

**Regular Board Meeting**

**December 9, 2003**

**9:00 a.m. -- Board Room**

<b>Tuesday, December 9, 2003 Meeting Schedule</b>		
7:30-9:00 a.m.	Rm. 2-413	Dirs. Computer Training
9:00 a.m.*	Board Room	Board Meeting

\*Meetings will begin at the posted time, or upon the conclusion of the preceding meeting if the preceding meeting exceeds its scheduled time period.

---

**MWD Headquarters Building**

**• 700 N. Alameda Street**

**• Los Angeles, CA 90012**

---

**1. Call to Order**

- (a) Invocation: Conny B. McCormack, Registrar-Recorder/County Clerk,  
County of Los Angeles
- (b) Pledge of Allegiance: Director Gene Koopman

**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 September 23, November 11 and 18, 2003. (Copies have been mailed to each Director)  
Any additions, corrections, or omissions
- B. Committee assignments
- C. Chairman's Monthly Activity Report

## 6. DEPARTMENT HEADS' REPORTS

- A. Chief Executive Officer's Reports:
  - i. Oral report on Colorado River matters
  - 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 month of November
  - iv. Oral report on the State audit
- B. General Counsel's summary of Legal Department activities for the month of November
- C. General Auditor's summary of activities for the month of November

## 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 (James H. Blake, 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 \$1.47 million for the Diemer Oxidation Retrofit Program for design of two Capital Investment Plan projects; and amend a consulting agreement with RNL Design (Approp. 15389). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determinations and**

- a. Appropriate \$1.47 million in budgeted CIP funds;
- b. Authorize the Chief Executive Officer to have all work performed up to the award of competitively bid construction contract(s) for the Diemer Plant Maintenance Facility and Vehicle Maintenance Center; and
- c. Authorize amending the existing professional services agreement with RNL Design for a new not-to-exceed total of \$1.545 million for Diemer ORP final design services.

- 8-2** Appropriate \$170,000 and amend an agreement with Moffatt & Nichol Engineers to provide consulting services for design of a planned extension to the Diamond Valley Lake East Marina boat ramp (Approp. 15401). (ARE&IP)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. Appropriate \$170,000 and authorize final design of the ramp extension contingency plan for the Diamond Valley Lake East Marina; and
- b. Authorize an amendment of \$77,750 to an existing agreement with Moffatt & Nichol Engineers, for a new not-to-exceed total of \$1,127,250.

- 8-3** Approve amendments to Metropolitan's employee savings plans and Administrative Code. (BF&I)

**Recommendation:**

**Adopt the CEQA determination and approve the proposed amendments to the plans and Administrative Code.**

- 8-4** Authorize entering into an agreement with Applied Planning International, Inc. not to exceed \$452,000 for consulting services to upgrade Metropolitan's Maintenance Management System (Approps. 15408 and 15259). (ARE&IP)

**Recommendation:**

**Adopt the CEQA determination and authorize entering into an agreement with Applied Planning International, Inc., not to exceed \$452,000 for implementation services to upgrade Metropolitan's Maintenance Management System.**

- 8-6** Adopt final resolutions for annexation and to impose water standby charge for the 76th Fringe Area Annexation to Eastern Municipal Water District and Metropolitan. (Exec. 11/25)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. **Adopt a resolution granting Eastern's request for approval of 76th Fringe Area Annexation, concurrently to Metropolitan and Eastern, conditioned upon approval by the Local Agency Formation Commission of Riverside County, and establishing Metropolitan's terms and conditions for this annexation; and**
- b. **Adopt a resolution to impose water standby charge at a rate of \$6.94 per acre or per parcel of less than one acre within the proposed annexation.**

**(END OF CONSENT CALENDAR)**

**9. OTHER BOARD ITEMS — ACTION**

- 9-1** Authorize payments of State Water Project calendar year 2004 Statement of Charges. (BF&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and approve payments up to a total of \$544 million determined to be due and payable under the terms of the State Water Project and Devil Canyon/Castaic contracts for CY 2004.**

- 9-2** Request for funds re pending litigation on the Arrowhead East and Arrowhead West tunnel contracts; authorize amendment to contract for consultant services with Lemley & Associates California, Inc. to increase the compensation to a maximum of \$400,000. (LC&P)  
**[Conference with legal counsel—existing litigation (Shank/Balfour Beatty, a Joint Venture vs. Metropolitan Water District of Southern California, LASC Case No. BC283438 (consolidated with BC283439)); to be heard in closed session pursuant to Gov. Code § 54956.9(a)]**

