

REVISION 2

Regular Board Meeting

April 10, 2007

12:00 p.m. -- Board Room

Tuesday, April 10, 2007 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dirs. Computer Training
8:00 a.m.	Rm. 2-145	L&HR
9:30 a.m.	Rm. 2-456	C&L
12:00 p.m.	Board Room	Board Meeting

MWD Headquarters Building

• 700 N. Alameda Street •

Los Angeles, CA 90012

1. Call to Order

- (a) Invocation: (Guest)
- (b) Pledge of Allegiance: Director Bill Wright

2. Roll Call

3. Determination of a Quorum

PUBLIC HEARING

Comments on the proposed standby charge for 98th Fringe Area Annexation to Eastern Municipal Water District

Comments on the proposed Water Standby Charge for fiscal year 2007/08

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 Meeting for March 13, 2007. (A copy has been mailed to each Director)
Any additions, corrections, or omissions
- B. Report on Directors' meetings attended at Metropolitan expense
- Added** C. Induction of new Director, Edward C. Little, from West Basin Municipal Water District
 - (a) Receive credentials
 - (b) Report on credentials by General Counsel
 - (c) File credentials
 - (d) Administer Oath of Office
 - (e) File Oath
- Added** D. Approve committee assignments
- E. Chairman's Monthly Activity Report

6. DEPARTMENT HEADS' REPORTS

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

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1 Grant conditional and final terms and conditions in a one-step approval for Annexation No. 92 to Calleguas Municipal Water District and Metropolitan. (B&F)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Adopt resolution granting approval of Calleguas Annexation No. 92 concurrently to Calleguas and Metropolitan, conditioned upon receipt in full of annexation fee of \$245,349.20 to Metropolitan if completed by December 31, 2007, or if completed later, at the then-current annexation charge rate, conditioned upon approval by the Ventura County Local Agency Formation Commission, and establishing Metropolitan's terms and conditions for the annexation; and**
- b. **Approve Calleguas' Statement of Compliance with the current Water Use Efficiency Guidelines.**

- 7-2 Appropriate \$487,000; and authorize refurbishment of Weymouth Basin No. 1 Flocculators (Approp. 15369). (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Appropriate \$487,000 in budgeted funds; and**
- b. **Authorize refurbishment of the Weymouth Basin No. 1 flocculators.**

- 7-3 Authorize increase in funds allotted for temporary personnel in the amount of \$87,000. (L&HR)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize increase in funds allotted for temporary personnel in the amount of \$87,000.

(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 2007/08. (B&F)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Approve water rates effective January 1, 2008 as shown in Table 1 of the board letter;**
- b. **Adopt Resolution to Impose the Readiness-to-Serve Charge in the form shown as Attachment 3 to the board letter; and**
- c. **Adopt Resolution to Impose the Capacity Charge in the form shown as Attachment 4 to the board letter.**

- 8-2 Authorize an increase of \$2 million to the existing agreement with Jacobs Associates for specialized engineering support on the Inland Feeder Program (Approp. 15122). (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize an increase of \$2 million to the existing agreement with Jacobs Associates, for a new not-to-exceed total of \$12 million.

- 8-3 Appropriate \$4.41 million and authorize (1) Phase II of the Automatic Meter Reading Upgrade project; and (2) amendment to an agreement with FluidIQs (Approp. 15397). (WQ&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Appropriate \$4.41 million in budgeted funds; and**
- b. **Authorize an increase of \$4.21 million to the agreement with FluidIQs to complete Phase II of the Automatic Meter Reading System upgrade.**

- 8-4 Authorize updated policy and procedure for Local Resources Program. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize

- a. **Open program alternative with sliding scale incentive approach up to \$250/AF for new local projects as outlined in Attachment 3 to the board letter and the overarching program elements in Attachment 1;**
- b. **Metropolitan's regional facilitator role to address local projects as outlined in Attachment 6; and**
- c. **Conversion of existing incentive agreements from sliding scale incentives to fixed incentive as outlined in the board letter.**

- 8-5 Report on *Felicia Clayton-Gordon v. Metropolitan*, LASC Case No. BC333064. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

Corrected

- 8-6 Report on *L. H. Woods & Sons, Inc. v. Metropolitan*, San Bernardino Superior Court Case No. SCVSS 131976. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

- 8-7 Report on *Steven Slack v. Metropolitan*, LASC Case No. BC349404; and authorize increase of \$75,000 for a total of \$350,000 in maximum amount payable under contract with Meserve, Mumper & Hughes to represent Metropolitan in litigation. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

