

COMMISSIONERS PRESENT

Karen Douglas, Chair

James D. Boyd, Vice Chair

Jeffrey D. Byron

Anthony Eggert

Robert Weisenmiller

STAFF PRESENT

Melissa Jones, Executive Director

Michael Levy, Chief Counsel

Paul Kramer, Chief Hearing Advisor

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1 P R O C E E D I N G S

2 MARCH 17, 2010

10:04 a.m.

3 CHAIRPERSON DOUGLAS: Good morning. Welcome to the
4 California Energy Commission Business Meeting of March 17th,
5 2010.

6 Please join me in the Pledge.

7 (Whereupon, the Pledge of Allegiance was
8 received in unison.)

9 CHAIRPERSON DOUGLAS: Commissioners, before we begin
10 with our first item, I would like to briefly introduce our new
11 Chief Counsel, Michael Levy, and at the same time -- Michael
12 is sitting there in the Chief Counsel's spot -- at the same
13 time, to take the opportunity to announce the appointment of
14 Paul Kramer as our new Chief Hearing Advisor. Paul is in the
15 room to present on the first item. Paul will replace Gary
16 Fay, who is retiring on April 1st. Paul joined the Commission
17 in 2001 as Staff Counsel, working on power plant siting cases
18 and advising Siting Compliance Unit. In 2006, he joined the
19 Hearing Office. Prior to starting at the Commission, Paul had
20 10 years of Environmental Law and Land Use experience as
21 Deputy County Counsel in San Bernardino and Yolo Counties.

22 Michael comes to us from the State Water Board and
23 served as General Counsel for the Los Angeles Regional Water
24 Quality Control Board. Please join me in welcoming Michael
25 and congratulating Paul Kramer on his new position. [Applause]

1 VICE CHAIR BOYD: Condolences will be tomorrow.

2 CHAIRPERSON DOUGLAS: You better believe it. Item
3 1. Canyon Power Plant Project, 07-AFC-9. Possible adoption
4 of the Presiding Member's Proposed Decision and Errata on the
5 Canyon Power Plant Project. Mr. Kramer.

6 MR. KRAMER: Good morning. This is a 200 megawatt
7 peaker power plant in the Northeast corner of the City of
8 Anaheim. The Committee issued its Presiding Member's Proposed
9 Decision on February 10, and the comment period closed this
10 past Friday. The only comments we received were informally
11 from the staff, some minor typo corrections, and a few
12 comments from the Applicant, all of which are incorporated in
13 the Errata that you should have received. And the Committee
14 recommends approval of the Application for Certification.

15 CHAIRPERSON DOUGLAS: Thank you. Can we hear from
16 the Applicant?

17 MR. GALATI: Scott Galati.

18 MR. SCIORTINO: Steve Sciortino, the Creative
19 Resource Planning Manager for the Public Utilities Department
20 for Anaheim.

21 MR. GALATI: Thank you very much for considering
22 this. We think that -- we have been here for a while working
23 on this project, but I think that we have got a successful
24 conclusion here, so we look forward to a positive vote,
25 thanks.

1 MR. SCIORTINO: And I also want to add my great
2 appreciation for the staff's effort in working with us. I
3 know it has been a bumpy road on a few occasions, but we feel
4 like we have worked very well with the staff, they have done
5 an excellent job, and we are looking forward to working with
6 them in the future on the compliance part of the program. But
7 we are pretty excited about this project and hope for
8 approval.

9 CHAIRPERSON DOUGLAS: Thank you. Can we hear from
10 staff now?

11 MS. DYER: Deborah Dyer, representing the staff.

12 MR. SOLARIO: Eric Solario, Project Manager.

13 MS. DYER: We, staff, have reviewed the Errata that
14 the Presiding Member published and we do not have any further
15 comments on that, or objections to the Errata.

16 CHAIRPERSON DOUGLAS: Thank you very much. Are
17 there comments or questions from Commissioners?

18 COMMISSIONER BYRON: Madam Chair, I was the
19 Presiding Member on this, in fact, I think I am the surviving
20 member on this committee, and I would just like to -- I have a
21 few remarks I would like to make, but I think it would be
22 appropriate to make them after I make the motion to approve.

23 VICE CHAIR BOYD: Did you?

24 COMMISSIONER BYRON: May I please make the motion to
25 approve Item 1, my proposed Presiding Member's determination

1 or decision on the Canyon Power Plant?

