

MINUTES  
REGULAR MEETING OF THE  
BOARD OF DIRECTORS  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
JULY 11, 1995

41473 The Board of Directors of The Metropolitan Water District of Southern California met in Regular Meeting on the third floor of the building located at 350 South Grand Avenue in the City of Los Angeles, State of California, on Tuesday, July 11, 1995.

The Meeting was called to order by Chairman Foley at 12:41 p.m.

41474 The Meeting was opened with an invocation by Director Kenneth H. Witt.

41475 The Pledge of Allegiance to the Flag was given, led by Director Phillip J. Pace.

In the absence of Board Secretary Murph, Chairman Foley designated Vice Chairman Barker as Secretary Pro Tem.

Secretary Pro Tem Barker called the roll. Those answering present were: Directors Alario, Bannister, Barker, Blake, Brick, Capobianco, Fellow, Foley, Frahm, Gambrell, Green, Griffen, Harry, Hawkins, Hill, Huntley, King, Krauel, Krieger, Little, Luddy, Mason, McCauley, McMurray, Meyer, Miller, Milne, Moret, Morris, Mylne, O'Neil, Pace, Pak, Parker, Peterson, Rez, Troxel, Watton, Wein, Witt, and Wright.

Those not answering were: Directors Brandt, Gilbert, Grandsen, Handelman, Ibbetson, Morse, Murph, Reed, Webster, and Wysbeek.

The Chair declared a quorum present.

41476 Chairman Foley inquired if there were any additions to the agenda. There being none, the Chair declared only those matters listed on the agenda would be considered.

41477 Chairman Foley invited members of the public to address the Board on matters within the Board's jurisdiction. No member of the public responded.

41478 There being no objection, the Chair ordered the reading of the Minutes of May 9, 1995, dispensed with, copies having been mailed to all Directors.

Vice Chairman Blake moved, seconded by Director Hawkins and carried, approving the foregoing Minutes as mailed.

41479 Chairman Foley presented a Commendatory Resolution to former Director Leonis C. Malburg who had represented Central Basin Municipal Water District from July 8, 1986, to May 9, 1995.

41480 Vice Chairman Frahm moved, seconded by Vice Chairman Blake and carried, authorizing the preparation of a Commendatory Resolution for former Director Larry L. Stamper, who represented the City of Burbank since July 9, 1991.

41481 Vice Chairman Blake moved, seconded by Vice Chairman Miller and carried, granting the request of Vice Chairman Charles D. Barker for a sixty-day leave of absence commencing July 14, 1995.

41482 Chairman Foley reported that the Special Committee on Department Head Compensation conducted an evaluation of the performance of each of the Department Heads and moved the committee's recommendations as set forth in his letter dated June 27, 1995, as follows:

1. An incentive payment of \$10,980 for the General Manager;
2. An incentive payment of \$9,863 for the General Counsel; and
3. During the interim period while a study of the Auditor's responsibilities is being conducted, an option be granted to the Auditor, where he may elect to use a District vehicle or receive an allowance of \$600 per month.

The motion was seconded by Vice Chairman Blake.

Director Watton stated before each Director is a copy of his letter of July 11, 1995, outlining the position of

the San Diego County Water Authority on the Department Head Compensation issue, and requested this matter be deferred. Chairman Foley explained the process and the criteria used by the Special Committee in making its determinations.

The Chair called for a vote on the motion. The motion was voted upon and carried.

Directors Frahm, Griffen, Hill, Krauel, Mason, McCauley, Parker, and Watton requested to be recorded as voting no.

**41483** Vice Chairman Frahm moved, seconded by Vice Chairman Blake and carried, amending Administrative Code Section 2591 to increase the Bay/Delta Political Advisory Committee from eight to eleven members, selected at large by the Chairman of the Board, as recommended in Board Chairman Foley's letter dated June 26, 1995.

**41484** Chairman Foley announced he has appointed Director Troxel to the Special Committee on Water Quality and Environmental Compliance, replacing Director Brandt.

**41485** Executive Assistant for Strategic Policy Development Ivey reported that the City of Los Angeles has reaffirmed it remains fully committed in its support of Metropolitan's development of a headquarters building at Union Station.

**41486** Deputy General Manager Quinn advised there is nothing to report on the implementation of the Monterey Agreement revising the State Water Contract.

**41487** The Board viewed the video report by Chief of Operations Means showing the repairs to the Santa Monica Feeder, a portion of the Total Dissolved Solids Workshop, and reporting on the annual conversion to free-chlorine expected to last through mid-July at which time chloramine treatment will resume.

Chief Financial Officer Becker gave a video tape report on Metropolitan's financial condition.

Chief of Planning and Resources Man gave a video tape report of the groundwater storage programs.

The Board viewed the video of Chief Engineer Snyder reporting on the progress of construction projects and the excavation work for the west dam of the Domenigoni Valley Reservoir Project.

