

Regular Board Meeting

January 8, 2008

12:00 p.m. -- Board Room

Tuesday, January 8, 2008 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 Apodaca

2. Roll Call

3. Determination of a Quorum

PUBLIC HEARING

Comments on the proposed standby charge for Calleguas Annexation No. 89 to Calleguas Municipal Water District

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 December 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. Induction of new Director, S. R. Al Lopez, from Western Municipal Water District of Riverside County
 - (a) Receive credentials
 - (b) Report on credentials by General Counsel
 - (c) File credentials
 - (d) Administer Oath of Office
 - (e) File Oath
- D. Induction of new Director, Phillip D. Hawkins, from Central 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
- E. Presentation of five-year service pin to Director Randy Record, representing Eastern Municipal Water District
- F. Approve committee assignments
- G. Chairman's Monthly Activity Report

6. DEPARTMENT HEADS' REPORTS

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

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1** Grant conditional approval for Annexation No. 93 to Calleguas Municipal Water District and 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 the Calleguas Annexation No. 93 concurrently to Calleguas and to Metropolitan, conditioned upon receipt in full of annexation fee of approximately \$10,800.18 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** Authorize expenditure of \$774,000; and award \$511,500 contract for Diamond Valley Lake Security and Wildlife Protection Fencing (Approp. 15334). (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Award a \$511.500 contract to Lightning Fence Co. for DVL Security and Wildlife Protection Fencing; and**
- b. Authorize expenditure of \$774,000 in previously appropriated funds.**

- 7-3** Appropriate \$1.95 million; and authorize seven rehabilitation projects within Metropolitan's service area (Approps. 15377 and 15441). (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$1.95 million; and**
- b. Authorize seven distribution system rehabilitation projects:**
 - **Construction to repair erosion damage to St. John's Canyon Channel;**
 - **Final design and procurement of the valve replacement at Magazine Canyon shaft for the San Fernando Tunnel;**
 - **Final design for upgrade of the San Diego Canal bisulfite system;**
 - **Final design for rehabilitation of the Garvey Reservoir seepage data collection system;**
 - **Final design for modification of the Palos Verdes Reservoir energy dissipation structure;**
 - **Final design of road improvements at Service Connection OC-44; and**
 - **Preliminary design for the Santiago Control tower access road improvement.**

- 7-4** Authorize reopening of Appropriation No. 15414 for completion of the Fluoridation Program. (E&CP)

Recommendation:

Adopt the CEQA determination and reopen Approp. 15414 to fund completion of the Fluoridation Program.

- 7-5** Report on Bay-Delta Conservation Plan; and authorize increase of \$350,000 for a total of \$650,000 in maximum amount payable under contract with Resources Law Group to assist in preparation of the Bay-Delta Conservation Plan. (L&HR)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Counsel to amend the existing agreement with the Resources Law Group for assistance on CESA and FESA issues, including development of the BDCP, to increase the maximum amount payable by \$350,000 to \$650,000.

- 7-6** Authorize amending contract for consulting/legal services from \$100,000 to a maximum of \$300,000 with Akerman Senterfitt to assist with implementation of an electronic discovery litigation readiness program. (L&HR)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the amendment of the contract with Akerman Senterfitt to increase the maximum payable by \$200,000 for a total of \$300,000.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1** Determine water revenue requirements; set a public hearing date; and adopt resolutions giving notice of intention to impose rates and charges for fiscal year 2008/09. (B&F)

Recommendation:

Option #2:

Adopt the CEQA determination and

- b. Determine that revenues required from rates and charges during FY 2008/09 should not be less than \$1.32 billion, and use this determination in establishing water rates and charges to be effective January 1, 2009;**
- b. Set a time for a public hearing of the Business and Finance Committee at which interested parties may present their views regarding the General Manager's recommendation for rates and charges to be effective January 1, 2009; and**
- c. Adopt the following resolutions:**
 - 1. Resolution of intention to impose the Readiness-to-Serve Charge in the form shown as Attachment 2 to the board letter, declaring the Board's intention (i) at its March 11, 2008 meeting to consider and act upon the General Manager's recommendation to impose a Readiness-to-Serve Charge and (ii) at its May 13, 2008 meeting to consider and act upon the General Manager's recommendation to impose standby charges within the service territories of member agencies that have requested that charge as a means of collecting all or a portion of their RTS Charge.**
 - 2. Resolution of intention to impose a Capacity Charge in the form shown as Attachment 3 to the board letter, declaring the Board's intention at its March 11, 2008 meeting to consider and act upon the General Manager's recommendation to impose a Capacity Charge.**

8-2 Approve Legislative Strategy for 2008. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and approve the 2008 Legislative Strategy.

8-3 Report on *Victor Alan Gordon v. Metropolitan, et al.*, LASC Case No. BC353932; and authorize increase of \$200,000 for a total of \$550,000 in maximum amount payable under the contract with Weston, Benshoof, Rochefort, Rubalcava & MacCuish, LLP for legal services to defend Metropolitan. (L&HR)

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

8-4 Report on *Cadiz, Inc., etc. v. Metropolitan*, LASC Case No. BC343232; and authorize increase of \$1.3 million for a total of \$1.4 million in maximum amount payable under contract with Fulbright & Jaworski to defend 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 November 2007. (E&CP)

9-2 Transmit proposed 2008/09 fiscal year budget. (B&F)

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.