

Regular Board Meeting

February 10, 2004

12:30 p.m. -- Board Room

Tuesday, February 10, 2004 Meeting Schedule		
7:30-9:00 a.m.	Rm. 2-413	Dirs. Computer Training
9:00 a.m.*	Rm. 2-145	ARE&IP
10:30 a.m.*	Rm. 2-456	CO&L
12:30 p.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: (Guest)
- (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 Meeting for January 13, 2004. (A copy has been mailed to each Director)
Any additions, corrections, or omissions
- B. Induction of new Director, Isadore Hall III, from city of Compton
 - (a) Receive credentials
 - (b) Report on credentials by General Counsel
 - (c) File credentials
 - (d) Administer Oath of Office
 - (e) File Oath

- C. Presentation of five-year service pin to Director S. Dale Stanton, representing city of Anaheim
- D. Committee Assignments. (Exec.)
- E. 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 January
 - iv. Oral report on the State audit
- B. General Counsel's summary of Legal Department activities for the month of January
- C. General Auditor's summary of activities for the month of January

7. ORAL REPORTS OF STANDING COMMITTEES

- 7-1 Executive Committee (Phillip J. Pace, Chair)
- 7-2 Asset, Real Estate and Infrastructure Policy (Randy A. Record, Chair)
- 7-3 Budget, Finance and Investment (John M. Mylne, III, Chair)
- 7-4 Communications, Outreach and Legislation (Anthony R. Fellow, Chair)
- 7-5 Engineering and Operations (Bill D. Wright, Chair)
- 7-6 Legal, Claims and Personnel (David D. De Jesus, Chair)
- 7-7 Water Planning, Quality and Resources (William G. Luddy, Chair)

8. CONSENT CALENDAR ITEMS — ACTION

- 8-2** Appropriate \$681,000 and enter into agreement with The Gas Company to provide design and construction services for the installation of a gas distribution line in Domenigoni Parkway for Diamond Valley East Recreation Area (Approp. 15334). (ARE&IP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Appropriate \$681,000; and**
- b. **Authorize entering into an agreement with The Gas Company to design and construct a gas distribution line to the East Recreation Area.**

- 8-3** Adopt final resolutions for annexation and to impose water standby charge for the 75th Fringe Area Annexation to Eastern Municipal Water District and Metropolitan. (Exec. 1/27)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Adopt a resolution granting Eastern's request for approval of the 75th Fringe Area Annexation, concurrently to Metropolitan and Eastern, conditioned upon approval by the Riverside Local Agency Formation Commission, 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.**

- 8-4** Adopt final resolutions for annexation and to impose water standby charge for the 49th Fringe Area Annexation to Western Municipal Water District and Metropolitan. (Exec. 1/27)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Adopt a resolution granting Western's request for approval of the 49th 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**
- b. Adopt a resolution to impose water standby charge at a rate of \$9.23 per acre or per parcel of less than one acre within the proposed annexation.**

- 8-5** Adopt final resolutions for annexation and to impose water standby charge for Annexation No. 78 to Calleguas Municipal Water District and Metropolitan. (Exec. 1/27)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Adopt a resolution granting Calleguas' request for approval of Annexation No. 78, concurrently to Metropolitan and Calleguas, conditioned upon approval by the Ventura Local Agency Formation Commission, and establishing Metropolitan's terms and conditions for this annexation; and**
- b. Adopt a resolution to impose water standby charge at a rate of \$9.58 per acre or per parcel of less than one acre within the proposed annexation.**

- 8-6** Amend Administrative Code concerning attendance of directors at meetings and the establishment of the ethics Inquiry and Review Committee. (Exec. 1/27)

Recommendation:

Option #1:

Adopt the CEQA determination and the amendments to the Administrative Code as set forth in Attachment 1 to the board letter.

(END OF CONSENT CALENDAR)

9. OTHER BOARD ITEMS — ACTION

- 9-1** Hearing on adoption of resolution of necessity directing the General Counsel to condemn property required for the San Diego Pipeline No. 6 Project in Riverside County, California, identified by Riverside County Assessor's Parcel No. 951-220-002, Metropolitan's right-of-way Parcel No. SDSIX1-16-100TEA1, and owner's name: Rancho 42/Classic Equities. **(Two-thirds vote required)**

Recommendation:

Option #1:

Adopt the CEQA determination and resolution of necessity directing the General Counsel to condemn Metropolitan Parcel No. SDSIX1-16-100TEA1.

- 9-2** Hearing on adoption of resolution of necessity directing the General Counsel to condemn property required for the San Diego Pipeline No. 6 Project in Riverside County, California, identified by Riverside County Assessor's Parcel No. 951-230-007, Metropolitan's right-of-way Parcel No. SDSIX1-15-170TEA1, and owner's name: Kevin Colard and Barbara Colard. **(Two-thirds vote required)**

Recommendation:

Option #1:

Adopt the CEQA determination and resolution of necessity directing the General Counsel to condemn Metropolitan Parcel No. SDSIX1-15-170TEA1.

- 9-3** Authorize entering into a pre-annexation development agreement between Metropolitan and the city of Hemet. (Exec. 1/27)
[Conference with real property negotiators; property is land owned by Metropolitan near Diamond Valley Lake, as shown in Attachment 1 to the board letter; agency negotiator: Les Barrett; negotiating parties: Metropolitan and city of Hemet; under negotiation: terms of payment; to be heard in closed session pursuant to Gov. Code § 54956.8]

Recommendation:

Option #1:

Authorize the Chief Executive Officer to enter into a pre-annexation development agreement between Metropolitan and the city of Hemet.

- 9-4 Authorize (1) statutory settlement offer; (2) making unilateral payment; and (3) request for funds re pending litigation on the Arrowhead East and Arrowhead West tunnel contracts for legal services with Hunt, Ortmann, Blasco, Palffy & Rossell to increase the compensation to a maximum of \$1.075 million; and amendments to contracts with Tucker Alan, Inc. and Executive Presentations to increase the compensations to a maximum of \$450,000 and \$125,000, respectively. (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)]

10. BOARD INFORMATION ITEMS

- 10-1 Status report for the Inland Feeder Program for activities through December 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); and significant exposure to litigation (one matter); to be heard in closed session pursuant to Gov. Code § 54956.9(b)]

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.