Deputy General Manager Horne urged all Directors to attend the Bay/Delta Political Advisory Committee meeting on July 25, at 10:00 a.m., to plan the implementation phase for the ten Board approved principles in connection with the Bay/Delta program.

Deputy General Manager Quinn reported that Senate Bill 523, the Salinity Control Bill, is expected to be signed into law soon. With regard to the CVPIA, he advised that East Bay Municipal Utility District and Santa Clara Valley Water District have agreed to support the urban principles.

**41488** General Manager Wodraska highlighted some of the events in connection with the \$175 million bond sale, noting its success, and advising of the financial community's high esteem of Metropolitan.

**41489** General Counsel Taylor reported that RFPs for Special Bond Counsel and Bond Disclosure Counsel will be mailed by July 31, 1995, anticipating the Board to act on the selection at its November Meeting. In the case of Metropolitan v. Patton, the jury came in with a verdict \$13,000 under Metropolitan's final offer, he advised.

Director Morris moved, seconded by Vice Chairman Blake, and the Board approved the Consent Calendar Items, **M.I. 41490** through **M.I. 41494**, as follows:

**41490** Adopted **Resolution 8476** in the form transmitted with the General Manager's letter dated June 19, 1995, providing in substance that Metropolitan elects to be allocated that additional portion of revenue from taxes levied on redevelopment property which is attributable to either or both of the following: (1) any increase in Metropolitan's base year tax rate applied to incremental assessed value of project property; and (2) that portion of the increase in assessed valuation attributable to the annual inflation adjustment applied to the base year tax rate on the North Park Project, City of San Diego, said Resolution entitled:

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE METROPOLITAN  
WATER DISTRICT OF SOUTHERN CALIFORNIA ELECTING TO RECEIVE  
ALLOCATION OF TAXES PURSUANT TO PROVISIONS OF THE  
COMMUNITY REDEVELOPMENT LAW**

**41491** Accepted the Report on the Legal Department Management Study by Hildebrandt, Inc., and directed and authorized the General Counsel to proceed with the implementation thereof, including but not limited to

installation and roll out of new computer management systems, immediate filling of all staff vacancies, and initiation of client consultation program, as set forth in the General Counsel's letter dated June 27, 1995.

**41492** Adopted, by a unanimous vote representing more than the required two-thirds vote, **Resolution 8478** transmitted with the General Manager's letter dated June 22, 1995, declaring the necessity for the project and for the property described in Exhibits A and B attached thereto, and directing the General Counsel to commence condemnation proceedings in Riverside County to acquire the property, said Resolution entitled:

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
DIRECTING THE CONDEMNATION OF CERTAIN PROPERTY SITUATED  
IN RIVERSIDE COUNTY (DOMENIGONI VALLEY RESERVOIR PROJECT)**

**41493** Authorized the General Counsel to make a final offer in the eminent domain action titled Metropolitan Water District v. Elzie R. Folds, et al., Riverside County Superior Court Case No. 227229, to acquire Domenigoni Valley Project Parcel 144-1-257, as set forth in the General Counsel's confidential letter dated June 22, 1995.

**41494** Authorized the General Counsel to make a final offer in the eminent domain action titled Metropolitan Water District v. Johanna Dyt, et al., Riverside County Superior Court Case No. 232134, to acquire Domenigoni Valley Project Parcels 144-1-173 and -175, as set forth in the General Counsel's confidential letter dated June 20, 1995.

Director Peterson requested to be recorded as voting no.

**41495** Engineering and Operations Committee Chairman Miller moved, seconded by Organization and Personnel Committee Chairman Rez and carried, authorizing the General Manager to enter into an agreement with TECTONICS, not to exceed \$495,000, for architectural design assistance for the Henry J. Mills Filtration Plant Oxidation Retrofit Program, subject to the agreement being in form approved by the General Counsel, as set forth in the General Manager's letter dated June 27, 1995.

Director Milne requested to be recorded as voting no.

**41496** Chairman Foley reported Item 8-1, letter of the General Manager regarding Appropriation No. 703 for the Cryptosporidium Action Plan, has been deferred.

Director Morris moved, seconded by Director Hill, and the Board approved the Board Action Items, **M.I. 41497** through **M.I. 41504**, as follows:

**41497** Authorized (1) the General Manager to approve and undertake all work for the design, purchase of equipment, and construction of capital projects costing less than \$250,000 during fiscal year 1995-96; and (2) Appropriation No. 713 in the amount of \$3,000,000 from the Pay-As-You-Go Fund to expend budgeted funds to finance all estimated costs for the above, as set forth in the General Manager's letter dated June 27, 1995.

**41498** Authorized the General Manager to amend existing agreements and enter into new contracts with employment service agencies and consultants supplying temporary personnel in excess of the \$250,000 limitation, with an overall limitation in amounts paid of \$3,077,970 for the first half of fiscal year 1995-96, substantially in accordance with the terms outlined in the General Manager's letter dated June 19, 1995, subject to the agreements being in form approved by the General Counsel.

