

**FINANCE, LEGAL, AND ADMINISTRATION  
COMMITTEE MEETING  
OF THE BOARD OF DIRECTORS  
INLAND EMPIRE UTILITIES AGENCY\*  
AGENCY HEADQUARTERS, CHINO, CALIFORNIA  
WEDNESDAY, FEBRUARY 10, 2010  
11:00 A.M.**

*Or immediately following the  
Engineering, Operations, and Biosolids Management  
Committee Meeting*

**CALL TO ORDER**

**PUBLIC COMMENT**

Members of the public may address the Board on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) of Section 54954.2 of the Government Code. Those persons wishing to address the Board on any matter, whether or not it appears on the agenda, are requested to complete and submit to the Board Secretary a "Request to Speak" form which is available on the table in the Board Room. Comments will be limited to five minutes per speaker. Thank you.

**ADDITIONS TO THE AGENDA**

In accordance with Section 54954.2 of the Government Code (Brown Act), additions to the agenda require two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

**1. ACTION ITEMS**

**A. MINUTES**

The Committee will be asked to approve the Finance, Legal, and Administration Committee meeting minutes of January 13, 2010.

**B. ADOPTION OF RESOLUTION 2010-2-4 TO EXECUTE THE TERMINATION AGREEMENT FOR THE 1994 AND 2005 INTEREST SWAP AGREEMENTS**

It is recommended that the Committee/Board:

1. Approve the termination of the 1994 and 2005 Interest Swap Agreements based on the favorable termination value due to the Agency of approximately \$112,000; and
2. Adopt Resolution 2010-2-4, authorizing the Chief Executive Officer/General Manager to execute the Termination Agreement with Citibank, N.A. an affiliate of Citigroup Global Markets Inc, for the

termination of the 1994 and 2005 Swap Agreements, as long as the termination value results in positive cash flow to the Agency.

**C. NORTHWEST AREA RECYCLED WATER PROJECT FINANCING**

It is recommended that the Committee/Board:

1. Approve the combination of 2008A Revenue Bond proceeds and USBR Title XVI federal stimulus grant proceeds as the primary financing sources of the Northwest Area Recycled Water Projects; and
2. Approve the re-allocation of \$19.8 million of unexpended 2008A Revenue Bond proceeds from the Regional Capital Improvement (RC) Fund to the Recycled Water (WC) Fund.

**D. CHINO CREEK INTEGRATED PLAN AND CLEAN-UP CONTRACT AWARDS**

It is recommended that the Committee/Board:

1. Approve Reimbursement Agreement No. 4600000629 with Aerial Information Systems Inc. (AIS) to conduct a land use survey. The contract expires in March 2011, and has a budget amount not-to-exceed \$245,000; and
2. Authorize the Chief Executive Officer/General Manager to execute and issue said contracts and task orders.

**E. GREATER PRADO BASIN CLEAN-UP AND RESTORATION PROJECT CONTRACT AWARD**

It is recommended that the Committee/Board:

1. Approve Reimbursement Agreement No. 4600000628 with the Santa Ana Watershed Association (SAWA) for removal of invasive species and planting of native habitat along Mill Creek, Chino Creek, and Magnolia Channel in the Prado Basin. The agreement expires in March 2011, and has a budget not-to-exceed \$125,000; and
2. Authorize the Chief Executive Officer/General Manager to execute and issue said contracts and task orders.

**F. SALE OF ONE (1) NON-RECLAIMABLE WASTEWATER SYSTEM (NRWS) CAPACITY UNIT TO NIAGARA BOTTLING, L.L.C.**

It is recommended that the Committee/Board:

1. Approve the sale of one (1) NRWS capacity unit to Niagara Bottling, L.L.C. (Niagara II) for \$150,000; and
2. Authorize the Chief Executive Officer/General manager to execute the corresponding NRWS Capacity Right Agreement upon receiving their

payment.

**G. ADOPTION OF RESOLUTION NO. 2010-2-3, IMPLEMENTING AN UPDATED EMPLOYER-EMPLOYEE RELATION RESOLUTION**

It is recommended that the Committee/Board adopt Resolution No 2010-2-3, implementing an updated Employer-Employee Relation Resolution.

**2. INFORMATION ITEMS**

**A. TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR DECEMBER 2009 (WRITTEN)**

**B. FY 2009/10 SECOND QUARTER BUDGET VARIANCE AND PERFORMANCE GOALS UPDATES (WRITTEN)**

**C. WORKERS' COMPENSATION STATISTICAL INFORMATION (WRITTEN)**

**D. ACQUISITION OF NRWS CAPACITY FROM CSDLAC (WRITTEN)**

**E. SAP/ PROCUREMENT/ CONTRACT MANAGEMENT UPDATE (POWERPOINT)**

**3. COMMITTEE MEMBER COMMENTS**

**4. COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS**

**5. CLOSED SESSION**

**PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property: RP-5 Solids Handling Facility

Negotiating Parties: Environ Strategy Consultants, Inc and Onsite Power System, Inc.

Under Negotiation: Price and Terms of Lease

**6. ADJOURN**

\*A Municipal Water District

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Board Secretary (909-993-1736), 48 hours prior to the scheduled meeting so that the Agency can make reasonable arrangements.

Proofed by: \_\_\_\_\_

**DECLARATION OF POSTING**

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I, April Woodruff, Board Secretary of the Inland Empire Utilities Agency, A Municipal Water District, hereby certify that a copy of the agenda has been posted by 5:30 p.m. in the foyer at the Agency's main office, 6075 Kimball Avenue, Building A, Chino, CA on Thursday, February 4, 2010.

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April Woodruff