

MINUTES  
REGULAR MEETING OF THE  
BOARD OF DIRECTORS  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
FEBRUARY 11, 1997

42253       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, February 11, 1997.

The Meeting was called to order by Chairman Foley at 12:48 p.m.

42254       The Meeting was opened with an invocation by Director Kenneth H. Witt.

42255       The Pledge of Allegiance to the Flag was given, led by Director Ted Grandsen.

42256       Secretary Murph called the roll. Those answering present were: Directors Abdo, Bannister, Barbosa, Barker, Blake, Brick, Castro, Dymally, Fellow, Foley, Frahm, Gilbert, Grandsen, Hawkins, Herman, Hill, Huntley, Ibbetson, King, Kosmont, Krauel, Krieger, Luddy, Mason, McCauley, McMurray, Meyer, Moret, Morris, Murph, Mylne, O'Neil, Owen, Pace, Parker, Peterson, Rez, Troxel, Watton, Webster, Wein, Witt, Wright, and Wysbeek.

Those not answering were: Directors Alario, Green, Griffen, Harry, Little, Miller, and Russell.

The Chair declared a quorum present.

42257 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. The Chair announced that, having been duly posted, information items 9-17 and 9-18 have been added to the agenda; the February 6, 1997, letters from the General Manager reporting on the urgent necessity contracts executed for the Live Oak Reservoir Pump Back Project and the Orange County Reservoir Cover Repair Project.

42258 Chairman Foley invited members of the public to address the Board on matters within the Board's jurisdiction.

Mr. Lou Pavlovich repeated his request made at the January Board Meeting for reconsideration of the terms of the acquisition of his property located in the area of the Eastside Reservoir Project.

Urging the implementation of ozonation for the treatment of water were:

Sandie Richards, Minister, Ocean Park Methodist Church  
in Santa Monica

Hywel Sims, Executive Director, Santa Monica Aids  
Project

42259 Chairman Foley announced that, due to circumstances beyond his control, Senate Republican Leader Rob Hurtt will not be addressing the Board today.

In recognition that, after more than thirty years of service, this is the last Board Meeting Director Howard H. Hawkins will be attending as a representative from Upper San Gabriel Valley Municipal Water District, the Chair invited him to the microphone. Following Director Hawkins' remarks of appreciation for the opportunity to serve and the distinct honor and privilege this service has meant to him, he received a standing ovation from the Board.

42260 There being no objection, the Chair ordered the reading of the Minutes of the Meeting held December 10, 1996, dispensed with, a copy having been mailed to each Director.

Director Witt moved, seconded by Director Blake and carried, approving the foregoing Minutes as mailed.

Directors Frahm and Watton withdrew from the Meeting at 1:02 p.m.

42261 The General Counsel's letter dated January 27, 1997, was presented, transmitting the credentials evidencing the appointment by Three Valleys Municipal Water District of Henry S. Barbosa as its representative on Metropolitan's Board for an indefinite term, replacing Bruce R.J. Milne.

General Counsel Taylor reported the credentials had been examined and found legally sufficient.

The Chair ordered the credentials, together with the General Counsel's letter, received and filed.

The Chair reported the Oath of Office had been administered to Mr. Barbosa, and ordered the Oath filed.

Following an introduction by Director Pace, Mr. Barbosa took his seat as a Director representing Three Valleys Municipal Water District.

42262 The General Counsel's letter dated January 27, 1997, was presented, transmitting the credentials evidencing the appointment by West Basin Municipal Water District of Mark S. Dymally as its representative on Metropolitan's Board for an indefinite term, replacing Bondie O. Gambrell.

General Counsel Taylor reported the credentials had been examined and found legally sufficient.

The Chair ordered the credentials, together with the General Counsel's letter, received and filed.

The Chair reported the Oath of Office had been administered to Mr. Dymally, and ordered the Oath filed.

Following an introduction by Vice Chairman Barker, Mr. Dymally took his seat as a Director representing West Basin Municipal Water District.

**42263** The General Counsel's letter dated February 3, 1997, was presented, transmitting the credentials evidencing the appointment by Central Basin Municipal Water District of Jorge G. Castro as its representative on Metropolitan's Board for an indefinite term, replacing Gary A. Morse.

General Counsel Taylor reported the credentials had been examined and found legally sufficient.

The Chair ordered the credentials, together with the General Counsel's letter, received and filed.

The Chair reported the Oath of Office had been administered to Mr. Castro, and ordered the Oath filed.

