

REVISED
Regular Board Meeting**July 13, 2004****12:30 p.m. -- Board Room**

Tuesday, July 13, 2004 Meeting Schedule		
7:30-8:30 a.m.	Rm. 2-413	Dirs. Computer Training
8:30 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 James T. Edwards

2. Roll Call**3. Determination of a Quorum**

PUBLIC HEARING

Comments on the proposed standby charge for Annexation No. 83
to Calleguas Municipal Water District

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 June 8, 2004. (A copy has been mailed to each Director)
Any additions, corrections, or omissions

- B. Induction of new Director, Tom Tait, from city of Anaheim
 - (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 James T. Edwards, representing Foothill Municipal Water District
- D. Authorize Commendatory Resolution for former Director Bonny L. Herman. (Exec.)
- E. Authorize sixty-day leave of absence for Director Betty H. Harris, commencing July 1, 2004
- F. Committee Assignments. (Exec.)
- G. Chairman's Monthly Activity Report
- Added** H. Adopt motion to adjourn the August Board Meeting to August 17, 2004, to establish tax rate.

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 June
- B. General Counsel's summary of Legal Department activities for the month of June
- C. General Auditor's summary of activities for the month of June
- D. Ethics Officer's summary of activities for the month of June

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

- 8-1 Authorize execution of the First Amendment to the Power Coordination Agreement between Metropolitan and the Department of Water Resources. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the Chief Executive Officer to execute the First Amendment. This amendment updates the Agreement and provides for increased flexibility for both Metropolitan and DWR's scheduling of firm energy sales and exchange energy while also establishing a new methodology for valuing the energy utilizing referenced publications.

- 8-2 Appropriate \$750,000; and amend an existing agreement to improve filter chlorination at the Weymouth and Diemer filtration plants. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$750,000 in budgeted CIP funds;**
- b. Authorize final design and construction of Diemer and Weymouth Filter Chlorination Improvements; and**
- c. Authorize amendment to the professional services agreement with Lee & Ro, Inc. for a new, not-to-exceed total of \$2.775 million.**

- 8-3 Appropriate \$1.38 million for detailed reliability assessments of Metropolitan's distribution system as part of the Conveyance and Distribution System Rehabilitation Program (Approp. 15377). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize \$1.38 million to conduct detailed reliability assessments of Metropolitan's distribution system under the Conveyance and Distribution System Rehabilitation Program.

- 8-4 Adopt resolution on property taxes for a new redevelopment area in Orange County. (BF&I)

Recommendation:

Adopt the CEQA determination and resolution, providing that Metropolitan elects to receive its portion of revenue from taxes levied on redevelopment property. These additional revenues are attributable to any increase in Metropolitan's base year tax rate applied to the incremental assessed value of the project property.

Withdrawn

- ~~8-5 Authorize and adopt revisions to the Administrative Code of The Metropolitan Water District of Southern California to conform to current laws, practice, and board authorization and make corrections. (LC&P) (To be mailed separately)~~

- 8-6 Approve revisions to Annexation Policy in the Metropolitan Water District Administrative Code Section 3107: Water Use Efficiency Guidelines. (WPQ&R)

Recommendation:

Option #1:

Adopt the CEQA determination and revisions to § 3107 of the Administrative Code to read as shown in Attachment 1 to the board letter.

- 8-7 Appropriate \$500,000 for two Capital Investment Plan projects as part of the Lake Perris Flexible Storage Program; and adopt a resolution to accept \$3 million in state grant funds for the Lake Perris Dissolved Oxygen Enhancement Project (Approp. 15420). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$500,000;**
- b. Authorize the CEO to perform environmental documentation, related feasibility studies and preliminary design for two projects under the Lake Perris Flexible Storage Program; and**
- c. Adopt the resolution in Attachment 3 to the board letter.**

- 8-8 Grant conditional approval for annexations of 78th and 79th Fringe Areas to Eastern Municipal Water District and Metropolitan; and adopt resolutions of intention to impose water standby charge. (Exec. 6/22)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Grant conditional approval for 78th Fringe Area, concurrently to Eastern and Metropolitan, conditioned upon receipt in full of annexation fee of \$64,145.24 to Metropolitan if completed by December 31, 2004, or if completed later, at the then current annexation charge rate;**
- b. Grant conditional approval for 79th Fringe Area, concurrently to Eastern and Metropolitan, conditioned upon receipt in full of annexation fee of \$191,563.20 to Metropolitan if completed by December 31, 2004, or if completed later, at the then current annexation charge rate;**
- c. Approve Eastern's proposed Plans for Implementing Water Use Efficiency Guidelines; and**
- d. Adopt the resolutions of intention to impose water standby charge within the proposed annexation territories, substantially in the form of Attachment 4 to the board letter.**

- 8-9 Appropriate \$925,000 for two information technology security projects in the IT Strategic Plan (Approp. 15378). (ARE&IP)

Recommendation:

Option #1:

Adopt the CEQA determination and appropriate \$925,000 in budgeted FY 2003/04 funds for a comprehensive information security assessment and implementation of information security administration software.

