC - EM 21733 BAKER PKWY BLDG 21	\$57.06
	2022-00000737	10/22/2021	10/22-11/21/21 SVC - GS 21858 VALLEY BLVD	\$60.86
	2022-00000856	11/01/2021	11/01-11/30/21 SVC - VARIOUS WIRELESS SITES	\$1,449.18
	2022-00000857	11/01/2021	11/01-11/30/21 SVC - GS 21700 VALLEY BLVD	\$60.86
	2022-00000858	11/01/2021	11/01-11/30/21 SVC - GS 21650 VALLEY BLVD	\$57.06
<b>10884</b>	11/10/2021	<b>NEXTERA ENERGY MARKETING, LLC</b>		<b>\$169,091.20</b>
	Invoice	Date	Description	Amount
	672126	11/02/2021	WHOLESALE USE - OCT 2021	\$169,091.20
<b>10885</b>	11/10/2021	<b>SO CALIFORNIA EDISON COMPANY</b>		<b>\$18,781.92</b>
	Invoice	Date	Description	Amount
	2022-00000731	11/01/2021	10/01-10/31/21 SVC - 208 S WADDINGHAM WAY	\$15,218.99
	2022-00000732	11/01/2021	10/01-10/31/21 SVC - 208 S WADDINGHAM WAY	\$3,488.36
	2022-00000733	11/01/2021	10/01-10/31/21 SVC - 747 ANAHEIM & PUENTE RD, 133 N	\$74.57
<b>10886</b>	11/17/2021	<b>FRONTIER</b>		<b>\$170.06</b>
	Invoice	Date	Description	Amount
	2022-00000870	11/07/2021	11/07-12/06/21 SVC - GS 408 BREA CYN RD, WALNUT	\$33.64

**Industry Public Utilities Commission  
Wells Fargo - Electric  
November 25, 2021**

Check	Date		Payee Name	Check Amount
<b>IPUCELEC.WF.CHK - IPUC Electric Wells Fargo CHK</b>				
	2022-00000871	11/04/2021	11/04-12/03/21 SVC - GS 21620 VALLEY BLVD, WALNUT	\$60.86
	2022-00000872	11/04/2021	11/04-12/03/21 SVC - EM 21858 GARCIA LN, WALNUT	\$75.56
<b>10887</b>	11/25/2021		<b>CALPINE ENERGY SOLUTIONS, LLC</b>	<b>\$4.80</b>
	Invoice	Date	Description	Amount
	212990015406836	10/26/2021	WHOLESALE GAS - SEP 2021	\$4.80
<b>10888</b>	11/25/2021		<b>COUNTY OF LOS ANGELES</b>	<b>\$218.05</b>
	Invoice	Date	Description	Amount
	220632A	10/21/2021	PEST CONTROL - WADDINGHAM POWER PLANT	\$218.05
<b>10889</b>	11/25/2021		<b>ENCO UTILITY SERVICES</b>	<b>\$3,345.00</b>
	Invoice	Date	Description	Amount
	IPUC-2021-44501	11/01/2021	CUSTOMER ACCT SVC - OCT 2021	\$3,345.00
<b>10890</b>	11/25/2021		<b>PACIFIC UTILITY INSTALLATION</b>	<b>\$10,554.00</b>
	Invoice	Date	Description	Amount
	24756	10/29/2021	SUBSTATION MAINT	\$4,200.00
	24757	10/29/2021	SUBSTATION MAINT	\$6,354.00
<b>10891</b>	11/25/2021		<b>TPX COMMUNICATIONS</b>	<b>\$878.94</b>
	Invoice	Date	Description	Amount
	149001974-0	10/23/2021	INTERNET SVC - SUBSTATION	\$878.94
<b>10892</b>	11/25/2021		<b>UNDERGROUND SERVICE ALERT OF S</b>	<b>\$87.55</b>
	Invoice	Date	Description	Amount

**Industry Public Utilities Commission**  
**Wells Fargo - Electric**  
**November 25, 2021**

Check	Date	Payee Name	Check Amount
IPUCELEC.WF.CHK - IPUC Electric Wells Fargo CHK			
1020210157	11/01/2021	DIG ALERTS	\$87.55

Checks	Status	Count	Transaction Amount
	Total	10	\$205,122.97

**INDUSTRY PUBLIC UTILITIES COMMISSION**

**AUTHORIZATION FOR PAYMENT OF BILLS**

Board Meeting December 9, 2021

<u>FUND</u>	<u>DESCRIPTION</u>	DISBURSEMENTS
123	IPU-WATER CAPITAL IMPROVEMENT	8,333.12
161	IPUC ELECTRIC FUND	119,631.26
560	IPUC WATER FUND	124,701.91
TOTAL ALL FUNDS		252,666.29

<u>BANK</u>	<u>DESCRIPTION</u>	DISBURSEMENTS
IPUCELEC.WF	IPUC ELECTRIC WELLS FARGO CKING	119,631.26
IPUC.CHK	IPUC WATER BOFA CKING	133,035.03
TOTAL ALL BANKS		252,666.29

**APPROVED PER CITY MANAGER**

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# Industry Public Utilities Commission

## Wells Fargo Electric - Wire Transfers

December 9, 2021

Check	Date				Payee Name	Check Amount
<b>IPUCELEC.WF.CHK - IPUC Electric Wells Fargo CHK</b>						
<b>WT114</b>	10/29/2021				<b>INDUSTRY PUBLIC UTILITIES</b>	<b>\$10,554.69</b>
	Invoice	Date	Description		Amount	
	10/29/21	10/29/2021	TRANSFER-PUBLIC BENEFIT CHARGES FOR OCT		\$10,554.69	
<b>WT115</b>	11/18/2021				<b>INDUSTRY PUBLIC UTILITIES</b>	<b>\$12,989.58</b>
	Invoice	Date	Description		Amount	
	11/18/21	11/18/2021	TRANSFER-PUBLIC BENEFIT CHARGES FOR SEP 2021		\$12,989.58	

Checks	Status	Count	Transaction Amount
	Total	2	\$23,544.27

**Industry Public Utilities Commission  
Wells Fargo - Electric  
December 9, 2021**

Check	Date		Payee Name	Check Amount
<b>IPUCELEC.WF.CHK - IPUC Electric Wells Fargo CHK</b>				
<b>10893</b>	11/23/2021		<b>CALPINE ENERGY SOLUTIONS, LLC</b>	<b>\$79,863.74</b>
	Invoice	Date	Description	Amount
	213230015524998	11/19/2021	WHOLESALE USE - OCT 2021	\$79,863.74
<b>10894</b>	11/23/2021		<b>FRONTIER</b>	<b>\$373.25</b>
	Invoice	Date	Description	Amount
	2022-00000884	11/10/2021	11/10-12/09/21 SVC - GS 747 S ANAHEIM PUENTE RD	\$183.57
	2022-00000885	11/10/2021	11/10-12/09/21 SVC - EM 21508 BAKER PKWY BLDG 22,	\$57.06
	2022-00000886	11/10/2021	11/10-12/09/21 SVC - GS 21640 VALLEY BLVD	\$57.06
	2022-00000887	11/10/2021	11/10-12/09/21 SVC - EM 21808 GARCIA LN, WALNUT	\$75.56
<b>10895</b>	11/23/2021		<b>SOCALGAS</b>	<b>\$50.00</b>
	Invoice	Date	Description	Amount
	2022-00000883	11/12/2021	10/01-11/01/21 SVC - 1 INDUSTRY HILLS PKWY UNIT B	\$50.00
<b>10896</b>	12/09/2021		<b>ASTRUM UTILITY SERVICES, LLC</b>	<b>\$15,800.00</b>
	Invoice	Date	Description	Amount
	112101	11/29/2021	CONSULTING FOR IPUC - NOV 2021	\$15,800.00

Checks	Status	Count	Transaction Amount
	Total	4	\$96,086.99

**Industry Public Utilities Commission  
Bank of America - Water  
December 9, 2021**

Check	Date			Payee Name	Check Amount
<b>IPUC.CHK - IPUC Water BofA Checking</b>					
<b>40548</b>	11/10/2021			<b>SO CALIFORNIA EDISON COMPANY</b>	<b>\$18,398.38</b>
	Invoice	Date	Description	Amount	
	2022-00000776	11/02/2021	09/29-10/28/21 SVC - 1991 WORKMAN MILL U	\$18,398.38	
<b>40549</b>	11/23/2021			<b>ROWLAND WATER DISTRICT</b>	<b>\$4,473.53</b>
	Invoice	Date	Description	Amount	
	I-10312021-A	10/31/2021	CONTRACT SVC - OCT 2021	\$2,038.81	
	I-10312021-B	10/31/2021	CONTRACT SVC - OCT 2021	\$2,434.72	
<b>40550</b>	11/24/2021			<b>INDUSTRY PUBLIC UTILITIES COMMIS</b>	<b>\$100,000.00</b>
	Invoice	Date	Description	Amount	
	2022-00000894	11/24/2021	TRANSFER FUNDS - TRANSFER TO IPUC ELECTRIC TC	\$100,000.00	
<b>40551</b>	12/09/2021			<b>CNC ENGINEERING</b>	<b>\$6,206.25</b>
	Invoice	Date	Description	Amount	
	504090	11/24/2021	CIWS MANAGEMENT & OPERATION - PUENTE BASIN V	\$330.00	
	504088	11/24/2021	STARHILL LN & 3RD AVE WATERLINE IMPROVMENTS	\$4,488.75	
	504089	11/24/2021	4TH AVE & TRAILSIDE WATERLINE IMPROVEMENTS	\$1,387.50	
<b>40552</b>	12/09/2021			<b>COUNTY OF LA DEPT OF PUBLIC WOF</b>	<b>\$794.37</b>
	Invoice	Date	Description	Amount	
	RE-PW21101201867	10/12/2021	REVIEW PLANS/ISSUE PERMIT FOR WATERLINE IMPROV	\$794.37	
<b>40553</b>	12/09/2021			<b>GEO-ADVANTEC, INC.</b>	<b>\$150.00</b>
	Invoice	Date	Description	Amount	
	2642	10/31/2021	MONITORING - 3RD AVE WATERLINE IMPROVEMENTS	\$150.00	



**Industry Public Utilities Commission  
Bank of America - Water  
December 9, 2021**

Check	Date	Payee Name		Check Amount
<b>IPUC.CHK - IPUC Water BofA Checking</b>				
40554	12/09/2021	<b>INDUSTRY PUBLIC UTILITIES COMMIS</b>		\$1,500.00
	Invoice	Date	Description	Amount
	DEC-21	11/16/2021	REPLENISH PAYROLL ACCOUNT FOR DECEMBER 2021	\$1,500.00
40555	12/09/2021	<b>ORANGE COAST TITLE COMPANY-BUI</b>		\$1,400.00
	Invoice	Date	Description	Amount
	140-2266846-32_2	07/27/2021	PRELIM REPORT - 14001 TRAILSIDE DR	\$200.00
	140-2266845-32_2	07/27/2021	PRELIM REPORT - 820 4TH AVE	\$200.00
	140-2278920-32_1	09/01/2021	PRELIM REPORT - 738 S 3RD AVE	\$1,000.00
40556	12/09/2021	<b>PARAGON PARTNERS LTD</b>		\$112.50
	Invoice	Date	Description	Amount
	0021315-IN	10/31/2021	4TH AVE & TRAILSIDE DR WATER PROJECT	\$112.50

Checks	Status	Count	Transaction Amount
	Total	9	\$133,035.03

*INDUSTRY PUBLIC UTILITIES COMMISSION*

ITEM NO. 5.2

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INDUSTRY PUBLIC UTILITIES COMMISSION  
SPECIAL MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
SEPTEMBER 23, 2021  
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**CALL TO ORDER**

The Special Meeting of the Industry Public Utilities Commission of the City of Industry, California, was called to order by President Cory C. Moss at 9:00 a.m., in the City of Industry Council Chamber, 15651 Mayor Dave Way, California and telephonically using Conference Call Number 657-204-3264, Conference ID: 930 345 208#.

**FLAG SALUTE**

The flag salute was led by President Moss.

**ROLL CALL**

PRESENT: Cory C. Moss, President  
Michael Greubel, Commissioner  
Mark D. Radecki, Commissioner  
Newell W. Ruggles, Commissioner

ABSENT: Cathy Marcucci, Commissioner

Commissioner Michael Greubel asked the Commission, for the record, that Commissioner Cathy Marcucci be excused from this meeting.

STAFF PRESENT: Josh Nelson, Executive Director; Bing Hyun, Assistant City Manager; Bianca Sparks, Assistant General Counsel; and Julie Robles, Secretary.

**PUBLIC COMMENTS**

Mike Greenspan and Mr. Dick HHH both spoke about their first amendment freedom of speech rights, to include tolerance of all unpleasant speech. They spoke about their opposition to government policies/leadership and provided documents for the record.

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INDUSTRY PUBLIC UTILITIES COMMISSION  
SPECIAL MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
SEPTEMBER 23, 2021  
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**CLOSED SESSION**

5.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Case: City of Industry v. San Gabriel Valley Water & Power, *et al.*, and related  
*cross actions*

Superior Court of California, County of Los Angeles

Case No. 19STCV10150

President Moss recessed the meeting at 10:02 a.m.

