

**Regular Meeting of the Board of Directors**

**February 8, 2000**

**11:00 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 Betty H. Harris

**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))

Hon. Eluid Martinez, Commissioner, Bureau of Reclamation,  
U.S. Department of the Interior

**6. OTHER MATTERS**

- A. Approval of the Minutes of the Meeting held January 11, 2000. (A copy has been mailed to each Director)  
Any additions, corrections, or omissions
- B. Induction of new Director from Municipal Water District of Orange County
  - (a) Receive credentials
  - (b) Report on credentials by General Counsel
  - (c) File credentials

- (d) Administer Oath of Office
- (e) File Oath
- C. Presentation to past Board Vice Chairs and Committee Chairs
- D. Requests for sixty-day leaves of absence for Director Charles Barker, commencing January 24, 2000; and Director Gordon Tinker commencing February 29, 2000
- E. Report of Special Nominating Committee for nomination and election of Board Secretary
- F. Committee appointments. (Exec.)
- G. Report on the Strategic Plan
- H. Report from the Special Committee on Ethics  
Principles, rules, and process for development of Office of Ethics. (Exec.)  
**[To be mailed separately]**
- I. 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]**
- J. 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); (2) Initiation of Litigation (one potential case); -to be heard in closed session pursuant to Gov. Code § 54956.9(c)]**

- K. General Manager's oral summary of District activities for the month of January
- L. General Counsel's oral summary of Legal Department activities for the month of January

**7. ORAL REPORTS OF STANDING COMMITTEES**

- 7-1 Executive Committee (Phillip J. Pace, Chairman)
- 7-2 Budget and Finance (Wesley M. Bannister, Chairman)
- 7-3 Engineering and Operations (William G. Luddy, Chairman)
- 7-4 Legal and Claims (Gary A. Morse, Chairman)
- 7-5 Communications and Legislation (Glen D. Peterson, Chairman)
- 7-6 Water Planning and Resources (Langdon W. Owen, Chairman)

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

- 8-1** Authorize entering into an agreement with United Testing & Inspection, Inc. to provide supplemental technicians for testing and inspection of soils, concrete, asphalt and miscellaneous materials on Capital and Operations and Maintenance construction projects during the next three years. (E&O)

**Recommendation:**

**Option #1:**

**Authorize the General Manager to enter into a three-year agreement, in the amount not to exceed \$400,000 per year, with United Testing & Inspection, Inc. to provide supplemental technicians and inspectors in accordance with RFP 419. United has been selected through a competitive process under RFP 419.**

- 8-2** Authorize \$673,200 to finance capital projects costing less than \$250,000 during fiscal year 1999-00. (Appn. 15335, No. 2) (E&O)

**Recommendation:**

**Option #1:**

**Appropriate \$673,200 to a total of \$2,148,200 for the five additional proposed projects, costing less than \$250,000 each, for fiscal year 1999-2000, and determine that the proposed minor capital projects qualify for a Categorical Exemption pursuant to CEQA.**

- 8-3** Certify review and consideration of the Negative Declaration for the Rincon del Diablo Recycled Water Program; and authorize entering into an agreement with the San Diego County Water Authority and the Rincon del Diablo Municipal Water District to implement the program. (WP&R)

**Recommendation:**

**Option #1:**

- A. Review and consider information provided in the project's mitigated 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 project to provide incentive payments over 11 years that begin at \$250 per acre-foot and that incrementally decrease in subsequent years. The payment in year 11 would be \$15 per acre-foot.**

- 8-4** Authorize amendment of contract with Harkins Cunningham for an additional \$150,000 to complete negotiation for quantification issues for California's share of the Colorado River. (Exec.)

**Recommendation:**

**Option #1:**

**Authorize the General Counsel to amend the contract with Harkins Cunningham for an additional \$150,000 to complete negotiation of quantification issues for California's share of the Colorado river.**

- 8-5** Adopt Resolution to provide medical insurance coverage for domestic partners through Public Employees' Retirement System. (Exec.)

**Recommendation:**

**Option #1:**

**Approve Resolution amending Public Employees' Retirement System Contract to include domestic partnerships medical coverage.**

- 8-6** Grant conditional approval for Annexation No. 66 to Calleguas Municipal Water District and Metropolitan; and adopt Resolution of Intent to impose water standby charges. (Exec.)

