



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

MWD MEETING AGENDA

Regular Board Meeting

November 8, 2011

12:00 p.m. -- Board Room

Tuesday, November 8, 2011 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
1:00 p.m.	Rm. 2-145	BRRC

MWD Headquarters Building

• 700 N. Alameda Street

• Los Angeles, CA 90012

1. Call to Order

- (a) Invocation: Annette E. Eckhardt, Occupational Safety & Health Specialist, Water System Operations Group
- (b) Pledge of Allegiance: Director James T. Edwards

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 § 54954.3(a))

5. OTHER MATTERS

- A. Approval of the Minutes of the Meeting for October 11, 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 October

- C. Approve committee assignments
- D. Chairman's Monthly Activity Report
- E. Appointment of Board Vice Chairman

6. DEPARTMENT HEADS' REPORTS

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

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1** Appropriate \$1.12 million; authorize five pipeline cathodic protection projects; and award \$274,000 contract to Unique Performance Construction, Inc. for cathodic protection of West Valley Feeder No. 2 (Approp. 15441). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$1.12 million;
- b. Award \$274,000 contract to Unique Performance Construction, Inc. to install current drain stations on West Valley Feeder No. 2;
- c. Authorize construction of current drain stations on Lake Skinner Bypass Pipeline No. 2;
- d. Authorize final design of current drain stations for the Sepulveda Feeder North and Second Lower Feeder; and
- e. Authorize preliminary design of cathodic protection for the Orange County Feeder.

- 7-2** Amend Metropolitan Water District Administrative Code to add or revise provisions relating to contractor debarment rules, the procurement of materials, products, or services by a specific brand or trade name and contractor responsibility determinations. (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and approve the additions to The Metropolitan Water District of Southern California Contracting Rules (new Administrative Code Sections 8170-8180) and amendments to Administrative Code Sections 8140 and 8142 as set forth in Attachment 1 to the board letter.

- 7-3** Adopt resolution establishing a new retirement health benefit vesting requirement for future retirees under the Public Employees Medical and Hospital Care Act. (OP&T)

Recommendation:

Option #1:

Adopt the CEQA determination and resolution establishing a new retirement health benefit vesting requirement for future employees and changing the percentage of employer contributions payable for post-retirement health benefits for each retired employee to be based on the employee's years of credited service pursuant to Government Code Section 22893.

- 7-4** Adopt resolution enacting the reduction in Metropolitan health benefits premium contained in the newly authorized Memoranda of Understanding. (OP&T)

Recommendation:

Option #1:

Adopt the CEQA determination and resolution reducing Metropolitan's health benefits premium contribution for employees and annuitants under Government Code Section 22892(a).

- 7-5** Adopt resolution implementing the Time-in-Grade Exception for employee member contribution to Public Employees Retirement System. (OP&T)

Recommendation:

Option #1:

Adopt the CEQA determination and resolution providing for change in Metropolitan's system of paying the employees' PERS contribution by continuing to pay the 7 percent PERS contribution for existing employees and not paying the employees' 7 percent PERS contribution for employees hired after January 1, 2012 (until the employee accrues five years of total service).

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

- 8-1 Authorize entering into a ground lease agreement for approximately 7,000 gross acres of Metropolitan's Palo Verde property. (RP&AM) [Conference with real property negotiators; MWD Parcel Nos. PVID-1-110 and PVID-1-130; agency negotiators: Gilbert Ivey, Ralph Hicks, John Clairday; negotiating parties: HayDay Farms, Inc. (current lessee); under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]

(To be mailed separately)

- 8-2 Authorize entering into an option agreement for lease of 10 acres of Metropolitan's Potrero Creek property for a concentrated photovoltaic (CPV) solar project, subject to project approvals. (RP&AM) [Conference with real property negotiators; Riverside County Assessor Parcel Nos. 421-240-005 and 421-240-029, portion; agency negotiators: Gilbert Ivey, Ralph Hicks, and John Clairday; negotiating parties: Silex Systems Limited; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]

(To be mailed separately)

- 8-3** 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 and assess Compton an administrative fee of \$5,000.

- 8-4** Appropriate \$3.7 million; and award \$2,556,618 contract to J. F. Shea Construction, Inc. to rehabilitate hydraulic gates at Eagle Rock Tower and Puddingstone Spillway (Approp. 15441). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$3.7 million; and
- b. Award \$2,556,618 contract to J.F. Shea Construction, Inc. to rehabilitate the gates at Eagle Rock Tower and Puddingstone Spillway.

- 8-5** Appropriate \$4.53 million; and award (1) \$1,696,023.23 contract to Fibrwrap Construction, LP for joint repairs to the Foothill and Sepulveda Feeders; and (2) \$886,200 contract to Fibrwrap Construction, LP for joint repairs to the Allen-McColloch Pipeline (Approp. 15471). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determinations and

- a. Appropriate \$4.53 million;
- b. Award \$886,200 contract to Fibrwrap Construction, LP for carbon fiber joint repairs on the Allen-McColloch Pipeline; and
- c. Award \$1,696,023.23 contract to Fibrwrap Construction, LP for carbon fiber joint repairs on the Foothill and Sepulveda Feeders.

- 8-6** Appropriate \$2.28 million; and award \$1,784,495 contract to Abhe & Svoboda, Inc. for repairs to three siphons on the Colorado River Aqueduct (Approp. 15438). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$2.28 million; and
- b. Award \$1,784,495 contract to Abhe & Svoboda, Inc. for repairs to three siphons on the Colorado River Aqueduct.

- 8-7** Appropriate \$4.4 million; and award \$3,348,791 contract to W. M. Lyles Co. for replacement of transition and manhole structure covers on the Colorado River Aqueduct (Approp. 15373). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$4.4 million; and**
- b. Award \$3,348,791 contract to W. M. Lyles Co. for replacement of transition and manhole structure covers on the Colorado River Aqueduct.**

- 8-8** Approve policy principles for a replenishment program. (WP&S)

Recommendation:

Option #1:

Adopt the CEQA determination and approve the proposed policy principles for a replenishment program.

- 8-9** Report on *Solano County Water Agency, et al. v. Department of Water Resources*, Sacramento Superior Court Case No. 34-2008-0001338 CU-BC-GDS; and authorize increase of \$500,000 for a total of \$1,650,000 in maximum amount payable under contract with Ellison, Schneider & Harris to represent Metropolitan and other participating state water contractors. (L&C)
[Conference with legal counsel—existing litigation; may be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

- 8-10** Report on existing litigation; and authorize (1) 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 \$2,090,000; and (2) an increase in the maximum amount payable under contract with Shaw Environmental for expert services by \$300,000 to an amount not to exceed \$400,000 for representation of Metropolitan in *Orange County Water District v. 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)]
(To be mailed separately)

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.