Following an introduction by Director Moret, Mr. Castro took his seat as a Director representing Central Basin Municipal Water District.

**42264** The General Counsel's letter dated January 27, 1997, was presented, transmitting the credentials evidencing the reappointment by the City of Beverly Hills of Dan Webster as its representative on Metropolitan's Board for a four-year term ending December 31, 2000.

General Counsel Taylor reported the credentials had been examined and found legally sufficient. The Chair ordered the credentials, together with the General Counsel's letter, received and filed. The Chair reported the Oath of Office had been administered to Director Webster, and ordered the Oath filed.

42265 The General Counsel's letter dated January 27, 1997, was presented, transmitting the credentials evidencing the reappointments by Municipal Water District of Orange County of Wesley M. Bannister, Jerry A. King, and Kenneth H. Witt as three of its representatives on Metropolitan's Board, each for a four-year term ending December 31, 2000.

General Counsel Taylor reported the credentials had been examined and found legally sufficient. The Chair ordered the credentials, together with the General Counsel's letter, received and filed. The Chair reported the Oaths of Office have been administered, and ordered the Oaths filed.

42266 Vice Chairman Barker moved, seconded by Director Blake and carried, approving the committee assignments recommended by the Executive Committee as follows:

Director Barbosa to the Legal and Claims and the Engineering and Operations Committees;

Director Castro to the Budget and Finance and the Organization and Personnel Committees;

Director Dymally to the Legal and Claims and the Engineering and Operations Committees;

Reassign Director Frahm from Legal and Claims to Legislation, and from Engineering and Operations to Budget and Finance;

Reassign Director Parker from Legislation to Engineering and Operations;

Reassign Director Abdo from Budget and Finance to Organization and Personnel;

Reassign Director Watton from Organization and Personnel to Budget and Finance;

Reassign Director Meyer from Organization and Personnel to Water Planning and Resources;

Reassign Director McMurray from Budget and Finance to Water Planning and Resources;

Reassign Director Huntley from Organization and Personnel to Budget and Finance;

Reassign Director Peterson from Legal and Claims to Budget and Finance;

Assign Director Alario to Legislation;

Assign Director Owen to Budget and Finance.

It was noted that Director Mylne has resigned from the Legal and Claims Committee.

42267 Vice Chairman Barker moved, seconded by Director Blake and carried, approving the appointments to the Special Nominating Committee, as recommended by the Executive Committee, of Director Fellow to a first two-year term and Directors Krieger and Rez to a second two-year term, each ending February 28, 1999.

42268 Director Pace moved, seconded by Director Hawkins and carried, granting the request of Director E. Thornton Ibbetson for a sixty-day leave of absence commencing February 17, 1997.

Director Luddy withdrew from the Meeting at 1:24 p.m.

42269 Chairman Foley reported the discussions with San Diego County Water Authority have progressed to the stage where there is reason to be optimistic about the outcome.

42270 Special Committee on Real Property Management Chairman King reported that concrete has been poured for the first floor of the Headquarters Building garage with construction continuing on schedule and within budget.

42271 General Manager Wodraska announced that a video of the presentation on Colorado River issues by Bureau of Reclamation Regional Director Robert Johnson before the February 10 Water Planning and Resources Committee will be distributed to all Directors within the week.

Director Hill withdrew from the Meeting at 1:28 p.m.

42272 By video, the Board received the following reports:

Chief Engineer Snyder reported that currently 30 construction projects are in progress totaling a combined amount of approximately \$1.1 billion. He advised two construction contracts were completed in January; the 220 million-gallon-per-day expansion at the Mills Filtration Plant, and the standby emergency power system at the Skinner Plant. Assistant Chief Engineer Wayne Bousley toured the site of the expansion at the Water Quality Laboratory.

Chief of Planning and Resources Man reported the benefits received to date through the Local Projects Program, focusing on the recycling plant built by the City of Glendale which will ultimately deliver approximately ten percent of its supply.

Chief Financial Officer Becker reported on Metropolitan's financial condition.

Chief of Operations Malinowski reported that it is expected the repairs to the hangar system for the oil collection drainage line in the Newhall Tunnel will be completed in a relatively short period of time thereby preventing a very serious incident. Mr. Malinowski described the flood conditions in Northern California and the extraordinary efforts being made to maintain the levees in the Delta. He reported that Metropolitan is providing assistance, both in equipment and staff, to those areas declared a disaster.