President Moss reconvened the meeting at 11:38 a.m. All members of the Commission were present except for Commissioner Marcucci.

Assistant General Counsel Sparks reported out of Closed Session.

With regard to Closed Session item 5.1, direction was given, no final action was taken, nothing further to report.

**ADJOURNMENT**

There being no further business, the Industry Public Utilities Commission adjourned at 11:39 a.m.

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CORY C. MOSS  
PRESIDENT

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JULIE ROBLES  
SECRETARY

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INDUSTRY PUBLIC UTILITIES COMMISSION  
SPECIAL MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
NOVEMBER 18, 2021  
PAGE 1

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**CALL TO ORDER**

The Special Meeting of the Industry Public Utilities Commission of the City of Industry, California, was called to order by President Cory C. Moss at 8:30 a.m., in the City of Industry Council Chamber, 15651 Mayor Dave Way, California and telephonically using Conference Call Number 657-204-3264, Conference ID: 977 722 458#.

**FLAG SALUTE**

The flag salute was led by President Moss.

**ROLL CALL**

PRESENT: Cory C. Moss, President  
Michael Greubel, Commissioner  
Cathy Marcucci, Commissioner - Telephonically  
Mark D. Radecki, Commissioner  
Newell W. Ruggles, Commissioner

STAFF PRESENT: Josh Nelson, Executive Director; Bing Hyun, Assistant City Manager; James M. Casso, General Counsel; and Julie Robles, Secretary.

**PUBLIC COMMENTS**

There were none.

**CONSENT CALENDAR**

**5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR OCTOBER 28, 2021 AND NOVEMBER 11, 2021**

*RECOMMENDED ACTION:*

*Ratify the Register of Demands.*

**5.2 CONSIDERATION OF AMENDMENT NO.1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ASTRUM UTILITY SERVICES, LLC, FOR CONSULTING SERVICES, EXTENDING THE TERM THROUGH DECEMBER 31, 2024, INCREASING COMPENSATION BY \$601,680.00, REVISING THE RATE SCHEDULE, INCLUDING THE INDEMNITY PROVISIONS SPECIFIC TO INDEPENDENT CONTRACTORS, AND UPDATING THE ADDRESS FOR THE IPU**

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INDUSTRY PUBLIC UTILITIES COMMISSION  
SPECIAL MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
NOVEMBER 18, 2021  
PAGE 2

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*RECOMMENDED ACTION:* *Approve the Amendment.*

MOTION BY PRESIDENT MOSS, AND SECOND BY COMMISSIONER RADECKI TO APPROVE THE CONSENT CALENDAR AS SUBMITTED. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:	GREUBEL, MARCUCCI, RADECKI, RUGGLES, P/MOSS
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
ABSTAIN:	COMMISSIONERS:	NONE

## **BOARD MATTERS**

### **6.1 CONSIDERATION OF THE AM WIND REPOWER LLC RENEWABLE POWER PURCHASE AND SALE AGREEMENT CONSENT AND AGREEMENT DOCUMENT, AND FORM OF ESTOPPEL CERTIFICATE**

*RECOMMENDED ACTION:* *Approve the Renewable Power Purchase and Sale Agreement Consent and Agreement Document, and Form of Estoppel Certificate.*

Len Viejo, Project Manager with Astrum summarized the consent and agreement document for the Commission and was available to answer any questions.

MOTION BY COMMISSIONER GREUBEL, AND SECOND BY COMMISSIONER RUGGLES TO APPROVE THE RENEWABLE POWER PURCHASE AND SALE AGREEMENT CONSENT AND AGREEMENT DOCUMENT, AND FORM OF ESTOPPEL CERTIFICATE. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:	GREUBEL, MARCUCCI, RADECKI, RUGGLES, P/MOSS
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
ABSTAIN:	COMMISSIONERS:	NONE

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INDUSTRY PUBLIC UTILITIES COMMISSION  
SPECIAL MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
NOVEMBER 18, 2021  
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**6.2 DISCUSSION AND DIRECTION REGARDING WATER CONSERVATION MEASURES FOR THE CITY OF INDUSTRY WATERWORKS SYSTEM**

*RECOMMENDED ACTION:* *Provide direction to staff.*

Roy Frausto, General Manager of the La Puente Valley County Water District, provided an overview of the State's drought emergency declaration along with the current condition of the Main San Gabriel Groundwater Basin. Direction was given by the Commission to move forward with the proposed changes that follow state guidelines. No vote was taken or necessary.

**6.3 INDUSTRY PUBLIC UTILITIES WATER OPERATIONS QUARTERLY REPORT (JUL - SEP 2021)**

*RECOMMENDED ACTION:* *Receive and file the report.*

Roy Frausto, General Manager of the La Puente Valley County Water District, provided a staff report and was available to answer any questions.

MOTION BY COMMISSIONER RADECKI, AND SECOND BY COMMISSIONER GREUBEL TO RECEIVE AND FILE THE REPORT. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:	GREUBEL, MARCUCCI, RADECKI, RUGGLES, P/MOSS
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
ABSTAIN:	COMMISSIONERS:	NONE

**6.4 CONSIDERATION OF RESOLUTION NO. IPUC 2021-09 – A RESOLUTION OF THE INDUSTRY PUBLIC UTILITIES COMMISSION CONTINUING THE AUTHORIZATION OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361**

*RECOMMENDED ACTION:* *Adopt Resolution No. IPUC 2021-09, authorizing the continuance of remote teleconference meetings pursuant to AB 361.*

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INDUSTRY PUBLIC UTILITIES COMMISSION  
SPECIAL MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
NOVEMBER 18, 2021  
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MOTION BY COMMISSIONER MARCUCCI, AND SECOND BY COMMISSIONER GREUBEL TO ADOPT RESOLUTION NO. IPUC 2021-09, AUTHORIZING THE CONTINUANCE OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:	GREUBEL, MARCUCCI, RADECKI, RUGGLES, P/MOSS
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
ABSTAIN:	COMMISSIONERS:	NONE

**EXECUTIVE DIRECTOR REPORTS**

There were none.

**AB 1234 REPORTS**

There were none.

**COMMISSIONER COMMUNICATIONS**

There were none.

**ADJOURNMENT**

There being no further business, the Industry Public Utilities Commission adjourned at 8:50 a.m.

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CORY C. MOSS  
PRESIDENT

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JULIE ROBLES  
SECRETARY



*INDUSTRY PUBLIC UTILITIES COMMISSION*

ITEM NO. 5.3



# INDUSTRY PUBLIC UTILITIES COMMISSION

## MEMORANDUM

**TO:** Honorable President Moss and Commissioners

**FROM:** Joshua Nelson, Public Utilities Director

**STAFF:** Clement Calvillo, Contract Deputy IPU Engineer  
Chris Lum, Construction Manager, CNC Engineering

**DATE:** December 9, 2021

**SUBJECT:** Consideration of Change Order Nos. 1 through 4, in the amount of \$66,972.68, and Notice of Completion for Contract No. IPU-0008, 3<sup>rd</sup> Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue Waterline Improvements (CIP-WU-P-19-057-B)

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### **Background:**

On March 11, 2021, the Commission awarded Contract No. IPU-0008 for the 3<sup>rd</sup> Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue Waterline Improvements to T.E. Roberts, Inc. in the amount of \$584,284.00. The project involved constructing pipelines and abandoning and/or removing existing waterlines for the conveyance of water, including the trenching, shoring, backfilling, compacting, paving, and surfacing, as necessary, to complete the installation of such pipelines and providing construction zone traffic control.

### **Discussion:**

After the contract was awarded, the Contractor encountered unforeseen site conditions that required additional work. Additionally, as listed in the specifications, any permit fees incurred are reimbursed to the Contractor.

As of November 1, 2021, Staff has reviewed the following change orders for completeness and accuracy:

- **Change Order No. 1** – A trench excavation permit from the Los Angeles County Department of Public Works was required to complete the project. Per the contract specifications, any permit fees will be reimbursed to the Contractor. The total cost of the excavation permit is \$3,393.20.

- **Change Order No. 2** – During construction of the waterline on 3<sup>rd</sup> Avenue, the Contractor damaged an unforeseen waterline that was not shown on the plans or marked in the field. To avoid any delays, the Contractor was directed to repair the line on a time and materials basis. The additional cost is \$4,325.51.
- **Change Order No. 3** – As a part of the project plans, a segment of the waterline alignment on Don Julian Rd. and Basetdale Ave. was designed through an existing curb ramp and cross gutter spandrel within the jurisdiction of Los Angeles County. Staff, along with the County Inspector, evaluated the site conditions and agreed that the project's specifications for trench repair were not achievable in those areas and, therefore, required additional removal of the curb ramp and cross gutter spandrel. In addition, the existing curb ramp was not ADA compliant and needed to be updated. The Contractor submitted a cost to remove, replace, and construct a new curb ramp and cross gutter spandrel to ADA standards. The additional cost is \$20,753.97.
- **Change Order No. 4** – The final field measurements have been completed and the overruns and underruns are as follows:

**Overruns:**

Bid Item No. 4, 8-inch Ductile Iron Pipe CL 350, 80LF x \$139.00/LF = \$11,120.00

Bid Item No. 14, Fire Hydrant assembly, 1EA x \$13,100.00/EA = \$13,100.00

Bid Item No. 22, Pavement sawcut, removal and repair, 3,996SF x \$5.00/SF = \$19,980.00

The total amount for Overruns \$44,200.00

**Underruns:** (represented in parenthesis)

Bid Item No. 15, Reconnect existing Fire Hydrant, 1EA x \$5,700.00/EA = (\$5,700.00)

The total amount for Underruns \$5,700.00

Total Cost of Change Order No. 4 is \$38,500.00

As of November 1, 2021, Staff and the La Puente Valley County Water District have determined that construction of the waterlines at 3<sup>rd</sup> Ave., Starhill Ln., Don Julian Rd. and Basetdale Ave. is complete.

**Fiscal Impact:**

Table 1 - Summary of Extra Costs

Contract Amount	\$584,284.00
Change Order No. 1	\$3,393.20
Change Order No. 2	\$4,325.51
Change Order No. 3	\$20,753.97
Change Order No. 4	\$38,500.00
<b>Revised Project Cost</b>	<b>\$651,256.68</b>

The revised contract amount for Change Orders Nos. 1 through 4 totals \$651,256.68. In the adopted Fiscal Year 2021/2022 Capital Improvement Project budget, \$700,000.00 was approved for this project (CIP-WU-P-19-057-B). Therefore, no additional appropriations are required.

**Recommendations:**

- 1.) Approve Change Order Nos. 1 through 4, in the amount of \$66,972.68 and authorize the President to execute the approved change orders; and
- 2.) Accept the work performed by T.E. Roberts, Inc. in the amount of \$651,256.68; and
- 3.) Authorize the Contract Deputy IPU Engineer or his designee to execute the Notice of Completion; and
- 4.) Authorize the City Clerk to file for a Notice of Completion for the project.

**Exhibits:**

- A. Change Order No. 1 dated December 9, 2021
- B. Change Order No. 2 dated December 9, 2021
- C. Change Order No. 3 dated December 9, 2021
- D. Change Order No. 4 dated December 9, 2021
- E. Notice of Completion, dated December 9, 2021

**EXHIBIT A**

Change Order No. 1 dated December 9, 2021

[Attached]

**CITY OF INDUSTRY**

15651 Mayor Dave Way  
 City of Industry, CA 91744  
 (626)333-2211

**CHANGE ORDER**

Change Order No. 1

**Project** 3rd Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue Waterline Improvements **Contract No.** IPU-0008 **Date** 12/9/2021

**Type** Waterline Improvement **Contractor** T.E Roberts, Inc.

**Location** 3rd Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue

**Explanation:**

Excavation Permit Cost

Extra Work by: X Contract Items Negotiated T & M

The contractor is hereby directed to perform all labor and to provide all materials necessary to carry out the work described below.

ITEM NO.	ITEM	QUANTITY	UNIT PRICE	TOTALS (\$)	
				+	-
1	Excavation Permit	1	\$3,393.20	\$3,393.20	
<b>TOTAL COST</b>				<b>\$3,393.20</b>	

**T & M SUMMARY**

*Labor Cost		Total Labor per Day	
*Equipment Cost (See attached breakdown)		Total Equipment per Day	
*Material Cost		Sub-Total	\$ -
(*Attach breakdown of labor, equipment and materials)			
<b>CHANGE ORDER SUMMARY</b>	% of Contract Amount	Other Additive (Profit & Bond Fee)	
Original Contract Amount	\$ 584,284.00	Total T & M	\$ -
Total Previous Change Orders	\$ - 0.000%		
Total Change Orders	\$ 3,393.20 0.58%	Pay This CHANGE ORDER	\$3,393.20 0.58%

Authorized by \_\_\_\_\_ Additional Contract Days 0

I hereby certify that the quantities shown and/or amounts shown for equipment, material and labor costs (if any) are correct to the best of my knowledge and the total cost shown above shall be considered final payment for the work specified by this change order. The total cost includes compensation for any delay in the preparation of this change order and the time to complete the specified work.

