



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

MWD MEETING AGENDA

REVISED AGENDA

Regular Board Meeting

July 13, 2010

12:00 p.m. -- Board Room

Tuesday, July 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. 2-145	IRP

MWD Headquarters Building

• 700 N. Alameda Street

• Los Angeles, CA 90012

1. Call to Order

- (a) Invocation: (Guest)
- (b) Pledge of Allegiance: Director Daniel Griset

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 June 8, 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 June
- C. Induction of new Director, Lynne L. Heidel, from San Diego County Water Authority
 - (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, Rudy C. Montalvo, 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. Recognition of volunteers for Solar Cup
- F. Adopt motion to adjourn the August Board Meeting to August 17, 2010, to establish tax rate
- G. Approve committee assignments
- H. Chairman's Monthly Activity Report

6. DEPARTMENT HEADS' REPORTS

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

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1** Grant conditional approval and adopt final resolution for annexation of Calleguas Annexation No. 94 to Calleguas Municipal Water District and Metropolitan. (B&F)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Adopt resolution granting Calleguas' request for approval of Calleguas Annexation No. 94, concurrently to Metropolitan and Calleguas, conditioned upon recording an agreement excluding 23 acres from this annexation that will not receive water and approval by the Ventura Local Agency Formation Commission, and establishing Metropolitan's terms and conditions for the annexation; and**
- b. Approve Calleguas' Statement of Compliance with the current Water Use Efficiency Guidelines.**

- 7-2** Appropriate \$1.7 million; and award \$1,236,627 contract to Adams Mallory Construction Co., Inc. for the La Verne Shops buildings at the Weymouth plant (Approp. 15395). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Appropriate \$1.7 million in budgeted funds; and**
- b. Award \$1,236,627 contract to Adams Mallory Construction Co., Inc. for the La Verne Shops Upgrade, Phase 2.**

- 7-3** Authorize amendments to the water sale agreement with Caltrans and Chiriaco Summit Water District to furnish up to 100 acre-feet per year to facilitate services for the traveling public. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to execute an amendment to the 2002 water sale agreement with Caltrans and Chiriaco Summit Water District as set forth in the board letter.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

8-1 Deferred

8-2 Authorize staff to pursue renewable energy development for revenue generation on Metropolitan's Palo Verde mesa land through an RFP process. (RP&AM)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize staff to pursue renewable energy development for revenue generation on Metropolitan's Palo Verde mesa land through an RFP process.

8-3 Appropriate funds and authorize acquisition of three properties. (RP&AM)
[Conference with real property negotiators; Property No. 1 is approximately 10 acres located at 45001 CR 155, Davis, CA; Property No. 2 is approximately 80 acres identified as APN 033-220-049; and Property No. 3 is approximately 362 acres located at 39009 CR 104, Davis, CA; agency negotiators: Roger Patterson, Ralph Hicks, and John Clairday; negotiating parties: Metropolitan and Wildlands, Inc.; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]

8-4 Appropriate \$5.55 million; authorize three electrical upgrade projects at the Diemer, Jensen, and Mills plants; and award \$419,680 contract to Dalke & Sons Construction, Inc. for the Skinner Electrical Building Upgrades (Approps. 15365, 15380, 15442, and 15452). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Appropriate \$5.55 million;**
- b. Authorize final design of the Diemer electrical Improvements;**
- c. Authorize preliminary design of the Jensen and Mills Electrical Improvements; and**
- d. Award \$419,680 contract to Dalke & Sons Construction, Inc. to construct the Phase 2 Skinner Electrical Building Upgrades.**

- 8-5 Express opposition to SB 972 (Wolk, D-Davis) regarding indemnity: design professionals. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's opposition to SB 972.

- 8-6 Authorize execution of an amendment to the Delta Habitat Conservation and Conveyance Plan Funding Agreement to commit up to an additional \$21.5 million for Metropolitan's share of costs to prepare the environmental documentation and associated preliminary engineering design for the Bay Delta Conservation Plan. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to execute an amendment to the DHCCP Funding Agreement with the DWR to provide up to an additional \$21.5 million for Metropolitan's share of costs to prepare the preliminary engineering design and environmental documentation for the BDCP.

- 8-7 Authorize executing an agreement with the Municipal Water District of Orange County for the delivery of water supplies from Irvine Ranch Water District's Central Valley Storage Program. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize executing agreements, based on the terms described in the board letter and its Attachment 1, with the Municipal Water District of Orange County, the Irvine Ranch Water District, and the Department of Water Resources, as appropriate, for the coordinated delivery of procured State Water Project supplies with Irvine Ranch Water District's Strand Ranch Project.

- 8-8 Authorize \$7.2 million increase to existing \$7 million appropriation to purchase up to an additional 36,000 acre-feet of water transfers from Yuba County Water Agency. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and appropriate \$7.2 million for water transfer payments for YCWA water transfer supplies.

- 8-10** Express support for SB 565 (Pavley, D-Agoura Hills and Steinberg, D-Sacramento) — Water Resources. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for SB 565.

- 8-11 Authorization to initiate litigation against responsible parties, including RNL Design and Simon Wong & Associates, for claims arising out of the Diemer Plant Maintenance Facility and Vehicle Maintenance Center projects. (L&C)
[Conference with legal counsel—initiation of litigation (one matter); to be heard in closed session pursuant to Gov. Code Section 54956.9(c)]

- 8-12 Report on *San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.*, Los Angeles County Superior Court Case No. BS126888. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

- Added** 8-13 Report on existing litigation and authorize increase in maximum amount payable under contracts with Manatt, Phelps and Phillips LLP for legal services by \$100,000 to a maximum of \$330,000; Latham and Watkins for legal services by \$550,000 to a maximum of \$1,300,000; and Shaw Environmental for technical advice by \$60,000 to a maximum of \$160,000 relating to *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)]

9. BOARD INFORMATION ITEMS

- 9-1 Accounting for the capital component of the State Water Project. (B&F)
- 9-2 Proposed adjustments to Metropolitan Water Supply 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&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.