

Regular Board Meeting

September 9, 2003

12:00 p.m. -- Board Room

Tuesday, September 9, 2003 Meeting Schedule		
7:30-8:15 a.m.	Rm. 2-413	Dirs. Computer Training
8:30 a.m.	Rm. 2-456	CO&L
10:00 a.m.	Rm. 2-145	ARE&IP
12:00 p.m.	Board Room	Board Meeting

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012

1. Call to Order

- (a) Invocation: Jose R. Sanchez, Jr., Program Manager
- (b) Pledge of Allegiance: Director Larry D. Dick

2. Roll Call

3. Determination of a Quorum

4. 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))

5. OTHER MATTERS

- A. Approval of the Minutes of the Meetings for April 22, August 12 and 19, 2003. (Copies have been mailed to each Director)
Any additions, corrections, or omissions
- B. Presentation of 15-year service pin to Director James H. Blake, representing the city of Fullerton
- C. Presentation of 15-year service pin to Director James M. Rez, representing the city of Glendale
- D. Committee assignments. (Exec.)

- E. Approve naming the West Dam at Diamond Valley Lake in honor of the late Director Don Owen. (Exec. 7/22)
- F. Chairman's Monthly Activity Report

6. DEPARTMENT HEADS' REPORTS

- A. Chief Executive Officer's Reports:
 - i. Oral report on Colorado River matters
[Conference with real property negotiators; property is Colorado River water rights; agency negotiators: Dennis Underwood and Jeffrey Kightlinger; negotiating parties: U.S. Department of the Interior, State of California, Imperial Irrigation District, Coachella Valley Water District and San Diego County Water Authority; under negotiation: price and terms of agreement; to be heard in closed session pursuant to Gov. Code § 54956.8]
 - ii. Oral report on Bay-Delta and State Water Project matters. (LC&P, WPQ&R)
 - iii. Chief Executive Officer's summary of Metropolitan's activities for the months of July and August
- B. General Counsel's summary of Legal Department activities for the month of August
- C. General Auditor's summary of activities for the months of July and August

7. ORAL REPORTS OF STANDING COMMITTEES

- 7-1 Executive Committee (Phillip J. Pace, Chair)
- 7-2 Asset, Real Estate and Infrastructure Policy (Glen D. Peterson, Chair)
- 7-3 Budget, Finance and Investment (Jorge G. Castro, Chair)
- 7-4 Communications, Outreach and Legislation (George I. Loveland, Chair)
- 7-5 Engineering and Operations (David D. De Jesus, Chair)
- 7-6 Legal, Claims and Personnel (Wesley M. Bannister, Chair)
- 7-7 Water Planning, Quality and Resources (Bill D. Wright, Chair)

8. CONSENT CALENDAR ITEMS — ACTION

- 8-1 Authorize \$1.85 million for the Colorado River Aqueduct – Real Property Recordation Program (Approp. 15413). (ARE&IP)

Recommendation:

Option #2:

Adopt the CEQA determination and appropriate \$1.85 million to record "official maps" based on original federal title documents to resolve California title issues and obtain title insurance.

- 8-2 Authorize entering into engineering services agreements and amending a consultant agreement in support of board-approved Capital Investment Plan programs. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Authorize the Chief Executive Officer to enter into the following consultant agreements:**

- **MWH Americas, Inc., five years, not to exceed \$2 million per year, for design support services**
- **RBF Consulting, five years, not to exceed \$1 million per year, for design support services**
- **Richard Brady & Associates, five years, not to exceed \$1 million per year, for design support services**
- **Helix Environmental Planning, Inc., three years, not to exceed \$500,000 per year, for environmental planning services**
- **MWH Americas, Inc., three years, not to exceed \$500,000 per year, for environmental planning services**
- **CH2M Hill, five years, not to exceed \$500,000 per year, for process engineering services; and**

- b. Authorize amending the professional services agreement with Carollo Engineers for a new not-to-exceed total of \$2.5 million for Weymouth ORP preliminary engineering design services.**

- 8-3 Adopt resolution on property taxes for a redevelopment project in Los Angeles County. (BF&I)

Recommendation:

Adopt the CEQA determination and resolution, providing in substance that Metropolitan elects to be allocated that additional portion of revenue from taxes levied on redevelopment property which is attributable to any increase in Metropolitan's base year tax rate applied to the incremental assessed value of the project property.

- 8-4 Approve amendment to increase professional services contract with the law firm of Latham & Watkins by the amount of \$150,000 for legal services in *Imperial Irrigation District v. United States*, U.S.D.C. No. 03 CV 0069 W (JFS). (LC&P)

Recommendation:

Option #1:

Adopt the CEQA determination and approve amendment to increase professional services contract with the law firm of Latham & Watkins by \$150,000.

- 8-5 Approve amendment to increase by \$300,000 the contract for legal services with Harkins Cunningham and report on Colorado River negotiations. (LC&P)
[Conference with real property negotiators; property is Colorado River water rights; agency negotiators: Dennis Underwood and Jeffrey Kightlinger; negotiating parties: U.S. Department of the Interior, State of California, Imperial Irrigation District, Coachella Valley Water District and San Diego County Water Authority; under negotiation: price and terms of agreement; to be heard in closed session pursuant to Gov. Code § 54956.8]

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the amendment of the contract with the law firm of Harkins Cunningham to increase the maximum compensation payable for \$300,000 to continue Colorado River settlement negotiations.

