

**Adjourned Regular Meeting of the  
Board of Directors**

**November 16, 1999  
8:30 AM**

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MWD Headquarters Building • Board Room • 700 North Alameda Street • Los Angeles, CA 90012

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1. **Call to Order**
  - (a) Invocation: Director Wyatt L. Troxel
  - (b) Pledge of Allegiance, led by Director Joseph Parker
2. **Roll Call**
3. **Determination of a Quorum**
4. **Additions to Agenda** (As required by Gov. Code, § 54954.2(b))
5. **Opportunity for members of the public to address the Board on matters within the Board's jurisdiction.** (As required by Gov. Code, § 54954.3(a))
6. **OTHER MATTERS**
  - A. Approval of the Minutes of the Meetings held October 12, 15, and 18, 1999. (Copies have been mailed to each Director)  
  
Any additions, corrections, or omissions
  - B. Request for sixty-day leave of absence from Director James Rez, commencing November 9, 1999
  - C. Nomination and election of three nonofficer members of the Executive Committee for term ending December 31, 2001
  - D. Committee appointments. (Exec.)
  - E. Chairman's Monthly Activity Report

- F. Report on Colorado River matters, including negotiations to develop a California plan for river operations, settlement of the San Luis Rey water rights dispute and Salton Sea issues.  
**[Conference with Real Property Negotiators; Agency Negotiator: Paul Cunningham; Negotiating Parties: United States Department of the Interior, State of California, State of Nevada, State of Arizona, Palo Verde Irrigation District, Imperial Irrigation District, Coachella Valley Water District, Los Angeles Department of Water and Power, San Diego County Water Authority, Colorado River Indian Tribes Coalition, San Luis Rey Settlement Parties; Property: Water Rights, Colorado River Allocations; Under Negotiation: Price and Terms; to be heard in closed session pursuant to Gov. Code § 54956.8]**
- G. Discussion of Bay-Delta related issues; including progress on developing and implementing the CALFED program; potential litigation regarding the EIR/EIS regarding the CALFED program; the State Water Resources Control Board's Phase 8 hearings to allocate responsibility to meet Bay-Delta environmental obligations. (WP&R)  
**[Conference with Legal Counsel--(1) Existing Litigation; Parties: Water Right Holders in Bay-Delta Watershed; to be heard in closed session pursuant to Gov. Code § 54956.9(a); SWRCB Consideration of Alternatives to Implement Water Quality Objectives for the Bay-Delta Estuary and Related Matters; (2) Anticipated Litigation (one potential case); Parties: CALFED State and Federal Agencies; including California Resources Agency; Litigation to Challenge the EIR/EIS Certified by the CALFED Agencies Regarding the CALFED Program; to be heard in closed session pursuant to Gov. Code § 54956.9(c)]**
- H. General Manager's oral summary of District activities for the month of October
- I. General Counsel's oral summary of Legal Department activities for the month of October

7. **CONSENT CALENDAR ITEMS (Action)**

- 8-1 Authorize amendment to agreement with Geoscience Support Services, an increase of \$80,000, for litigation support in Metropolitan v. Hartford, United States District Court Case No. CV 99-03825-GHK (Mcx). (L&C)  
**[Conference with Legal Counsel--Existing Litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]**
- 8-2 Authorize entering into an agreement with the State of California Department of Transportation for reimbursement of costs incurred to protect a portion of the Rialto Feeder to accommodate road improvements. (E&O)

**Recommendation:**

**It is recommended that the General Manager be authorized to execute an amended or new agreement with Caltrans, substantially on the terms outlined in this letter, and in form approved by the General**

**Counsel, for the protection of approximately 500 linear feet of Metropolitan's 120-inch-inside-diameter Rialto Feeder pipeline.**

- 8-3** Certify review and consideration of the Negative Declaration for the Nondomestic Water System Development Project for Ladera Ranch and Talega Valley; and authorize entering into an agreement with Municipal Water District of Orange County and Santa Margarita Water District to implement the project. (WP&R)

**Recommendation:**

**Option #1:**

- A. Review and consider information provided in the project's Negative Declaration and adopt the lead agency's findings related to the project; and**
- B. Authorize the General Manager to execute a LRP agreement for this expansion project to provide incentive payments over 25 years that begin at \$214 per acre-foot and are incrementally reduced each year. The payment in year 25 would be \$78 per acre-foot.**

