

REVISED

Regular Board Meeting

March 14, 2006

11:30 a.m. -- Board Room

Tuesday, March 14, 2006 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dirs. Computer Training
8:00 a.m.*	Rm. 2456	Colorado River
9:30 a.m.*	Board Room	Jt. Mtg. A&RP and Recreation
11:30 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 Marcie L. Edwards

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))

Presentation by Robert Johnson, Regional Director for the Lower Colorado Regional Office, U. S. Bureau of Reclamation

Senator Kevin Murray, Chair, Appropriations Committee

(Lunch Break)

5. OTHER MATTERS

- A. Approval of the Minutes of the Meetings for February 7 and 14, 2006.
(Copies have been mailed to each Director)
Any additions, corrections, or omissions
- B. Directors' oral reports on meetings attended at Metropolitan expense
- C. Committee assignments
- D. Chairman's Monthly Activity Report
- E. Discussion of labor negotiations with Employees Association—AFSCME Local 1902
[Conference with labor negotiators—Metropolitan designated representatives: Bruce Barsook, Stephen Lem; MWD Organization: Employees Association-AFSCME, Local 1902; to be heard in closed session pursuant to Gov. Code Section 54957.6]
- F. Discussion of labor negotiations with Management and Professional Employees Association
[Conference with labor negotiators—Metropolitan designated representatives: Bruce Barsook, Stephen Lem; MWD Organization: Management and Professional Employees Association; to be heard in closed session pursuant to Gov. Code Section 54957.6]
- G. Discussion of labor negotiations with Supervisors Association
[Conference with labor negotiators—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. Approve terms of employment for Interim General Counsel Sydney B. Bennion. (L&C) **(To be distributed at meeting)**

6. DEPARTMENT HEADS' REPORTS

- A. 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. General Manager's summary of Metropolitan's activities for the month of February

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

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1 Appropriate \$1.16 million to implement Phase II of the Programmable Logic Controller project (Approp. 15397). (A&RP)

Recommendation:

Option #1:

Adopt the CEQA determination and appropriate \$1.16 million in budgeted funds to implement Phase II of the Programmable Logic Controller project.

- 7-2 Inclusion of Disabled Veterans Business Enterprise into Program Language of Regional Small Business Program. (Ed&O)

Recommendation:

Adopt the CEQA determination and add the inclusion of Disabled Veterans Business Enterprise classification into the outreach component of the Regional/Small Business Program.

- 7-3 Award of contract for External Audit services. (Audit)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Auditor to enter into a contract for External Audit Services with the firm of PricewaterhouseCoopers for annual and quarterly audits covering the fiscal years June 30, 2006 through June 30, 2008. The amount payable under this three-year contract will not exceed \$1,245,000.

- 7-4 Appropriate \$850,000; and authorize final design, materials procurement and construction for the Desert Airfields Improvement project (Approp. 15374). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. **Appropriate \$850,000 in budgeted funds;**
- b. **Authorize final design and construction of Gene Wash airfield improvements; and**
- c. **Authorize procurement and installation of reflectors and lighting at Iron Mountain, Eagle Mountain, and Hinds airfields.**

- 7-5 Authorize entering into two consulting agreements for grant-funded water quality improvements to ensure access to stored water under the Lake Perris Flexible Storage Program (Approp. 15420): (1) an agreement with MWH Americas, Inc. for design support services not to exceed \$800,000; and (2) an agreement with Dudek & Associates, Inc. for design support services not to exceed \$1 million. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to enter into the following consulting agreements:

- a. **MWH Americas, Inc., three years, not to exceed \$800,000, for design and related services for hypolimnetic diffused oxygen system; and**
- b. **Dudek & Associates, Inc., three years, not to exceed \$1 million for design and related services for facilities to reduce pathogen risks.**

