



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

# MWD MEETING AGENDA

## Regular Board Meeting

December 13, 2011

12:00 p.m. -- Board Room

| Tuesday, December 13, 2011<br>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. 2-456  | Bay-Delta               |

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MWD Headquarters Building

• 700 N. Alameda Street

• Los Angeles, CA 90012

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### 1. Call to Order

- (a) Invocation: Joann Gonzales, Executive Assistant to the Chief Financial Officer
- (b) Pledge of Allegiance: Director Diana Sanchez

### 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 November 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 November

- C. Induction of new Director, Doug Wilson, from San Diego County Water Authority
  - (a) Receive credentials
  - (b) Report on credentials by General Counsel
  - (c) File credentials
  - (d) Administer Oath of Office
  - (e) File Oath
- D. Approve committee assignments
- E. Approve 30-day leave of absence for Director Laura Friedman, commencing December 13, 2011
- F. Presentation of 10-year service pin to Director Glenn Brown, representing City of Burbank
- G. Chairman's Monthly Activity Report

## **6. DEPARTMENT HEADS' REPORTS**

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

## **7. CONSENT CALENDAR ITEMS — ACTION**

- 7-1** Approve amendment to Agreement No. 119116 with Public Resources Advisory Group to authorize a \$125,000 increase in maximum amount payable for financial advisory services. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. **Approve amendment to Agreement No. 119116 with Public Resources Advisory Group to authorize an increase of \$75,000 in annual maximum amount payable to a total of \$315,000 for contract year 2011/12; and**
- b. **Approve an increase of \$50,000 in annual maximum amount payable to a total of \$290,000 for contract year 2012/13.**

- 7-2** Grant conditional approval for Annexation No. 96 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. 96 concurrently to Calleguas and to Metropolitan, conditioned upon receipt in full of annexation fee of approximately \$25,308.40 to Metropolitan if completed by December 31, 2012, or if completed later, at the then current annexation charge rate;**
- b. **Approve Calleguas' Statement of Compliance with the current Water Use Efficiency Guidelines; 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.**

- 7-3** Adopt final resolution for annexation and impose water standby charge for Peaceful Valley Ranch Annexation to San Diego County Water Authority and Metropolitan. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. **Adopt resolution granting SDCWA's request for approval of Peaceful Valley Ranch Annexation concurrently to SDCWA and Metropolitan, and establishing Metropolitan's terms and conditions for the annexation conditioned upon approval by San Diego Local Agency Formation Commission, and upon receipt of annexation fee of \$620,238.80; and**
- b. **Adopt resolution to impose water standby charge at a rate of \$11.51 per acre or per parcel of less than one acre, within the proposed annexation area.**

- 7-4** Appropriate \$200,000; and authorize seismic assessment of the San Gabriel Tower (Approp. 15441). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. Appropriate \$200,000; and**
- b. Authorize detailed seismic investigations of the San Gabriel Tower.**

- 7-5** Appropriate \$1.5 million; and authorize (1) Detailed structural analyses and preliminary design of modifications to Metropolitan's Headquarters Building in Los Angeles; and (2) Agreement with ABSG Consulting, Inc. to provide technical support (Approp. 15473). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and**

- a. Appropriate \$1.5 million;**
- b. Authorize detailed structural analyses and preliminary design of seismic modifications to Metropolitan's Headquarters Building at Union Station; and**
- c. Authorize agreement with ABSG Consulting, Inc., in an amount not to exceed \$500,000.**

- 7-6** Authorize contracts for special bond counsel and co-special bond counsel services for the period ending December 31, 2014. (L&C)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and authorize the General Counsel to retain the firms listed in the board letter as special bond counsel and co-special bond counsel through December 31, 2014.**

**(END OF CONSENT CALENDAR)**

## 8. OTHER BOARD ITEMS — ACTION

- 8-1** Authorize payment for calendar year 2012 charges for water from the State Water Project under Metropolitan's State Water Contract with the Department of Water Resources. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and authorize payments up to a total of \$640 million to DWR in CY 2012 for Metropolitan's SWP charges.**

- 8-2** Adopt Legislative Strategy for 2012. (C&L)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination and Legislative Strategy for 2012.**

- 8-3 Report on *Village Retail Center, LLC, et al. v. Metropolitan Water District, et al.*, Los Angeles County Superior Court Case No. BC439334; and authorize settlement of all claims. (L&C)  
**[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]**

- 8-4 Report on *San Luis Rey River Indian Water Authority v. Metropolitan Water District*, JAMS Arbitration No. 1400013202; and authorize increase in the maximum amount payable under contract with Raftelis Financial Consultants, Inc. of \$75,000 to an amount not to exceed \$175,000. (L&C)  
**[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]**

- 8-5 Report on Joint Petition for Change filed by Imperial Irrigation District and San Diego County Water Authority with the State Water Resources Control Board regarding Revised Water Rights Order 2002-0013; and authorize increase of \$100,000 for a total of \$175,000 in maximum amount payable under contract with Ellison, Schneider & Harris, L.L.P. (L&C)  
**[Conference with legal counsel—anticipated litigation (one potential case); to be heard in closed session pursuant to Gov. Code Section 54956.9; subd. (b) and (c)]**  
**(To be mailed separately)**

## 9. BOARD INFORMATION ITEMS

- 9-1** Review options for updated Replenishment Program. (WP&S) **(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 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.