

MINUTES

**FINANCE, LEGAL, AND ADMINISTRATION
COMMITTEE MEETING
INLAND EMPIRE UTILITIES AGENCY*
AGENCY HEADQUARTERS, CHINO, CA
WEDNESDAY, MARCH 10, 2010
11:00 AM**

COMMITTEE MEMBERS PRESENT

Terry Catlin
Gene Koopman

STAFF PRESENT

Richard W. Atwater, Chief Executive Officer/General Manager
Tom Love, Executive Manager of Engineering
Patrick Shields, Executive Manager of Operations
Rosemary Alvarado, Supervising Contracts and Procurement Administrator
Kathleen Baxter, Supervising Contracts and Procurement Administrator
Chris Berch, Manager of Planning and Environmental Compliance
Parivash Dezham, Manager of Pre-Treatment & Source Control
Michael Chung, Manager of Fiscal Management
Craig Parker, Manager of Engineering
Christina Valencia, Manager of Financial Planning
April Woodruff, Board Secretary

OTHERS PRESENT

None

The meeting was called to order at 11:00 a.m. There were no public comments received or additions to the agenda.

ACTION ITEMS

The Committee:

- ◆ Approved the February 10, 2010, Finance, Legal, and Administration Committee meeting minutes.
- ◆ Recommended that the Board adopt Resolution No. 2010-3-2, implementing an updated Employer-Employee Relations Resolution of the Inland Empire Utilities Agency;

as a Consent Calendar Item on the March 17, 2010, Board meeting agenda.
- ◆ Recommended that the Board:
 1. Approve award of Contract No. 4600000648 for financial advisory services with Public Financial Management (PFM) for \$50,000, plus expenses up to \$2,000 for a not-to-exceed amount of \$52,000, in connection with the refinancing of the 1994 Revenue Bonds; and
 2. Authorize the Chief Executive Officer/General Manager to execute Contract No. 4600000648;

as a Consent Calendar Item on the March 17, 2010, Board meeting agenda.

◆ Recommended that the Board:

1. Approve the Amendment No. 3 to the CDA Joint Exercise Powers Agreement; and
2. Adopt Resolution No. 2010-3-3, approving the Amendment No. 3 to the CDA Joint Exercise of Powers Agreement;

as a Consent Calendar Item on the March 17, 2010, Board meeting agenda.

◆ Recommended that the Board:

1. Approve the temporary extension of the use of three (3) NRWS Capacity Unit for the City of Ontario Ion-Exchange (IX) Plant until June 30, 2010;
2. Allow the City of Ontario to purchase (3) NRWS capacity units at a total cost of \$450,000 prior to July 31, 2010; and
3. Authorize the Chief Executive Officer/General Manager to execute the NRWS Capacity Right Agreement for the City of Ontario IX Plant;

as a Consent Calendar Item on the March 17, 2010, Board meeting agenda.

◆ Recommended that the Board approve the purchase of replacement air diffusers in CCWRF and RP-5 aeration basins, for a not-to-exceed aggregate amount of \$250,000, including all taxes and freight charges;

as a Consent Calendar Item on the March 17, 2010, Board meeting agenda.

INFORMATION ITEMS

The following information items were presented, received, and filed by the Committee:

- ◆ Treasurer's Report of Financial Affairs for January
- ◆ FY 2010/11 Overview of the Draft Regional and Recycled Water Budgets

COMMITTEE MEMBER COMMENTS

Manager of Financial Planning, Christina Valencia provided an update on the March 9, 2010, Swap Termination transaction.

COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS

There were no Committee Member requests for future agenda items.

CLOSED SESSION

The Committee went into closed session at 11:25 a.m., A. **PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (1) Property: RP-5 Solids Handling Facility; Negotiating Parties: Environ Strategy Consultants, Inc. and Onsite Power System, Inc.; Under Negotiation: Price and Terms of Lease; (2) Property: RP-4 Wind Power; Negotiating Parties: Energy Alchemy and Johnson Controls; Under Negotiation: Price and Terms of Lease; (3) Property: RP-1 Fuel Cell; Negotiating Parties: Biofuels Energy, LLC, UTS/HDR/Filanc, and Otto H. Rosentreter Co.; Under Negotiation: Price and Terms of Lease.

The meeting resumed at 11:36 a.m. and General Counsel, Jean Cihigoyenette, stated that the below-mentioned matters were discussed in Closed Session, and the Committee recommended the following actions:

Regarding 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

Property: RP-4 Wind Power
Negotiating Parties: Energy Alchemy and Johnson Controls
Under Negotiation: Price and Terms of Lease

Property: RP-1 Fuel Cell
Negotiating Parties: Biofuels Energy, LLC, UTS/HDR/Filanc, and Otto H. Rosentreter Co.
Under Negotiation: Price and Terms of Lease

The Committee recommended no reportable action.

With no further business, the meeting adjourned at 11:37a.m.

Respectfully submitted,

April Woodruff
Board Secretary

*A Municipal Water District

APPROVED: APRIL 14, 2010