



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

MWD MEETING AGENDA

REVISED AGENDA

Regular Board Meeting

April 10, 2012

12:00 p.m. -- Board Room

Tuesday, April 10, 2012 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

Telephone Participation:

60 Unagargasse
Vienna, Austria

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012

1. Call to Order

- (a) Invocation: Ayo Akingbemi, Principal Administrative Analyst, Water Resource Management Group
- (b) Pledge of Allegiance: Director Doug Wilson

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))

4A. Presentation by John Laird, California Secretary for Natural Resources

5. OTHER MATTERS

- A. Approval of the Minutes of the Meeting for March 13, 2012. (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. Approve committee assignments
- D. Chairman's Monthly Activity Report
- E. Approve employment contract for new General Counsel. (Exec.)
- F. Approve terms and conditions of employment for Interim Ethics Officer Jeffrey L. Cable. (Exec.)

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. Interim Ethics Officer's summary of activities for the month of March

7. CONSENT CALENDAR ITEMS — ACTION

- 7-1** Appropriate \$240,000; and authorize preliminary design to replace valves on the Second Lower Feeder and Palos Verdes Feeder (Approp. 15441). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$240,000; and**
- b. Authorize preliminary design to replace the Bixby Valve on the Second Lower Feeder and the Collis Valve on the Palos Verdes Feeder.**

- 7-2** Appropriate \$120,000; and authorize (1) preliminary design to relocate a portion of the Orange County Feeder; and (2) an agreement with the city of Fullerton (Approp. 15441). (E&O)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. Appropriate \$120,000;**
- b. Authorize preliminary design to relocate a portion of the Orange County Feeder; and**
- c. Authorize an agreement with the city of Fullerton to perform the relocation.**

- 7-3** Report on *In Re Tronox Incorporated, et al.*, Chapter 11, Case No. 09-10156 (ALG); and authorize increase in maximum amount payable under contract with Manatt, Phelps and Phillips LLP for legal services by \$60,000 to a maximum of \$440,000. (L&C)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize amendment of the contract for legal services with Manatt, Phelps and Phillips LLP for the *In Re Tronox Incorporated* matter to increase the maximum amount payable by \$60,000 to a maximum of \$440,000. The \$60,000 is to be shared equally with Central Arizona Water Conservation District.

(END OF CONSENT CALENDAR)

8. OTHER BOARD ITEMS — ACTION

Revised

- 8-1** Approve proposed biennial budget for fiscal years 2012/13 and 2013/14; and adopt recommended water rates and charges, and resolutions fixing and adopting water rates and charges, for 2013 and 2014. (F&I) **(To be mailed separately)**

- 8-2** Authorize the execution and distribution of the Official Statement in connection with the issuance of the Water Revenue Refunding Bonds (Index Mode), 2012 Series B. (F&I)

Recommendation:

Option #1:

Adopt the CEQA determination and

- a. **Approve the draft Official Statement substantially in the form attached to the board letter, with changes approved by the General Manager and General Counsel;**
- b. **Authorize the General Manager to execute the Official Statement; and**
- c. **Authorize distribution of the Official Statement in connection with issuance of the bonds.**

Revised

- 8-3** Amend Metropolitan Water District Administrative Code regarding travel policy and general provisions relating to inspection trips. (Exec.)

Recommendation:

Option #1:

Adopt the CEQA determination and .the proposed revisions to the Metropolitan Water District Administrative Code set forth in Attachment 2 to the board letter.

Revised

- 8-4** Report on *J.R. Filanc Construction Co. v. Metropolitan Water District of Southern California, et al.*, Los Angeles County Superior Court Case No. KC063261; appropriate \$300,000; and authorize an increase in the maximum amount payable under contract with Hunt Ortmann Palffy Nieves Lubka Darling & Mah, Inc. for legal services by \$300,000 to an amount not to exceed \$400,000. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

- 8-5** Express support and seek amendments for H.R. 2538 (Calvert, R-CA) – Reducing Environmental Barriers to Unified Infrastructure and Land Development (REBUILD) Act of 2011. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and express support and seek amendments to H.R 2538.

- 8-6 Express support for SB 1387 (Emmerson, R-Riverside) – Metal Theft; and for AB 1508 (Carter, D-Rialto) – Junk Dealers and Recyclers: Nonferrous Materials. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express support for SB 1387 and AB 1508.

- 8-7 Express opposition to SB 1495 (Wolk, D-Davis) – Sacramento-San Joaquin Delta Reform Act of 2009, unless amended. (C&L)

Recommendation:

Option #1:

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's opposition to SB 1495 unless it is amended.

9. BOARD INFORMATION ITEMS

- 9-1 Proposal to enter into agreements related to implementation of interim international cooperative measures in the Colorado River Basin. (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

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.