

Adjourned Regular Board Meeting

August 16, 2005

10:00 a.m. -- Board Room

| Tuesday, August 16, 2005 Meeting Schedule | | |
|--|------------|-------------------------|
| 7:00-8:00 a.m. | Rm. 2-413 | Dirs. Computer Training |
| 8:00 a.m.* | Rm. 2-456 | Colorado River |
| 9:00 a.m.* | Board Room | BFI&I |
| 10:00 a.m.* | Board Room | Board Meeting |
| 12:00 p.m.* | Rm. 2-456 | CALFED |

*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 David D. De Jesus

2. Roll Call

3. Determination of a Quorum

PUBLIC HEARING

Comments on the proposed standby charge for the 85th Fringe Area Annexation to Eastern 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))

Lester Snow, Director, Department of Water Resources

5. OTHER MATTERS

- A. Approval of the Minutes of the Meeting for July 12, 2005. (A copy has been mailed to each Director)
Any additions, corrections, or omissions

- B. Committee assignments

- C. Chairman's Monthly Activity Report

- D. Tax levy for fiscal year 2005/06. (BFI&I)
 - D-1 Report on list of certified assessed valuations for fiscal year 2005/06 and tabulation of assessed valuations, percentage participation, and vote entitlement of member public agencies as of August 16, 2005. (Copies distributed—Compare with preceding year—Ordered received and filed, spread on the Minutes, a copy to be sent each Director and to each member public agency).
(To be distributed at meeting)

 - D-2 Adopt resolution establishing the tax rate for fiscal year 2005/06.
(Roll call vote—two-thirds vote required) (To be distributed at meeting)

6. DEPARTMENT HEADS' REPORTS

- A. CEO/General Manager's Reports:
 - i. Oral report on Colorado River matters
 - ii. Oral report on Bay-Delta and State Water Project matters. (L&C, WPQ&R)
 - iii. CEO/General Manager's summary of Metropolitan's activities for the month of July

- B. General Counsel's summary of Legal Department activities for the month of July

- C. General Auditor's summary of activities for the month of July
- D. Ethics Officer's summary of activities for the month of July

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1** Grant conditional approval for Annexation No. 85 to Calleguas Municipal Water District and Metropolitan; and adopt resolution of intention to impose water standby charge. (A&RP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Grant conditional approval for Annexation No. 85 concurrently to Calleguas and Metropolitan, conditioned upon receipt in full of annexation fee of \$77,521.60 to Metropolitan if completed by December 31, 2005, or if completed later, at the then current annexation charge rate;**
 - b. **Approve Calleguas' Statement of Compliance with the current Water Use Efficiency Guidelines conditioned upon final acceptance of the city of Oxnard into the California Urban Water Conservation Council; and**
 - c. **Adopt the resolution of intention to impose water standby charge within the proposed annexation territories, substantially in the form of Attachment 3 to the board letter.**
- 7-2** Grant conditional approval for the 88th and 89th Fringe Area Annexations to Eastern Municipal Water District and Metropolitan; and adopt resolutions of intention to impose water standby charge. (A&RP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Grant conditional approval for the 88th Fringe Area Annexation concurrently to Eastern and Metropolitan, conditioned upon receipt in full of annexation fee of \$39,530.80 to Metropolitan if completed by December 31, 2005, or if completed later, at the then current annexation charge rate;**
- b. **Grant conditional approval for the 89th Fringe Area Annexation concurrently to Eastern and Metropolitan, conditioned upon receipt in full of annexation fee of \$79,736 to Metropolitan if completed by December 31, 2005, or if completed later, at the then current annexation charge rate;**
- c. **Approve Eastern's Statements of Compliance with the current 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 3 and Attachment 6 to the board letter.**

- 7-3** Adopt final resolutions approving annexation of Calleguas Municipal Water District's Annexation No. 83, Parcel A, into Metropolitan's service area and impose water standby charge within the newly annexed area. (A&RP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Adopt a resolution granting Calleguas' request for annexation of Annexation No. 83, Parcel A, into Metropolitan's service area, conditioned upon approval by the 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 area.**

- 7-4** Adopt final resolutions for annexations and to impose water standby charge for the 81st, 82nd and 83rd Fringe Area Annexations to Eastern Municipal Water District and Metropolitan. (A&RP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Adopt resolutions granting Eastern's request for approval of the 81st, 82nd and 83rd Fringe Area Annexations, concurrently to Metropolitan and Eastern, conditioned upon approval by the Riverside Local Agency Formation Commission, and establishing Metropolitan's terms and conditions for these annexations; and**
- b. Adopt resolutions 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 areas.**

