

REVISED

Regular Board Meeting

September 12, 2006

11:00 a.m. -- Board Room

Tuesday, September 12, 2006 Meeting Schedule		
7:30-8:30 a.m.	Rm. 2-413	Dirs. Computer Training
8:30 a.m.	Rm. 2-456	C&L
10:00 a.m.	Rm. 2-145	L&C
11:00 a.m.	Board Room	Board Meeting

MWD Headquarters Building

700 N. Alameda Street

Los Angeles, CA 90012

1. Call to Order

- (a) Invocation: Doris Davis, former Mayor of the City of Compton
- (b) Pledge of Allegiance: Director Isadore Hall, III

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 Kevin Murray, Chair of the Appropriations Committee

5. OTHER MATTERS

- A. Approval of the Minutes of the Meetings for August 8 and 15, 2006. (Copies have been mailed to each Director)
Any additions, corrections, or omissions
- B. Report on Directors' meetings attended at Metropolitan expense
- ~~C. Report on candidates for Office of Board Secretary~~
- D. Candidates Forum for Office of Board Chairman

Withdrawn

- E. Approve committee assignments
- F. Chairman's Monthly Activity Report
- G. Final report on list of certified assessed valuations for fiscal year 2006/07 and tabulation of assessed valuations, percentage participation, and vote entitlement of member public agencies as of August 15, 2006. (BFI&I)

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 August
- B. Interim 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

- Withdrawn**
- 7-1 ~~Authorize entering into a farm lease (RL-2480) with HayDay Farms, Inc., a California corporation. Approximately 7,000 gross acres (6,598 water toll acres) designated as portions of MWD Parcel Nos. PVID-1-110 and PVID-1-130 in Riverside and Imperial Counties, California. (A&R)~~
 - 7-2 Appropriate \$750,000; and authorize four rehabilitation projects at the Weymouth Treatment Plant (Approps. 15440, 15369). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$750,000;**
- b. Authorize design and installation of the Weymouth Basin Inlet Gate project;**
- c. Authorize study and inspection for the Weymouth Reservoir Gates Repair project;**
- d. Authorize preliminary design of the Weymouth Filter Rehabilitation project; and**
- e. Authorize final design of the Weymouth Raw Water Bypass project.**

- 7-3 Appropriate \$160,000; and authorize final design of the Diemer West Washwater Tank Seismic Upgrades (Approp. 15322). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$160,000 in budgeted funds; and**
- b. Authorize final design of the Diemer West Washwater Tank Seismic Upgrades.**

- 7-4 Appropriate \$1.11 million for rehabilitation projects for the Colorado River Aqueduct; award a \$541,000 construction contract to Denboer Engineering & Construction, Inc. for secondary containment structures at Intake Pumping Plant; and authorize (1) an increase of \$82,474 in change order authority for the CRA Aqueduct Repairs and Instrumentation; and (2) two CRA electrical reliability projects (Approps. 15385, 15438). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Appropriate \$1.11 million in budgeted funds;**
- b. Award a \$541,000 construction contract to Denboer Engineering & Construction, Inc. for the Intake Pumping Plant Secondary Containment Structures;**
- c. Authorize preliminary design of the Fault Current Protection Project and the 230 kV and 69 kV Disconnect Switch Replacement project; and**
- d. Authorize an increase of \$82,474 in the General Manager's change order authority, up to a total of \$624,884, for the CRA Aqueduct Repairs and Instrumentation project.**

- 7-5 Authorize increase of \$160,000 (to a maximum of \$400,000) 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 LLP to increase maximum amount payable from \$240,000 to \$400,000.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1 Appropriate \$3.31 million; award a \$2,648,710 construction contract to Pima Corporation dba Advanced Construction to construct Phase I of the Weymouth Perimeter Improvements project; and authorize amendment to an existing agreement with Tetra Design, Inc. (Approp. 15369). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$3.31 million in budgeted funds;**
- b. Award a \$2,648,710 contract to Pima Corporation dba Advanced Construction to construct Phase I of the Weymouth Perimeter Improvements; and**
- c. Authorize an increase of \$28,000 to the existing agreement with Tetra Design, for a new not-to-exceed total of \$2.228 million.**

- 8-2 Appropriate \$4.45 million for rehabilitation of the conveyance and distribution system; award a \$1.841 million contract to Mladen Buntich Construction Co., Inc. for the Foothill Feeder Pipeline Replacement project; award a \$2,755,555 contract to Sema Construction, Inc. for the San Diego Canal Lining Repairs project; and authorize two conveyance and distribution system rehabilitation projects (Approps. 15377, 15441). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Appropriate \$4.45 million in budgeted funds;**
- b. Award a \$1.841 million construction contract to Mladen Buntich Construction Co., Inc. for the Foothill Pipeline Replacement project;**
- c. Award a \$2,755,555 construction contract to Sema Construction, Inc. for the San Diego Canal Lining Repairs project**
- d. Authorize repair of one PCCP segment on the Rialto Feeder; and**
- e. Authorize final design of the St. Johns Canyon Erosion Mitigation project.**

- 8-3 Appropriate \$2.4 million; and authorize design of replacement floating reservoir covers for the Skinner Finished Water Reservoir and Palos Verdes Reservoir (Approp. 15417). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$2.4 million in budgeted funds; and**
- b. Authorize final design of a replacement floating cover for Skinner FWR and Palos Verdes Reservoir.**

- 8-4 Report on *Shank/Balfour Beatty, a Joint Venture vs. Metropolitan Water District of Southern California*, LASC Case No. BC283438 (consolidated with BC283439, Court of Appeal Case No. B184987); and authorize amending contract for legal services with Hunt, Ortmann, Blasco, Palffy & Rossell to increase compensation by \$100,000 to a maximum of \$250,000. (L&C)

[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

Corrected

- 8-5 Report on *Dewayne Cargill, et al. v. Metropolitan*, LASC Case No. BC191881 (consolidated with LASC Case Nos. BC194444 and BS052318); and authorize increase of \$300,000 for a total of \$400,000 in maximum amount payable under contract with Burke, Williams & Sorensen to defend Metropolitan in related lawsuits challenging the employment status and benefits 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)]

- 8-6 Report on *Metropolitan Water District of Southern California vs. Campus Crusade for Christ*, SBSC Case No. SCV 35498, Supreme Court Case No. S141148; and authorize amending contract for legal services with Cox, Castle & Nicholson to increase compensation by \$100,000 to a maximum of \$450,000. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

Withdrawn 8-7 ~~Authorize execution of the Planning Agreement for the Bay-Delta Conservation Plan. (WPQ&R)~~

9. BOARD INFORMATION ITEMS

- 9-1 Status report for the Inland Feeder Program for activities through July 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 Annual report of payment of claims for lost bonds or coupons. (BFI&I)
- 9-3 Preliminary analysis of State Water Project calendar year 2007 Statement of Charges. (BFI&I)
- 9-4 Review of DWR's Report regarding "Progress on Incorporating Climate Change into Management of California's Water Resources". (WPQ&R)
- 9-5 Water Resource Development Policies. (WPQ&R)

10. DEPARTMENT HEADS PERFORMANCE EVALUATION AND COMPENSATION

- 10-1 Report from Executive Committee and Special Committee on Human Resources on evaluation rating for General Manager, Interim General Counsel, General Auditor, and Ethics Officer
[Public employees' performance evaluation; to be heard in closed session pursuant to Gov. Code Section 54957]

- 10-2 Compensation and Pay for Performance Recommendation for General Manager, Interim General Counsel, General Auditor, and Ethics Officer.
(To be distributed at meeting)

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.