Revised 8-10 Appropriate \$3.1505 million and award a construction contract for an extension to the boat launch ramp; and amend an agreement with Moffatt & Nichol Engineers to provide construction supporting services for the Diamond Valley East Marina Program (Approp. 15401). (DVL Subcomm., ARE&IP). **(To be mailed separately)**

Withdrawn 8-11 ~~Authorize amendment of agreement with Urban Park Concessionaires for Diamond Valley Lake marina operations to incorporate similar services for the Lake Skinner recreation area. (DVL Subcomm., ARE&IP) **(To be mailed separately)**~~

8-12 Authorize entering into a consulting agreement to perform a real property appraisal of the Arroyo Seco property in Pasadena. (ARE&IP)

Recommendation:

Option #1:

Adopt the CEQA determination and enter into an agreement to prepare the appraisal to establish fair market value of the Arroyo Seco property in Pasadena.

(END OF CONSENT CALENDAR)

9. OTHER BOARD ITEMS — ACTION

9-1 Authorize \$4.9 million for technical studies and continued right-of-way negotiations for the Central Pool Augmentation Program (Approp. 15119). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and appropriate \$4.9 million in budgeted funds to perform additional studies, continue right-of-way negotiations, and continue property management.

- 9-2 Approve the 2003 Integrated Water Resources Plan Update report. (WPQ&R)

Recommendation:

Option #1:

Adopt the CEQA determination and the 2003 Integrated Water Resources Plan Update report and the regular interval of IRP Implementation reports and IRP Updates.

- 9-3 Authorize payment of \$1.57 million for participation in the State Water Contractors Inc. for fiscal year 2004/05. (BF&I) **(Two-thirds vote required)**

Recommendation:

Option #1:

Adopt the CEQA determination and by a two-thirds vote authorize the Chief Executive Officer to make payment of \$1,571,637 to the SWC. Sufficient funds are included in Metropolitan's FY 2004/05 Operation and Maintenance Fund for this payment.

- 9-4 Report on Management and Professional Employees Association negotiations. (LC&P)
[Conference with labor negotiators; Metropolitan designated representatives: Deborah Roberson-Simms, Henry Torres, Jr.; Employee Organization: Management and Professional Employees Association; to be heard in closed session pursuant to Gov. Code § 54957.6]

- 9-5 Report on *Arizona v. California*, United States Supreme Court. (LC&P)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]

- 9-6 *Report on Dewayne Cargill, et al. v. Metropolitan*, LASC Case No. BC 191881 (consolidated with LASC Case Nos. BC 194444 and BS 052318); and authorize increase of \$564,700 in maximum amount payable under contract with Bergman & Dacey to defend Metropolitan in related lawsuits challenging the employment status of temporary workers. (LC&P)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]

- 9-7 Report on staff analysis of Final EIR for the Sacramento Regional Wastewater Treatment Plant 2020 Master Plan and compliance with environmental laws, if appropriate. (LC&P)
[Conference with legal counsel—potential litigation (one potential case); to be heard in closed session pursuant to Gov. Code § 54956.9(c)]

10. BOARD INFORMATION ITEMS

- 10-1 Status report for the Inland Feeder Program for activities through May 2004. (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). Any discussion of potential litigation relating to the December 2003 Waterman Canyon Floods to be heard in closed session pursuant to Gov. Code § 54956.9(b)]

11. REPORTS OF SPECIAL COMMITTEES

12. PERFORMANCE AND EVALUATION COMPENSATION

- 12-1 Report from Executive Committee on evaluation rating for Chief Executive Officer, General Counsel, and General Auditor. (Exec. 6/22)
[Public employees' performance evaluation; to be heard in closed session pursuant to Gov. Code § 54957]
- 12-2 Compensation and Pay-for-Performance Recommendation for Chief Executive Officer, General Counsel, and General Auditor. (Exec. 6/22) **(To be distributed at meeting)**

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.