



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

MWD MEETING AGENDA

Adjourned Regular Board Meeting

August 16, 2011

12:00 p.m. -- Board Room

Tuesday, August 16, 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
12:00 p.m.	Board Room	Board Meeting
1:00 p.m.	Rm. 2-456	Ag & Bus. Outreach

MWD Headquarters Building

• 700 N. Alameda Street

• Los Angeles, CA 90012

1. Call to Order

- (a) Invocation: (Guest)
- (b) Pledge of Allegiance: Director Glenn A. Brown

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 July 12, 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 July

- C. Approve committee assignments
- D. Chairman's Monthly Activity Report
- E. Tax levy for fiscal year 2011/12. (F&I)
 - E-1 Report on list of certified assessed valuations for fiscal year 2011/12 and tabulation of assessed valuations, percentage participation and vote entitlement of member public agencies as of August 10, 2011. (Copies distributed—Compare with preceding year—Ordered received and filed, spread on the Minutes, a copy to be sent each Director and to each member public agency).
(To be distributed at meeting)
 - E-2 Adopt resolution establishing the tax rate for fiscal year 2011/12.
(Roll call vote—two-thirds vote required) (To be distributed at meeting)
- F. **Adopt resolution in support of Randy A. Record for president of the Association of California Water Agencies (ACWA)**

6. DEPARTMENT HEADS' REPORTS

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

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1** Appropriate \$1.82 million; and authorize final design of seismic upgrades for the Weymouth Filter Buildings (Approp. 15369). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$1.82 million; and**
- b. Authorize final design of seismic upgrades for the Weymouth Filter Buildings.**

- 7-2** Appropriate \$1.92 million; and authorize four improvement projects at the Robert B. Diemer Water Treatment Plant (Approp. 15436). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$1.92 million;**
- b. Authorize final design of the water sampling system improvements at the Diemer plant;**
- c. Authorize installation of new filter process control instruments;**
- d. Authorize installation of overflow monitoring for residual solids and wastewater; and**
- e. Authorize supernatant pump station improvements.**

- 7-3** Authorize a one-year extension of the existing 5-year reimbursable agreement with the California Department of Water Resources to provide services for State Water Project operations and maintenance activities for an additional amount not to exceed \$5 million (including expenditures for subcontracts not to exceed \$1.5 million). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize

- a. A one-year extension to the existing 5-year reimbursable agreement with the California Department of Water Resources to provide services for State Water Project operations and maintenance activities in an amount not to exceed \$5 million;**
- b. Entering into subcontracts greater than \$250,000 to complete work under the agreement; and**
- c. Authorize Metropolitan to enter into subcontracts as needed, not to exceed \$1.5 million cumulatively under the agreement.**

- 7-4** Authorize amendment to agreement with California Department of Water Resources to streamline future purchases of water transfer supplies from Yuba County Water Agency. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to execute an amendment to the Agreement with DWR to streamline future purchases of water transfer supplies from YCWA.

- 7-5** Authorize amendments to contract with Fraser Communications to extend the term for one year, modify scope of work and reduce the maximum payable amount. (C&E)

Recommendation:

Option #1:

Adopt the CEQA determination and amend the current contract with Fraser Communications to extend the termination date to September 2012, expand the scope of work to include enhancing Metropolitan's websites (mwdh2o.com and bewaterwise.com) and stronger use of social media, with the amount payable during the additional year not to exceed \$700,000.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1** Adopt policy principles for managing Metropolitan's real property assets and amend Administrative Code (RP&AM)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Adopt the proposed policy principles; and**
- b. Approve the proposed changes to the Administrative Code.**

8-2 Consider offer for the purchase of Metropolitan's 83.6-acre Box Springs Feeder right-of-way in city and county of Riverside. (RP&AM)
[Conference with real property negotiators; agency negotiators: Gilbert Ivey, Ralph Hicks, and John Clairday; negotiating parties: city of Riverside and county of Riverside; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]

8-3 Authorize entering into a long-term agreement with Desert Sunlight for future power line crossings of Metropolitan's property near Eagle Mountain in Riverside County. (RP&AM)
[Conference with real property negotiators; MWD Parcel Nos. T126A-1-9PEC200 and 210, A9WPEC100, A9WAPEC100; agency negotiators: Gilbert Ivey, Ralph Hicks, and John Clairday; negotiating parties: Desert Sunlight Holdings, LLC; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]

8-4 Adopt final resolution for annexation and impose water standby charge for Annexation No. 95 to Calleguas Municipal Water District and Metropolitan. (F&I)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Resolution granting Calleguas' request for approval of Calleguas Annexation No. 95, concurrently to Metropolitan and Calleguas, and establishing Metropolitan's terms and conditions for the annexation, conditioned upon approval by the Ventura Local Agency Formation Commission, and upon receipt of annexation fee of \$27,304.42; and
- b. Resolution to impose water standby charge at a rate of \$9.58 per acre or per parcel of less than one acre, within the proposed annexation area.

8-5 Authorize additional payment for calendar year 2011 charges for water from the State Water Project. (F&I)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize additional payment of up to \$34 million for a total of \$607 million to DWR in calendar year 2011 for Metropolitan's SWP charges.

- 8-6** Appropriate \$7.7 million; and award \$4,818,000 contract to Southern Contracting Company for replacement of 230kV disconnect switches on the Colorado River Aqueduct (Approp. 15438). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Appropriate \$7.7 million; and**
- b. **Award \$4,818,000 contract to Southern Contracting Company for replacement of 230 kV disconnect switches on the CRA.**

- 8-7** Adopt the Long-Term Conservation Plan and revised policy principles on water conservation. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **The Long-Term Conservation Plan; and**
- b. **Revisions to the water conservation policy principles.**

- 8-8 Authorize execution of Amendment to the Delta Habitat Conservation and Conveyance Program Memorandum of Agreement and Agreement for Supplemental Funding to prepare and complete the planning, environmental documentation, and associated preliminary engineering design for the Bay Delta Conservation Plan. (WP&S)
(To be mailed separately)

- 8-9 Authorize increase in maximum amount payable under contract with Morrison & Foerster for legal services by \$600,000 to a maximum of \$6,325,000; 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; and *San Luis & Delta-Mendota Authority, et al. v. Locke, et al.*, USDC Case No. 1:09-CV-1053 OWW DLB, and consolidated cases. (L&C)
[Conferece with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

- 8-10 Report on existing litigation: *Orange County Water District v. Northrop Corporation*, Orange County Superior Court Case No. 04CC00715, and *San Gabriel Basin Water Quality Authority v. Aerojet-General Corp., et al.*, United States District Court Case No. CV 02-4565 ABC (RCx) and consolidated cases; and authorize increases in maximum amount payable under contracts with Meyers, Nave, Riback, Silver & Wilson, PC for legal services in *OCWD v. Northrop* by \$700,000 to an amount not to exceed \$800,000; and Manatt, Phelps & Phillips, LLP for legal services in *San Gabriel Basin v. Aerojet-General* by \$700,000 to an amount not to exceed \$1 million. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]
- 8-11 Report on *Village Retail Center, LLC, et al. v. Metropolitan Water District, et al.*, Los Angeles Superior Court Case No. BC439334; and ratify settlement authority. (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** Report on Local Resources Development Strategy Task Force. (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 parentheses at the end of the description of the agenda item e.g. (E&O, F&I). 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.