**41499** The Board (1) certified that it has considered the information contained in the Northeast Community Specific Plan Environmental Impact Report, Northeast Industrial Area Environmental Impact Report 83-2, and Mitigated Negative Declaration 92-28 prior to reaching a decision on the project; (2) found that the changes or alterations to the project to avoid or substantially lessen the significant environmental effects are within the responsibility and jurisdiction of another public agency; and (3) adopted **Resolution 8477** transmitted with the General Manager's letter dated June 16, 1995, granting Calleguas Municipal Water District's request for consent to the concurrent annexation of Annexation No. 47 to Calleguas and Metropolitan, and established Metropolitan's terms and conditions for the annexation, including a cash payment of \$219,792.56 if completed by December 31, 1995, or at the then current rate if completed during the 1996 calendar year, said Resolution entitled:

RESOLUTION OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA CONSENTING TO THE ANNEXATION OF ANNEXATION NO. 47 UPON CONCURRENT ANNEXATION TO CALLEGUAS MUNICIPAL WATER DISTRICT AND FIXING THE TERMS AND CONDITIONS OF SAID ANNEXATION TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Vice Chairman Miller requested to be recorded as abstaining.

41500 Expressed its unqualified opposition to S. 605 (Dole) and H.R. 925 (Canady) -- Federal compensation for reduction in property value, as set forth in the General Counsel's letter dated June 20, 1995.

Vice Chairman Frahm requested to be recorded as abstaining.

41501 Authorized the voluntary acquisition, as set forth in the General Manager's confidential letter dated June 22, 1995, for the Domenigoni Valley Reservoir Project for the following listed parcels:

<u>MWD Parcel No.</u>	<u>Owner</u>
144-001-311	Jack and Gladys Ripley
144-001-313	Bill Showalter
144-001-315	Bradley Schu
144-001-317	Robert and Dorothy Macleish
144-001-319	Suzanne Bence
144-001-321	Glen and Marianne Richey

41502 Authorized the General Counsel to intervene in the Azusa Landfill closure litigation--San Gabriel Valley MWD v. BFI, Los Angeles County Superior Court Case No. 109182, as set forth in the confidential letter from the General Manager and the General Counsel dated June 19, 1995.

41503 Authorized the General Counsel, assisted by existing outside counsel, to intervene in San Joaquin Tributaries Association v. SWRCB, and to take any and all actions related thereto to protect Metropolitan's interests in its water supplies from the Bay/Delta system, as set forth in the General Counsel's letter dated June 27, 1995.

41504 The Board reviewed and approved the proposed principles for developing an urban position on amendments to the Central Valley Project Improvement Act; and authorized the General Manager to (1) continue discussions with urban,

environmental, and agricultural interests to develop an urban position based on these principles; and (2) pursue administrative and legislative actions to the extent they are consistent with these principles, as set forth in the General Manager's letter dated July 3, 1995.

**41505** The following listed communications were submitted for the information of the Board:

- a. Report of the General Manager on the operating data for the month of May, dated June 27, 1995.
- b. Report of the General Counsel on the activities of the Legal Department for the month of June, dated June 26, 1995.
- c. Letter of the General Manager dated July 6, 1995, transmitting the Monthly Financial Report for the month of May.
- d. Letter of the Auditor dated June 6, 1995, submitting the audited cash basis financial statements as of March 31, 1995.
- e. Letter of the General Manager dated June 26, 1995, reporting on accounting for overhead expense.
- f. Letter of the General Manager dated June 22, 1995, reporting on body-contact recreation at the Domenigoni Valley Reservoir Project.
- g. Letter of the General Counsel dated June 19, 1995 reporting on Requests for Proposals for Special Bond Counsel and Bond Disclosure Counsel.
- h. Letter of the General Manager dated June 27, 1995, submitting the Fourth Quarter Status Report on the Local Projects Program.
- i. Letter of the General Manager dated June 27, 1995, reporting on the approvals required for "The Agreement Relating to the Construction of a Concrete Lined Canal Parallel to the Existing All American Canal".
- j. Letter of the General Manager dated June 27, 1995, submitting an update on development of a long-term Bay/Delta Management Plan.



- k. Letter of the General Manager dated June 27, 1995, reporting on the Integrated Resources Plan Process.
- l. Letter of the General Manager dated June 27, 1995, submitting his proposed District Initiatives for 1995-96.
- m. Letter of the General Manager dated June 27, 1995, reporting on S. 854 (Lugar and Leahy) to amend the Food Security Act of 1985 to improve the Agricultural Resources Conservation Program.
- n. Letter of the General Manager dated June 15, 1995, reporting on the impact of rulemaking moratorium and regulatory reform legislation on the Oxidation Retrofit Program.

**41506** At 1:45 p.m., Director Krieger moved, seconded by Vice Chairman Blake and carried, adjourning the Meeting, without transaction of business to Tuesday, August 22, 1995, at 12:30 p.m.

  
CHAIRMAN

  
SECRETARY PRO TEM