



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

# MWD MEETING AGENDA

## REVISED AGENDA

### Regular Board Meeting

June 11, 2013

11:30 a.m. -- Board Room

#### Telephone Participation:

2249 Poipu Road  
Koloa-Kauai, Hawaii 96756

Tuesday, June 11, 2013 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dir. Computer Training
8:30 a.m.	Rm. 2-145	L&C
10:00 a.m.	Rm. 2-456	C&L
11:30 a.m.	Board Room	Board Meeting

MWD Headquarters Building

• 700 N. Alameda Street

• Los Angeles, CA 90012

### 1. Call to Order

- (a) Invocation: Warren Teitz, Senior Resource Specialist, Water Resource Management
- (b) Pledge of Allegiance: Director Bill Wright

### 2. Roll Call

### 3. Determination of a Quorum

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## PUBLIC HEARINGS

Comments on the standby charge levy supporting the 103<sup>rd</sup> Fringe Area Annexation to Eastern Municipal Water District

Public hearing to consider suspending the tax rate limitations in Section 124.5 of the Metropolitan Water District Act to maintain the ad valorem tax rate

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**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 May 14, 2013. (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 May
- 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 May
- B. General Counsel's summary of Legal Department activities for the month of May
- C. General Auditor's summary of activities for the month of May
- D. Ethics Officer's summary of activities for the month of May

**7. CONSENT CALENDAR ITEMS — ACTION**

- 7-1** Affirm the General Manager's determination that one parcel acquired for the construction of the Inland Feeder, a portion of Metropolitan Water District of Southern California's Parcel No. INFED1-24-150 (APN 0299-111-02) is surplus to Metropolitan's needs. (RP&AM)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to CEQA and is categorically exempt and**

- a. Affirm the General Manager's determination that the subject property comprised of 8.426 acres in the unincorporated community of Mentone, San Bernardino County, California is surplus and carry out disposition of the property in its current condition; and**
- b. Market the combined 18.426-acre parcel for sale on the open market for not less than its appraised value.**

- 7-2** Approve up to \$1.161 million to purchase insurance coverage for Metropolitan's Property and Casualty Insurance Program. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to CEQA and approve up to \$1.161 million to renew or replace the Aircraft Liability, Crime, Property Damage, Excess General Liability Policies, and Excess Workers' Compensation Policy maintaining the existing \$5 million self-insured retention, coverage limits of \$50 million; and obtain coverage for the employees in Washington, D.C.**

- 7-3** Grant conditional approval for Annexation No. 97 to Calleguas Municipal Water District and to Metropolitan Water District; and adopt resolution for imposition of water standby charges. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to CEQA and**

- a. Grant conditional approval for Annexation No. 97 concurrently to Calleguas and Metropolitan, conditioned upon receipt in full of annexation fee of \$8,149.28 to Metropolitan if completed by December 31, 2013, or if completed later, the then-current annexation charge applies.**
- b. Approve Calleguas Statement of Compliance with the current Water Use Efficiency Guidelines.**
- c. Adopt the resolution of intention to impose water standby charge within the proposed annexation territories, substantially in the form of Attachment 3 to the board letter.**

- 7-4** Adopt final resolutions for annexation and impose water standby charge for the 103<sup>rd</sup> Fringe Area to Eastern Municipal Water District and Metropolitan Water District. (F&I)

**Recommendation:**

**Option #1:**

**Review and consider the Negative Declaration prepared by Eastern Municipal Water District as Lead Agency, adopt the Lead Agency's findings, and**

- a. Adopt resolution granting Eastern's request for approval of the 103<sup>rd</sup> Fringe Area concurrently to Eastern and Metropolitan and establish Metropolitan's terms and conditions for the annexation, conditioned upon approval by Riverside Local Agency Formation Commission, and upon receipt of annexation fee of \$56,611.93; and**
- b. Adopt resolution to impose water standby charge at a rate of \$6.94 per acre, or per parcel of less than one acre, within the proposed annexation area.**

- 7-5** Appropriate \$1.63 million; and authorize construction for replacement of flow meters at the Colorado River Aqueduct pumping plants (Approp. 15438). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is categorically exempt and**

