

REVISED
Regular Board Meeting

September 13, 2005

11:00 a.m. -- Board Room

Tuesday, September 13, 2005 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dir's. Computer Training
8:00 a.m.*	Rm. 1-102	Special Board
11:00 a.m.*	Board Room	Regular Board

*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 Deborah Dentler

2. Roll Call

3. Determination of a Quorum

PUBLIC HEARING

Comments on the proposed standby charges for the 86th and 87th Fringe Area Annexations 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))

5. OTHER MATTERS

- A. Approval of the Minutes of the Meetings for August 9 and 16, 2005.
(Copies have been mailed to each Director)
Any additions, corrections, or omissions

- B. Reappointment of Director Timothy F. Brick for term ending December 31, 2008, representing the city of Pasadena

- C. Presentation of five-year service pin to Director Carol Kwan, representing West Basin Municipal Water District

- D. Approve 30-day leave of absence for Director Ergun Bakall, commencing September 8, 2005

- E. Committee assignments
Establishment and appointment to the CEO Evaluation Subcommittee (Executive Committee)
Committee reassignments

- F. Chairman's Monthly Activity Report

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 August

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

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1 Grant conditional approval for the 90th, 91st, and 92nd Fringe Area Annexations to Eastern Municipal Water District and Metropolitan; and adopt resolutions of intention to impose water standby charge.

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Grant conditional approval for the 90th Fringe Area Annexation concurrently to Eastern and Metropolitan, conditioned upon receipt in full of annexation fee of \$68,664 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 91st Fringe Area Annexation concurrently to Eastern and Metropolitan, conditioned upon receipt in full of annexation fee of \$63,162.60 to Metropolitan if completed by December 31, 2005, or if completed later, at the then current annexation charge rate;
- c. Grant conditional approval for the 92nd Fringe Area Annexation concurrently to Eastern and Metropolitan, conditioned upon receipt in full of annexation fee of \$41,676 to Metropolitan if completed by December 31, 2005, or if completed later, at the then current annexation charge rate;
- d. Approve Eastern's Statements of Compliance with the current Water Use Efficiency Guidelines; and
- e. Adopt the resolution of intention to impose water standby charge within the proposed annexation territories, substantially in the form of Attachments 3, 6, and 9 to the board letter.

- 7-2 Adopt final resolutions for annexation and to impose water standby charge for the 84th Fringe Area Annexation to Eastern Municipal Water District and Metropolitan.

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Adopt a resolution granting Eastern's request for annexation of the 84th Fringe Area Annexation 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 \$6.94 per acre or per parcel of less than one acre within the proposed annexation area.**

- 7-3 Authorize entering into a renewable one-year agreement for up to \$1.5 million annually with Johnson/Ukropina for regional advertising services and media buys related to planned outdoor water conservation efforts as well as emergencies or unanticipated urgent needs. (Ed&O)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the CEO/General Manager to enter into a one-year contract with a maximum amount payable of \$1.5 million annually with Johnson/Ukropina for advertising and media buying services.

- 7-4 Authorize increase of \$140,000 in maximum amount payable under contract with Davis Wright Tremaine LLP for legal services related to FERC relicensing of the Oroville Facilities. (L&C)

Recommendation:

Option #1:

Adopt the CEQA determination and approve amendment of contract for legal services with Davis Wright Tremaine to increase maximum amount payable from \$100,000 to \$240,000.

- 7-5 Amend Administrative Code to update contracting and procurement policies. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize amendment of the Administrative Code to update contracting policies.

Withdrawn

- ~~7-6 Approve a Supplemental Storage Program agreement with the Municipal Water District of Orange County and the Orange County Water District. (WPQ&R)~~

- 7-7 Authorize entering into an agreement for the Upper Claremont Heights Conjunctive Use Program with Three Valleys Municipal Water District under Proposition 13. (WPQ&R)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the CEO to enter into an agreement consistent with the Agreement Summary attached to the board letter and in a form acceptable to the General Counsel for the Upper Claremont Heights Conjunctive Use Program.

- 7-8 Authorize increase in maximum amount payable to \$450,000 under the contract with EcoPlan Associates, Inc. for analysis, verification and liaison services for the Palo Verde Program. (WPQ&R)

Recommendation:

Adopt the CEQA determination and approve contract increase to \$450,000 for EcoPlan's consulting services through December 2006.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1 Authorize Farm Lease No. R.L. 2364 of 2,280 gross acres of real property designated as portions of MWD Parcel No. PVID-1-100 in Imperial County, California, with River Valley Ranches, a California farming partnership.

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the Chief Executive Officer to

- a. **Enter into Farm Lease No. R.L. 2364 over MWD Parcel No. PVID-1-100; and**
- b. **Execute a lease in a form approved by the General Counsel.**

- 8-2 Adopt resolution to accept grant funding from the State Department of Parks and Recreation for the Diamond Valley Lake Trails Program. (Rec.)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Require all expenditures for this and other trails to be funded by Metropolitan's Recreation budget; and**
- b. **Adopt a resolution to accept grant funding for the Diamond Valley Lake Trails Program.**

- 8-3 Appropriate \$2.329 million; and authorize five improvement projects for the Colorado River Aqueduct conveyance system and pumping plants. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. **Appropriate \$2,329,000 in budgeted funds;**
- b. **Authorize construction to rehabilitate the circulating water systems at the five CRA pumping plants; and**
- c. **Authorize desert water tanks access easement, main pump motor exciters assessment, pumping plant vulnerability assessment, reservoir dam sluiceways and outlet reliability assessment.**

- 8-4 Appropriate \$2.60 million; and authorize (1) final design of two ozone contactors at the Mills Water Treatment Plant, and (2) an agreement with URS Corporation for project management support. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Appropriate \$2.60 million in budgeted funds;
- b. Authorize final design of the Mills Ozone Contactors 3 and 4 Project; and
- c. Authorize an agreement with URS Corporation for project management support in an amount not to exceed \$0.6 million a year for five years.

- 8-5 Appropriate \$2.67 million; and award a \$1,849,331 contract to Norman A. Olsson Construction, Inc. for the Surface Wash Headers Rehabilitation project at the Diemer Treatment Plant. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$2.67 million in budgeted funds; and
- b. Award a \$1,849,331 contract to Norman A. Olsson Construction, Inc. to rehabilitate filter surface wash heads at the Diemer plant.

- 8-6 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)]

- 8-7 Authority to amend contract with outside counsel Lindborg Drill LLP by \$250,000 to an amount not to exceed \$350,000 for assistance related to the Arrowhead Tunnels construction within the Inland Feeder Program. (L&C)

[Conference with legal counsel—potential litigation (one matter); to be heard in closed session pursuant to Gov. Code Section 54956.9(b)]

9. BOARD INFORMATION ITEMS

- 9-1 Status report for the Inland Feeder Program for activities through July 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)]
- 9-2 Report on federal Endangered Species Act legislation and review of board-adopted policy principles. (C&L)
- 9-3 Annual report of payment of claims for lost bonds or coupons. (BFI&I)
- 9-4 Preliminary analysis of State Water Project calendar year 2006 Statement of Charges. (BFI&I)
- 9-5 Update of the Regional Urban Water Management Plan. (WPQ&R)
- 9-6 Semiannual Report on Metropolitan's State Water Project Strategic Initiatives. (WPQ&R)

10. REPORTS OF SPECIAL COMMITTEES

- 11. Conjunctive Use Signing Ceremony — Three Valleys Municipal Water District and Metropolitan**

12. 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.