[Signature] 11-17-2021  
 Contractor Representative Date  
[Signature] 11/18/21  
 Clement N. Calvillo - Contract Deputy City Engineer Date

[Signature] 11/18/2021  
 Joshua Nelson - City Manager Date  
[Signature] 11/18/2021  
 Chris Lum - Construction Manager Date





**COUNTY OF LOS ANGELES  
PUBLIC WORKS**  
900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803

PERMIT#: PWRP2020007829  
PERMIT STATUS: Issued  
Page 1 of 13  
ISSUE DATE: 12/22/2020  
BY: Waleed Hassabelrasoul  
PERMIT OFFICE: PO1  
14747 E. Ramona Blvd  
Baldwin Park, CA 91706  
(626) 338-9515  
(626) 814-1763 Fax

PERMIT TYPE: Road  
PERMIT CLASS/SUBCLASS: Excavation

APPLICANT	ADDRESS	
Engineer CNC Engineering Sean Nazarie	2121 Alton Parkway #200 IRVINE, CA 92606	Mobile: (949)419-8103 email: snazarie@cnc-eng.com
Owner/Applicant City of Industry Joshua Nelson	15625 Stafford Street City of Industry, CA 91744	Business: (626)333-2211 email: engtech@cityofindustry.org
Other T.E. Roberts, Inc. Mere Bush	17771 Mitchell N Irvine, CA 92614	Business: (714)669-0072x____ Mobile: (714)734-0151 email: mbush@teroberts.com
<b>CONTRACTOR</b> T.E. Roberts Inc.	306 W Katella Avenue #B Orange, CA 92867	Business: (714)669-0072 email: N/A
<b>LOCATION:</b> 13328 Julian Road La Puente, CA 91746		<b>PROJECT/WORK ORDER NO.</b> IPU-0008

**INSPECTION REQUIRED**

CALL PERMIT OFFICE AT LEAST ONE (1) WORKING DAY BEFORE STARTING WORK UNDER THIS PERMIT. FAILURE TO DO SO IS CAUSE FOR REVOCATION OF THIS PERMIT. THIS PERMIT IS VOID IF WORK IS NOT STARTED BY 12/31/2021.

**PROJECT DESCRIPTION:**

To install 993' of 10" of new water line in Don Julian Road from N. Orange Blossom Ave to Basetdale Ave and the intersection of the 3rd Avenue and Lomitas Avenue ONLY as shown on the attached stamped plan dated 12/02/2020.

\*\*\*\*\*

PERMIT AMENDMENT #1 - ADD CONTRACTOR T.E. ROBERTS INC. TO PERMIT

\*\*\*\*\*

AMENDMENT NO. 2 - 7/1/21 - Revised TCP is included in the permit.

\*\*\*\*\*

\*\*\*\*\*

PERMIT AMENDMENT #3 - Permit extension to December 31, 2021

\*\*\*\*\*

**PROJECT CONDITIONS:**

2. **PRE-CONSTRUCTION MEETING REQUIRED.** Prior to starting work, permittee must call the permit office indicated on this permit to schedule a Pre-construction meeting.

Attachments: Los Angeles County Road Permit Standard Provisions, Best Management Practices(BMPs)

FEE NAME	FEE CODE	AMOUNT
Excavation Permit Issuance Fee	00544583	\$172.00
Permit Processing - Excavation	00544584	\$312.00
Actual Cost Deposit	00699746	\$2,000.00
Mainline Check Fee - 0 to 15,000 LF	00548998	\$737.20
Road Permit Amendment	00713429	\$172.00
	<b>TOTAL FEES:</b>	<b>\$3,393.20</b>

By performance of the work activity under this permit, permittee agrees to the following terms:

1. Permittee is hereby permitted to perform the scope of work described above at the location described above, subject to all applicable provisions of the County of Los Angeles Highway Permit Ordinance (Division 1 of Title 16, Los Angeles County Code), and/or any Municipal Code or Ordinance governing the area where this work is to be done.
2. Permittee's activities in connection with this Permit are subject to the provisions and conditions contained in this Permit and any attachments, which are incorporated herein.
3. **INSPECTION REQUIRED** - Contact the Permit Office indicated on the Permit at least one (1) working day before starting any work.
4. Permitted work must comply with Section 8771 of the State of California Business and Professions Code for the preservation and/or perpetuation of existing land survey monuments.
5. Permitted work must comply with Chapter 12.80 Stormwater and Runoff Pollution Control of the Los Angeles County Code, and the Best Management Practices (BMPs) Attachment.
6. This permit must be made available for inspection at the work site upon request from a County representative or law enforcement official. (LACC 16.06.040)
7. This permit will expire if the work is not commenced within sixty (60) days from the date of permit issuance. (LACC 16.08.110)
8. Upon completion of work, Permittee must contact the Permit Office indicated in this Permit no later than the next business day.
9. This Permit is revocable by the County if the County determines that the public interest and welfare require such revocation and shall be deemed void if the Permittee is not in compliance with Section 3800 of the Labor Code.



## LOS ANGELES COUNTY ROAD PERMIT STANDARD PROVISIONS

### A. GENERAL

1. This Permit is valid only for the purpose specified herein. No change of purpose or deviation from the drawings attached to this permit is permitted except upon prior written permission of the Commissioner or his/her representative.
2. The Permittee shall comply with the provisions of this permit, provisions of Title 16, Division 1 of the Los Angeles County Code, and the provisions of the specifications and all codes referred to by Division 1. (§16.06.060)
3. The Permittee must call/notify the permit office specified on the permit a minimum of 24 hours prior to performing any work on the highway. All work must be performed on weekdays during regular working hours (7:00 AM - 5:00 PM), excluding holidays unless otherwise specified in the permit.
4. Each permit shall expire if the work is not commenced within sixty (60) days from the date of issuance or said work is not diligently prosecuted to completion, as determined by the Commissioner or his/her representative. (§16.08.110)
5. A copy of this Permit must be made available at the job site for inspection by the Commissioner or his/her representative, any peace officer, or person having responsibility for the safety or maintenance of the highway. (§16.06.040)
6. Activities and uses authorized under this Permit are subject to any instructions of the Commissioner or his/her representative. **ALL INSTRUCTIONS MUST BE STRICTLY OBSERVED.** (§16.06.210)
7. The Permittee (including its contractors and subcontractors and volunteers) shall indemnify, defend (with counsel reasonably satisfactory to the County of Los Angeles), and hold harmless the County of Los Angeles, and its elected and appointed officers, employees, and agents, from and against any and all claims, expenses (including court costs and reasonable attorney and expert witness fees) demands, liabilities, losses, or causes of action of whatsoever nature or character, for injury, illness or death or loss of, damage to, or destruction of property which arises out of, or is in any way connected to, the activities of the Permittee described in this Permit. (§16.06.190)  

This indemnification shall survive in its entirety the termination, revocation, or cancellation of this Permit, and shall remain in full force and effect in perpetuity, unless agreed to otherwise in writing by the County of Los Angeles.
8. Should evidence of the renewal or replacement of the contractor's insurance policy not be filed with the County prior to the expiration or cancellation date, the County will stop all work and no further work shall be performed until new insurance coverage has been obtained by the Contractor as per Section 7-3 of the Standard Specifications for Public Works Construction (Greenbook).
9. This permit is not transferable. No party other than the permittee or permittee's authorized agent (shown on the permit) is allowed to work under this permit. (§16.08.100)
10. All permit applicants, permit holders, and their engineers, surveyors, contractors, and anyone performing activity within the road right-of-way are responsible for preservation and/or perpetuation of all existing monuments which control subdivisions, tracts, boundaries, streets, highways, or other rights-of way, easements, or provide survey control which will be disturbed or removed due to contractor's work. Contractor shall provide of at least 7 working days' notice to inspector/surveyor/project engineer prior to disturbance or removal of existing monuments. Pursuant to Business and Professions Code Section 8771, the Project engineer/surveyor shall coordinate with contractor to reset monuments or provide permanent witness

monuments and file the required documentation with Survey/Mapping and Property Management Division, Records of Survey Unit (626) 458-5141.

11. Permittees and their contractors shall implement Best Management Practices (BMPs) to effectively control water pollution during all Permit construction projects. This project shall conform with the requirements of the following County Code and Permits:
  - a. Los Angeles, California County Code Chapter 12.80 Stormwater and Runoff Pollution Control
  - b. Waste Discharge Requirements for Municipal Separate Storm Water System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, Except Those Discharges Originating from the City of Long Beach (Order No. R4-2012-0175 as amended by State Water Board Order WQ 2015-0075 and Los Angeles Water Board Order R4-2012-0175-A01, National Pollutant Discharge Elimination System [NPDES] No. CAS004001)
  - c. NPDES General Permit for Storm Water Discharge Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ amended by 2012-0014-DWQ and 2012-0006-DWQ, NPDES No. CAS000002)

The Permittee or Authorized Representative and their contractors shall know and fully comply with the applicable provisions of these permits and Federal, State and local regulations that govern the Permittee or Authorized Representative's operations and the storm water discharges from the project site.

The Permittee or Authorized Representative and their contractors shall be responsible throughout the duration of the project for installing, constructing, inspecting, maintaining, removing and disposing of the BMPs. Unless otherwise directed by LACDPW, the Permittee or Authorized Representative and their contractors are responsible for BMP implementation and maintenance throughout any temporary suspension of work. The Permittee or Authorized Representative shall reimburse LACDPW for the full costs of cleaning or repairing of storm drain, water course, or channel which may be necessary due to ineffective implementation of BMPs.

The project site shall be inspected by the Permittee or Authorized Representative or their contractors a minimum of once every week or at least once for projects that last only one week or less.

12. Whenever the provisions of Division 1 of Title 16-Highways require a permittee to perform any work, take any action or be liable for any fees or costs, such requirement also applies to any person who commences any work for which a permit is required by this Division 1, whether such person obtains such a permit or not. (§16.06.100)
13. Permittee is responsible to pay the cost of County inspection including any overtime costs or Non-Business Hours (NBH) inspection fees incidental to the work. Permittee must provide a minimum 24 hour advance written notice with authorization for the contractor to perform the NBH work.
14. This Permit is subject to all prior unexpired permits, agreements, easements, privileges, or other rights, whether recorded or unrecorded, in the area specified by this Permit. Permittee shall make his own arrangements with holders of such prior rights.
15. Whenever a permittee fails to comply with the conditions established for the exercise of a privilege granted under a permit, the Commissioner may revoke the privilege. Upon such revocation, the permittee shall immediately restore the highway to the Commissioner's satisfaction. If the permittee fails to do so, the Commissioner may restore the highway at the expense of the permittee or charge the permittee a fee of \$200.00 a day for each day of failure to restore the highway. (§16.10.160)
16. This Permit may be revoked or suspended at any time whenever the Commissioner or representative determines the permit was issued in error, or on the basis of incorrect information, or that the permit is in violation of any provision of the Los Angeles County code. (§16.10.170)

17. This Permit may be cancelled by the Commissioner if it is determined the permitted activity has not commenced within the time specified and diligently prosecuted to completion. (§16.06.050)
18. Upon written notice of cancellation or revocation of this Permit for any cause whatsoever, Permittee shall, if directed by County, restore County right of way and structures to their condition prior to commencement of work under this Permit, including the removal of any improvements installed by Permittee, and then shall vacate County property. Should Permittee neglect to restore the premises or structures to a condition reasonably satisfactory to the Commissioner or his/her representative, the County may perform such work or have others perform the work, and the Permittee agrees to reimburse the County for all costs of the work so performed upon receipt of a statement thereof. (§16.06.230)
19. In the event of a County employee work stoppage, the Commissioner or his/her representative reserves the right to suspend all activity authorized under this Permit which requires inspection by the County. Activity authorized by this Permit shall not resume until County approval to do so is given.
20. A Flood Control District permit will be required when requested work affects the Flood Control District's right of way or facility.
21. This permit does not authorize the installation of any facility on private property.

