

Regular Board Meeting

October 9, 2007

12:00 p.m. -- Board Room

Tuesday, October 9, 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 Robert Wunderlich

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))

4A. Employee Commendation: Bike to work

5. OTHER MATTERS

- A. Approval of the Minutes of the Meeting for September 11, 2007. (A copy has been mailed to each Director)
Any additions, corrections, or omissions
- B. Report on Directors' meetings attended at Metropolitan expense

- C. Approve committee assignments
- D. Adopt motion to adjourn the November Board Meeting to November 20, 2007 (due to the Veterans Day holiday)
- E. Chairman's Monthly Activity Report

6. DEPARTMENT HEADS' REPORTS

- A. 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 amendments to Metropolitan Water District Administrative Code regarding the Audit Department. (Exec.)

Recommendation:

Option #1:

Adopt the CEQA determination and approve the changes to the Administrative Code set forth in Attachment 1 to the board letter.

- 7-2 Grant conditional approval for Calleguas Annexation No. 88 to Calleguas Municipal Water District and to Metropolitan; and adopt resolution of intent to impose water standby charge. (B&F)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Grant conditional approval for Calleguas Annexation No. 88 concurrently to Calleguas and Metropolitan, conditioned upon receipt in full of annexation fee of \$1,113,297 to Metropolitan if completed by December 31, 2007, or if completed later, at the then-current annexation charge rate;**
- b. Approve Calleguas' Statement of Compliance with the current Water Use Efficiency Guidelines; and**
- c. Adopt the resolution of intent to impose water standby charge within the proposed annexation territory, substantially in the form of Attachment 3 to the board letter.**

- 7-3 Adopt final resolutions and impose water standby charge for annexation of Citrus Heights to San Diego County Water Authority and to Metropolitan. (B&F)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Adopt resolution granting SDCWA's request for approval of the Citrus Heights annexation, concurrently to Metropolitan and SDCWA, conditioned upon approval by the San Diego Local Agency Formation Commission, and establishing Metropolitan's terms and conditions for the annexation; and**
- b. Adopt resolution to impose water standby charge at a rate of \$11.51 per acre or per parcel of less than one acre within the proposed annexation area.**

- 7-4 Appropriate \$1.21 million; and authorize four rehabilitation projects at the Joseph Jensen Treatment Plant (Approps. 15371 and 15442). (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Appropriate \$1.21 million in budgeted funds;**
- b. Authorize preliminary design of the Module No. 1 Filter Valve Replacement; Liquid Polymer Storage Building Seismic Upgrades; and Washwater Tanks Seismic Upgrades; and**
- c. Authorize construction of Solids Lagoon Modifications and the Lagoon Capacity Assessment study.**

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1 Authorize increase of \$3 million to existing agreement with the United States Forest Service for reimbursement of staff support on the Arrowhead Tunnels of the Inland Feeder Program (Approp. 15122). (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize an increase of \$3 million to the existing agreement with the United States Forest Service, for a new not-to-exceed total of \$8 million.

- 8-2 Authorize increase of \$2.2 million to existing agreement with Psomas for environmental mitigation monitoring for the Inland Feeder Program (Approp. 15122). (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize increase of \$2.2 million to the existing agreement with Psomas, for a new not-to-exceed total of \$5.2 million.

- 8-3 Authorize amendment to the water management program agreement with Arvin-Edison Water Storage District to include an additional expenditure of \$3.2 million of Proposition 13 funding. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize amendment to the water management program with Arvin to include an additional expenditure of \$3.1 million of Proposition 13 funding.

- 8-4 Amend Administrative Code to implement Metropolitan's Interim Agricultural Water Program Reduction Guidelines to facilitate a 30 percent reduction in IAWP deliveries beginning January 1, 2008. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Approve amendments to Metropolitan's Administrative Code as described in the board letter and as shown in Attachment 3 to the board letter; and**
- b. Approve the penalty fees and charges described in the letter and the IAWP Reduction Guidelines and FAQ as shown in Attachment 1 and Attachment 2, to the board letter, respectively.**

- 8-5 Adopt a resolution to provide notice of potential discontinuance of interim agricultural service of surplus water from October 1, 2008 through September 30, 2009. (WP&S) **(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 surplus water from October 1, 2008 through September 30, 2009.

- 8-6 Report on *Dewayne Cargill, et al. v. Metropolitan*, LASC Case No. BC191881 (consolidated with LASC Case Nos. BC194444 and BS052318); and authorize increase of \$450,000 for a total of \$1.3 million in maximum amount payable under contract with Burke, Williams & Sorensen to represent Metropolitan in the CalPERS proceedings. (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 *Watershed Enforcers a project of California Sportsfishing Protection Alliance v. L. Ryan Broddrick and California Department of Fish and Game; California Department of Water Resources and Lester A. Snow real parties in interest*, Alameda County Superior Court Case No. RG07326290; *Watershed Enforcers v. California Department of Water Resources*, Alameda County Superior Court Case No. RG06292124; *Pacific Coast Federation of Fishermen's Assoc., et al. v. Carlos M. Gutierrez, et al.*, USDC Case No. 1:06-CV-00245 OWW LJO; and *Natural Resources Defense Council v. Kempthorne*, USDC Case No. 1:05-CV-01207 OWW LJO; and authorize increase of \$750,000 for a total of \$1.25 million in maximum amount payable under contract with Best Best & Krieger to represent Metropolitan in Endangered Species Act litigation impacting the State Water Project. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(a) and (c)]

- 8-8 Report on *Alameda County Flood Control & Water Conservation District Zone 7, et al. v. California Department of Water Resources*, Sac. Sup. Ct. Case No. 05AS01775; and authorize increase of \$1,500,000 in maximum amount payable under contract with Bingham McCutchen LLP 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)]

9. BOARD INFORMATION ITEMS

- 9-1 Status report for the Inland Feeder Program for activities through August 2007. (E&CP)
- 9-2 Transmittal of 2007 Integrated Water Resources Plan Implementation Report. (WP&S) **(To be mailed separately)**

10. FUTURE AGENDA ITEMS

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&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.