42273 General Manager Wodraska reported on his inspection tour of the flooded areas in Northern California and commended the staffs of the Department of Water Resources and the Corps of Engineers for their untiring efforts attempting to minimize some of the catastrophic effects of the floods. He advised that, in cooperation with the Red Cross, twelve of Metropolitan's employees are working at least twelve hours a day providing emergency relief. He stated a questionnaire will be distributed this week seeking input from Directors and staff on how aggressive should Metropolitan be in its business outreach efforts. He reported Metropolitan is joining the American Water Works Association in hosting the first Cryptosporidium Symposium on March 3 through March 5 in Newport Beach.

42274 General Counsel Taylor reported a validation proceeding has been filed in Superior Court in Los Angeles to validate the wheeling rates adopted by the Board at its January Meeting. In connection with the Monterey Accord, he advised that the Planning and Conservation League has filed an appeal with the California Supreme Court over its dismissal of the non-CEQA matters. With regard to the Brown Act, the Attorney General has written an opinion on meetings being conducted in compliance with the Brown Act, with which Metropolitan has and continues to comply, he said. He advised that \$36 million has been released to the Domenigoni family as a result of the refusal by the California Supreme Court to continue the stay.

Director Blake moved, seconded by Director Morris and carried, and the Board approved the Consent Calendar Items, M.I. 42275 through M.I. 42281, as follows:

42275 Amended Sections 5101 and 5114 of the Administrative Code as shown in Attachment A to the General Counsel's letter dated December 26, 1996, regarding delegation of investment authority.



42276 Adopted three Resolutions in the form attached to the General Manager's letter dated January 21, 1997, providing in substance that the District elects to be allocated that additional portion of revenue from taxes levied on redevelopment property which is attributable to any increase in the District's base year tax rate applied to incremental assessed value of project property:

- |                 |   |
|-----------------|---|
| Resolution 8526 | Central Industrial Redevelopment<br>Project Fourth Amendment, City of<br>Riverside, County of Riverside                                 |
| Resolution 8527 | Sycamore Canyon and Box Springs<br>Industrial Park Redevelopment Project<br>Second Amendment, City of Riverside,<br>County of Riverside |
| Resolution 8528 | San Diego Naval Training Center<br>Redevelopment Project, City of<br>San Diego, County of San Diego                                     |

each 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**

42277 Authorized the General Manager to amend Agreement No. 9202 with Westin Engineering, Inc., for design services for the installation of the supervisory control and data acquisition system for the Colorado River Aqueduct to increase the amount payable from \$210,000 to \$295,275, as set forth in the General Manager's letter dated January 27, 1997.

42278 Amended specified sections of Division IV of the Administrative Code as shown in Attachment A to the General Manager's letter dated January 27, 1997, relating to water service policies.

42279 Adopted, by a two-thirds vote, **Resolution 8529** attached to the General Counsel's letter dated January 21, 1997, declaring the necessity for the Eastside Reservoir Project and for the interests in the property described in Exhibits A and B attached to the foregoing letter, 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 (EASTSIDE RESERVOIR PROJECT)**

42280 Adopted, by a two-thirds vote, **Resolution 8530** attached to the General Counsel's letter dated January 21, 1997, declaring the necessity for the Inland Feeder Pipeline Project and for the property described in Exhibits A and B attached to the foregoing letter, 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 (INLAND FEEDER PROJECT)**

42281 Authorized the General Counsel to settle eminent domain action Metropolitan Water District v. Jeffery D. Whittenburg, et al., Riverside County Superior Court Case No. 290718, for the Inland Feeder Project, as set forth in the General Counsel's confidential letter dated January 21, 1997.

Director Mason requested to be recorded as voting no.

42282 Engineering and Operations Committee Vice Chairman Huntley moved, seconded by Director Wysbeek, that the Board (1) award a construction contract in the amount of \$311,546 to Mel Smith Electric in accordance with Specifications No. 1376 for the renovations to the La Verne Materials Test Facility; and upon execution of the contract, authorized the General Manager to reject all other bids; and (2) authorize No. 1 to Appropriation

No. 15278, an increase of \$435,000 to a total of \$575,000 from the Pay-As-You-Go Fund, to finance all costs for construction related to the above renovations, as set forth in the General Manager's letter dated January 21, 1997.

Director Hill returned to the Meeting at 2:00 p.m.

Director Moret expressed concern that Mel Smith Electric, the firm recommended for the award of the contract, has not met the MBE/WBE goals established by the Board. Director Pace suggested Metropolitan should offer assistance to subcontractors to enable them to become MBE/WBE certified.