- 7-5** Affirm the Chief Executive Officer's determination of Metropolitan Parcel No. 140-6A-100 as surplus to Metropolitan's needs: 2.22 acres of improved land near Lake Mathews. (A&RP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Affirm the Chief Executive Officer's determination that the subject property comprising 2.22 acres is surplus, and carry out disposition of the property in its current condition;**
- b. Comply with Government Code Section 54222, Surplus Lands Act, by offering the property to other public agencies at a sales price of its fair market value;**
- c. If the property is not purchased by a government entity with preferential rights, sell the subject property by open or exclusive listing under Administrative Code Section 8245 or Section 8246, respectively, dependent upon the applicable disposition procedure; and**
- d. Market the property for sale on the open market for its fair market value of \$760,000.**

- 7-6** Amend Administrative Code to update policy concerning contractors and grantees and change Metropolitan's Filing Officer for Statements of Economic Interest. (L&C)

Recommendation:

Option #1:

Adopt the CEQA determination and approve the amendments to Administrative Code Sections 6430, 6470 and 7105 as set forth in Attachment 2 to the board letter.

- 7-8** Appropriate \$647,000; and authorize (1) three pipeline repair projects, (2) an agreement with Parsons Water & Infrastructure for project management support, and (3) agreements with Lee & Ro, MWH Americas, and Richard Brady & Associates for design of conveyance and distribution projects. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$647,000;**
- b. Authorize preliminary and final design for three pipeline repair projects;**
- c. Authorize an agreement with Parsons Water & Infrastructure for project management support in an amount not to exceed \$600,000/year for five years; and**
- d. Authorize agreements with Lee & Ro, MWH Americas, and Richard Brady & Associates for design services in an amount not to exceed \$2 million/year, each for five years.**

- 7-9** Appropriate \$980,000; and authorize four power system rehabilitation projects within the Water Treatment Plant Improvements Programs (Approps. 15369, 15380, 15381). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Appropriate \$980,000 in budgeted funds; and**
- b. Authorize studies and preliminary and final design for four power system rehabilitation projects.**

- 7-10** Authorize entering into a Local Resources Program Agreement with Las Virgenes Municipal Water District for the Decker Canyon Recycled Water Line Extension Project. (WPQ&R)

Recommendation:

Adopt the CEQA determination and authorize the Chief Executive Officer to enter into an LRP agreement with Las Virgenes Municipal Water District for the Decker Canyon Recycled Water Line Extension Project to provide incentive payments of \$175 per acre-foot over 20 years.

- 7-11** Adopt resolutions to accept \$3.2 million in state grants for four water conservation projects. (WPQ&R)

Recommendation:

Adopt the CEQA determination and resolutions accepting Proposition 50 grants.

- 7-12** Authorize amending the agreement with Mojave Water Agency to demonstrate the feasibility of water exchange program. (WPQ&R)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the Chief Executive Officer to enter into an amendment to the existing demonstration water exchange program with Mojave, in form approved by the General Counsel.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1** Authorize up to \$950,000 over two years for the revised 2005/06 City Makeover Program including an independent audit component to verify water savings. (Ed&O)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the revised program.

- 8-2** Authorize (1) an agreement for \$300,000 with RBF Consulting for design of Searl Parkway Landscaping and signage; and (2) an increase of \$2 million to an existing agreement with PinnacleOne for project management support for the Diamond Valley Lake East Recreation Area (Approp. 15334). (Rec.)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Authorize all activities in advance of award of a construction contract for Searl Parkway landscaping and signage at the DVL East Recreation Area;**
- b. **Authorize an agreement with RBF Consulting in an amount not to exceed \$300,000 for design services; and**
- c. **Authorize an increase of \$2 million to the existing agreement with PinnacleOne for a new total not to exceed \$3.2 million.**

- 8-4** Appropriate \$3 million for projects costing less than \$250,000 for fiscal year 2005/06 under the Minor Capital Projects Program. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Appropriate \$3 million for the Minor Capital Projects Program for FY 2005/06 for projects costing less than \$250,000;**
- b. **Authorize the CEO to initiate capital projects costing less than \$250,000 and perform all work including the preparation of necessary environmental documentation; and**
- c. **Designate the CEO as the decision-making body for purposes of reviewing, approving, and certifying any environmental documentation that may be required for such projects.**

- 8-5** 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 \$385,000 in maximum amount payable under contract with Bergman & Dacey to defend Metropolitan in related lawsuits challenging the employment status of temporary workers. (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 June 2005. (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)]
- 9-3** Review of Options for Metropolitan's Role in Seawater Desalination. (D&R)

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, BFI&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.