2 CHAIRPERSON DOUGLAS: Very well, we have --

3 VICE CHAIR BOYD: I will give you a second.

4 CHAIRPERSON DOUGLAS: -- a motion and a second.

5 Commissioner Byron.

6 COMMISSIONER BYRON: Madam Chair, I would go ahead
7 and call for the vote, and I will make my comments at the end.

8 CHAIRPERSON DOUGLAS: All in favor?

9 (Ayes.)

10 This project is approved. Commissioner Byron.

11 COMMISSIONER BYRON: Thank you. You know, we opened
12 this proceeding almost two years ago and maybe more, I am
13 sorry, I did not go back and check the date precisely. And
14 there were no real Intervenors or opposition to the project at
15 all, no significant public concerns were raised and, of
16 course, this is a Municipal project that was well conceived by
17 the City of Anaheim. I was concerned as to why it took two
18 years and, if you do not mind, gentlemen, I am just going to
19 take a few moments because these things reflect poorly on us
20 years from now, but there were a lot of issues associated with
21 getting the emission reduction credits, I believe, and there
22 were also some financial issues. But, in general, this
23 project, as I said, was very well conceived and put together.
24 Anaheim has done a very good job. We got a report from the
25 Municipal -- I guess it was CMUA puts that report out, it

1 summarizes all the energy efficiency programs, Anaheim is a
2 leader in that regard. Anaheim has also received a recent
3 award from the Department of Energy for implementing automated
4 meter, as well as meter data management systems. I came
5 across an excellent quotation from the Mayor of Anaheim with
6 regard to these metering systems, saying that, [quote] "With
7 these technologies, our customers will soon have the tools to
8 view their usage and have a direct role in conserving water
9 and energy." All in all, I think Anaheim has been an
10 exemplary publicly-owned utility, we are eager to see you
11 continue to make strides in energy efficiency and renewables.
12 But this also marks, perhaps, one of those -- the chance of
13 one of the last natural gas-fired power plants to be sited in
14 the South Coast Air Quality District if we do not, indeed,
15 change the rules or, indeed, technology comes to the rescue.
16 And we are quite concerned about that. I know the Chairman is
17 concerned, as well, and I understand that she is soliciting
18 input from others on the subject. So it is critical in this
19 regard. Even as we move towards 33 percent renewables, as I
20 recall, 100 minus 33 percent is still 67 percent, and we are
21 going to need firming capability for a lot of the renewables,
22 and that was one of the goals that was put forward by the
23 Applicant on this project. As I indicated, it is a well-
24 conceived project, I applaud your efforts -- I am sorry, I am
25 not saying that correctly -- I applaud all of your work in

1 what you have done here to accomplish this. My thanks to the
2 staff for their thorough and professional work under the
3 difficult circumstances in which we labor these days and, of
4 course, to our Chief Hearing Officer, Mr. Paul "O'Kramer,"
5 another reason to go out drinking tonight, I suppose, Mr.
6 Kramer, is to celebrate your advancement here at the
7 Commission. So, with that, Madam Chair, I guess -- it would
8 be appropriate perhaps at this time if the Applicant had
9 anything else they wanted to add.

10 MR. SCIORTINO: Well, I just really again want to
11 thank you. It has been a very eye-opening experience. We
12 have not built a project in Anaheim since the late '80s, and
13 this was a great opportunity, a learning curve for us, but the
14 asset itself, as Commissioner Byron has stated, is going to
15 help us for our summer peaking requirements. It will help us
16 with our reliability issues with the ISO. But we do have a
17 lot of intermittent renewables that we have on the books
18 already and that we will be planning in the future, so it will
19 serve as a good back-up capacity. I recognize that it is a
20 unique opportunity for us and the air permits were an issue,
21 we were able to actually find enough in the market to get
22 them, but that actually took a big chunk out of the timing
23 process, as Commissioner Byron alluded to. But it has been a
24 lot of fun for me. I have personally been involved with this
25 project since 2000 and trying to get it pushed internally for

1 that length of time. So I personally am very excited, the
2 Department is very excited, as well as the Mayor, himself.
3 So, again, we want to thank the help that we got from the
4 staff and it was a great process for us. Thank you.

