



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

# MWD MEETING AGENDA

## REVISED AGENDA

### Regular Board Meeting

May 10, 2011

12:30 p.m. -- Board Room

Tuesday, May 10, 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: Director Michael Camacho

### 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 Meetings for April 12 and 26, 2011. (Copies have been mailed to each Director)  
Any additions, corrections, or omissions
- B. Report on Directors' meetings attended at Metropolitan expense for month of April

- 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 April
- B. Interim General Counsel's summary of Legal Department activities for the month of April
- C. General Auditor's summary of activities for the month of April
- D. Ethics Officer's summary of activities for the month of April

## 7. CONSENT CALENDAR ITEMS — ACTION

- 7-1** Appropriate \$220,000; and authorize preliminary design of seismic upgrades for water tanks at the Sepulveda Canyon Control Facility (Approp. 15441). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. Appropriate \$220,000; and**
- b. Authorize preliminary design of seismic upgrades for the Sepulveda Canyon Control Facility water storage tanks.**

- 7-2** Appropriate \$470,000; and authorize preliminary design of seismic upgrades for the Diemer Administration Building and filter buildings (Approp. 15436). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. Appropriate \$470,000; and**
- b. Authorize preliminary design of seismic upgrades for the Diemer Administration Building and filter buildings.**

- 7-3** Appropriate \$180,000; and authorize final design of repairs to three siphons on the Colorado River Aqueduct (Approp. 15438). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. Appropriate \$180,000; and**
- b. Authorize final design of repairs to the Freda, Perris Valley, and MM 19.58 siphons of the CRA.**

- 7-4** Authorize changes to Water Conservation Program for implementation in fiscal year 2011/12. (WP&S)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and authorize changes to the conservation program to be implemented effective July 1, 2011.**

- 7-5** Amend Metropolitan Water District Administrative Code to update Employee Savings Plan for compliance with Internal Revenue Code changes. (OP&T)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and approve the amendments to The Metropolitan Water District of Southern California Consolidated Savings Plan (Administrative Code sections 6780-6792) set forth in Attachment 1 to the board letter.**

- 7-6** Appropriate \$1.88 million for completion activities and documentation for the Diemer Oxidation Retrofit Program; and authorize amendment to existing agreement with Camp Dresser and McKee, Inc. (Approps. 15389 and 15380). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. Appropriate \$1.88 million for Diemer ORP completion activities; and**
- b. Authorize increase of \$3.2 million to the existing agreement with CDM, for a new not-to-exceed total of \$23,038,000.**

**(END OF CONSENT CALENDAR)**

**8. OTHER BOARD ITEMS — ACTION**

- 8-1** Adopt resolution to continue Metropolitan's Water Standby Charge for fiscal year 2011/12. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and the resolution to continue the water standby charge for fiscal year 2011/12.**

- 8-2** Consider City of Compton's request to withdraw Purchase Order Agreement. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and authorize the General Manager to execute a withdrawal of Compton's Purchase Order effective January 1, 2003.**

- 8-3** Grant conditional approval for Annexation No. 95 to Calleguas Municipal Water District and to Metropolitan; and adopt resolution of intention to impose water standby charge. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. **Grant conditional approval for the Calleguas Annexation No. 95 concurrently to Calleguas and to Metropolitan, conditioned upon receipt in full of annexation fee of approximately \$27,304.42 to Metropolitan if completed by December 31, 2011, or if completed later, at the then-current annexation charge rate;**
- b. **Approve Calleguas' Statement of Compliance with the current Water Use Efficiency Guidelines (Attachment 2 to board letter); and**
- c. **Adopt the resolution of intention to impose water standby charge within the proposed annexation territory, substantially in the form of Attachment 3 to the board letter.**

- 8-4** Adopt resolution approving modification of method of raising annexation charges for eleven annexations to Metropolitan. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. **Adopt Resolution approving Modification of Method of Raising Annexation Charges for Eleven Annexation Area Annexations to Metropolitan, amending Resolutions 6630, 6631, 6634, 6929, 7009, 7160; 7209, 7215, 7347, 7415, and 7748 with Exhibit A, Option 1;**
- b. **Direct the Board Executive Secretary to transmit the Resolution to the affected member agencies and request that they obtain approval as provided in the Resolution;**
- c. **Authorize the General Manager to write down balances related to the annexation areas pursuant to the resolution approved in Option #1a; and**
- d. **Authorize the General Manager to write off as uncollectible any remaining balances related to the annexation areas, as appropriate, once the annexation areas have been levied for 50 years or not later than June 2020.**