- a. Appropriate \$1.63 million; and**
- b. Authorize construction to replace flow meters at the five Colorado River Aqueduct pumping plants.**

- 7-6** Appropriate \$800,000; and authorize construction of upgrades to the sodium hypochlorite feed system at Garvey Reservoir (Approp. 15377). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is categorically exempt and**

- a. Appropriate \$800,000; and**
- b. Authorize construction to upgrade the sodium hypochlorite feed system at Garvey Reservoir.**

- 7-7** Appropriate \$270,000; and authorize final design to relocate the Intake Pumping Plant 2.4 kV power line (Approp. 15438). (E&O)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is categorically exempt and**

- a. Appropriate \$270,000; and**
- b. Authorize final design to relocate the Intake Pumping Plant 2.4 KV power line.**

**(END OF CONSENT CALENDAR)**

**8. OTHER BOARD ITEMS — ACTION**

- 8-1** Mid-cycle Biennial Budget Review and Recommendations for Use of Reserves over Target. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to CEQA and authorize the use of reserves over the reserve target established in Administrative Code Section 5202, estimated at \$75 million, and transfer monies to the Replacement and Refurbishment (PAYGO) Fund, the OPEB Trust and the Water Transfer Fund in FY 2012/13, as specified by the Board.**

- 8-2** Suspend the tax rate limitations in Section 124.5 of the Metropolitan Water District Act in order to maintain the ad valorem tax rate for fiscal year 2013/14. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to CEQA and the Resolution Finding that Maintaining the Ad Valorem Tax Rate or Fiscal Year 2013/14 is Essential to the Fiscal Integrity of the District.**

- 8-3 Support and seek amendments to AB 803 (Gomez, D-Los Angeles) – Water Recycling Act of 2013. (C&L)

**Added**

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to CEQA and authorize the General Manager to express Metropolitan’s support and seek amendments to AB 803.**

- 8-4 Annual approval of Metropolitan’s Statement of Investment Policy and delegation of authority to the Treasurer to make investments on behalf of Metropolitan. (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to CEQA and**

- a. Approve the Statement of Investment Policy; and**
- b. Delegate authority to invest to the Treasurer for fiscal year 2013/14.**

- 8-5 Authorize the execution and distribution of the Official Statement in connection with the issuance of the Special Variable Rate Water Revenue Refunding Bonds, 2013 Series E (Flexible Index Mode). (F&I)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to CEQA 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 remarketing and marketing of the bonds.**

- 8-6 Authorize payments of up to \$3.50 million for participation in the State Water Contractors, Inc. and the State Water Project Contractors Authority for fiscal year 2013/14. (WP&S) **(Two-thirds vote required)**

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to CEQA and, by two-thirds vote**

- a. Authorize the General Manager to make payment of \$2.67 million to the State Water Contractors; and**
- b. Authorize the General Manager to make payment up to \$832,025 to the State Water Project Contractors Authority.**

- 8-7** Authorize entering into a two-year agreement with the California Department of Water Resources to pay up to \$15.18 million to purchase State Water Project supplies under the Multi-Year Water Pool Demonstration Program. (WP&S)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to CEQA and authorize the General Manager to enter into a two-year agreement with the California Department of Water Resources to pay up to \$15.18 million for State Water Project supplies under the Multi-Year Water Pool Demonstration Program to help improve dry-year water supplies in 2013 and 2014.**

- Revised** 8-8 Discussion of potential claims and legal actions regarding the Delta Stewardship Council's certification of the Program Environmental Impact Report for the Delta Plan, and its adoption of the Delta Plan and associated regulations. (L&C)  
**[Conference with legal counsel—initiation of litigation (two potential cases); to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(4)]**

- Revised** 8-9 Report on *John Del Toro v. Metropolitan Water District of Southern California*, Los Angeles Superior Court Case No. BC482264; and authorize an increase in the maximum amount payable under contract with Atkinson, Andelson, Loya, Ruud & Romo for legal services by \$25,000 to an amount not to exceed \$125,000. (L&C)  
**[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]**

## 9. BOARD INFORMATION ITEMS

None

## 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.