

**REVISED**

**Regular Board Meeting**

**October 11, 2005**

**11:00 a.m. -- Board Room**

<b>Tuesday, October 11, 2005 Meeting Schedule</b>		
7:00-8:00 a.m.	Rm. 2-413	Dirs. Computer Training
8:00 a.m.*	Rm. 2-145	Colorado River
9:00 a.m.*	Rm. 2-456	CALFED
10:00 a.m.*	Rm. 1-102	O&P
11:00 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.

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**MWD Headquarters Building**

**• 700 N. Alameda Street**

**• Los Angeles, CA 90012**

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**1. Call to Order**

- (a) Invocation: Linda Ackerman
- (b) Pledge of Allegiance: Director Larry D. Dick

**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))**

Senator Mike Machado, Chairman, Subcommittee on Delta Resources

**5. OTHER MATTERS**

- A. Approval of the Minutes of the Meeting for September 13, 2005. (A copy has been mailed to each Director)  
Any additions, corrections, or omissions
- B. Committee assignments

- C. Chairman's Monthly Activity Report
  
- D. Update on commencement of labor negotiations with Supervisors Association  
**[Conference with labor negotiator—Metropolitan designated representatives: Bruce Barsook, Stephen Lem; MWD Organizations: Supervisors Association; to be heard in closed session pursuant to Gov. Code Section 54957.6]**
  
- E. Discussion of labor negotiations with Employees Association--AFSCME Local 1902 and Management and Professional Employees Association  
**[Conference with labor negotiator—Metropolitan designated representatives: Bruce Barsook, Stephen Lem; MWD Organizations: Employees Association-AFSCME, Local 1902; Management and Professional Employees Association; to be heard in closed session pursuant to Gov. Code Section 54957.6]**
  
- Added** F. Authorize increase of \$192,000 in maximum amount payable under contract with Bate, Peterson, Deacon, Zinn and Young for consulting services related to labor and human resources. (O&P) **(To be distributed at meeting)**
  
- Added** G. Commencement of labor negotiations with Supervisors Association  
**[Conference with labor negotiator—Metropolitan designated representatives: Bruce Barsook, Stephen Lem; MWD Organization: Supervisors Association; to be heard in closed session pursuant to Gov. Code Section 54957.6]**
  
- Added** H. Update on labor negotiations with Employees Association-AFSCME Local 1902 and Management and Professional Employees Association  
**[Conference with labor negotiator—Metropolitan designated representatives: Bruce Barsook, Stephen Lem; MWD Organizations: Employees Association-AFSCME, Local 1902; Management and Professional Employees Association; to be heard in closed session pursuant to Gov. Code Section 54957.6]**

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

## 7. CONSENT CALENDAR ITEMS — ACTION

- 7-1 Approve Community Partnering Program sponsorships for the first quarter of fiscal year 2005/06. (Ed&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and approve Community Partnering Program sponsorships for the first quarter of fiscal year 2005/06, for discretionary community activities as listed in Attachment 1 to the board letter.**

- 7-2 Award contract to FluidIQs in an amount not to exceed \$675,000 to complete Phase I of the Automatic Meter Reading System Upgrade. (A&RP)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and award a contract to FluidIQs in an amount not to exceed \$675,000 to complete Phase I of the Automatic Meter Reading System upgrade.**

- 7-3 Authorize increase of \$80,975 in maximum amount payable under contract with KPMG for external audit services. (Audit)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and approve amendment of contract for external audit services with KPMG to increase maximum amount payable from \$208,350 to \$289,325.**

- 7-4 Appropriate \$942,000; and authorize final design of solids thickeners as part of the Jensen Improvements Program (Approp. 15371). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. Appropriate \$942,000 in budgeted funds; and**
- b. Authorize final design of the Jensen solids thickeners.**

- 7-5 Appropriate \$1.37 million for two conveyance and distribution system rehabilitation projects. (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determinations and**

- a. Appropriate \$1.37 million in budgeted funds;**
- b. Authorize repair of the San Francisquito blow-off structure access road;  
and**
- c. Authorize butterfly valve replacement and pumping well conversion of the San Diego Pipelines Nos. 1 and 3.**

- 7-6 Approve a Supplemental Storage Program for 2005/06. (WPQ&R)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. **Approve a Supplemental Storage Program for 2005/06 with the parameters outlined in the board letter; and**
- b. **Authorize the Chief Executive Officer to execute an agreement with MWDOC and OCWD to purchase and store water under the Supplemental Storage Program based on the principles in Attachment 2 to the board letter.**

**(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. (A&RP)

**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 revised policy principles regarding federal Endangered Species Act legislation. (C&L)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and the Federal Endangered Species Act Revised Policy attached to the board letter.**

- 8-3 Authorize an increase of \$2.1 million in change order authority for the Jensen Oxidation Retrofit Program. (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and authorize an increase of \$2.1 million in the CEO's change order authority, from \$18.986 million to \$21.086 million, for the Jensen ORP project.**

- 8-4 Appropriate \$11.9 million; award two construction contracts for the Plant Maintenance Facilities and Washwater Tank Pumps Replacement projects at the Diemer plant; and authorize amendment to an existing consulting agreement (Approps. 15389 and 15380). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determinations and**

- a. Appropriate \$11.9 million in budgeted funds;**
- b. Award a \$355,000 contract to Denboer Engineering and Construction, Inc. to replace the washwater tank pumps at the Diemer plant;**
- c. Award a \$8.219 million contract to Brutoco Engineering & Construction, Inc. to construct the Diemer Plant Maintenance Facilities; and**
- d. Authorize an increase of \$0.25 million to the existing agreement with RNL Design for a new not-to-exceed total of \$2.745 million.**

- 8-5 Authorize entering into an agreement with Securitas, Inc. to provide security guard services for a five-year period not to exceed \$30 million. (E&O)

**Recommendation:**

**Adopt the CEQA determination and authorize entering into an agreement with Securitas to provide security services for a five-year period not to exceed \$30 million.**

- 8-6 Authorize consulting agreements for aerial photogrammetry and mapping services for capital and O&M projects. (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and authorize agreements with Psomas, RBF Consulting, The Sanborn Map Company, Inc. and Towill Inc. for aerial photogrammetry and mapping services in an amount not to exceed \$2 million each.**

- 8-7 Adopt resolution to approve notice of potential discontinuance of service of surplus water from October 1, 2006 through September 30, 2007. (WPQ&R) **(Two-thirds vote required)**

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and the Resolution of the Board of Directors giving notice of potential discontinuance of service of Interim Agricultural Water Program water in 2006.**

- 8-8 Report on *Carlita Villanueva v. Metropolitan*, LASC Case No. BC 296912; and authorize increase of \$100,000 in maximum amount payable under contract with Hill, Farrer & Burrill LLP 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)]**

- 8-9 Report on *Louis H. Cardenas, et al. v. Metropolitan*, LASC Case No. BC 298866; and authorize increase of \$60,000 in maximum amount payable under contract with Bingham McCutchen LLP to defend Metropolitan in the appeal of this matter. (L&C)  
**[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]**

- Added** 8-10 Discussion of potential litigation by Cadiz Inc. relating to the Cadiz Groundwater Storage and Dry-Year Supply Program. (L&C)  
**[Conference with legal counsel—significant exposure to 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 August 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)]

- Added 9-2 American Red Cross Volunteer Program. (E&O) **(To be mailed separately)**

## 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.