5 CHAIRPERSON DOUGLAS: Well, thank you for your hard
6 work and sticking with the project over these years. And I
7 would very much like to join Commissioner Byron in thanking
8 staff for its hard work in moving this project forward under
9 the circumstances. You have done a great job and we
10 appreciate it.

11 VICE CHAIR BOYD: Madam Chair?

12 CHAIRPERSON DOUGLAS: Yes.

13 VICE CHAIR BOYD: I am afraid that Commissioner
14 "O'Byron" has forced me to say a couple of words. I voted for
15 the project, I support the project, and I join in the
16 compliments to the City. We need firming power for
17 renewables, but I want to continue to remind us not to get
18 swept away with the idea that simple cycle facilities are the
19 absolute best approach to all the firming power needs we will
20 have in the future. And I know this project is not predicated
21 on that, I am just seizing the opportunity to point out that
22 simple cycle plants are not as efficient in their use of
23 natural gas, and we must continually be concerned, or alert to
24 technology and the needs for firming power, and not get swept
25 up into any rush to simple cycle power plants as the solution

1 to that need. So there will be other plants in front of us,
2 perhaps not in the South Coast, and we will continue, as at
3 least this Commissioner will be quite concerned about the
4 efficiency of simple cycle plants vs. efficiency of some of
5 the new more quick start combined cycle gas turbines and what
6 have you. But, in any event, no reflection on this project,
7 this fits the niche and the need, and thus I supported it, but
8 I am just reminded that we face an uncertain future, and I do
9 not think this is the last gas plant we will see in total, or
10 perhaps the last one for a long time in the South Coast Air
11 Basin, but for one that was given some special legislative
12 dispensation. Enough said.

13 CHAIRPERSON DOUGLAS: Thank you, Commissioner Boyd.
14 Any other comments on this item? Seeing none, we will move on
15 to Item 2. City of Seaside. Possible approval of Agreement
16 023-09-ECE-ARRA for \$59,404 loan to the City of Seaside to
17 upgrade street lights with induction lighting, and replace a
18 40-year-old boiler. Ms. Castillo.

19 MS. CASTILLO: Good morning, Commissioners. My name
20 is Joji Castillo and I am with the Fuels and Transportation --

21 VICE CHAIR BOYD: Is your microphone on?

22 MS. CASTILLO: Oh, okay, let me start again. Good
23 morning, Commissioners. My name is Joji Castillo and I am
24 with the Fuels and Transportation Division. This is a loan
25 request from the City of Seaside for \$59,404. This loan will

1 be funded using ARRA funds, at an interest rate of 1 percent.
2 This loan will allow the city to do two types of projects,
3 first, the city will upgrade 37 of their street lights with
4 induction lighting; secondly, the city will replace the City
5 Hall's 44-year-old boiler with a higher efficiency model.
6 Their current boiler was original to the building when it was
7 first built in 1966, and the city really needs a new boiler
8 for the City Hall. As a side note, this loan project is only
9 a part of a bigger project at the City of Seaside. The City
10 has submitted an application to receive up to \$185,293 in ARRA
11 block grant funds. Their block grant allocation will be used
12 to fund the retrofit of more street lights, traffic signals,
13 and parking lot lights. At this time, however, I am only
14 seeking your approval for the loan request, which will fund
15 some street light retrofits and the boiler replacement
16 project. The street light and boiler project is estimated to
17 save the city 42,946 kilowatt hours and 2,380 Therms,
18 respectively, or an estimated total of \$8,511 per year. The
19 total project cost is estimated to be almost \$112,000, with
20 the city potentially receiving utility rebates of over \$4,500.
21 Almost \$48,000 of the total project costs will be funded by
22 the block grant. The remaining cost would be the loan amount
23 requested, which is \$59,404. Based on this loan amount,
24 payback is estimated at seven years. Annual greenhouse gases
25 reduced per year are estimated to be 53,924 pounds of carbon

1 dioxide. The City of Seaside has complied with all program
2 requirements, and I am seeking your approval for this loan
3 request. Thank you.

4 CHAIRPERSON DOUGLAS: Thank you, Ms. Castillo. I
5 like to see these examples of local governments using ECAA
6 loans to supplement block grant funds in order to do bigger
7 and presumably more cost-effective projects, so thank you for
8 that description and bringing this before us. Are there
9 questions? Commissioner Eggert.