#### B. CONSTRUCTION, ENCROACHMENTS AND EXCAVATIONS

22. All work shall be performed in accordance with the current Standard Specifications for Public Works Construction (Greenbook), or according to the plans and specifications referred to in the permit and, in addition, to any special requirements and/or specifications which are made a part of the permit. In case of conflict between two specifications, the higher specification shall apply. (§16.06.070)
23. Permittee shall safeguard and complete the activity or work within a reasonable time. Any part of the highway facility of any nature removed or disturbed shall be repaired, restored and replaced in a condition satisfactory to the commissioner. All surplus material of any kind shall be removed from the highway. (§16.06.080)
24. When paving, excavated material, barricades, lights or other devices are not properly placed or maintained; when the work started is not completed; when the work does not comply with the specifications or any special requirement; when the permittee fails or refuses to remove any obstruction; when any highway facility has been damaged and the permittee fails or refuses to repair or restore; then the commissioner with his own forces or otherwise may cause such to be placed, erected, completed, repaired, restored, removed and/or maintained. The permittee shall pay for any and all costs. (§16.06.230)
25. The permittee shall investigate and be aware of all existing facilities lawfully within the highways which are within the limits of his activity. The permittee shall not interfere with any existing public or private facility without the consent of its owner. If it becomes necessary to relocate an existing facility, this shall be done by its owner or to the satisfaction of its owner. (§16.06.110)
26. The cost of locating, exposing, moving or relocating publicly and privately owned facilities shall be borne by the permittee unless he makes other arrangements with the owner of the facility or unless the owner is required by his franchise or agreement to relocate his facility without cost. (§16.06.120)
27. The permittee shall support and protect all facilities by a method satisfactory to the owner. The owner has the right to support or protect any of its facilities at the sole expense of the permittee. In case any of said facilities should be damaged (and for this purpose, pipe coating or other encasement of devices should be considered as part of a structure), they may be repaired by the owner at the expense of the permittee or, if authorized by the owner, may be repaired by the permittee under the supervision of the owner. The expense of repairs to any damaged facilities shall be borne by the permittee. (§16.06.130)

28. No above ground facility or obstruction shall be placed in the sidewalk that would reduce the width of the sidewalk to less than 48 inches, exclusive of the top of curb, unless approved by the Commissioner or authorized representative.
29. If any facility or encroachment placed in the excavation or the facility or encroachment for which a permit is issued interferes with the future use of the highway by the general public, then the applicant and his successors or assigns will at his own expense remove or relocate such facility or encroachment to a location satisfactory to the commissioner. This does not apply when the applicant has an easement superior to the highway easement at the time of application and can furnish evidence when required of such superior easement. (§16.18.120)
30. Temporary stockpiling of material or debris spoils are not allowed in the public right of way unless specifically authorized in the permit or by the permit inspector. Traffic control devices shall be in place and maintained to provide protection for vehicular and pedestrian traffic in accordance to the California MUTCD Part 6.
31. Newly paved or resurfaced roadways shall not be cut within two (2) years from the date of final acceptance. Exceptions may include emergencies such as a main break, cuts for service connections, extensions of existing water and sewer facilities to provide service to new developments.
32. If at any time subsequent to the first repair of a surface of a highway damaged or destroyed by any excavation, encroachment or moving operation in such highway it becomes necessary again to repair such surface due to settlement or any other cause directly attributable to such excavation, encroachment or moving operation, the permittee shall pay to the commissioner the cost of such additional repair; provided, however, that the commissioner shall have the option of either making the repair or requiring the permittee to make the repair. (§16.14.040)
33. Pursuant to Government Code Section 4216 and Greenbook Section 5, authorization for excavations for removal or construction of substructures by this Permit require the Permittee to notify Underground Service Alert (USA) of Southern California, telephone number 811, at least 48 hours prior to start of work to receive a "ticket number" which shall be entered on the face of the Permit by the Permittee. (§16.06.140)
34. Pipelines and utilities shall not be installed closer than two feet from any other pipeline or utility; five feet from any sewer line. Waterlines shall not be installed closer than ten feet from a sewer line unless evidence of permission from the Division of Drinking Water (DDW) is provided.
35. The following minimum depths of cover, below gutter flow line grade, shall be required (§16.18.040):

**LOCAL STREETS**

- 24" for service pipelines
- 30" for all pipelines transporting nonhazardous substances
- 30" for electrical facilities
- 42" for pipelines transporting hazardous substances

**MASTER PLAN HIGHWAYS**

- 24" for service pipelines
- 36" for pipelines transporting nonhazardous substances
- 42" for electrical facilities
- 42" for pipelines transporting hazardous substances

36. A minimum depth of cover of 18 inches below existing or proposed edge of gutter grade shall be permitted for cable TV and telephone conduits designed pursuant to special requirements of the road commissioner, and to be placed in existing roadways as follows (§16.18.041):

- a. Mainline cable conduit in a four- to five-inch-wide trench located adjacent to the concrete gutter (three from the edge of curb if no gutter exists);
- b. Service cable conduits crossing the roadway from the mainline to serve users on the opposite side of local streets when installed by an acceptable boring method.

- 37. Excavations deeper than five feet require a Cal OSHA permit.
- 38. Excavations 2' wide or less, within the travelled roadway, require the use of one (1) sack slurry or other approved Controlled Low Strength Material (CLSM) as backfill (Greenbook 201-6).
- 39. Any deviation from the alignment shown on attached plans and or the installation of additional conduits, vaults, or appurtenances must have prior written approval.
- 40. Excavations are to be filled, covered or plated unless otherwise directed by the Inspector. Plates shall be installed flush with the existing pavement. All gaps surrounding the plates must be filled to the satisfaction of the Inspector.
- 41. Any permittee, prior to making any excavation within the construction area where a pipeline known to carry a hazardous substance exists, shall not excavate until the pipeline has been located by potholing or other proven acceptable methods at intervals sufficient to determine its exact location. The permittee shall arrange with the owner to locate or expose private and public facilities. Abandoned or inoperative pipelines designed to carry hazardous substances shall be considered as carrying a hazardous substance until determined otherwise by owner.

In no case shall the intervals between potholes or the location by proven acceptable methods exceed the distance set forth as follows (§16.06.150):

- 1. Excavations for Highway Construction. The pipeline shall be located at intervals not greater than 25 feet for lines less than eight inches in diameter, 50 feet for lines of eight inches through 24 inches in diameter, and 200 feet for lines greater than 24 inches in diameter;
- 2. Trench Excavation.
  - a. Longitudinal Pipelines. All longitudinal pipelines in the construction area of the highway shall be located at intervals not greater than 500 feet. If determined to be within six feet of the excavation, it shall be further located at intervals not greater than 25 feet for lines less than eight inches in diameter, 50 feet for lines of eight inches through 24 inches in diameter, and 100 feet for lines greater than 24 inches in diameter;
  - b. Transverse Pipelines. If the location of the pipeline is above or less than six inches below the facility being installed, it shall be carefully hand-tool exposed before excavating. If its location is six inches or more below the facility, it need only be located.
- 42. After it is determined that the horizontal or vertical clearance between the pipeline known to carry hazardous substances and the construction limits is less than 12 inches (18 inches if scarifying), the permittee shall confer with the owner. Unless the owner elects to relocate, abandon or take the pipeline out of service, the permittee shall not excavate until the pipeline has been completely hand-tool exposed within the limits of construction.

Once the physical location of pipelines known to carry hazardous substances has been determined, as above described, the permittee doing the excavating, in cooperation with and with the occurrence of the owner, shall determine how to protect the pipeline from damage before proceeding with his work. (§16.06.160)

- 43. Each permittee excavating in the highway shall notify the public agency maintaining records for the jurisdiction and the owner, if known, whenever previously unidentified or unknown utilities or underground facilities are encountered so that the location can be accurately established and made a part of the permanent substructure records. (§16.06.170)
- 44. ABANDONMENT OR REMOVAL OF FACILITIES OR ENCROACHMENTS (§16.18.160)

- a. Abandonment or removal of any facility or encroachment are permitted when approved under the terms of the permit. The Permittee must submit a plan or map describing the facility or encroachment to be abandoned or removed and indicating its exact locations. Permission to abandon a facility or encroachment without removing shall be subject to removal within one year after the effective date of the abandonment if the facility or encroachment may interfere with a present or future public improvement. If it is determined that the facility or encroachment should be removed, the permittee or its successor in interest shall remove it at its expense or pay County for the cost of such removal. Permittee shall leave any abandoned facility or encroachment in a safe manner.
- b. Abandonment in place of a pipeline used to convey toxic, corrosive or flammable liquids will be subject to the following conditions:
  - i. The pipeline shall be thoroughly purged of liquids and vapors and filled with an inert material that will remain in a solid or semi-solid state if any portion of the pipeline is cut or removed in the future.
  - ii. The Permittee shall file a certificate with the commissioner that said requirements have been complied with and the abandoned pipeline has been left in a safe condition.

#### C. PUBLIC NOTIFICATION

45. Permittee shall provide a minimum 48 hour advanced notice to:
- a. all affected business establishments and residences within two hundred (200) feet of the work when:
    - i. activities occur outside business hours (5:00 PM to 7:00 AM) and/or
    - ii. activities impact traffic and/or parking in the public highway, including pedestrian and/or vehicular access to properties exceeding two consecutive days.
  - b. the fronting residential property owner or occupant for utility work involving the installation of ground-mounted structures or underground vaults in the parkway.
46. Permittee shall provide a minimum 24 hour advanced notice to the owner or resident/occupant prior to closing or restricting access to any property.

Notices shall be written and provide sufficient information regarding the project including the work schedule and a contact to handle questions. A copy of the notification or door hanger shall be provided to the permit inspector upon request.

#### D. TRAFFIC CONTROL AND ACCESS

47. Any work which interferes with or endangers the safe movement of traffic shall have the work safeguarded by adequate warning signs, barricades, lights and devices. The Permittee shall be responsible for placing and maintaining adequate warning signs, lights, barricades and devices during all periods of his activity in order to promote the safe movement of traffic, including but not limited to periods of twilight, nighttime, fog and/or rain. All warning signs, barriers, barricades, flags and other devices shall comply with or exceed the standards required in the Vehicle Code. (§16.06.090)
48. Permittee shall maintain traffic flow at all times. Temporary traffic controls shall comply with the California Manual on Uniform Traffic Control Devices (CA MUTCD), Part 6 (current edition), or the traffic control plans approved as part of this permit.
49. No street shall be closed without prior approval of the Commissioner or authorized representative. Street closures shall be implemented in conformance with the approved traffic control plan (if applicable). At least 48 hours in advance of closing or reopening the street, Permittee shall contact the inspector, Police, Fire, traffic and/or engineering departments of the responsible jurisdiction.
50. Streets to be posted for "TEMPORARY NO PARKING" must be done at least 48 hours prior to start of work. Only County approved "TEMPORARY NO PARKING" signs shall be used. Signs are available for purchase at each Department of Public Works Permit Office and shall be installed by the Permittee for each construction activity or operation, unless such activities or operations will occur within 2 working days of each other.

51. The commissioner may restrict the use of, or close, any county highway whenever he considers such closing or restriction of use necessary (§16.06.240):
- For the protection of the public;
  - For the protection of such county highway from damage during storms;
  - During construction, improvement or maintenance operations thereon.

#### E. TREES AND LANDSCAPING

52. It is unlawful for anyone (other than the road commissioner or persons acting under their authority with regard to public highways) to prune, deface, destroy or remove any tree or landscaping growing, or to grow upon any public highway within the County of Los Angeles without written permit of the road commissioner; or to deface, break, destroy, or remove any post or other structure used to protect or support any such tree or landscaping; or to plant or place thereon or attach thereto any sign, notice or other advertising device. (§16.76.010)
53. When permitted activities require the pruning or removal of any tree(s) or landscaping growing in the public highway; or modifications to structures used to protect or support such tree(s) or landscaping, the permittee must contact the local Road Maintenance District Office for authorization at least seven (7) days prior to doing anything to the tree(s) or landscaping.
- Baldwin Park (MD1) (626) 337-1277
  - Alhambra (MD2) (626) 300-2080
  - Westchester (MD3) (310) 348-6448
  - Hollydale (MD4) (562) 869-1176
  - Palmdale (MD5) (661) 947-7173

#### F. RESTORATION / PAVEMENT REQUIREMENTS

54. Immediately upon completion of the work necessitating the excavation, facility or encroachment permitted by any permit issued, the permittee shall promptly and in a workmanlike manner restore the area affected by his activity to a condition satisfactory to the commissioner. (§16.18.090)
55. Permittee shall refill an excavation in the manner which is satisfactory to the commissioner and is most effective to accomplish thorough consolidation and enable the highway to be restored to a condition equivalent to that in which it was prior to the excavation. (§16.18.100)
56. Temporary resurfacing shall not be left in place longer than 30 days unless permitted by the commissioner. Permanent resurfacing shall be placed immediately following the removal of the temporary resurfacing. Installation of temporary or new pavement resurfacing shall comply with the Greenbook Section 306-13.
57. RESTORATION OF HIGHWAY SURFACE (§16.06.200)
- Upon completion of the permitted activity, the Permittee shall restore that portion of the highway facilities damaged by the Permittee's activity.
  - Where the pavement or surface has been removed, the permittee shall replace it to a thickness one inch greater than that of the surrounding pavement or surface, and in no event to a thickness less than two inches.
  - The base course removed shall be replaced to the same thickness as that of the surrounding base course.
  - When the street surface has been treated with a seal or slurry prior to the work under permit, the seal and/or slurry shall be replaced upon the portion repaired.
  - When the structural section removed varies from or exceeds the average existing section, the commissioner may elect to require the replacement of an equivalent section which would meet the average structural section requirements.
58. Upon completion of the work, Permittee shall contact the Permit Office identified on this permit no later than the next business day and remove all applicable USA markings.