- 7-6 Consolidate Metropolitan's employee savings plans and amend Administrative Code. (BFI&I)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Approve the proposed amendments to the Administrative Code to consolidate the Employee Savings Plans; and**
- b. **Direct the Plan Administrator to take all steps which may be necessary or appropriate to consolidate the Plans and to carry out the intent of the Board, as described in the board letter.**

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1 Adopt (1) recommended water rates and charges; and (2) resolutions to impose charges, for fiscal year 2006/07. (BFI&I)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Approve water rates effective January 1, 2007 as shown in Table 1, January 2006 Recommendation;**
- b. **Adopt Resolution to Impose the Readiness-to-Serve Charge in the form shown as Attachment 2 to the board letter; and**
- c. **Adopt Resolution to Impose a Capacity Charge in the form shown as Attachment 3 to the board letter.**

- 8-2 Authorize entering into an exclusive negotiating agreement with Shopoff/Centex for Diamond Valley Lake Recreation and Land Development Program. (A&RP, Rec.)
[Conference with real property negotiators; property is approximately 1,400 acres located at Diamond Valley Lake in Hemet, California; agency negotiators: Jill Wicke, Lilly Shraibati, Joseph Vanderhorst, and Curtis Baynes; negotiating parties: The Shopoff Group and Centex Homes; under negotiation: price and terms; may be heard in closed session pursuant to Gov. Code Section 54956.8]

Recommendation:

Option #1:

Adopt the CEQA determination and authorize entering into an exclusive negotiating agreement with Shopoff/Centex for the Diamond Valley Lake Recreation and Land Development Program.

- 8-3 Appropriate \$25.73 million; award a \$19,914,600 construction contract to J. R. Filanc Construction Company, Inc. for the Mills Chemical System Upgrades; and authorize (1) Mills plant chlorination capacity increase and Mills industrial wastewater collection improvements, and (2) amendments to existing agreements with Lee & Ro, Inc. and HDR, Inc. (Approps. 15346, 15415, and 15381). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Appropriate \$25.73 million;**
- b. Award a \$19,914.600 construction contract to J. R. Filanc Construction Company, Inc. for the Mills Chemical System Upgrades;**
- c. Authorize final design and construction of the Mills Chlorination Capacity Increase Project and Industrial Wastewater Improvements Project;**
- d. Authorize an increase of \$725,000 to the existing agreement with Lee & Ro, Inc. for a new not-to-exceed total of \$5 million; and**
- e. Authorize an increase of \$312,000 to the existing agreement with HDR, Inc. for a new not-to-exceed total of \$862,000.**

- 8-4 Appropriate \$4.36 million; and authorize (1) alignment feasibility studies and right-of-way negotiations for the remaining portions of San Diego Pipeline No. 6, and (2) an increase of \$0.5 million to the existing agreement with Vanir Construction Management, Inc. (Approp. 15121). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$4.36 million of unbudgeted funds;**
- b. Authorize engineering studies, environmental assessments, cost estimates, surveys, and right-of-way negotiations; and**
- c. Authorize an increase of \$500,000 to the existing agreement with Vanir Construction Management, Inc., for a new not-to-exceed total of \$1.8 million.**

Withdrawn

- 8-5 ~~Approve the policy principles regarding short term emergency preparedness and long term actions for the Sacramento San Joaquin River Delta. (WPQ&R, C&L)~~

- 8-6 Adopt position of support and seek amendments on SB 1506 (Margett) regarding Public Contract Code exemption for State Water Project energy-related contracts. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and support SB 1506 (Margett) and seek the amendments as described in the board letter.

9. BOARD INFORMATION ITEMS

- 9-1 Status report for the Inland Feeder Program for activities through January 2006. (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 State Water Resources Control Board Cease and Desist Order to California Department of Water Resources and U.S. Bureau of Reclamation. (L&C)
[Conference with legal counsel—existing litigation—adjudicatory proceeding before the State Water Resources Control Board, Order WR 2006-0006; may be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

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.