



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

MWD MEETING AGENDA

REVISED AGENDA

Regular Board Meeting

April 12, 2011

12:30 p.m. -- Board Room

Tuesday, April 12, 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
1:00 p.m.	Rm. 1-102	A&BO

MWD Headquarters Building

• 700 N. Alameda Street

• Los Angeles, CA 90012

1. Call to Order

- (a) Invocation: (Guest)
- (b) Pledge of Allegiance: Director Kristine Murray

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 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 March
- 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
- F. Approve recommendation of Executive Committee to appoint Marcia Scully as the Interim General Counsel. (Exec.)
[Public employee appointment: Interim General Counsel; any evaluation of candidates to be heard in closed session pursuant to Gov. Code Section 54957]
- G. Approve terms and conditions of employment for Interim General Counsel Marcia Scully
- H. Report from Blue Ribbon Committee

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 \$840,000; and authorize two improvement projects at the Mills plant (Approps. 15381 and 15452). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$840,000;**
- b. Authorize final design of the Mills Hazardous Waste Staging and Handling Facility Improvements; and**
- c. Authorize final design, procurement, and construction of the Mills Modules Nos. 3 and 4 Turbidity Meters and Gas Detectors Replacement project.**

- 7-2** Appropriate \$1.93 million; and authorize two Colorado River Aqueduct rehabilitation projects (Approps. 15374 and 15438). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$1.93 million;**
- b. Award \$1,032,945 contract to Southern Contracting Company for replacement of the standby generator at Eagle Mountain Pumping Plant; and**
- c. Authorize final design of repairs to the delivery pipe expansion joints at Hinds, Gene and Intake Pumping Plants.**

- 7-3** Amend Metropolitan Water District Administrative Code provisions regarding committee structure. (L&C)

Recommendation:

Option #1:

Adopt the CEQA determination and the proposed revisions to the Metropolitan Water District Administrative Code set forth in Attachment 1 of the board letter.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

8-1 Consider offers for the sale of Metropolitan's 23.803 acres south of Arrow Highway in La Verne, California. (RP&AM)
[Conference with real property negotiators; Metropolitan's Parcel Nos. 1415-2-1, -3 (easterly portion), Los Angeles County Parcel No. 8378-010-923; agency negotiators: Gilbert Ivey, Ralph Hicks, and John Clairday; negotiating parties: Trammel Crow Company; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]

Withdrawn

~~8-2 Authorize action on Metropolitan-owned easement located in Desert Hot Springs, California. (RP&AM)
[Conference with real property negotiators; Metropolitan's Parcel No. W-137-7, Riverside County Assessor Parcel No. 642-050-006; agency negotiators: Gilbert Ivey, Ralph Hicks, and John Clairday; negotiating parties: Angel View Crippled Children's Foundation; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]~~

8-3 Consideration of pending offer and status of appraisal on surplus property identified as The Metropolitan Water District of Southern California's Parcel No. 1006-1-100: 0.170 acre of improved land near Robert B. Diemer Water Treatment Plant. (RP&AM)
[Conference with real property negotiators; Orange County Assessor Parcel No. 323-012-14; agency negotiators: Gilbert Ivey, Ralph Hicks, and John Clairday; negotiating party: Vivien Thi Tran; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]

8-4 Approve proposed biennial budget for fiscal years 2011/12 and 2012/13. (F&I)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Provisionally approve the 2012/13 Budget for a total of \$1.49 billion for the projected annual cash outlays for Metropolitan O&M and operating equipment, power costs on the Colorado Rive 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; debt service on Metropolitan general obligation and revenue bonds; and the use of operating revenues to fund Replacement and Refurbishment expenditures.
- b. Provisionally approve the use of up to \$10 million in operating revenues to fund Metropolitan's OPEB liability and the use of up to \$125 million in operating revenues to fund Replacement and Refurbishment expenditures if sales exceed 1.8 million acre-feet in fiscal year 2012/13 and all other budget and financial targets authorized in the 2012/13 budget can be met.
- c. Direct staff to update the 2012/13 Budget to reflect any changed conditions and revised forecasts and to submit it to the Board for formal approval in April 2012.

8-5 Adopt resolutions imposing Readiness-to-Serve Charge and Capacity Charge for calendar year 2012. (F&I)

Recommendation:

Option #1:

Adopt the CEQA determination and the following resolutions:

- a. Resolution to impose the Readiness-to-Serve Charge.
- b. Resolution to impose the Capacity Charge.

- 8-6** Determine implementation status of Water Supply Allocation Plan for 2011/12; terminate 2010/11 implementation of Water Supply Allocation Plan; and reaffirm Baseline Water Use Efficiency Condition. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination

- a. Do not implement the WSAP for 2011/12;
- b. Terminate the current 2010/11 WSAP Level 2 implementation, and the current "Condition 3 – Water Supply Allocation" declaration as of April 13, 2011; and
- c. Reaffirm Baseline Water Use Efficiency.

- 8-7** Express support for SB 328 (Kehoe, D-San Diego) — Eminent Domain Law: conservation easement. (Legis.)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for SB 328.

- 8-8** Express support for H.R. 470 (Heck, R-NV) and S. 519 (Reid, D-NV) — Hoover Power Allocation Act of 2011. (Legis.)

Recommendation:

Option #1:

Adopt the CEQA determination and express support for H.R. 470 and S. 519.

- 8-9** Report on *Jena Minor v. Metropolitan Water District of Southern California*, LASC Case No. BC434669; and authorize settlement. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

Withdrawn

- 8-10** ~~Express opposition to AB 954 (Charles Calderon, D-Whittier) — Water replenishment districts. (Legis.)~~ **(To be mailed separately)**

- 8-11 Express opposition to SB 701 (Ron Calderon, D-Montebello) — Central Basin Municipal Water District: report. (Legis.)

Recommendation:

Option #1:

Adopt the CEQA determination and express opposition to SB 701.

- 8-12 Express no position on H.R. 567 (Nunes, R-CA) and S. 347 (Burr, R-NC) — Public Employee Pension Transparency Act, and continue to monitor the legislation. (Legis.)

Recommendation:

Option #1:

Adopt the CEQA determination and express no position on H.R. 567 (Nunes, R-CA) and S. 347 (Burr, R-NC)

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.