- 9-3 Authorize settlement with Campus Crusade for Christ, Inc. of specified Inland Feeder Project matters, including that lawsuit denominated *The Metropolitan Water district of Southern California v. Campus Crusade for Christ, Inc., et al.*, San Bernardino Superior Court Case No. SCV 088016. (LC&P)  
**[Conference with attorneys—one pending and one potential case; to be heard in closed session pursuant to Gov. Code §§ 54956.9(a) and (c)]**
- 9-4 Authorize increased flexibility in purchasing temporary easements for the San Diego Pipeline No. 6 North Reach project. (ARE&IP)  
**[Conference with real property negotiators; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code § 54956.8. A list of Metropolitan's negotiators, the real properties which negotiations may concern, and the persons with whom the negotiators may negotiate is attached to the letter (Attachment 1) and to both the Committee's and Board's agendas]**

## 10. BOARD INFORMATION ITEMS

- 10-1** Status report for the Inland Feeder Program for activities through October 2003. (E&O)  
**[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 No. BC283438); to be heard in closed session pursuant to Gov. Code § 54956.9(a)]**

## 11. REPORTS OF SPECIAL COMMITTEES

## 12. FUTURE AGENDA ITEMS

## 13. 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.

PARCEL NUMBER	PROPERTY OWNER	PROPERTY APN NO.	PROPERTY SITUS
SDSIX1-19-120TEA1	MAIS, WILLIAM R.	943-220-002	39841 Anza Rd., Temecula, CA 92591
SDSIX1-18-100TEA1	WEST, LEONORA F.	951-140-016	34790 Madera DePlaya, Temecula, CA 92592
SDSIX1-17-300TEA1	SCHOEDL, KLAUS & NORMA R., TRUSTEES	951-270-001	34721 Madera DePlaya, Temecula, CA 92592
SDSIX1-17-290TEA1	DUVAL, ROBERT G. & DIANNE L.	951-270-002	41205 Anza Rd., Temecula, CA 92592
SDSIX1-17-280TEA1	SCHAFFER, JOHN A. & MARY L.	951-270-003	41297 Anza Rd., Temecula, CA 92592
SDSIX1-17-250TEA1	DOUGHTY, JOHN P. & LAURA L.	927-510-022	None
SDSIX1-17-240TEA1	BOLDT, JOHN N & TAMMIE L	951-270-006	None
SDSIX1-17-231TEA1	LINN, CHARLES B. & CHERYL	927-510-024	41599 Corte Azulejo, Temecula, CA 92592
SDSIX1-17-220TEA1	GROOMER, DENNIS & RACHEL	951-270-014,015	None
SDSIX1-17-200TEA1	WILKINSON, ARLENE	951-270-008	34972 Pauba Rd., Temecula, CA 92592
SDSIX1-17-180TEA1	MAKEPEACE, FRED G.	951-160-009	41685 Anza Rd., Temecula, CA 92592
SDSIX1-17-160TEA1	RASHWAN, GAMAL E.	951-160-010	41745 Anza Rd., Temecula, CA 92592
SDSIX1-17-101TEA1	LESLIE, THOMAS	951-160-014	41795 Anza Rd., Temecula, CA 92592
SDSIX1-17-100TEA1	WINE COUNTRY PROPERTIES, LLC	951-160-012	41855 Anza Rd., Temecula, CA 92592
SDSIX1-16-180TEA1	ROTELLINI, JUAN CARLOS TRUSTEE	951-170-009 & 026	None
SDSIX1-16-100TEA1	Classic Equities (Rancho 42)	951-220-002	None
SDSIX1-15-200TEA1	BARLOW, STEVE & MARIE A	951-230-005	34765 Linda Rosea Rd., Temecula, CA 92592
SDSIX1-15-190TEA1	CONDE, DONALD J & JULIE K	951-230-006	42950 Valentine Cir., Temecula, CA 92592
SDSIX1-15-170TEA1	COLARD, KEVIN & BARBARA	951-230-007	42976 Valentine Cir., Temecula, CA 92592
SDSIX1-15-150TEA1	FIROOZ, DAVID & JALEH	951-230-009	42760 India Pl., Temecula, CA 92592
SDSIX1-15-130TEA1	BAGHERZADEH, RAMIN	951-230-010	42780 India Pl., Temecula, CA 92592
SDSIX1-15-120TEA1	DELSON INVESTMENT COMPANY	927-100-045 & 047	42950 Anza Rd., Temecula, CA 92592
SDSIX1-15-100TEA1	MABEY, THELMA W. (Carla Bouchard)	951-230-013	None

## Metropolitan negotiators:

Guy Walters, Principal Real Estate Representative  
Virginia Garcia, Senior Real Estate Representative  
Angela Aldridge, Real Estate Representative