## **Best Management Practices (BMPs) Attachment**

The Los Angeles County Department of Public Works (LACDPW) requires Permittees and their contractors to implement a program to effectively control water pollution during all Permit construction projects. This project shall conform with the requirements of the following County Code and Permits:

- Los Angeles, California County Code Chapter 12.80 Stormwater and Runoff Pollution Control
- Waste Discharge Requirements for Municipal Separate Storm Water System (MS4) and Discharges within the Coastal Watersheds of Los Angeles County, Except Those Discharges Originating from the City of Long Beach (Order No. R4-2012-0175 as amended by State Water Board Order WQ 2015-0075 and Los Angeles Water Board Order R4-2012-0175-A01, National Pollutant Discharge Elimination System [NPDES] No. CAS004001)
- NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ amended by 2010-0014-DWQ and 2012-0006-DWQ, NPDES No. CAS000002)

The Permittee or Authorized Representative and their contractors shall know and fully comply with the applicable provisions of these permits and Federal, State and local regulations that govern the Permittee or Authorized Representative's operations and the storm water discharges from the project site.

In order to ensure a minimum level of water quality control, the Permittee or Authorized Representative and their contractors shall effectively implement and maintain appropriate Best

- Management Practices (BMPs) shown in Table 1. In addition, the Permittee or Authorized Representative and their contractors shall comply with the following requirements:
- Sediments shall not be discharged to the storm drain system or receiving waters. Sediments generated on the construction site shall be retained.
- No construction-related materials: waste, spills, or residue shall be discharged from the project site to streets, drainage facilities, receiving waters, or adjacent property by wind or runoff.
- Non-storm water runoff from equipment, vehicle washing, or any other activity shall be contained within the project site using appropriate BMPs.
- Erosion from slopes and channels shall be prevented.
- Minimize grading during the wet season (October 15 through April 15). All erosion susceptible slopes shall be covered, planted, or protected in any way that prevents sediment discharge from the project site.

BMPs shall conform to the requirements in the LACDPW Construction Division's "Construction Site Best Management Practices (BMPs) Manual," and addenda thereto issued up to and including, the date of issuance of the Permit for the project. Copies of the Manual are available for download at: <http://dpw.lacounty.gov/cons/specs/BMPManual.pdf>



### **Year-Round Implementation Requirements**

The Permittee or Authorized Representative and their contractors shall have an effective program for implementing, inspecting, and maintaining water pollution control practices for wind erosion control, tracking control, non-storm water control, and waste management and materials pollution control.

Soil stabilization and sediment control practices shall be provided throughout the rainy season, defined as between October 15 and April 15, and whenever the National Weather Service predicts rain within 24 hours. The National Weather Service weather forecast shall be monitored and used by the Permittee on a daily basis.

The non-rainy season shall be defined as all days outside the defined rainy season. Disturbed soil areas within the project shall be protected in conformance with the requirements in the Construction Site BMP Manual with sediment controls implemented prior to a predicted rain event.

### **Maintenance and Inspection**

The Permittee or Authorized Representative and their contractors shall be responsible throughout the duration of the project for installing, constructing, inspecting, maintaining, removing and disposing of the BMPs. Unless otherwise directed by LACDPW, the Permittee or Authorized Representative and their contractors are responsible for BMP implementation and maintenance throughout any temporary suspension of work. The Permittee or Authorized Representative shall reimburse LACDPW for the full costs of cleaning or repairing of storm drain, water course, or channel which may be necessary due to ineffective implementation of BMPs.

The project site shall be inspected by the Permittee or Authorized Representative or their contractors a minimum of once every week or at least once for projects that last only one week or less.

### **Report of Non-Permitted Discharge and Enforcement**

If the Permittee or Authorized Representative or their contractors identify any non-permitted discharge into the storm drain system or receiving waters in a manner causing, or potentially causing, a condition of pollution, or if the project receives a written notice or order from any regulatory agency, the Permittee or Authorized Representative or their contractors shall immediately inform LACDPW Construction Division Permits Section by calling the assigned Field Office. The Permittee or Authorized Representative or their contractors shall submit a written report (see attached Notice of Non-Permitted Discharge) to the LACDPW within 5 days of the discharge event, notice or order.

The Permittee or Authorized Representative and their contractors are subject to enforcement action by Chapter 12.80 of the Los Angeles County Code that states, *corporation, municipality or district or any officer or agent of any firm, corporation, municipality or district violating any provision of this chapter shall be guilty of a misdemeanor. Such violation shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period not to exceed six months, or by both fine and imprisonment. Each day during any portion of which such violation is committed, continued or permitted shall constitute a separate offense and shall be punishable as such (Ord. 98-0021§1(part), 1998).*

In addition, the Permittee or Authorized Representative and their contractors are subject to enforcement action by the State Water Resources Control Board (SWRCB), Environmental Protection Agency, private citizens and citizen groups. The Permittee or Authorized Representative and their contractors shall be responsible for the costs and for liabilities imposed

by law as a result of the Permittee or Authorized Representative or their contractor's failure to comply. Costs and liabilities include, but are not limited to, fines, penalties and damages whether assessed against LACDPW or the Permittee or Authorized Representative or their contractors, including those levied under the Federal Clean Water Act and the State Porter Cologne Water Quality Act.

<b>Table 1 Construction Site BMPs</b>		
ID	BMP Name	Minimum Requirement <sup>(1)</sup>
<b>Temporary Soil Stabilization</b>		
SS-1	Scheduling	X <sup>(2)</sup>
SS-2	Preservation of Existing Vegetation	X <sup>(2)</sup>
SS-3	Hydraulic Mulch <sup>(3)</sup>	
SS-4	Hydroseeding <sup>(3)</sup>	
SS-5	Soil Binders <sup>(3)</sup>	
SS-6	Straw Mulch <sup>(3)</sup>	
SS-7	Geotextiles, Plastic Covers, & Erosion Control Blankets/Mats <sup>(3)</sup>	
SS-8	Wood Mulching	
SS-9	Earth Dikes/Drainage Swales & Ditches	
SS-10	Outlet Protection/Velocity Dissipation Devices	
SS-11	Slope Drains	
SS-12	Streambank Stabilization	
<b>Temporary Sediment Control</b>		
SC-1	Silt Fence <sup>(4)</sup>	
SC-2	Desilting Basin	
SC-3	Sediment Trap	
SC-4	Check Dam	
SC-5	Fiber Rolls <sup>(4)</sup>	
SC-6	Gravel Bag Berm <sup>(4)</sup>	
SC-7	Street Sweeping and Vacuuming	X <sup>(2)</sup>
SC-8	Sandbag Barrier <sup>(4)</sup>	
SC-9	Straw Bale Barrier <sup>(4)</sup>	
SC-10	Storm Drain Protection	X <sup>(2)</sup>
<b>Wind Erosion Control</b>		
WE-1	Wind Erosion Control	X <sup>(2)</sup>
<b>Tracking Control</b>		
TC-1	Stabilized Construction Entrance/Exit	
TC-2	Stabilized Construction Roadway	
TC-3	Entrance/Outlet Tire Wash	

<b>Table 1 (continued)</b>		
<b>Construction Site BMPs</b>		
<b>ID</b>	<b>BMP Name</b>	<b>Minimum Requirement<sup>(1)</sup></b>
<b>Non-Storm Water Management</b>		
NS-1	Water Conservation Practices	
NS-2	Dewatering Operations <sup>(5)</sup>	
NS-3	Paving and Grinding Operations	
NS-4	Temporary Stream Crossing	
NS-5	Clear Water Diversion	
NS-6	Illicit Connection/Illegal Discharge Detection and Reporting	X <sup>(2)</sup>
NS-7	Potable Water/Irrigation	
NS-8	Vehicle Equipment Cleaning	X <sup>(2)</sup>
NS-9	Vehicle Equipment Fueling	X <sup>(2)</sup>
NS-10	Vehicle Equipment Maintenance	X <sup>(2)</sup>
NS-11	Pile Driving Operations	
NS-12	Concrete Curing	
NS-13	Material and Equipment Use Over Water	
NS-14	Concrete Finishing	
NS-15	Structure Demolition/Removal Over or Adjacent to Waters	
NS-16	Temporary Batch Plant	
<b>Waste Management and Material Pollution Control</b>		
WM-1	Material Delivery	X <sup>(2)</sup>
WM-2	Material Use	X <sup>(2)</sup>
WM-3	Stockpile Management	
WM-4	Spill Prevention and Control	X <sup>(2)</sup>
WM-5	Solid Waste Management	X <sup>(2)</sup>
WM-6	Hazardous Waste Management	
WM-7	Contaminated Soil Management	
WM-8	Concrete Waste Management	
WM-9	Sanitary/Septic Waste Management	X <sup>(2)</sup>
WM-10	Liquid Waste Management	

(1) Additional BMPs may be required based on actual field condition, Contractor operations, or construction operations.

(2) Not all minimum requirements may be applicable to every project. Applicability to a specific project shall be verified by the Permittee or Authorized Representative and their Contractor.

(3) The Permittee or Authorized Representative and their Contractors shall select one of the identified soil stabilization BMPs or a combination thereof.

(4) The Permittee or Authorized Representative and their Contractors shall select one of the identified sediment control barrier BMPs or a combination thereof.

(5) Dewatering BMPs are required for discharging accumulated precipitation (rain and snow melt) and for potential contact with groundwater during

**EXHIBIT B**

Change Order No. 2 dated December 9, 2021

[Attached]

**CITY OF INDUSTRY**

15651 Mayor Dave Way  
 City of Industry, CA 91744  
 (626)333-2211

**CHANGE ORDER**

Change Order No. 2

Project 3rd Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue Waterline Improvements Contract No. IPU-0008 Date 12/9/2021

Type Project Waterline Improvement Contractor T.E Roberts, Inc.

Location 3rd Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue

**Explanation:**

Repairs to damaged waterline.

Extra Work by: Contract Items Negotiated X  
T & M

The contractor is hereby directed to perform all labor and to provide all materials necessary to carry out the work described below:



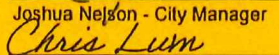
ITEM NO.	ITEM	QUANTITY	UNIT PRICE	TOTALS (\$)	
				+	-
1	Waterline Repairs	1	\$4,325.51	\$4,325.51	
<b>TOTAL COST</b>				<b>\$4,325.51</b>	

**T & M SUMMARY**

*Labor Cost			Total Labor per Day	
*Equipment Cost (See attached breakdown)			Total Equipment per Day	
*Material Cost			Sub-Total	\$ -
(*Attach breakdown of labor, equipment and materials)				
<b>CHANGE ORDER SUMMARY</b>			Other Additive (Profit & Bond Fee)	
Original Contract Amount	\$ 584,284.00	% of Contract Amount	Total T & M	\$ -
Total Previous Change Orders	\$ 3,393.20	0.581%	Pay This CHANGE ORDER	\$4,325.51 0.74%
Total Change Orders	\$ 7,718.71	1.32%		

Authorized by \_\_\_\_\_ Additional Contract Days 0

I hereby certify that the quantities shown and/or amounts shown for equipment, material and labor costs (if any) are correct to the best of my knowledge and the total cost shown above shall be considered final payment for the work specified by this change order. The total cost includes compensation for any delay in the preparation of this change order and the time to complete the specified work.

 11-17-2021  
 Contractor Representative Date  
 Clement N. Calvillo - Contract Deputy City Engineer Date  
 11/18/2021  
 Joshua Nelson - City Manager Date  
 11/18/2021  
 Chris Lum - Construction Manager Date



# CHANGE ORDER

No. 01

17771 Mitchell North  
Irvine, CA 92614  
Phone (714) 669-0072 | Fax (714) 200-0241

Date: **8/19/21**  
**REV 8/19/2021**

To: **Industry Public Utilities**  
c/o: **CNC Engineering**  
Attn: **Chris Lum, Construction Manager**

Project: **IPU-0008**  
Location: **3<sup>rd</sup> Ave/Starhill Ln,  
Don Julian Rd/Basetdale Ave**

## Job #6025 – Unmarked 6" Waterline 8/5/21

DESCRIPTION	QUANTITY	@	TOTAL
<b>Thursday, 8/5/21</b> <ul style="list-style-type: none"><li>Unmarked 6" Waterline - Dug through an unmarked 6" water line at 3rd Ave and 3rd Ave. Pumped water from ditch, re-dug and removed mud. Dug out 6" ACP and made repair using C-900 and two (2) flex couplings then swept streets to clean up mud mess. La Puente Valley Water supplied materials.</li></ul>	<b>1</b>	<b>LS</b>	<b>4,325.51</b>
		<b>TOTAL</b>	<b>\$4,325.51</b>

### T.E. Roberts, Inc.

BY: \_\_\_\_\_  
T.E. Roberts, Inc.

ACCEPTED BY: \_\_\_\_\_  
Authorized Representative

**THANK YOU FOR YOUR BUSINESS!**





17771 Mitchell North  
Irvine, CA 92614

COR	#1	Job#	City of Industry
		6025	
William Rojas			
Days Ext:			

DATE: 8/5/2021

LOCATION: 3rd Ave

DETAILS: (Thursday) Unmarked 6" Waterline - Dug through an unmarked 6" water line at 3rd Ave and 3rd Ave. Pumped water from ditch, re-dug and removed mud. Dug out 6" ACP and made repair using C-900 and two (2) flex couplings then swept streets to clean up mud mess. La Puente Valley Water supplied materials.