Director Krauel withdrew from the Meeting at 2:05 p.m.

Director Parker offered a substitute motion, seconded by Director Castro and carried, deferring action on the award of the contract for one month.

Directors Dymally, Gilbert, and Rez withdrew from the Meeting at 2:09 p.m.

**42283** Chairman Foley announced that Agenda Item 8-3, the pilot agreement with the Department of Water Resources for opt-in planning for a State Water Project supply program as recommended in the General Manager's letter dated January 28, 1997, has been withdrawn.

**42284** Budget and Finance Committee Chairman Blake moved, seconded by Engineering and Operations Committee Vice Chairman Huntley and carried, authorizing (1) amendment to Agreement No. 4261 with San Bernardino County Museum to increase the maximum amount payable from \$1,452,000 to \$2,650,000, including expenses, to provide additional paleontological resource monitoring, recovery and curation services required during excavations for the East, West, and Saddle Dams and construction of the Eastside Pipeline for the Eastside Reservoir Project; and (2) No. 38 to Appropriation No. 15123, an increase of \$1,400,000 to a total of \$1,683,252,000 from the Commercial Paper Note Construction Fund, to finance the above services, as set forth in the General Manager's letter dated January 28, 1997.

Directors Mason and Wysbeek withdrew from the Meeting at 2:10 p.m.

**42285** Budget and Finance Committee Chairman Blake moved, seconded by Engineering and Operations Committee Vice Chairman Huntley and carried, authorizing (1) the General Manager to have all work performed for Phase Two of the Record Drawing Restoration Program, and to amend Agreement No. 8297 with the CorDax Corporation as anticipated by RFP No. 187 dated December 1995, to increase the maximum payable from \$150,000 to \$1,400,000, including expenses, to provide services for conversion of all selected original hard-copy record drawings to electronic files, subject to the amendment being in form approved by the General Counsel; and (2) No. 2 to Appropriation No. 15268, an increase of \$5,879,000 to a total of \$7,150,000 from the Pay-As-You-Go Fund, to finance all costs of Phase Two of the Record Drawing Restoration Program, as set forth in the General Manager's letter dated January 21, 1997.

Director Webster withdrew from the Meeting at 2:11 p.m.

**42286** Water Planning and Resources Committee Chairman Brick moved, seconded by Committee on Legislation Chairman Pace and carried, approving the proposed policy principles to guide staff's actions related to the Bay-Delta Ecosystem Roundtable, as set forth in the General Manager's letter dated January 28, 1997.

**42287** Committee on Legislation Chairman Pace moved, seconded by Water Planning and Resources Committee Chairman Brick and carried, and the Board adopted legislative policy principles for the following issues: Water Recycling; Growth Charges; Federal Endangered Species Act; CALFED Funding Appropriations and Budget Coordination for the Bay-Delta Estuary; Aquatic Toxicity Monitoring; Development of Geographic Information Systems; and Impact of Privatization on Water Quality Laboratories, as set forth in the General Manager's letter dated January 28, 1997.

Director Parker withdrew from the Meeting at 2:12 p.m.

42288 Organization and Personnel Committee Chairman Wein moved, seconded by Vice Chairman Barker and carried, approving (1) the employer-paid member contributions to the Public Employees' Retirement System for unrepresented managers be increased from 4 percent to 7 percent, effective February 23, 1997; and (2) the current salary structure for unrepresented managers be modified by expanding the salary ranges by 2.75 percent below the current bottom step and 2.75 percent above the top step; and that the new salary ranges for unrepresented managers no longer contain step increments as set forth in Administrative Code Section 6500, Hourly Pay Rate Schedule (see Attachment A to the General Manager's letter dated January 14, 1997.)

42289 Vice Chairman Barker moved, seconded by Director Blake and carried, approving the recommendation of the General Manager as set forth in his confidential letter dated January 28, 1997, regarding the status of the 1111 Sunset Boulevard property.

42290 Chairman Foley announced there is nothing to report on the status of the eminent domain action entitled Metropolitan Water District v. Domenigoni.

Director Parker returned to the Meeting at 2:14 p.m.

42291 Organization and Personnel Committee Chairman Wein moved, seconded by Director Blake and carried, granting the General Manager authority to establish a "Z" rate in order to compensate employees at pay rates outside of the ranges reflected in the established pay rate schedules in accordance with the language contained in Exhibit A attached to the General Manager's letter dated January 29, 1997, with such authority applying only to employees in classifications contained within the general and confidential bargaining units.

