

REVISED
Regular Board Meeting

February 8, 2005

10:00 a.m. -- Board Room

Tuesday, February 8, 2005 Meeting Schedule		
7:30-8:30 a.m.	Rm. 2-413	Dirs. Computer Training
8:30 a.m.*	Rm. 2-145	Audit
9:00 a.m.*	Rm. 2-456	O&P
10:00 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: (Guest)
- (b) Pledge of Allegiance: Director Robert Apodaca

2. Roll Call

3. Determination of a Quorum

PUBLIC HEARING

Comments on the proposed standby charge for annexation of the 47th Fringe Area to Western 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 January 11, 2005. (A copy has been mailed to each Director)
Any additions, corrections, or omissions
- B. Induction of new Director, Daniel E. Griset, from city of Santa Ana
 - (a) Receive credentials
 - (b) Report on credentials by General Counsel
 - (c) File credentials
 - (d) Administer Oath of Office
 - (e) File Oath
- C. Reappointment of Director Robert Simonds from city of Los Angeles
- D. Committee assignments
- E. Conjunctive Use signing ceremony — city of Compton and Metropolitan
- F. Chairman's Monthly Activity Report
- Added** G. Report on Tsunami relief efforts

6. DEPARTMENT HEADS' REPORTS

- A. Interim 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. Interim Chief Executive Officer's summary of Metropolitan's activities for the month of January
- 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
- D. Ethics Officer's summary of activities for the month of January

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1 Approve Administrative Code amendments to annexation charge calculation. (BFI&I)

Recommendation:

Option #1:

Adopt the CEQA determination and amend Metropolitan Water District Administrative Code Section 3300, as set forth in Attachment 1 to the board letter, effective January 1, 2006.

- 7-2 Appropriate \$840,000; and authorize three replacement and refurbishment projects within the Diemer Improvements Program (Approp. 15380). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Appropriate \$840,000 in budgeted funds;**
- b. **Authorize preliminary design of the Diemer Wastewater Reclamation Plant No. 2 Rehabilitation Project;**
- c. **Authorize preliminary and final design of the Diemer Wastewater Tank Pumps Replacement Project; and**
- d. **Authorize the Chief Executive Officer to have all work performed to replace the Diemer Administration Building roofs.**

- 7-3 Appropriate \$2.16 million; and award a contract to DenBoer Engineering & Construction Inc. for repairs to the West Valley Feeder No. 1 (Approp. 15377). (E&O)

Recommendation:

Adopt the CEQA determination and

- a. **Appropriate \$2.16 million; and**
- b. **Award a contract for \$989,000 to DenBoer Engineering & Construction Inc. for repairs to the West Valley Feeder No. 1.**

- 7-4 Approve executing one-year water transfer option agreements with Richvale Irrigation District and Western Canal Water District. (WPQ&R)

Recommendation:

Given that staff's assessment of the need for these option agreements is based on the most current hydrological and demand conditions available and the Department of Water Resources provides an update on snowpack conditions, which could potentially affect State Water Project allocations on February 1, 2005, staff will mail the recommendation to the Board on February 2, 2005.

- 7-5 Amend Ethics Policy in Administrative Code to comply with current rules and regulations. (Ethics)

Recommendation:

Option #1:

Adopt the CEQA determination and approve the amendments to Administrative Code Section 7100 et seq. as set forth in Attachment 2 to the board letter.

- 7-6 Adopt final resolutions for annexation and imposition of water standby charge for the Baxter Annexation to San Diego County Water Authority and Metropolitan. (A&RP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Adopt a resolution granting SDCWA's request for approval of the Baxter Annexation, concurrently to Metropolitan and SDCWA, conditioned upon approval by the San Diego 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 \$11.51 per acre or per parcel of less than one acre within the proposed annexation area.**

- 7-7 Adopt final resolutions approving annexation of Western Municipal Water District's 47th Fringe Area into Metropolitan's service area, imposing a water standby charge within the newly annexed area, and certifying an addendum to the previously certified EIR documenting such changes. (A&RP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Adopt a resolution granting Western's request for annexation of the 47th Fringe Area into Metropolitan's service area, 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 area.**

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1 Authorize agreements for implementation of the Lower Colorado River Multi-Species Conservation Program. (L&C)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Approve participation in the LCR MSCP; and**
- b. Authorize the Chief Executive Officer to execute the finalized LCR MSCP agreements as approved by the General Counsel.**

- 8-2 Appropriate \$9.4 million; and award an \$8.545 million procurement contract to Ameron International Corporation to furnish pipe for the Skinner Oxidation Retrofit Program (Approp. 15388). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$9.4 million in budgeted funds; and**
- b. Award a procurement contract for \$8.545 million to Ameron International Corporation to furnish fabricated steel pipe and fittings for the Skinner Oxidation Retrofit Program.**

- 8-3 Report on potential claims and reallocate budgeted funds towards extra work authority in the amount of \$25.8 million for Arrowhead Tunnels construction within the Inland Feeder Program (Approp. 15122). (E&O)
[Conference with legal counsel—potential litigation (one matter); to be heard in closed session pursuant to Gov. Code Section 54956.9(b)]
- 8-4 Report on *Lance Charles, Sr. v. Metropolitan*, LASC Case No. BC 313797; and authorize increase of \$225,000 in maximum amount payable under the contract with Williams, Yasinski & Jones for legal services to defend Metropolitan. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]
- 8-5 Report on *Naylor, et al. v. Metropolitan*, LASC Case No. BC 288114; and authorize increase of \$600,000 in maximum amount payable under the contract with Bergman & Dacey for legal services to defend Metropolitan. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

9. BOARD INFORMATION ITEMS

- 9-1 Status report for the Inland Feeder Program for activities through December 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. BC 283438); to be heard in closed session pursuant to Gov. Code Section 54956.9(a). Conference with legal counsel—potential litigation relating to contractor claims on Contract No. 1542 for the Arrowhead Tunnels; to be heard in closed session pursuant to Gov. Code Section 54956.9(b) (one potential case)]

10. REPORTS OF SPECIAL COMMITTEES

11. 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.