- 8-5** Appropriate \$1.47 million; and authorize the implementation of Supervisory Control and Data Acquisition Cyber Security Upgrades as identified in the Information Technology Strategic Plan (Approp. 15378). (OP&T)  
**[Any discussion of specific threats or facilities to be heard in closed session. Conference with Metropolitan's security operations manager — threat to public services or facilities; may be heard in closed session pursuant to Gov. Code Section 54957(a)]**

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. Appropriate \$1.47 million in budgeted funds; and**
- b. Authorize the SCADA Cyber Security Upgrades initiative.**

- 8-6 Approve terms for agreement terminating the Metropolitan-Calleguas Groundwater Storage Conjunctive Use Program. (WP&S)  
**[Conference with real property negotiators; property is groundwater rights and facilities in the Las Posas Valley Groundwater Basin, located in Ventura County; agency negotiators: Debra Man and Susan Mulligan; negotiating parties: Calleguas Municipal Water District and The Metropolitan Water District of Southern California; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]**
- 8-7 Report on *San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.*, San Francisco County Superior Court Case No. CPF-10-510830; and authorize increase of \$300,000 for a total of \$800,000 in maximum amount payable under contract with Bingham McCutchen LLP to represent Metropolitan in that litigation. (L&C)  
**[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]**
- 8-8 Review Rate Structure Integrity provisions of conservation and Local Resources Program funding agreements with San Diego County Water Authority; and consider termination of agreements. (L&C)  
**[Conference with legal counsel—significant exposure to litigation (one matter); to be heard in closed session pursuant to Gov. Code Section 54956.9(b)]**
- 8-9 Remove opposition to AB 134 (Dickinson, D-Sacramento) — Appropriation of water: Sacramento Regional County Sanitation District. (Legis.)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and remove Metropolitan's opposition to AB 134, as amended on April 5, 2011.**

- 8-10 Express support for AB 359 (Huffman, D-San Rafael) — Groundwater management plans. (Legis.)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for AB 359, as amended April 11, 2011.**

- 8-11 Express support for AB 467 (Eng, D-Monterey Park) — Environment: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond of 2006. (Legis.)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for AB 467, as amended March 31, 2011.**

- 8-12 Express support for AB 741 (Huffman, D-San Rafael) — Onsite wastewater disposal. (Legis.)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and express support for AB 741.**

- 8-13 Express opposition to SB 34 (Simitian, D-Palo Alto) — California Water Resources Investment Act of 2011 and SB 571 (Wolk, D-Davis) — California Water Commission: California Water Plan: water resources investment. (Legis.)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and authorize the General Manager to express Metropolitan's opposition to SB 34 and SB 571.**

- 8-14 Express support for AB 403 (Campos, D-San Jose) — Public Drinking Water Standards: Hexavalent Chromium, if amended. (Legis.)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for AB 403, if amended.**

- 8-15 Report on existing litigation and authorize an increase in maximum amount payable under contract with Meserve, Mumper & Hughes LLP for legal services by \$600,000 to an amount not to exceed \$950,000 for representation of Metropolitan in *Jena Minor v. Metropolitan Water District of Southern California*, LASC Case No. BC434669. (L&C)  
**[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]**

- 5-1** Approve calendar year 2011 approach for purchases of water for local storage. (WP&S)

**Recommendation:**

**Option #3:**

**Adopt the CEQA determination and provide direction to the General Manager to exercise his discretion to offer discounted replenishment in an amount limited to increases in supply above currently allocated supplies.**

- Added** 8-16 Report on existing litigation and authorize an increase in maximum amount payable under contract with Manatt, Phelps & Phillips, LLP for legal services by \$750,000 to an amount not to exceed \$1,340,000 for representation of Metropolitan in *Orange County Water District vs. Northrop Corporation*, Orange County Superior Court Case No. 04CC00715. (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** Renewal status of Metropolitan's Property and Casualty Insurance Program. (F&I)
- 9-2** Propose entering into a consolidated agreement under the Local Resources Program with the Inland Empire Utilities Agency, Western Municipal Water District, and Chino Basin Desalter Authority for the Chino Basin Desalination Program. (WP&S)



- 9-3 Report on Imperial Irrigation District's (IID) transfer of unused Colorado River water to the Salton Sea. (L&C)  
**[Conference with legal counsel—potential litigation (one case); to be heard in closed session pursuant to Gov. Code Section 54956.9(b)]**
- Added** 9-4 Status on development of the Weymouth Solar Power Facility. (E&O)  
**(To be mailed separately)**

## 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.