Directors Moret and Peterson withdrew from the Meeting at 2:15 p.m.

42292 Vice Chairman Barker moved, seconded by Director Blake and carried, and the Board adopted the modified guiding principles as described in the General Manager's letter dated January 28, 1997, to guide the oversight and administration of the District's business initiatives.

Director Herman withdrew from the Meeting at 2:16 p.m.

42293 Chairman Foley recognized David Czamanske, City of Pasadena resident, who pointed out that if jet and water skiing were authorized at the Eastside Reservoir Project, the gasoline powered vehicles could be a source of contamination and a health risk in addition to body contact. He further expressed concerns that those recreational activities could pollute the environment, such as an increase in the level of noise. He urged the Board to continue to adhere to Metropolitan's primary purpose as a source of a supplemental water supplier. Any activity that would increase costs to the ratepayer that is not Metropolitan's primary purpose should be avoided.

Vice Chairman Barker moved, seconded by Director Krieger and carried, and the Board adopted legislative policy principles regarding potential body-contact recreation activities at the main lake of the Eastside Reservoir Project as set forth in the General Manager's revised letter dated February 11, 1997, as follows:

- a. Metropolitan supports the development of significant recreation facilities and activities at the Eastside Reservoir Project.
- b. Body-contact activities shall not result in a significant adverse impact to the health and safety of water users and consumers and will not result in a significant degradation of secondary water quality standards (e.g., taste and odor).
- c. Body-contact uses of the reservoir shall not result in unreasonable costs to consumers or member agencies resulting from potential water treatment needs.

d. Body-contact activities on the reservoir shall not unreasonably impede the Eastside Reservoir Project's primary function as a domestic water supply reservoir.

e. Body-contact recreation activities at the Eastside Reservoir Project shall not result in significantly increased liability to Metropolitan.

f. Refrain from requesting exceptions to the Health & Safety Code until the recreation feasibility planning has been completed.

42294 The following listed communications were submitted for the information of the Board:

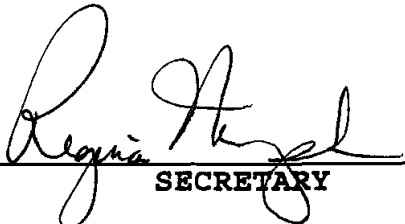
- a. Report of the General Manager on the operating data for the month of December, dated January 21, 1997.
- b. Report of the General Counsel on the activities of the Legal Department for the month of January, dated January 31, 1997.
- c. Report of the Auditor on the activities of the Audit Department for the month of January, dated January 28, 1997.
- d. Letter of the General Manager dated January 17, 1997, transmitting the Executive Financial Summary for the month of December.
- e. Letter of the General Manager dated January 21, 1997, submitting the quarterly report on changes in funding sources for capital program expenditures.
- f. Letter of the General Manager dated January 28, 1997, submitting the variance report for the quarter ending December 31, 1996.
- g. Letter of the General Manager dated January 21, 1997, reporting on the capital program variance ending December 1996.

- h. Letter of the General Manager dated January 28, 1997, submitting a status report on the Integrated Resources Plan.
- i. Letter of the General Manager dated January 28, 1997, reporting on the Conjunctive-Use Storage Program in the Raymond Basin.
- j. Letter of the General Manager dated January 28, 1997, reporting on efforts of the Bay-Delta Federal Funding Coalition.
- k. Letter of the General Manager and the General Counsel dated January 14, 1997, reporting on recent Federal Energy Regulatory Commission decisions regarding proposals for restructuring of California's electric utility industry.
- l. Letter of the General Manager dated January 15, 1997, reporting on Metropolitan's "Member and Sub-Agency First Annual Conference".
- m. Letter of the General Manager dated January 21, 1997, submitting the semiannual report on Equal Employment Opportunity.
- n. Letter of the General Manager dated January 28, 1997, submitting the quarterly project status report for the Eastside Reservoir Project--October through December 1996.
- o. Letter of the General Manager dated January 21, 1997, submitting the quarterly status report for the Inland Feeder Project--October through December 1996.
- p. Letter of the General Manager dated February 6, 1997, reporting on the notification of urgent necessity contract executed for the Live Oak Reservoir Pump Back Project.



- q. Letter of the General Manager dated February 6, 1997, reporting on the notification of urgent necessity contract executed for the Orange County Reservoir Cover Repair Project.

42295 There being no objection, Chairman Foley adjourned the Meeting at 2:21 p.m.

  
SECRETARY

  
CHAIRMAN