



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

MWD MEETING AGENDA

REVISED AGENDA

Regular Board Meeting

March 8, 2011

12:30 p.m. -- Board Room

Tuesday, March 8, 2011 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dirs. Computer Training
8:00 a.m.	Rm. 2-145	L&C
9:30 a.m.	Rm. 2-456	Legislation
10:30 a.m.	Rm. 2-145	C&E
12:30 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: Vice Chair Gloria Gray

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))

~~4A. Senator Alex Padilla (D-Pacoima) — 20th Senatorial District — State Legislative Update~~ **(ITEM MOVED TO LEGISLATION COMMITTEE AT 9:30 a.m.)**

5. OTHER MATTERS

- A. Approval of the Minutes of the Meeting for February 8, 2011. (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 February
- C. Reappointment of Directors Aaron Grunfeld and John Murray, Jr., from the City of Los Angeles
- 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 February
- B. General Counsel's summary of Legal Department activities for the month of February
- C. General Auditor's summary of activities for the month of February
- D. Ethics Officer's summary of activities for the month of February

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1** Appropriate \$850,000; and authorize two filter valve rehabilitation projects at the Jensen and Diemer plants (Approps. 15371 and 15436). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$850,000; and**
- b. Authorize Phase 1 of the Jensen and Diemer Filter Valve Refurbishment projects.**

- 7-2** Appropriate \$680,000; award \$369,207.65 contract to Green Horizons Landscape & Maintenance, Inc. for completion activities for the Diemer North Access Road; and authorize amendment to agreement with LSA Associates (Approp. 15380). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Appropriate \$680,000;**
- b. **Award \$369,207.65 contract to Green Horizons Landscape & Maintenance, Inc. for Diemer North Access Road revegetation and erosion control; and**
- c. **Authorize increase of \$50,000 to the existing agreement with LSA Associates, for a new not-to-exceed total of \$695,000.**

- 7-3** Appropriate \$660,000; and authorize final design of chemical feed system improvements at the Diemer plant (Approp. 15436). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Appropriate \$660,000; and**
- b. **Authorize final design of the Diemer Chemical Feed System Improvements.**

- 7-4** Adopt resolution to accept potential funding; and authorize entering into a contract with the Bureau of Reclamation if selected for grant funding under the WaterSMART: Water and Energy Efficiency Grants for FY 2011. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and the resolution to:

- a. **Authorize acceptance of potential grant funding of \$1 million;**
- b. **Delegate authority to the General Manager to execute necessary contracts if selected, including the Reclamation grant contract;**
- c. **Agree to fulfill the grant contract, including provision of Metropolitan's matching funds of \$1 million, through existing Metropolitan-funded member agency-administered programs; and**
- d. **State that Metropolitan, if awarded a grant, will work with Reclamation to meet established deadlines upon entering into a cooperative agreement.**

- 7-5** Report on *In re Tronox Incorporated, et al.*, Chapter 11, Case No. 09-10156 (ALG); and authorize increase in maximum amount payable under contract with Manatt, Phelps and Phillips LLP for legal services by \$100,000 to a maximum of \$430,000. (L&C)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize amendment of the contract for legal services with Manatt, Phelps and Phillips LLP for the *In re Tronox Incorporated* matter to increase the maximum amount payable by \$100,000 to \$430,000. The \$100,000 is to be shared equally with CAWCD.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1** Amend Section 8122(e)(1) of the Metropolitan Water District Administrative Code to increase the total authorized payment obligation for Colorado River Aqueduct Forward Energy commitments. (F&I)

Recommendation:

Option #1:

Adopt the CEQA determination and amend Metropolitan Water District Administrative Code Section 8122(e)(1) to increase the General Manager's authorization to negotiate contracts for power from a total payment obligation of up to \$35 million within a 24-month period to \$50 million.

- 8-2** Appropriate \$9.15 million; award \$6,684,000 contract to Morillo Construction, Inc., for the La Verne Coating Shop Upgrades; and authorize amendment to existing agreement with Tetra-IBI Group (Approp. 15395). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$9.15 million;**
- b. Award \$6,684,000 contract to Morillo Construction, Inc., for the La Verne Coating Shop Upgrades; and**
- c. Authorize increase of \$300,000 to the existing agreement with Tetra-IBI Group, for a new not-to-exceed total of \$1.85 million.**

- 8-3** Express support for S. 29 (Feinstein, D-CA) and H.R. 486 (Garamendi, D-CA) — Sacramento-San Joaquin Delta National Heritage Area Establishment Act. (Legis.)

Recommendation:

Option #1:

Adopt the CEQA determination and express support for S. 29 and H.R. 486.

- 8-4 Express support, if amended, for S. 78 (Boxer, D-CA) — Protecting Pregnant Women and Children from Perchlorate Act of 2011. (Legis.)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for S. 78, if amended.

- 8-5 Express support, if amended, for S. 79 (Boxer, D-CA) — Protecting Pregnant Women and Children from Hexavalent Chromium Act of 2011. (Legis.)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for S. 79, if amended.

- 8-6 Report on *Village Retail Center, LLC v. Metropolitan Water District*, Los Angeles County Superior Court Case No. BC439334; ratify settlement authority; and authorize increase of \$500,000 for a total of \$1,100,000 in maximum amount payable under contract with Theodora, Oringher, Miller & Richman. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

- 8-7 Express opposition, unless amended, to AB 576 (Dickinson, D-Sacramento) — Delta Stewardship Council: planning and administration: fee. (Legis.)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's opposition to AB 576, unless amended to spread the Council's planning and administrative costs more broadly to all persons or groups that benefit from or cause impacts to the Delta watershed.

- 8-8 Express opposition, unless amended, to AB 403 (Campos, D-San Jose) — Public drinking water standards: hexavalent chromium. (Legis.)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's opposition for AB 403 unless amended.

9. BOARD INFORMATION ITEMS

- 9-1 Conference with Labor Negotiators. (OP&T)
[Conference with labor negotiators; to be heard in closed session pursuant to Gov. Code Section 54957.6. Agency representative: Gilbert Ivey. Employee organizations: The Employees Association of The Metropolitan Water District of Southern California/AFSCME Local 1902; the Management and Professional Employees Association MAPA/AFSCME Chapter 1001, the Association of Confidential Employees, and the Supervisors Association]

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.