**Recommendation:**

**Option #1:**

- A. Grant conditional approval, as defined in Administrative Code 3100(b), for Annexation No. 66 concurrently to Calleguas and Metropolitan, conditioned upon receipt in full of annexation charge payment of \$27,117.92 to Metropolitan if subject annexation is completed by December 31, 2000, or if completed after said date, at the then annexation current charge rate.**

- B. Subject to the approval of Option #1A, approve Calleguas' proposed Annexation No. 66 Plan for Implementing Water Use Efficiency Guidelines.**
- C. Subject to the approval of Option #1A and B, approve the resolution of intention to impose water standby charges within the proposed annexation territory, substantially in the form attached to the letter.**

**8-7** Authorize (1) \$1,484,000; and (2) the General Manager to award a contract not to exceed \$879,000, to provide consulting services for the enterprise server replacement project. (Appn. 15351) (Exec.)

**Recommendation:**

**Option #1:**

**Replace current Pyramid Nile enterprise servers. Authorize the General Manager to award a contract for design and migration consulting services in an amount not to exceed \$879,000. Hardware purchase or lease was previously authorized as part of the fiscal year 1999-2000 operating equipment budget.**

**8-8** Amend Administrative Code re membership of Vice Chairs on Standing and Special Committees. (Exec.)

**Recommendation:**

**Option #1:**

**Approve the amendment to Administrative Code section 2204 which will make the Vice Chairs ex officio members of standing and special committees.**

**(END OF CONSENT CALENDAR)**

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

**9-1** Certify review and consideration of the Negative Declaration for the Capistrano Valley Non-Domestic Water System Expansion Project; and authorize entering into an agreement with the Municipal Water District of Orange County and the Capistrano Valley 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 of \$150 per acre-foot over 25 years.**

- 9-2** Certify review and consideration of the Negative Declaration for the Encina Basin Water Reclamation Project--Phase 2 Expansion; and authorize entering into an agreement with the San Diego County Water Authority and the Carlsbad Municipal Water District to implement the project. (WP&R)

**Recommendation:**

**Option #1:**

- A. Review and consider information provided in the mitigated negative declaration and adopt the lead agency's findings related to the Phase 2 project; and**
- B. Authorize the General Manager to execute a LRP agreement that combines both Phases 1 and 2 of the Encina Basin Water Reclamation Project to provide incentive payments that begin at \$210 per acre-foot in fiscal year 2000-01 and are incrementally reduced in future years. The payment in fiscal year 2018-19 (last year) would be \$100 per acre-foot.**

- 9-3** Award a \$15,397,000 contract to Shea Construction, Inc., for construction of the Mentone Pipeline Segment of the Inland Feeder. (E&O)

**Recommendation:**

**Option #1:**

**Award a construction contract to the low bidder, Shea Construction, Inc. to perform the construction of the Mentone Pipeline of the Inland Feeder Project.**

- 9-4** Authorize settlement in Metropolitan Water District et al. v. Aera Energy et al., Orange County Superior Court Case No. 796705, facilitating transfer of 25 acres of wetlands in Bolsa Chica to the California State Lands Commission. (L&C) **[Conference with Legal Counsel--Existing Litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]**
- 9-5** Authorize proposed settlement of AWZ construction claims on the Diamond Valley Lake (Eastside Reservoir) Project. (L&C) **[Conference with Legal Counsel--Significant Exposure to Litigation (one matter); to be heard in closed session pursuant to Gov. Code § 54956.9(b)]**

**10. BOARD INFORMATION ITEMS**

- 10-1** Status report for the Diamond Valley Lake Project for the month ending December 1999. (E&O)  
**[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** Status report for the Inland Feeder Project for the month ending December 1999, and discussion of potential litigation. (E&O)  
**[Status report to be heard in open session. Discussion of potential litigation to 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)]**
- 10-3** Report on Diversity. (Exec.)
- 10-4** Metropolitan Initiatives 2000. (C&L, Exec.)
- 10-5** Dry weather and potential drought planning and preparedness activities for February 2000. (E&O, WP&R, C&L)
- 10-6** Integrating Metropolitan's seawater desalination activities. (WP&R)

**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.