TYPE	RATE/HR	QTY	REG AMT	OT RATE	QTY	OT AMT	DT RATE	DT HRS	DT AMT	TOTAL
<b>LABOR</b>										
OE FOREMAN	4.00	122.38	4.00	489.52	183.57	-	244.76	-	-	489.52
PIPELAYER/Asphalt wkr (2)	8.00	92.49	8.00	739.92	138.74	-	184.98	-	-	739.92
LABORER (2)	8.00	88.70	8.00	709.60	133.05	-	177.40	-	-	709.60
EQPT OPERATOR (1)	4.00	118.09	4.00	472.36	177.14	-	236.18	-	-	472.36
	<b>24.00</b>	<b>24.00</b>								
<b>LABOR TOTAL</b>										<b>\$2,411.40</b>
<b>EQUIPMENT</b>										
SERVICE TRUCK (2)	55.03	8.00	440.24							440.24
BACKHOE	67.03	4.00	268.12							268.12
WH LOADER	107.27	4.00	429.08							429.08
SWEEPSTER (LayMor)	183.46	4.00	733.84							733.84
<b>EQPT TOTAL</b>										<b>\$1,871.28</b>
<b>SUBCONTRACTOR</b>						<b>Sub Total</b>	<b>Tax</b>	<b>Total</b>	<b>5%</b>	<b>TOTAL</b>
										<b>\$0.00</b>
<b>MATERIAL</b>						<b>Sub Total</b>	<b>Tax</b>	<b>AMOUNT</b>	<b>15%</b>	<b>TOTAL</b>
										<b>\$0.00</b>
<b>EQUIPMENT RENT</b>						<b>Sub Total</b>	<b>Tax</b>	<b>AMOUNT</b>	<b>15%</b>	<b>TOTAL</b>
										<b>\$0.00</b>
<b>DUMP FEES</b>						<b>Sub Total</b>	<b>Tax</b>	<b>AMOUNT</b>	<b>10%</b>	<b>TOTAL</b>
										<b>\$0.00</b>

SUB TOTAL **\$4,282.68**  
1% - Bond \$42.83



17771 Mitchell North  
Irvine, CA 92614

COR	#1	Job#	City of Industry
		6025	
William Rojas			
Days Ext:			

DATE: 8/5/2021

LOCATION: 3rd Ave

DETAILS: (Thursday) Unmarked 6" Waterline - Dug through an unmarked 6" water line at 3rd Ave and 3rd Ave. Pumped water from ditch, re-dug and removed mud. Dug out 6" ACP and made repair using C-900 and two (2) flex couplings then swept streets to clean up mud mess. La Puente Valley Water supplied materials.

TYPE	RATE/HR	QTY	REG AMT	OT RATE	QTY	OT AMT	DT RATE	DT HRS	DT AMT	TOTAL
<b>GRAND TOTAL</b>									<b>\$4,325.51</b>	





17771 Mitchell North  
 Irvine, CA 92614  
 T: 714-669-0072  
 F: 714-200-0241  
 LICENSE# 603008  
 www.terobertsinc.com

No. \_\_\_\_\_

**FIELD CHANGE ORDER**

TO: CITY OF INDUSTRY

DATE: 8-5-21

JOB TITLE: STARHILL LA WATER IMPROV

JOB NUMBER: 6025

LOCATION: LA PUENTES

ATTN: WILLIAM ROTAS

LABOR:	RT	OT	TOTAL
DAVE KLEP	4		
FRANSISCO YEPERZ	4		
ABRAHAM CERVAJITOS	4		
CHAD BURWELL	4		
JOEL TUNBY	4		
ROBERT SOTO	4		
TOTALS			

	RT	OT	TOTAL
TOTALS			

EQUIPMENT:

EQPT NO.	DESCRIPTION	HOURS
	710 BACKHOE	4
	544 LOADER	4
	CREW TRUCK	4
	PICK UP	4
	LAY MORE SUPER	4

MATERIALS and RENTAL EQUIPMENT:

QTY	DESCRIPTION	VENDOR

DESCRIPTION OF WORK, CHANGES, AND COMMENTS:  
DUG THROUGH AN UN MARKED 6" WATER LINE AT 3<sup>RD</sup> AVE AND 3<sup>RD</sup> AVE. PUMPED WATER FROM DITCH, RISE DIRT AND REMOVE MUD. DUG OUT 6" ACP AND MADE REPAIR USING C-900 AND 2 FLEX COUPLERS. LA PUENTES WATER SUPPLIED MATERIALS. THEN SWEEP STREETS TO CLEAN UP MUD MESS.

Contract Time Extension: 1 Calendar Days

Signed: [Signature]  
 Printed Name: WILLIAM ROTAS  
 Company: CNC

Signed: [Signature]  
 Printed Name: DAVID KLEIN  
 T.E. Roberts, Inc.

**EXHIBIT C**

Change Order No. 3 dated December 9, 2021

[Attached]



**CITY OF INDUSTRY**  
 15651 Mayor Dave Way  
 City of Industry, CA 91744  
 (626)333-2211

**CHANGE ORDER**

Change Order No. 3

**Project** 3rd Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue Waterline Improvements **Contract No.** IPU-0008 **Date** 12/9/2021

**Type** Waterline Improvement **Contractor** T.E Roberts, Inc.

**Location** 3rd Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue

**Explanation:**

Remove and replace existing curb ramp to ADA standards and install cross gutter spandrel.

Extra Work by: Contract Items Negotiated X  
T & M

The contractor is hereby directed to perform all labor and to provide all materials necessary to carry out the work described below:

ITEM NO.	ITEM	QUANTITY	UNIT PRICE	TOTALS (\$)	
				+	-
1	Remove & Replace Curb Ramp	1	\$20,753.97	\$20,753.97	
<b>TOTAL COST</b>				<b>\$20,753.97</b>	

**T & M SUMMARY**

*Labor Cost	Total Labor per Day
*Equipment Cost (See attached breakdown)	Total Equipment per Day
*Material Cost	Sub-Total \$ -
(*Attach breakdown of labor, equipment and materials)	
<b>CHANGE ORDER SUMMARY</b>	Other Additive (Profit & Bond Fee)
Original Contract Amount \$ 584,284.00	Total T & M \$ -
Total Previous Change Orders \$ 7,718.71 1.321%	
Total Change Orders \$ 28,472.68 4.87%	Pay This CHANGE ORDER \$20,753.97 3.55%

Authorized by \_\_\_\_\_ Additional Contract Days 0

I hereby certify that the quantities shown and/or amounts shown for equipment, material and labor costs (if any) are correct to the best of my knowledge and the total cost shown above shall be considered final payment for the work specified by this change order. The total cost includes compensation for any delay in the preparation of this change order and the time to complete the specified work.

[Signature] 11-17-2021  
 Contractor Representative Date  
[Signature] 11/18/21  
 Clement N. Calvillo - Contract Deputy City Engineer Date

[Signature] 11/18/2021  
 Joshua Nelson - City Manager Date  
[Signature] 11/18/2021  
 Chris Lum - Construction Manager Date



# CHANGE ORDER REQUEST

DATE: 9/24/2021

**T.E. ROBERTS, INC.**

306 W. KATELLA AVENUE  
UNIT B  
ORANGE, CA 92867  
PHONE (714) 669-0072 FAX (714) 200-0241

TO: CITY OF INDUSTRY

FOR: 3<sup>RD</sup> AVENUE AND  
STARHILL LANE WATERLINE  
IMPROVEMENTS  
ADA RAMP REPLACEMENT

C/O: CHRIS LUM  
CONSTRUCTION MANAGER  
CNC ENGINEERING  
562-896-2260  
CLUM@CNC-ENG.COM

ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL (ESTIMATE)
1	REMOVE EXISTING CONCRETE RAMP AND SPANDREL. DISPOSE AND PREPARE SUBGRADE. LABOR \$1,558.96 EQUIPMENT \$994.76	1	LS	\$2,562.72	\$2,562.72
2	REPLACE HANDICAP RAMP AND SPANDREL. 800 SF Spandrel \$11,200.00 Handicap ramp \$5,800.00 Truncated Domes \$325.00 Mark Up \$866.25	1	LS	\$18,191.25	\$18,191.25
				<b>TOTAL</b>	<b>\$20,753.97</b>

**EXCLUDES:**

1. PERMITS, BONDS, INSPECTION FEES, CONNECTION FEES, ASSESSMENT FEES, ENGINEERING FEES, ALL OTHER FEES.
2. ENGINEERING, STAKING AND COMPACTION TESTING.
3. PRICING GOOD FOR 30 DAYS.
4. EXISTING IRRIGATION TO BE REMOVED BY OTHERS.
5. REPLACEMENT OF EXISTING IRRIGATION OR PLANTS.
6. ALL CONCRETE, OR LANDSCAPE REPLACEMENTS.
7. REMOVAL OR DEMO OF EXISTING STRUCTURES.
8. UTILITY CONNECTIONS TO BUILDING, INCLUDING 2" GAS LINE.
9. CONSTRUCTION WATER AND METER. (MINIMUM 2" SERVICE LINE REQUIRED)
10. TRAFFIC CONTROL PLAN, K-RAIL OR FENCING.
11. SLURRY, CONCRETE BACKFILL OR ENCASEMENTS UNLESS SPECIFIED IN OUR BID PROPOSAL.
12. TRAFFIC LOOPS, STRIPING OR RAISED PAVEMENT MARKERS.
13. ROCK, HARDPAN, EXCESSIVELY HARD GROUND EXCAVATION, OR SCREENING OF BACKFILL.
14. IMPORTED BACKFILL AND DRYING OF TRENCH EXCAVATED MATERIAL THAT HAS OVER OPTIMUM MOISTURE CONTENT.
15. DEWATERING OF ANY GROUNDWATER.
16. DEMOLITION OF EXISTING ONSITE IMPROVEMENTS UNLESS SPECIFIED IN OUR BID PROPOSAL.
17. EROSION CONTROL AND SWPPP.
18. TUNNELING OF EXISTING UTILITIES NOT SHOWN ON PLANS.

**THANK YOU FOR THE OPPORTUNITY TO PROVIDE A PROPOSAL FOR THIS PROJECT!**

**TIM ROBERTS**  
**T.E. ROBERTS, INC.**

**ACCEPTED BY:**

\_\_\_\_\_ **DATE**

TYPE	RATE/HR	QTY	REG AMT	OT RATE	QTY	OT AMT	DT RATE	DT HRS	DT AMT	TOTAL
<b>LABOR</b>										
SUPERINTENDENT	-	136.59	-	204.89	-	-	273.18	-	-	-
OE FOREMAN	-	122.38	-	-	-	-	244.76	-	-	-
PIPELAYER/Asphalt wkr	-	92.49	-	-	-	-	184.98	-	-	-
LABORER (2)	8.00	88.70	8.00	709.60	133.05	-	177.40	-	-	709.60
TRUCK DRIVER (1)	4.00	94.25	4.00	377.00	141.38	-	188.50	-	-	377.00
EQPT OPERATOR (1)	4.00	118.09	4.00	472.36	177.14	-	236.18	-	-	472.36
WELDER	-	92.99	-	-	139.49	-	185.98	-	-	-
PROJECT MANAGER	-	132.70	-	-	199.05	-	265.40	-	-	-
	16.00		16.00			-		-	-	
									<b>LABOR TOTAL</b>	<b>\$1,558.96</b>
<b>EQUIPMENT</b>										
BACKHOE	67.03	4.00	268.12							268.12
DUMP TRUCK, 10-WHEEL	90.83	8.00	726.64							726.64
									<b>EQPT TOTAL</b>	<b>\$994.76</b>

**EXHIBIT D**

Change Order No. 4 dated December 9, 2021

[Attached]



**CITY OF INDUSTRY**  
 15651 Mayor Dave Way  
 City of Industry, CA 91744  
 (626)333-2211

**CHANGE ORDER**

Change Order No. 4

**Project** 3rd Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue Waterline Improvements **Contract No.** IPU-0008 **Date** 12/9/2021

**Type**  
**Project** Waterline Improvement **Contractor** T.E Roberts, Inc.

**Location** 3rd Avenue, Starhill Lane, Don Julian Road, and Basetdale Avenue

**Explanation:**

Overruns & Underruns

Extra Work by: X Contract Items Negotiated T & M

The contractor is hereby directed to perform all labor and to provide all materials necessary to carry out the work described below:

ITEM NO.	ITEM	QUANTITY	UNIT PRICE	TOTALS (\$)	
				+	-
1	Overruns	1	\$44,200.00	\$44,200.00	
1	Underruns	1	(\$5,700.00)		\$ (5,700.00)
<b>TOTAL COST</b>				<b>\$38,500.00</b>	

**T & M SUMMARY**

*Labor Cost	Total Labor per Day
*Equipment Cost (See attached breakdown)	Total Equipment per Day
*Material Cost	<b>Sub-Total</b> \$ -
(*Attach breakdown of labor, equipment and materials)	
<b>CHANGE ORDER SUMMARY</b>	<b>Other Additive (Profit &amp; Bond Fee)</b>
Original Contract Amount \$ 584,284.00	<b>Total T &amp; M</b> \$ -
Total Previous Change Orders \$ 28,472.68 4.873%	
Total Change Orders \$ 66,972.68 11.46%	<b>Pay This CHANGE ORDER</b> \$38,500.00 6.59%

Authorized by \_\_\_\_\_ Additional Contract Days 0

I hereby certify that the quantities shown and/or amounts shown for equipment, material and labor costs (if any) are correct to the best of my knowledge and the total cost shown above shall be considered final payment for the work specified by this change order. The total cost includes compensation for any delay in the preparation of this change order and the time to complete the specified work.