10 COMMISSIONER EGGERT: Actually just a comment. We
11 had a meeting the other day with the Clinton Climate
12 Initiative, which has recently done an analysis of the
13 potential for street light savings across the state, and they
14 were suggesting that there is still a tremendous potential for
15 achieving those savings, and I think their estimate was
16 something on the order of 300 million kilowatt hours a year
17 potential savings, which, if my units are correct, is one-
18 tenth of a Rosenfeld, but anyways, so I guess I want to echo
19 the comments of the Chairman that these projects look quite
20 attractive. I did have a question; I was looking at the
21 payback assessment, which shows a 0.2 year payback based on
22 total project costs. I am wondering, it looks like it may be
23 incongruous with the estimated project cost and the savings.
24 Would you expand on that?

25 MS. CASTILLO: The 0.2?

1 COMMISSIONER EGGERT: Yeah.

2 MS. CASTILLO: That is only for the lighting. They
3 are only going to be funding like \$1,000 of the lighting
4 portion, and the rest will come from the block grant, so that
5 is why it is only 0.2.

6 COMMISSIONER EGGERT: Okay.

7 MS. CASTILLO: But if you combine the lighting and
8 the boiler, it is going to be seven years payback.

9 COMMISSIONER EGGERT: Okay, thank you.

10 CHAIRPERSON DOUGLAS: Do we have a motion?

11 COMMISSIONER EGGERT: I move the item.

12 COMMISSIONER BYRON: Second.

13 CHAIRPERSON DOUGLAS: All in favor?

14 (Ayes.)

15 The item is approved. Thank you.

16 Item 3. California Business Transportation and
17 Housing Agency. Possible approval of Contract 600-09-011 for
18 up to \$35 million with the California Business Transportation
19 and Housing Agency to provide loans to eligible clean energy
20 manufacturers and support services for the American Recovery
21 and Reinvestment Act Clean Energy Business Financing Program.
22 And before we begin this item, I would also like to read one
23 clarification into the record, which is that Contract 600-09-
24 011 is in the actual amount of \$1.6 million, and this is for
25 the purpose of reimbursing the Business Transportation and

1 Housing Agency for its costs in administering the program.
2 The up to \$35 million is the amount that is actually available
3 for the program as a whole, and so staff or our counsel can
4 speak to that, if needed. Mr. Rillera?

5 MR. RILLERA: Good morning, Chairman and
6 Commissioners. Larry Rillera with the Fuels and
7 Transportation Division. I am here to present on a contract
8 the Commission will have with the Business Transportation and
9 Housing Agency to deliver some federal economic stimulus funds
10 and support for the Clean Energy Business Financing Program
11 that the Commission approved February 10th Guidelines for. And
12 staff seeks your approval for this contract, this item.

13 CHAIRPERSON DOUGLAS: Questions? I have a brief
14 comment. I have been very interested in this program and
15 excited about this program, and actually just this morning I
16 was at a Green California Conference speaking to a very
17 interesting mix of investors and businesses, venture
18 capitalists, and non-profits, who are very active in the green
19 technology sector. California has been a tremendous leader
20 for decades in the development and implementation of clean
21 energy policies. We have put a significant amount of state
22 money into supporting research and development and testing in
23 sort of small scale deployment of these technologies. We
24 attract tremendous amounts of venture capital money from all
25 over the nation, and even international money into California,

1 and we have done, as a state, a very good job of maintaining a
2 thriving basis of innovation at universities, at private
3 research centers, at companies, that has been a very important
4 part of our economy, and we have been very good at the
5 deployment side, we have got the Million Solar Roofs Program,
6 we at the Energy Commission have fostered through energy
7 efficiency standards on buildings, through standards on
8 appliances, through programs for retrofits at the PUC, through
9 utility programs, I mean, we have done a tremendous job in the
10 state of promoting energy efficiency, we have saved a lot of
11 money in consumer bills over the time that we have been
12 working on these programs. And the real niche that this
13 program tries to hit is what happens between the development
14 of the technology and the deployment, which is the
15 manufacture, and California does have a manufacturing base --
16 it once had a tremendous manufacturing base, and that base is
17 dwindling, but it is not gone, and there is interest
18 particularly in these knowledge-intensive sectors where
19 California has shown so much leadership in expanding,
20 retooling, and looking at manufacture of certain types of
21 green technologies. I heard that interest expressed this
22 morning after I spoke, before I spoke, by other speakers. We
23 have heard it expressed over time in the development of this
24 program, and also in the development of a parallel program
25 through AB 118, fuels and transportation dollars. So these

