

Adjourned Regular Board Meeting

November 20, 2007

12:00 p.m. -- Board Room

Tuesday, November 20, 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 Sylvia Ballin

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. Introduction of graduates from Metropolitan's Apprenticeship Program

5. OTHER MATTERS

- A. Approval of the Minutes of the Meeting for October 9, 2007. (A copy has been mailed to each Director)
Any additions, corrections, or omissions
- B. Report on Directors' meetings attended at Metropolitan expense

- C. Authorize preparation of Commendatory Resolutions for former Directors Wesley Bannister, Betty Harris, Steven Veres
- 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 October
- B. General Counsel's summary of Legal Department activities for the month of October
- C. General Auditor's summary of activities for the month of October
- D. Ethics Officer's summary of activities for the month of October

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1** Grant conditional approval for Calleguas Annexation No. 89 to Calleguas Municipal Water District and to Metropolitan; and adopt resolution of intention to impose water standby charge. (B&F)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Grant conditional approval for Calleguas Annexation No. 89 concurrently to Calleguas and Metropolitan, conditioned upon receipt in full of annexation fee of approximately \$242,580.47 to Metropolitan if completed by December 31, 2008, 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 intention to impose water standby charge within the proposed annexation territory, substantially in the form of Attachment 3 to the board letter.

- 7-2** Grant conditional approval and adopt final resolution for annexation of the 101st Fringe Area to Eastern Municipal Water District and Metropolitan. (B&F)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Adopt resolution granting Eastern's request for approval of the 101st Fringe Area annexation, concurrently to Metropolitan and Eastern, conditioned upon approval by the Riverside Local Agency Formation Commission, and establishing Metropolitan's terms and conditions for the annexation; and**
- b. Approve Eastern's Statement of Compliance with the current Water Use Efficiency Guidelines.**

- 7-3** Adopt resolution providing for change in Metropolitan's contribution to medical plans for AFSCME employees maintained by Public Employees' Retirement System for the calendar year 2008. (L&HR)

Recommendation:

Option #1:

Adopt the CEQA determination and resolution providing for change in Metropolitan's contribution to medical plans for AFSCME employees maintained by Public Employees' Retirement System for the calendar year 2008.

- 7-4** Approve amendments to the Metropolitan Water District Administrative Code to conform to current laws and practices and make corrections. (L&HR)

Recommendation:

Adopt the CEQA determination and approve amendments to the Administrative Code set forth in Attachment 2 to the board letter to reflect the changes recommended in this letter.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1** Appropriate \$1.41 million; and authorize final design of the Skinner Solar Power Generation Facility (Approp. 15391). (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$1.41 million; and**
- b. Authorize final design of the Skinner Solar Power Generation Facility.**

- 8-2** Appropriate \$4.3 million; and award \$3,403,950 procurement contract to Ozonia North America for ozone equipment for the Mills Ozone System Reliability Program (Approp. 15434). (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$4.3 million in budgeted funds; and**
- b. Award a \$3,403,950 procurement contract to Ozonia North America for ozone equipment and support services for the Mills plant.**

- 8-3** Authorize acquisition of an easement required for the Perris Valley Pipeline Project in Riverside County, on property identified by Riverside County Assessor's Parcel No. 294-180-032, Metropolitan's Parcel No. PEVAL1-01-600PEA1, and owners' names, Guy Christensen and Jeanne Christensen, and Rudy Macias and Tina Macias, Trustees **[Conference with real property negotiators; Agency negotiators: Joseph Vanderhorst and Ron Maculans; Negotiating party: Rudy Macias; Under negotiations: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]; and hearing on adoption of resolution of necessity directing the General Counsel to condemn the easement. (L&HR) (Two-thirds vote required for adoption of resolution of necessity)**

- 8-4** Hearing on adoption of resolution of necessity directing the General Counsel to condemn interests in real property required for the Perris Valley Pipeline Project in Riverside County, identified by Riverside County Assessor's Parcel No. 294-180-017, Metropolitan's Parcel Nos. PEVAL1-01-400PEA1 and PEVAL1-01-400TEA1, and owner's name, Lewis Street Properties, LP. (L&HR) **(Two-thirds vote required)**

Recommendation:

Option #1:

Adopt the CEQA determination and the resolution of necessity, by a two-thirds vote, directing the General Counsel to commence an eminent domain proceeding to acquire Metropolitan's Parcel Nos. PEVAL1-01-400-PEA1 and PEVAL1-01-400TEA1.