[Signature] 11-17-2021  
 Contractor Representative Date  
[Signature] 11/18/21  
 Clement N. Calvillo - Contract Deputy City Engineer Date

[Signature] 11/18/2021  
 Joshua Nelson - City Manager Date  
[Signature] 11/18/2021  
 Chris Lum - Construction Manager Date

**EXHIBIT E**

Notice of Completion, dated December 9, 2021

[Attached]





# CITY OF INDUSTRY

- Civic Recreational-Industrial Authority
  - Industry Public Utilities Commission
  - Successor Agency to the Industry Urban-Development Agency
- 15625 East Stafford Street, City of Industry, CA 91744

## Notification of Construction Completion

3rd Avenue, Starhill Lane, Don Julian Road

**Project: and Basetdale Avenue Waterline Improvements**

**Date: December 9, 2021**

**Contract**

**Contract No.: IPUC-0008**

**Contractor: T.E. Roberts, Inc.**

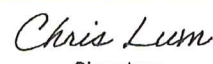
As a result of an inspection conducted on 11/01/2021 the contractor's construction work has been completed in accordance with the contract documents, with the exception of the items noted below:

Acceptance of completed construction work shall not relieve the contractor from other requirements of the contract documents.

Accepted by Contractor	Gilbert Hartwell Printed Name	 Signature	Project Manager Title	11-18-2021 Date
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Recommended by Project Engineer	Sean Nazarie Printed Name	 Signature	Project Engineer Title	11/18/2021 Date
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Recommended by Project Inspector	William Rojas Printed Name	 Signature	Project Inspector Title	11/18/2021 Date
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Recommended by Project Manager	Chris Lum Printed Name	 Signature	Construction Manager Title	11/18/2021 Date
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Recommend by Public Agency	Mathew Hudson Printed Name	 Signature	IPUC Engineering Manger Title	11/18/2021 Date
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Approved by Public Agency	Joshua Nelson Printed Name	 Signature	Public Utilities Director Title	11/18/2021 Date
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*INDUSTRY PUBLIC UTILITIES COMMISSION*

ITEM NO. 6.1

## RESOLUTION NO. IPUC 2021-10

### A RESOLUTION OF THE INDUSTRY PUBLIC UTILITIES COMMISSION CONTINUING THE AUTHORIZATION OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

#### RECITALS

**WHEREAS**, the Industry Public Utilities Commission (“IPUC”) is committed to preserving and encouraging public access and participation in meetings of its legislative bodies; and

**WHEREAS**, all meetings of the IPUC are open and public, as required by the Ralph M. Brown Act (Gov. Code §§54950 – 54963) (“Brown Act”), so that any member of the public may attend, participate, and observe the legislative bodies conduct their business; and

**WHEREAS**, in March 2020 as a response to the ongoing COVID-19 pandemic, Governor Newsom issued Executive Orders N-25-20 and N-29-20. These orders suspended certain elements of the Brown Act and specifically allowed for legislative bodies as defined by the Brown Act to hold their meetings entirely electronically with no physical meeting place. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which provided that the provisions in Executive Order N-29-20 suspending certain elements of the Brown Act would continue to apply through September 30, 2021; and

**WHEREAS**, on September 16, 2021 Governor Newsom signed AB 361, which added subsection (e) to Government Code §54953 of the Brown Act, and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code §54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, one of the conditions required is that a state of emergency has been declared by the Governor pursuant to Government Code §8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code §8558; and

**WHEREAS**, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

**WHEREAS**, in March 2020, in response to the spread of COVID-19 in the State of California, the Governor Proclaimed a State of Emergency pursuant to Government Code §8625, and issued a number of executive orders aimed at containing the COVID-19 virus, and the County of Los Angeles through various Orders of the Los Angeles County Health Officer, continues to impose or recommend measures to promote social distancing; and

**WHEREAS**, Los Angeles County officials have recommended and imposed measures to promote social distancing; and

**WHEREAS**, as a consequence of the continued state of emergency, on October 14, 2021, the IPUC Board adopted Resolution No. IPUC 2021-08, and on November 13, 2021, the Board adopted Resolution No. IPUC 2021-09 finding and determining that the IPUC would continue to conduct its meetings without compliance with Government Code §54953(b)(3), as authorized by Government Code §54953(e), and that the IPUC would continue to comply with the requirements to provide the public with access to all public meetings as prescribed in §54953(e)(2); and

**WHEREAS**, pursuant to the provisions of AB 361, the IPUC Board hereby finds and determines that the findings set forth in Resolution No. IPUC 2021-09 remain, and that it is thereby necessary to continue to conduct its meetings without compliance with Government Code §54953(b)(3), as authorized by Government Code §54953(e).

**NOW, THEREFORE, THE INDUSTRY PUBLIC UTILITIES COMMISSION DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

**SECTION 1:** All of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

**SECTION 2:** The IPUC hereby considers the existing conditions of the state of emergency, local officials in Los Angeles County have recommended or imposed measures to promote social distancing in connection with COVID-19. Based on these facts, findings, and determinations, the IPUC authorizes staff to conduct remote teleconference meetings of the IPUC, under the provisions of Government Code §54953(e).

**SECTION 3:** The Public Utilities Director is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution and AB 361, including continuing to conduct open and public meetings in accordance with the Brown Act.

**SECTION 4:** This Resolution shall take effect December 13, 2021 and shall be effective until the earlier of January 12, 2022, or such time as the Industry Public Utilities Commission adopts a subsequent resolution in accordance with Government Code §54953(e)(3) to extend the time during which the IPUC may continue to meet by teleconference.

**PASSED, APPROVED AND ADOPTED** by the Industry Public Utilities Commission at a special meeting held on December 21, 2021, by the following vote:

- AYES:                    COMMISSIONER:
- NOES:                    COMMISSIONER:

ABSTAIN: COMMISSIONER:

ABSENT: COMMISSIONER:

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Cory C. Moss, President

**ATTEST:**

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Julie Robles, Secretary

*INDUSTRY PUBLIC UTILITIES COMMISSION*

ITEM NO. 6.2

# Memo



To: Industry Public Utilities Commission

From: Roy Frausto, General Manager

Date: December 21, 2021

Subject: Water Use Efficiency Practices and Water Conservation Measures.

## *Summary*

At the upcoming IPUC meeting, staff will summarize the proposed new water use efficiency practices and water conservation measures. A summary of the permanent water use efficiency practices and water conservation measures included in the enclosed proposed resolution is set forth below:

1. Limited Hours for Watering and Irrigating
2. Prohibited Periods for Watering and Irrigating
3. Prohibited Water Flows and Irrigation Runoff
4. Prohibited Washing Down of Hard Surfaces and Paved Areas
5. Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions
6. Limited Practices for Washing Motorized Vehicles and Non-Motorized Equipment
7. Prohibited Installation of Non-Re-circulating Equipment in Commercial Car Wash and Laundromat Systems
8. Prohibited Use of Non-Re-circulating Equipment for Water Fountains and Decorative Water Features
9. Offered Option for Declining Daily Linen Services at Lodging Establishments
10. Restricted Service for Drinking Water at Eating or Drinking Establishments
11. Prohibited Installation of Single Pass Cooling Systems

A summary of the water supply emergencies, water use restrictions, and water conservation actions is set forth below:

Stage 1 Water Supply Emergency – Outdoor watering limited to three (3) times a week

Stage 2 Water Supply Emergency – Outdoor watering limited to three (2) times a week

Stage 3 Water Supply Emergency – Outdoor watering limited to three (1) times a week

Stage 4 Water Supply Emergency – Outdoor watering prohibited

These conservation measures will be administered initially on an educational basis and escalate to fines for repeated violations. The regulations, if approved by the Industry Public Utilities Commission, shall take effect December 22, 2021, and shall remain in effect until otherwise repealed or amended by the Industry Public Utilities Commission.

## *Enclosure*

- Resolution No. IPUC 2021-11

**RESOLUTION NO. IPUC 2021-11**

**RESOLUTION OF THE INDUSTRY PUBLIC UTILITIES  
COMMISSION, DECLARING WATER  
USE EFFICIENCY PRACTICES AND WATER CONSERVATION MEASURES FOR USERS,  
AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME**

**WHEREAS**, the Industry Public Utilities (“IPU”) provides water service to residents and businesses through the City of Industry Waterworks System (“CIWS”), both within and immediately adjacent to the geographical boundaries of the City of Industry (“City”); and

**WHEREAS**, on July 28, 2016, the City of Industry City Council adopted Resolution No. CC 2016-48 updating the emergency water conservation restrictions consistent with the Governor of California’s Executive Order No. B-37-16 issued on May 9, 2016, and with regulations imposed by the State Water Resources Control Board (“SWRCB”); and

**WHEREAS**, communities across California are experiencing more frequent, prolonged, and severe impacts of climate change including catastrophic wildfires, extreme heat and unprecedentedly dry conditions that threaten the health of our people, habitat for species and our economy; and

**WHEREAS**, drought conditions present urgent challenges, including the risk of drinking water shortages in communities, greatly increased wildfire activity, diminished water for agricultural production, adverse impacts on fisheries, and additional water scarcity if drought conditions continue into next year; and

**WHEREAS**, during the 2012-2016 drought, Californians did their part to conserve water, with many taking permanent actions that continue to yield benefits; per capita residential water use statewide declined 21 percent between the years 2013 and 2016, and has remained on average 16 percent below 2013 levels as of 2020; and

**WHEREAS**, the Main San Gabriel Groundwater Basin (the “Basin”), which the CIWS relies upon as its primary source of water to meet its customers’ needs, remains close to its historic low level, which is far below the preferred operating range for the Basin; and

**WHEREAS**, on July 8, 2021, Governor Gavin Newsom issued Executive Order No. N-10-21 directing actions on all Californians to voluntarily reduce their water use by 15 percent from their 2020 levels; and

**WHEREAS**, on October 19, 2021, Governor Newsom issued a Proclamation of a State of Emergency that proclaimed that eight southern California counties, including Los Angeles County, are experiencing severe drought conditions; and

**WHEREAS**, Governor Newsom’s October 19th Proclamation directs, as applicable, local water suppliers to execute their Water Shortage Contingency Plans at levels appropriate to local conditions that take into account the possibility of a third consecutive dry year; and authorizes the SWRCB to adopt emergency regulations to prohibit certain wasteful water practices; and

**WHEREAS**, to allow the Commission to adopt water conservation measures which adequately address the current drought, on December 21, 2021, the City Council rescinded Resolution No. CC 2016-48; and



**WHEREAS**, following the making of findings as required by law in accordance with Water Code Section 375, the IPU has the power and authority to adopt mandatory water conservation measures within its boundaries; and

**WHEREAS**, based on independent Staff analysis, these waters use efficiency practices and water conservation measures are exempt per Section 15269 of the CEQA Guidelines, as the measures are being undertaken to prevent and mitigate an emergency. As set forth herein, the Governor has proclaimed a state of emergency for Los Angeles County due to drought conditions; and

**WHEREAS**, notice of the Commission's December 21, 2021 public hearing on the water conservation measures was published in the San Gabriel Valley Tribune, on December 7th and December 14<sup>th</sup> of 2021, in accordance with State law, and was posted at City Hall, City Council Chambers and on the CIWS's website; and

**WHEREAS**, on December 21, 2021, the Commission conducted a duly noticed public hearing on the water conservation measures; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE INDUSTRY PUBLIC UTILITIES COMMISSION DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

**Section 1:** The above recitals are true and correct, and are incorporated herein by reference.

**Section 2:** This Resolution establishes guidelines for water use efficiency practices and water conservation measures that will reduce the overall water consumption within the service boundaries of the Industry Public Utilities. These guidelines will enable effective water supply planning and budgeting to ensure the reasonable, reliable, and beneficial use of available water resources by all CIWS customers, with all intents and purposes concentrated on minimizing the hardships of limited water supplies, maximizing the efficient use of available water supplies, and preventing the overall waste of available water supplies.

This Resolution establishes permanent water waste and conservations standards intended to alter behavior related to water use efficiency at all times and further establishes four levels of water supply shortage response actions to be implemented during times of declared water shortage or declared water shortage emergency, with increasing restrictions on water use in response to worsening drought or emergency conditions and decreasing supplies.

**Section 3: Application.** Except as otherwise set forth herein, the provisions of this Resolution shall apply to all customers, consumers, persons, and properties in use of any potable water resources within the defined service boundaries of the CIWS.

Exemptions:

- A. Water necessary for water system or fire suppression system testing and maintenance, or fire suppression and other similar emergency service affecting public health and safety.
- B. Water necessary to protect public health and safety as determined in the sole discretion of the IPU.
- C. The use of water by commercial nurseries and commercial growers to sustain plants, trees, shrubs, crops or other vegetation intended for commercial use.