- 8-8 Report on *Lollett Jones-Boyce v. Metropolitan, et al.*, LASC Case No. BC310915. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

8-9 Report on *Shank/Balfour Beatty, a Joint Venture v. Metropolitan Water District of Southern California*, LASC Case No. BC283438 (consolidated with BC283439), Court of Appeal Case No. B184987); and authorize increase of \$35,000 for a total of \$285,000 in maximum amount payable under contract with Hunt Ortmann Palffy Nieves Lubka Darling & Mah, for legal services to represent Metropolitan. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

8-10 Authorize sponsorship of federal legislation for Tax Credit Bonds providing capital financing for local projects (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize sponsorship for Clean Renewable Water Supply bond legislation.

8-11 Authorize sponsorship of and support for AB 1481 (De La Torre, D-South Gate) – General Water Recycling Permit; and express support for AB 1406 (Huffman, D-San Rafael) – Toilet and Urinal Flushing with Recycled Water in Condominiums. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Authorize sponsorship of and support for AB 1481; and**
- b. Express support for AB 1406.**

8-12 Adopt support positions on state legislative measures promoting water-use efficiency. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Authorize support for AB 662, AB 888, AB 1058, AB 1560, AB 715, and AB 1404; and**
- b. Direct staff to pursue amendments to AB 662, AB 888, AB 1560, and AB 1404 as noted in the board letter.**

- 8-13 Express support for AB 1260 (Caballero, D-Salinas) – Local government fees and charges. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and express support for AB 1260.

- 8-14 Express support for SB 1029 (Ducheny, D-Chula Vista) regarding drinking water regulations. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and express support for SB 1029 as proposed to be amended.

- 8-15 Express support for SB 258 (Ducheny, D-Chula Vista) regarding State Water Resources Control Board water rights fees. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and express support for SB 258.

- 8-16 Express support, if amended, for SB 59 (Cogdill, R-Fresno) – Reliable Water Supply Bond Act of 2008. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for SB 59 if it is amended as described in the board letter.

- 8-17 Approve Delta Levees Emergency Preparedness and Response Plan. (WP&S)

Recommendation:

Option #1:

Post-event strategy of creating an emergency freshwater pathway to export pumps

Adopt the CEQA determination and direct staff to work with the SWC, DWR, and state and other stakeholders to develop a plan to implement this option substantially within the estimated time and costs described in the board letter.

- 8-18 Authorize construction contract change order to address urgent repair of the Rialto Pipeline (Approp. 15427). (E&CP)

Recommendation:

Adopt the CEQA determination and

- a. Appropriate \$1.38 million for urgent repair of a segment of the Rialto pipeline; and**
- b. Authorize the General Manager to increase change order authority by \$994,549 on the Rialto Pipeline Improvements contract, for a new aggregate amount of \$1.3 million.**

- 8-19 Approve water policy principles for statewide water management

Recommendation:

Option #1:

Adopt the CEQA determination and the water policy principles for statewide water management attached to the board letter.

- Added** 8-20 Express support, if amended, for AB 224 (Wolk, D-Davis) on water supply planning and climate change. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for AB 224 if it is amended as described in the board letter.

- Added** 8-21 Support and seek amendments to SB 27 (Simitian, D-Palo Alto; Machado, D-Linden; Perata, D-Oakland; and Steinberg, D-Sacramento) regarding the Sacramento-San Joaquin River Delta, Clean Drinking Water, Water Supply Security, and Environmental Improvement Act of 2008. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for SB 27 and to seek amendments consistent with the board letter.

9. BOARD INFORMATION ITEMS

- 9-1 Status report for the Inland Feeder Program for activities through February 2007. (E&CP)
- 9-2 Review of Water Conservation Program. (WP&S)
- 9-3 Water Surplus and Drought Management Plan report on water supply and demand as of March 26, 2007. (WP&S)
- 9-4 Review of Draft Groundwater Assessment Study Report. (WP&S)
- 9-5 Staff review of Draft EIS on Colorado River Interim Shortage Guidelines and Coordinated Management Strategies for Lakes Powell and Mead. (WP&S)
- 9-6 Oral report on *Watershed Enforcers v. California Department of Water Resources, et al.*, Alameda County Superior Court Case No. RG06292124; *Pacific Coast Federation of Fishermen's Assoc., et al.*, USDC Case No. 1:06-CV-00245 OWW LJO; *Natural Resources Defense Council v. Kempthorne*, USDC Case No. 1:05-CV-01207 OWW LJO. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a) and (c)]

10. 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&CP, B&F). Committee agendas may be obtained from the Board 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 Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.