- 8-7 Authorize \$4.377 million in budgeted Capital Investment Program funds to establish an Enterprise Geographic Information System (Approp. 15376). (ARE&IP)

Recommendation:

Adopt the CEQA determination and
a. Appropriate \$4.377 million; and;
b. Authorize the expenditure of \$4.377 million to establish an Enterprise Geographic Information System.

- 8-8 Grant conditional approval for the 76th Fringe Area Annexation to Eastern Municipal Water District and Metropolitan; and adopt resolution of intention to impose water standby charge. (Exec. 8/26)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Grant conditional approval for the 76th Fringe Area Annexation, concurrently to Eastern and Metropolitan, conditioned upon receipt in full of annexation fee of \$25,065 to Metropolitan if completed by December 31, 2003, or if completed later, at the then current annexation charge rate, and compliance with those terms and conditions fixed upon final request for approval pursuant to Administrative Code § 3100 et seq.;
- b. Approve Eastern's proposed Plan for Implementing Water Use Efficiency Guidelines; and
- c. Adopt the Resolution of Intention to Impose Water Standby Charge within the proposed annexation territory, substantially in the form of Attachment 3 to the board letter.

- 8-9 Adopt final resolutions for annexation and to impose water standby charge for the 46th and 48th Fringe Areas Annexations to Western Municipal Water District and Metropolitan. (Exec. 8/26)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Adopt a resolution granting Western's request for approval of the 46th Fringe Area Annexation, concurrently to Metropolitan and Western, conditioned upon approval by the Riverside Local Agency Formation Commission, and establishing Metropolitan's terms and conditions for this annexation;
- b. Adopt a resolution granting Western's request for approval of the 48th Fringe Area Annexation, concurrently to Metropolitan and Western, conditioned upon approval by the Riverside Local Agency Formation Commission, and establishing Metropolitan's terms and conditions for this annexation; and
- c. Adopt resolutions to impose water standby charge at a rate of \$9.23 per acre or per parcel of less than one acre within the proposed annexations.

(END OF CONSENT CALENDAR)

9. OTHER BOARD ITEMS — ACTION

- 9-1 Authorize entering into an agreement with Psomas, in an amount not to exceed \$3 million, for environmental mitigation monitoring services for the Inland Feeder Program (Approp. 15122). (E&O)

Recommendation:

Adopt the CEQA determination and authorize entering into an agreement with Psomas in an amount not to exceed \$3 million for environmental mitigation monitoring services for the Inland Feeder Program.

- 9-2 Appropriate \$3.40 million and award a \$2.768 million construction contract to Royal Construction Corp. for the F. E. Weymouth – Renovation of the Softener Building Program (Approp. 15370). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$3.40 million in budgeted funds; and**
- b. Award a construction contract to Royal Construction Corp. in the amount of \$2.768 million for renovation of the existing Softener Building No. 3 at the Weymouth filtration plant.**

- 9-4 Appropriate \$1,049,020 and award a \$1,049,020 construction contract to L. D. Anderson, Inc., for construction of the North Hills segment of the Diamond Valley Trails Program (Approp. 15387). (ARE&IP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$1,049,020 in budgeted CIP funds; and**
- b. Award a construction contract to L. D. Anderson, Inc., in the amount of \$1,049,020 for construction of the North Hills trails segment at Diamond Valley Lake.**

- 9-5 Report on and request for funds re pending litigation on the Arrowhead East and Arrowhead West tunnel contracts; authorize amendment to contract for legal services with Hunt, Ortmann, Blasco, Palffy & Rossell to increase the compensation to a maximum of \$700,000; and authorize amendment to contract with forensic accountants Tucker Alan, Inc. to increase the compensation to a maximum of \$300,000. (LC&P)
[Conference with legal counsel—existing litigation (*Shank/Balfour Beatty, a Joint Venture vs. Metropolitan Water District of Southern California*, LASC Case Nos. BC283438 and BC283439); to be heard in closed session pursuant to Gov. Code § 54956.9(a)]

10. BOARD INFORMATION ITEMS

- 10-1 Status report for the Inland Feeder Program for activities through July 2003. (E&O, LC&P)
[Any discussion of litigation to be heard in closed session. Conference with legal counsel—existing litigation (*Shank/Balfour Beatty, a Joint Venture vs. Metropolitan Water District of Southern California*, LASC Case Nos. BC283438 and BC283439); to be heard in closed session pursuant to Gov. Code § 54956.9(a)]
- 10-2 Annual report of payment of claims for lost bonds or coupons. (BF&I)
- 10-3 Preliminary analysis of State Water Project calendar year 2004 Statement of Charges. (BF&I)

11. PENDING ITEMS

- 11-1 Approve use of funds over maximum reserve target. (BF&I)

12. REPORTS OF SPECIAL COMMITTEES

13. FUTURE AGENDA ITEMS

14. 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, BF&I). Committee agendas may be obtained from the Executive Secretary.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.