

REVISED AGENDA

Adjourned Regular Board Meeting

November 18, 2008

12:00 p.m. -- Board Room

Tuesday, November 18, 2008 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dirs. Computer Training
8:00 a.m.	Rm. 2-145	L&HR
10:00 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 Bud Pocklington

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))

5. OTHER MATTERS

- A. Approval of the Minutes of the Meeting for October 14, 2008. (A copy has been mailed to each Director)
Any additions, corrections, or omissions
- B. Report on Directors' meetings attended at Metropolitan expense for month of October
- C. Approve 30-day leave of absence for Director Linda Ackerman, effective November 7, 2008

- D. Approve committee assignments
- E. Chairman's Monthly Activity Report
- F. Report from Executive Committee on nominations
- G. Nomination and election of Board Secretary for two-year term effective January 1, 2009
- H. Nomination and election of two members of the Inquiry and Review Committee for:
 - Continuing 3-year term ending December 31, 2010
 - 3-year term ending December 31, 2011

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 102nd Fringe Area annexation to Eastern Municipal Water District.](#)
Grant conditional approval for the 102nd Fringe Area Annexation to Eastern 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 the 102nd Fringe Area Annexation concurrently to Eastern and to Metropolitan, conditioned upon receipt in full of annexation fee of approximately \$158,892.44 to Metropolitan if completed by December 31, 2009 or, if completed later, at the then-current annexation charge rate;**
- b. Approve Eastern's Statement of Compliance with the current Water Use Efficiency Guidelines; and**
- c. Adopt 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 [Adopt final resolutions for annexation and water standby charge for Erreca annexation to San Diego County Water Authority.](#)

Adopt final resolutions for annexation and impose water standby charge for Erreca Annexation 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 Erreca Annexation, concurrently to Metropolitan and to 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 of intention to impose water standby charge at a rate of \$11.51 per acre or per parcel of less than one acre within the proposed territory, substantially in the form of Attachment 3 to the board letter.**

7-3 [Authorize amendments to agreements for capital projects at Mills and Jensen plants.](#)

Authorize amendments to professional services agreements with Lee & Ro, Inc. for capital projects at the Mills and Jensen plants. (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Authorize an increase of \$780,000 to the existing agreement with Lee & Ro, Inc., for a new not-to-exceed total of \$3.53 million for the Mills Capacity Upgrades Program; and**
- b. Authorize an increase of \$290,000 to the existing agreement with Lee & Ro, Inc., for a new not-to-exceed total of \$6.02 million, for the Chlorine Containment and Handling Facilities Program.**

7-4 [Authorize agreement to sell surplus material from Inland Feeder Arrowhead Tunnels Project.](#)

Authorize agreement with Ritchie Bros. Auctioneers to sell surplus material and equipment from the Inland Feeder Arrowhead Tunnels Project. (E&CP)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize agreement with Ritchie Bros. Auctioneers to auction Metropolitan's Arrowhead Tunnels surplus equipment and materials, under a Guaranteed Minimum Return arrangement.

7-5 [Authorize support position for revisions to CUWCC MOU.](#)

Authorize support position for revisions to the California Urban Water Conservation Council Memorandum of Understanding. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize support for revisions to the MOU consistent with those described in the attachments to the board letter.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

8-2 [Authorize extraordinary conservation programs.](#)

Authorize (1) \$22 million for extraordinary conservation programs and (2) \$13 million of increased contracting authority with Honeywell International to process incentives; and adopt resolution accepting state grant. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Authorize \$15 million for the Phase II Public Sector Program and revise the terms as described in the board letter;**
- b. Authorize a \$7 million new Turf Removal Pilot Program;**
- c. Adopt resolution to accept a state grant of \$2 million for the Turf Removal Pilot Program;**
- d. Authorize increasing contracting authority with Honeywell International by \$13 million; and**
- e. Condition eligibility to receive incentives under the Phase II Public Sector Program, Turf Removal Pilot Program, new Local Resource Program agreements, and new Enhanced Conservation Program agreements on adoption of conservation ordinances as described in the board letter.**

8-3 [Authorize reimbursement agreement with Coachella Valley Water District.](#)

Authorize agreement to reimburse Coachella Valley Water District for operating costs associated with reducing its 2008 request for Colorado River water by 4,000 acre-feet. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to enter into an agreement to reimburse Coachella Valley Water District for its operational costs in the amount up to \$264,000 for reducing its request for water conserved under the IID/MWD 1988 Agreement from 20,000 acre-feet to 16,000 acre-feet and making 4,000 acre-feet available for use by Metropolitan in 2008.

8-4 Approve adjustments to salary grades for classifications in ACE (excluding Human Resources classifications).

Approval of adjustments to salary grades for classifications in the Association of Confidential Employees bargaining unit (excluding Human Resources classifications), as a result of the Association of Confidential Employees Classification and Compensation Study. (L&HR)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to exercise discretion under Administrative Code Sections 6101(k) and (l) to enter into an agreement to adjust salary grades for ACE classifications.

8-5 Authorize increase in fees for legal representation in *Dewayne Cargill, et al. v. Metropolitan*.

Report on *Dewayne Cargill, et al. v. Metropolitan*, LASC Case No. BC191881 (consolidated with LASC Case Nos. BC194444 and BS052318); and authorize increase of \$500,000 for a total of \$1.8 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)]

8-6 Approve Community Partnering Program Sponsorships Awards.

Approve Community Partnering Program Sponsorships Awards for fiscal year 2008/09. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and approve the recommended Community Partnering Program Sponsorships for fiscal year 2008/09 at 50 percent of the eligible level under the CPP guidelines, for discretionary community activities as listed in Attachment 1 to the board letter.

Withdrawn

~~8-7 Authorize principles to allocate a portion of Metropolitan's Governor's 2009 Drought Water Bank supplies.~~

~~Authorize principles to allocate a portion of Metropolitan's Governor's 2009 Drought Water Bank supplies to individual member agencies. (WP&S)~~

9. BOARD INFORMATION ITEMS

- 9-1 Status report for the Inland Feeder Program for activities through September 2008. (E&CP)
- 9-2 Status of Capital Project Scheduling for fiscal year 2008/09. (E&CP)
- 9-3 Proposed Metropolitan Administrative Code Section 4503 revision to define member agency responsibilities to accommodate outages at new and modified service connections on raw water conveyance facilities. (WQ&O)
- 9-4 Preliminary outlook of the State Water Project calendar year 2009 charges. (B&F)
- 9-5 2009 Water Supply Allocation Plan Status. (WP&S)

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

NOTE: Underscored summary language at the beginning of each action item is provided for ease of reference only. Please refer to the entire description of each agenda item to obtain information on the subject matter under consideration.

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.

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site <http://www.mwdh2o.com>.

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.