- 8-4** Certify review and consideration of the Negative Declaration for the Phase 4 Reclamation System Expansion Project; and authorize entering into an agreement with Municipal Water District of Orange County and Moulton Niguel Water District to implement the project. (WP&R)

**Recommendation:**

**Option 1:**

- A. Review and consider information provided in the project's Negative Declaration; and**
- B. Authorize the General Manager to execute a LRP agreement for this expansion project to provide incentive payments of \$154 per acre-foot over 20 years.**

- 8-5** Express support for The Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act (Costa-Machado Water Act of 2000). (C&L)

**Recommendation:**

**Option #1:**

**Support The Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act (Costa-Machado Act of 2000) on the March 2000 ballot.**

- 8-6** Grant conditional (informal) approval for Annexation No. 70 to Eastern Municipal Water District and Metropolitan; and adopt Resolution of Intent to impose water standby charges. (Exec.)

**Recommendation:**

**Option #1:**

- 1. Give conditional approval, as defined in Administrative Code 3100(b), for Annexation No. 70 concurrently to Metropolitan and Eastern, conditioned upon a cash payment to Metropolitan of the annexation charge of approximately \$32,441 if completed by December 31, 1999, or at the then current annexation charge rate if completed after December 31, 1999, subject to such terms and conditions as may be fixed by the Board in granting formal consent to such annexation when a request therefor has been received;**
- 2. Approve Attachment 2 Plan for Implementing Water Use Efficiency Guidelines for this proposed annexation; and**
- 3. Approve the form of resolution of intention to impose water standby charges at the rate of \$6.94 per acre or per parcel of less than one acre within the proposed annexation, substantially in the form of Attachment 3 to this letter.**

- 8-7** Adopt Resolution providing for changes in District contributions to medical plans maintained by Public Employees' Retirement System for the 2000 plan year. (Exec.)

**Recommendation:**

**It is recommended that in accordance with negotiated labor agreements with Metropolitan's four bargaining units that were approved previously by the Board that it adopt the attached resolution increasing Metropolitan's contributions to the medical plans maintained by the Public Employees' Retirement System for employees and annuitants in classifications represented by these units, said changes to be effective January 1, 2000 through December 31, 2000.**

- 8-8** Approve amendment to Administrative Code regarding membership of the Executive Committee. (Exec.)

**Recommendation:**

**Option #1:**

**Approve the amendment to Administrative Code Section 2410 set forth in Attachment 1, changing the temporary positions on the Executive Committee to permanent positions.**

**(END OF CONSENT CALENDAR)**

**8. OTHER BOARD ITEMS (Action)**

- 9-2 Authorize settlement of eminent domain action entitled The Metropolitan Water District of Southern California v. Shoemaker, et al., Riverside County Superior Court Case No. 315405, for the Inland Feeder Project. (L&C)  
**[Conference with Legal Counsel--Existing Litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]**
- 9-3 Report on appeal in Metropolitan Water District v. All Persons Interested, California Court of Appeal, Second District, Case No. B119968; and authorization to amend agreement with the law firm of Horvitz & Levy to revise the total amount payable. (L&C)  
**[Conference with Legal Counsel--Existing Litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]**

**9. BOARD INFORMATION ITEMS**

- 10-1** Status report for the Eastside Reservoir Project for the month ending September 1999. (E&O, B&F)  
**[Any discussion of claims will be heard in closed session. Conference with Legal Counsel--Significant Exposure to Litigation (two matters); to be heard in closed session pursuant to Gov. Code § 54956.9(b)]**
- 10-2** Review of status of the Inland Feeder Project and of alternatives to potential litigation. (E&O, B&F)  
**[Conference with Legal Counsel--Significant Exposure to Litigation (two matters); to be heard in closed session pursuant to Gov. Code § 54956.9(b)]**

**10. PENDING ITEMS**

- 11-1** Strategies for implementing groundwater storage programs within Metropolitan's service area. (WP&R)
- 11-2** Determination of water revenue requirements for fiscal year 2000-01. (B&F)

**11. REPORTS OF SPECIAL COMMITTEES**

**12. ADJOURNMENT**

NOTE: At the discretion of the Board, all items appearing on this agenda and all committee agendas, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

Each agenda item with a committee designation will be considered and a recommendation may be made by one or more committees prior to consideration and final action by the full Board of Directors. The committee designation appears in parenthesis at the end of the description of the agenda item e.g. (E&O, B&F). Committee agendas may be obtained from the Executive Secretary.