- 8-5 Authorize acquisition of an easement required for the Perris Valley Pipeline Project in Riverside County, on property identified by Riverside County Assessor's Parcel No. 294-190-037, Metropolitan's Parcel No. PEVAL1-01-300TEA1, and owner's name, Robert Allen Schwartz, Trustee, **[Conference with real property negotiators; Agency negotiators: Joseph Vanderhorst and Ron Maculans; Negotiating party: Robert Schwartz; Under negotiations: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8];** and hearing on adoption of resolution of necessity directing the General Counsel to condemn the easement. (L&HR) **(Two-thirds vote required for adoption of resolution of necessity)**

- 8-6** Hearing on adoption of resolution of necessity directing the General Counsel to condemn interests in real property required for the Perris Valley Pipeline Project in Riverside County, identified by Riverside County Assessor's Parcel No. 294-180-013, Metropolitan's Parcel Nos. PEVAL1-01-700PEA1 and PEVAL1-01-700TEA1, and owners' names, Randy Zimmer and Norma Zimmer, Trustees. (L&HR) **(Two-thirds vote required)**

Recommendation:

Option #1:

Adopt the CEQA determination and the resolution of necessity, by a two-thirds vote, directing the General Counsel to commence an eminent domain proceeding to acquire Metropolitan Parcel Nos. PEVAL1-01-700PEA1 and PEVAL1-01-700TEA1.

- 8-7** Hearing on adoption of resolution of necessity directing the General Counsel to condemn an interest in real property required for the Perris Valley Pipeline Project in Riverside County, identified by Riverside County Assessor's Parcel No. 294-190-038, Metropolitan's Parcel No. PEVAL1-01-200TEA1, and owner's name, FR/Cal Perris II, LLC. (L&HR) **(Two-thirds vote required)**

Recommendation:

Option #1:

Adopt the CEQA determination and the resolution of necessity, by a two-thirds vote, directing the General Counsel to commence an eminent domain proceeding to acquire Metropolitan Parcel No. PEVAL1-01-200TEA1.

8-8 Report on *Metropolitan Water District of Southern California v. Campus Crusade for Christ*, San Bernardino County Superior Court Case No. SCV 35498; and authorize entering into contract for legal services with Cox, Castle & Nicholson for a maximum amount of \$750,000. (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 *Lance Charles, Sr. v. Metropolitan*, LASC Case No. BC313797; and *Lance Charles, Sr. v. Metropolitan*, LASC Case No. BC374779. (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 (1) agreement with the State Water Project Contractors Authority to pursue up to 200,000 acre-feet of Central Valley water transfer option agreements for 2008; and (2) paying initial administrative fees and option deposits. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Authorize the General Manager to enter into an agreement with the Authority to pursue up to 200,000 acre-feet of Central Valley water transfer option agreements for 2008, in a form approved by the General Counsel; and**
- b. **Authorize paying initial administrative fees (\$5/acre-foot) and option deposits (\$10/acre-foot).**

- 8-11** Authorize execution of a three-year contract for external audit services with KPMG LLP in maximum amount of \$1,035,250. (B&F)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Auditor to enter into a contract for external audit services with the firm KPMG LLP for annual and quarterly audits covering the fiscal years June 30, 2008 through June 30, 2010. The amount payable under this three-year contract will not exceed \$1,035,250.

- 8-12** Authorize agreement with California Department of Water Resources to purchase water transfer supplies from Yuba County Water Agency. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to enter into an agreement with DWR to purchase YCWA Components 2, 3 and 4 Water.

9. BOARD INFORMATION ITEMS

- 9-1** Status report for the Inland Feeder Program for activities through September 2007. (E&CP)
- 9-2** Draft Shortage Allocation Plan. (WP&S)

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.