1 are loans, not grants, they are low interest loans. We are
2 targeting loans in part because we have learned that access to
3 financing is a really significant barrier right now to
4 investments that folks are really ready to make. So this is a
5 new area for the Energy Commission. It builds on some of the
6 work force training work that has gone out, which was done in
7 partnership with EDD and ETP, the state agencies who really
8 focused on work force training. That has been an
9 extraordinarily successful partnership. I am excited about
10 the partnership with Business Transportation and Housing, as
11 well, and with the financial development corporations that we
12 will be working with. So I think this is an exciting step for
13 the Energy Commission, it is also a new direction for the
14 Energy Commission. I think we will have a lot to learn from
15 this program, and we will want to watch it closely, but I am
16 personally very pleased that we have been able to allocate a
17 portion of the ARRA money to going into this area.

18 COMMISSIONER EGGERT: Chairman, maybe just to add
19 real quickly to that, I think having come into this project, I
20 guess, sort of mid-stride, it has been quite remarkable how
21 quickly this has come together. You know, I think the staff
22 has done a remarkable job of staying on track and on schedule.
23 I note that the final loan guidance documents, the data is
24 coincident with Earth Day, which hopefully we can sustain that
25 schedule, which I think will be a nice compliment to the Earth

1 Day activities to launch this really innovative initiative,
2 and hopefully we might expect that we will have quite a number
3 of willing applicants lining up to be recipients of this, to
4 really sort of boost that activity within the state. So, I
5 agree, this is a great program and I am really excited to see
6 how it develops.

7 COMMISSIONER BYRON: Madam Chair, I note that the
8 kick-off meeting with BTH and the -- I am sorry, the FDC's,
9 the Financial Development Corporations, is tomorrow. So I
10 know you are proceeding quickly, as Commissioner Eggert said,
11 but we also have -- you know, these ARRA funds equate with
12 jobs and there is an urgency about getting these in place as
13 soon as possible, as you know. I know there are a lot of
14 challenges with contracting in the state. Can you give me a
15 sense of why this is taking the amount of time it has for us
16 to get to this point?

17 MR. RILLERA: There has been considerable discussion
18 not just on the policy side, but looking for program
19 implementation partners, as well, that could help us on the
20 front end in crafting the design and outreach to the clean
21 energy manufacturers, if you will, and then to go through the
22 conversations, absent staff, with Business, Transportation and
23 Housing Agency, who just came aboard in January to bring this
24 to its full light of implementation has taken a little bit of
25 time. This is also new to the FDC's, they have done

1 considerable lending practice, but with respect to state
2 programs, and especially a unique and new one, it has also
3 taken a little bit of time to help get off, as well.

4 MR. DOUGHTON: Yeah, if I could elaborate on that,
5 this is an innovative program from all aspects, as I see it,
6 including legal aspects, so I think staff has been doing a
7 very creditable job in trying to -- in actually tackling these
8 new issues of first impression and creating solutions where
9 there have not been any before, to make innovative programs go
10 forward, despite the web of federal, state, and local laws and
11 other hoops that have to be jumped through. So it is a lot to
12 do and I think, actually, it has been fairly expedited, given
13 all those hoops.

14 MR. RILLERA: The other thing I would add,
15 Commissioner, if I could, is that this has all been sort of in
16 a gestational program development. There has been
17 considerable outreach and marketing with the companies and
18 businesses to gin up this opportunity, which has been part of
19 the course of the development in the last half year, as well.

20 COMMISSIONER BYRON: Well, thank you. I know, Madam
21 Chair, you have been subject to some questions in this regard
22 in recent days. I wanted to make sure we gave the staff an
23 opportunity to answer the question. Thank you.

24 MR. RILLERA: Thank you.

25 COMMISSIONER EGGERT: I will move the item, unless

1 there is further comment.

2 VICE CHAIR BOYD: Second.

3 CHAIRPERSON DOUGLAS: All in favor?

4 (Ayes.)

5 The item is approved. Thank you very much.

6 Item 4. Minutes. Approval of the March 10th, 2010
7 Business Meeting Minutes.

8 VICE CHAIR BOYD: Move approval.

9 COMMISSIONER BYRON: Second.

10 COMMISSIONER EGGERT: Abstain.

11 CHAIRPERSON DOUGLAS: All in favor?

12 (Ayes.)