**Section 4:** Except as otherwise set forth in this Resolution, the following water use efficiency practices and water conservation measures are hereby implemented for all users within the service boundaries of the CIWS:

- A. The CIWS will continue to offer educational materials, to promote best practices for water conservation, and to support the use of water conserving household fixtures to its users and customers in efforts of encouraging water use efficiency practices and preventing the waste of available water resources.

**B. Permanent Water Use Efficiency Practices and Water Conservation Measures**

i. To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

a. **Limited Hours for Watering and Irrigating:** Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material is prohibited between the hours of 9:00 AM and 5:00 PM.

b. **Prohibited Periods for Watering and Irrigating:** The application of potable water to outdoor landscapes is prohibited during and within 48 hours after measurable rainfall.

c. **Prohibited Water Flows and Irrigation Runoff:** Allowing irrigation water to runoff from landscaped areas, lawns, vegetated areas, and plant materials into or onto adjoining sidewalks, streets, and/or other paved areas due to incorrectly directed or improperly maintained sprinklers, or excessive watering is prohibited.

d. **Prohibited Washing Down of Hard Surfaces and Paved Areas:** The application of potable water to driveways and sidewalks is prohibited.

e. **Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions:** All users shall prevent, repair, and eliminate all leaks, breaks, and/or malfunctions of water served to their property, including but not limited to, water served through plumbing fixtures, indoor pipelines, outdoor pipelines, irrigation fixtures, irrigation controllers, and other water service equipment. All users are required to repair leaks, breaks, and/or malfunctions when they are discovered, but not more than seven (7) days after receiving notice from the CIWS.

f. **Limited Practices for Washing Motorized Vehicles and Non-Motorized Equipment:** The use of a hose that dispenses potable water to wash a motor vehicle is prohibited, except when the hose is fitted with a shut-off nozzle or an automatic shut off valve.

g. **Prohibited Installation of Non-Re-circulating Equipment in Commercial Car Wash and Laundromat Systems:** Installation of non-re-circulating water systems at new commercial washes and new commercial laundromat facilities is prohibited.

h. **Prohibited Use of Non-Re-circulating Equipment for Water Fountains and Decorative Water Features:** The use of potable water

in a fountain or other decorative water feature is prohibited except where the water is part of a re-circulating system.

i. **Offered Option for Declining Daily Linen Services at Lodging Establishments:** To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using language that is easily understood.

j. **Restricted Service for Drinking Water at Eating or Drinking Establishments:** Serving drinking water other than upon request is prohibited in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars or other public places where food or drinks are served and/or purchased.

k. **Prohibited Installation of Single Pass Cooling Systems:** Installation of single pass cooling systems in new commercial buildings requesting new water utility service is prohibited.

#### C. Water Supply Emergencies, Water Use Restrictions, and Water Conservation Actions

i. The CIWS shall monitor and evaluate the continued groundwater levels in the Basin and the estimated water demand of its applicable users. In the event the Basin's groundwater levels continue to decline, the General Manager shall recommend that the IPUC consider making a determination that a Water Supply Emergency exists. Based on the severity of the conditions and amount of available water supplies, the Industry Public Utilities Commission may declare a Stage 1, Stage 2, Stage 3, or Stage 4 Water Supply Emergency as set forth herein.

ii. **Stage 1 Water Supply Emergency:** When the Industry Public Utilities Commission declares a Stage 1 Water Supply Emergency, the CIWS shall immediately notify all users that the following water use restrictions and water conservation actions are to be implemented and followed in addition to the water use efficiency practices and water conservation measures set forth in Section 4.B. of this Resolution. Wherever two of the practices, measures, restrictions, and/or actions are similar, the stricter of the two shall take precedence. Public notification of the practices, measures, restrictions, and actions shall be provided by mail and one or more of the following methods - posting the information to the CIWS website, publishing the information in community newsletters, and/or printing information in other publications servicing the service boundaries of the CIWS.

a. **Limited Days and Hours for Watering and Irrigating without Use of Drip Irrigation Systems:** Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation system is limited to three (3) times per week and is prohibited between the hours of 9:00 AM and 5:00 PM.

b. **Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions:** All users shall prevent, repair, and eliminate all leaks, breaks, and/or malfunctions of water served to their property, including but not limited to, water served through plumbing fixtures, indoor pipelines, outdoor pipelines, irrigation fixtures, irrigation controllers,

and other water service equipment. All users shall repair leaks, breaks, and/or malfunctions when they are discovered, but not more than five (5) days after receiving notice from the CIWS.

c. **Coordinated Efforts and Resources to Reduce Potable Water Use of Residential Properties:** The CIWS will provide educational material and develop, coordinate, and implement water conservation programs in conjunction with the Upper San Gabriel Valley Municipal Water District and the Main San Gabriel Basin Watermaster for residential users. These resources, including but not limited to usable water saving household fixtures, obtainable water saving household appliance rebates, and offered drought tolerant landscape and turf removal incentives, will be made available to assist residential properties in attaining the overall potable water usage reduction targets set by the State Water Resources Control Board and/or the Governor of the State of California.

d. **Coordinated Efforts and Resources to Reduce Potable Water Use of Commercial, Industrial, and Institutional Properties:** The CIWS will provide educational material and develop, coordinate, and implement water conservation programs in conjunction with the Upper San Gabriel Valley Municipal Water District for commercial, industrial, and institutional users. These resources, including but not limited to obtainable weather-based irrigation controller rebates and offered drought tolerant landscape and turf removal incentives, will be made available to assist commercial, industrial, and institutional properties in attaining the overall potable water usage reduction targets set by the State Water Resources Control Board and/or the Governor of the State of California.

iii. **Stage 2 Water Supply Emergency:** When the Industry Public Utilities Commission declares a Stage 2 Water Supply Emergency, the CIWS shall immediately notify all users that the following water use restrictions and water conservation actions are to be implemented and followed in addition to the water use efficiency practices and water conservation measures and use restrictions set forth in Sections 4.B. and 4.C.ii. of this Resolution. Wherever two of the practices, measures, restrictions, and/or actions are similar, the stricter of the two shall take precedence. Public notification of the practices, measures, restrictions, and actions shall be provided by mail and one or more of the following methods - posting the information to the CIWS website, publishing the information in community newsletters, and/or printing information in other publications servicing the service boundaries of the CIWS.

a. **Limited Days and Hours for Watering and Irrigating without Use of Drip Irrigation Systems:** Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation system is limited to two (2) times per week and shall be prohibited between the hours of 9:00 AM and 5:00 PM.

b. **Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions:** All users shall prevent, repair, and eliminate all leaks, breaks, and/or malfunctions of water served to their property, including but not limited to, water served through plumbing fixtures, indoor

pipelines, outdoor pipelines, irrigation fixtures, irrigation controllers, and other water service equipment. All users shall repair leaks, breaks, and/or malfunctions when they are discovered, but not more than seventy-two (72) hours after receiving notice from the CIWS.

iv. **Stage 3 Water Supply Emergency:** When the Industry Public Utilities Commission declares a Stage 3 Water Supply Emergency, the CIWS shall immediately notify all users that the following water use restrictions and water conservation actions are to be implemented and followed in addition to the water use efficiency practices and water conservation measures set forth in Sections 4.B., 4.C.ii and 4.C.iii. of this Resolution. Wherever two of the practices, measures, restrictions, and/or actions are similar, the stricter of the two shall take precedence. Public notification of the practices, measures, restrictions, and actions shall be provided by mail and one or more of the following methods - posting the information to the CIWS website, publishing the information in community newsletters, and/or printing information in other publications servicing the service boundaries of the CIWS.

a. **Limited Days and Hours for Watering and Irrigating without Use of Drip Irrigation Systems:** Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation system is limited to one (1) time per week and shall be prohibited between the hours of 9:00 AM and 5:00 PM.

b. **Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions:** All users shall prevent, repair, and eliminate all leaks, breaks, and/or malfunctions of water served to their property, including but not limited to, water served through plumbing fixtures, indoor pipelines, outdoor pipelines, irrigation fixtures, irrigation controllers, and other water service equipment. All users shall repair leaks, breaks, and/or malfunctions when they are discovered, but not more than forty-eight (48) hours after receiving notice from the CIWS.

c. **Limited Filling of Swimming Pools, Spas, Hot Tubs, and Jacuzzis:** Filling of swimming pools, spas, hot tubs, and/or jacuzzis of any kind whether in-ground or above-ground structures, is prohibited except where required to maintain the integrity of the pool structure.

v. **Stage 4 Water Supply Emergency:** When the Industry Public Utilities Commission declares a Stage 4 Water Supply Emergency, the CIWS shall immediately notify all applicable users that the following water use restrictions and water conservation actions are to be implemented and followed in addition to the water use efficiency practices and water conservation measures set forth in Sections 4.B., 4.C.ii, 4.C.iii. and 4.C.iv. of this Resolution. Wherever two of the practices, measures, restrictions, and/or actions are similar, the stricter of the two shall take precedence. Public notification of the practices, measures, restrictions, and actions shall be provided by mail and one or more of the following methods - posting the information to the CIWS website, publishing the information in community newsletters, and/or printing information in other publications servicing the service boundaries of the CIWS.

a. **Prohibited Watering and Irrigating with Drip Irrigation Systems:** Watering outdoors for the purposes of irrigating landscape,

lawns, vegetated areas, and plant material with the use of a drip irrigation system is prohibited.

b. **Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions:** All users shall prevent, repair, and eliminate all leaks, breaks, and/or malfunctions of water served to their property, including but not limited to, water served through plumbing fixtures, indoor pipelines, outdoor pipelines, irrigation fixtures, irrigation controllers, and other water service equipment. All users shall repair leaks, breaks, and/or malfunctions when they are discovered, but not more than twenty-four (24) hours after receiving notice from the CIWS.

c. **Prohibited Washing of Motorized Vehicles and Non-Motorized Equipment:** Washing of any motorized vehicle or non-motorized equipment, including but not limited to automobiles, trucks, vans, buses, motorcycles, boats or other motorized and non-motorized equipment, is prohibited except when done at commercial car wash facilities.

**D. Violations:**

i. Any violation of the water use efficiency practices and/or water conservation measures set forth in Section 4 may be punished as an infraction as set forth in Section 1.08.070.A. of the City of Industry Municipal Code (“Code”). As the manager and operator of the City of Industry Waterworks System, the La Puente Valley County Water District (“District”) is authorized to implement and enforce the water use efficiency practices and water conservation measures set forth herein. Notwithstanding the penalties set forth in Section 1.08.070.A. of the Code, any violation thereof may result in warnings, penalties, and restrictions imposed by the District on behalf of the IPU, as set forth herein.

a. **First Violation:** Users will have the opportunity to work closely with representatives of the District to obtain useful information and material pertaining to appropriate water use efficiency practices and water conservation measures. The District may also issue a written door-hanger notification and cause it to be personally placed at the user’s address where the violation occurred.

b. **Second Violation:** Users who have already been provided information and material pertaining to appropriate water use efficiency practices and water conservation measures from a District representative within six months of a first violation will be issued a written warning outlining the need for action to implement appropriate corrective measures, and notifying the user of the penalties that may be imposed for any subsequent violations.

c. **Third Violation:** The District may issue a written door-hanger notification and cause it to be personally placed at the user’s address where the violation occurred, and also send a written letter by United States mail notifying the user of the repeat violation, and issue a citation fine in the amount of \$100.00 pursuant to Section 1.08.070.A.1. of the Code.

b. **Fourth Violation:** The District may issue a written door-hanger

notification and cause it to be personally placed at the user's address where the violation occurred, and also send a written letter by United States mail notifying the user of the repeat violation, and issue a citation fine in the amount of \$200.00 pursuant to Section 1.08.070.A.2. of the Code, and install a flow restricting device of two gallons per minute (2 gpm) capacity for services up to one and one-half inches (1.5") and comparatively sized restrictors for large service, on the user's service where the violation occurred, for a period of not less than 72 hours, if the violation has occurred within one year of a previous violation.

c. **Fifth and Subsequent Violations:** The District will provide the same notices and impose the same penalty measures as for the Fourth Violation, and may, at the discretion of the General Manager of the District, discontinue water service to that user at the premises at which the violation occurred, if the violation has occurred within one year of a previous violation.

**Section 5: Appeal.** Decisions made by the CIWS under the regulations set forth in this Resolution may be appealed by customers in accordance with the procedures set forth in Chapter 13.03.170 of the City's Municipal Code relating to the CIWS.

**Section 6:** Based on independent staff analysis and in accordance with the California Environmental Quality Act ("CEQA"), the Commission finds that these waters use efficiency practices and water conservation measures are exempt from CEQA per Section 15269 of the CEQA Guidelines, as the measures are being undertaken to prevent and mitigate an emergency. As set forth herein, the Governor has proclaimed a state of emergency for Los Angeles County due to drought conditions. The Commission therefore adopts the Notice of Exemption, and directs Staff to file same.

**Section 7: Severability.** The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

**Section 8: Effective Date.** That the Commission Secretary shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

**PASSED, APPROVED AND ADOPTED** by the Industry Public Utilities Commission at a special meeting held on December 21, 2021.

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Cory C. Moss, President

ATTEST:

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Julie Gutierrez-Robles, Secretary