



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

MWD MEETING AGENDA

REVISED AGENDA

Regular Board Meeting

April 13, 2010

12:00 p.m. -- Board Room

Tuesday, April 13, 2010 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dirs. Computer Training
8:30 a.m.	Rm. 2-145	L&C
10:00 a.m.	Rm. 2-456	C&L
12:00 p.m.	Board Room	Board Meeting
1:30 p.m.	Rm. 2-456	IRP

MWD Headquarters Building •

700 N. Alameda Street •

Los Angeles, CA 90012

1. Call to Order

- (a) Invocation: (Guest)
- (b) Pledge of Allegiance: Director Anthony R. Fellow

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 Section 54954.3(a))

5. OTHER MATTERS

- A. Approval of the Minutes of the Meeting for March 9, 2010. (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 March
- C. Approve committee assignments
- D. 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** Appropriate \$1.24 million; and authorize four Colorado River Aqueduct rehabilitation projects (Approp. 15438). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Appropriate \$1.24 million;**
- b. Authorize preliminary design to rehabilitate Service Connection DW-CV-2T;**
- c. Authorize preliminary design of the Intake Power Line Relocation;**
- d. Authorize final design and equipment procurement to replace the standby generator at Hinds pumping plant; and**
- e. Authorize procurement of four aqueduct isolation gates.**

- 7-2** Appropriate \$890,000; and authorize two rehabilitation projects within Metropolitan's distribution system (Approp. 15441). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$890,000;**
- b. Authorize final design to rehabilitate three service connections on the Upper Feeder; and**
- c. Authorize a seismic study of the Sepulveda Canyon Control Facility water storage tanks.**

- 7-3** Authorize increase of \$200,000 for a total of \$850,000 in maximum amount payable under contract with the Resources Law Group to assist in preparation of the Bay Delta Conservation Plan. (L&C)

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 state and federal ESA issues, including development of the BDCP, to increase the maximum amount payable by \$200,000 to \$850,000.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1 Approve proposed 2010/11 fiscal year budget. (B&F)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Approve the 2010/11 Budget;**
- b. Appropriate \$1.06 billion for the projected annual cash outlays for Metropolitan O&M and operating equipment, power costs on the Colorado River Aqueduct, SWP operations, maintenance, power and replacement costs and SWP capital charges; demand management programs including the local resources and conservation credits program; and costs associated with supply programs;**
- c. Appropriate as continuing appropriations, \$348.1 million for 2010/11 debt service on Metropolitan general obligation and revenue bonds; and**
- d. Authorize the use of \$95 million in operating revenues to fund Replacement and Refurbishment expenditures in 2010/11.**

- 8-2 Adopt (1) recommended water rates and charges; and (2) resolutions to impose charges for fiscal year 2010/11. (B&F)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Determine that the revenue requirement to be paid from rates and charges is \$1.3889 billion;**
- b. Approve water rates effective January 1, 2011;**
- c. Adopt Resolution to Impose the Readiness-to-Serve Charge; and**
- d. Adopt Resolution to Impose the Capacity Charge.**

- 8-3** Affirm the General Manager's determination that The Metropolitan Water District of Southern California's Parcel No. 1006-1-100, Assessor Parcel No. 323-012-14, is surplus to Metropolitan's needs: 0.170 acre of improved land near Robert B. Diemer Water Treatment Plant. (RP&AM)
(Previously mailed)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Affirm the General Manager's determination that the subject property comprised of 0.170 acre is surplus and carry out disposition of the property in its current condition; and**
- b. Market the property for sale on the open market for its fair market value of \$430,000 in a form approved by the General Counsel.**

- 8-4** Appropriate \$1.9 million; and authorize final design of Phases 3 and 4 repairs of the Box Springs Feeder (Approp. 15377). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$1.9 million; and
- b. Authorize final design and pipe fabrication to repair 12 pipe sections on the Box Springs Feeder.

- 8-5** Authorize one-year amendment to agreement with California Department of Water Resources to purchase water transfer supplies from Yuba County Water Agency; and appropriate \$7 million for water transfer payments. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Authorize the General Manager to execute a one-year amendment to the agreement with DWR to purchase YCWA Component 4 Water; and
- b. Appropriate \$7 million for water transfer payments.

- 8-6** Declare Water Supply Condition for 2010; approve implementation level of Water Supply Allocation Plan; and adopt resolution supporting implementation. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Adopt the resolution supporting implementation of the Water Supply Allocation Plan shown as Attachment 1 to the board letter;
- b. Maintain a water supply "Condition 3 – Water Supply Allocation";
- c. Implement the Water Supply Allocation Plan at a Level 2 effective July 1, 2010, through June 30, 2011; and
- d. Direct staff to return to the Board in May to update the Board on water supply conditions and recommend changes to WSAP Level if appropriate.

- 8-7** Report on the status of *In re Tronox Incorporated, et al.*, Chapter 11, Case No. 09-10156 (ALG). (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

- 8-8 Authorize increase in maximum amount payable under contract with Morrison & Foerster for legal services by \$1,575,000 to a maximum of \$4,825,000; and report on *San Luis & Delta-Mendota Water Authority, et al. v. Salazar, et al.*, USDC Case No. 1:09-CV-407 OWW GSA, and consolidated cases; *San Luis & Delta-Mendota Authority, et al. v. Locke, et al.*, USDC Case No. 1:09-CV-1053 OWW DLB; and consolidated cases; *Watershed Enforcers v. California Dept. of Water Resources, et al.*, Alameda County Superior Court No. RG06292124; *State Water Contractors v. California Dept. of Fish & Game, et al.*, Sacramento County Superior Court Case No. 34-2009-80000203; *Central Delta Water Agency v. California Dept. of Water Resources, et al.*, Sacramento County Superior Court Case No. 34-2009-80000269. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

- Added** 8-9 Express opposition to AB 1664 (Swanson, D-Oakland): Metropolitan Water District Act. (C&L)

9. BOARD INFORMATION ITEMS

- 9-1 Proposed Water Conservation Plan for fiscal year 2010/11. (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&O, 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.

REVISED: Date of Notice: April 9, 2010