13 Commissioner Eggert abstaining.

14 Item 5. Commission Committee Presentations and
15 Discussion. Is there any Committee discussion or Commissioner
16 discussion at this point?

17 VICE CHAIR BOYD: I have one item. Yesterday I
18 represented the Commission at the Green California Summit, but
19 at the Leadership Awards component of that activity, and the
20 Energy Commission was a co-recipient of one of eight awards
21 that were given out yesterday in various categories.
22 Interestingly enough, our award was in the waste management
23 category, not necessarily the energy innovation category. In
24 any event, the California Energy Commission and Gill's Onions
25 received this award. This Gill's Onions is a California

1 company that our PIER staff worked with for quite some time in
2 innovating new technology to ultimately process this organic
3 material in a way that biomethane was produced, that
4 biomethane in turn is utilized in a fuel cell to provide part
5 of the electric load for their processing operations. And
6 that activity was recognized as very significant, let's just
7 say, and unique, and so the Energy Commission along with the
8 company were acknowledged yesterday at an awards ceremony that
9 was overseen by CAEPA Secretary Linda Adams and
10 representatives of the Green Summit. So I was very pleased to
11 participate and accept on the part of the Energy Commission,
12 perhaps the bioenergy freak, I was afforded that opportunity.
13 And this is a little bit novel, I learned a lot about onions
14 in the process of this project. Onions are apparently perhaps
15 the most difficult organic material to deal with because of
16 the incredible amount of sulfur that they yield in said
17 processing, and our PIER staff pursued this with vigor with
18 the idea that, if they could solve this technical problem, it
19 might demonstrate to others who have waste products that would
20 be easier to work with that, indeed, there are approaches. So
21 here is a research that gambled and won, and I think probably
22 deserves to be on our laundry list of successes when we had to
23 prove to others that good things happen from the research
24 efforts of this organization.

25 One last comment. The Energy Innovation Award went

1 to the California Franchise Tax Board for some very
2 interesting work on their new facilities utilizing chillers
3 and technologies that were developed by Lawrence Berkeley
4 Laboratory and Franchise Tax got the credit, Lawrence Berkeley
5 Laboratory was referenced, however, our staff sitting in the
6 audience pointed out to me that we paid for that. It was our
7 work with the Lawrence Berkeley Laboratory that facilitated
8 this technology, so, in a way, in a silent way, we also were
9 part of the Energy Innovation Award. Next time I see the new
10 Secretary of Consumer Affairs, Mr. Leonard, who was there
11 yesterday in his new capacity to help give the award, the
12 Franchise Tax Board, I will remind him of the value served by
13 this agency in that area. I have known Bill Leonard forever
14 and ever and ever, and interesting, he was very instrumental
15 in the evolution of cleaner burning transportation fuel in the
16 state with his legislation years ago, attempting to mandate
17 Methanol, that led to many hearings in this room, that led to
18 cleaner burning gasoline. In any event, enough said.

19 CHAIRPERSON DOUGLAS: Thank you, Commissioner Boyd.
20 And thanks for being there on behalf of the Commission to
21 accept this award.

22 Item 6. Is there a Chief Counsel's Report?

23 MR. LEVY: Other than telling the Commission that I
24 am thoroughly delighted to be here and looking forward to
25 working with you over the next many years, we have nothing to

1 report.

2 CHAIRPERSON DOUGLAS: Thank you.

3 Item 7. Executive Director's Report.

4 MS. JONES: Well, the only thing I was going to
5 report on was the Green California Leadership Award, and
6 Commissioner Boyd covered that for us, so that is it. Thank
7 you.

8 CHAIRPERSON DOUGLAS: Very good.

9 Item 8. Public Advisor's Report.

10 MS. JENNINGS: I have nothing to report, thank you.

11 CHAIRPERSON DOUGLAS: Item 9. Is there any public
12 comment? At 11:00, we will move into Executive Session to
13 talk about a personnel item, and with that, we are adjourned
14 from this meeting. Thank you.

15 (Whereupon, at 10:36 a.m., the business meeting was
16 adjourned.)

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REPORTER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF,

I have hereunto set my hand this 23rd day of March, 2010.

A handwritten signature in black ink, appearing to read "Kent Odell", is written over a horizontal line.

Kent Odell
CER**00548