

MINUTES

REGULAR MEETING OF THE

BOARD OF DIRECTORS

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

OCTOBER 14, 2014

49901 The Board of Directors of The Metropolitan Water District of Southern California met in Regular Meeting in the Board Room located in the building at 700 North Alameda Street in the city of Los Angeles, state of California, on Tuesday, October 14, 2014.

Chairman Record called the Meeting to order at 12:03 p.m.

49902 The Meeting was opened with an invocation by Arturo Castro, Principal Auditor, Audit Department.

49903 The Pledge of Allegiance to the Flag was given by Director Glen Dake.

49904 Board Secretary Morris called the roll. Those answering present were: Directors Abdo, Ackerman, Apodaca, Arceneaux, Atwater, Ballin, Barbre, Beard, Calkins, Camacho, Dake, Dear, De Jesus, Dick, Friedman, Gray, Griset, Hawkins, Hogan, Kurtz, Lefevre, Lewinger, McKenney, Morris, J. Murray, Peterson, Record, Steiner, Touhey, Tu, and Wunderlich.

Those not answering were: Directors Blois, Brown, Evans, Koretz (entered 12:08 p.m.), Lowenthal, and Quiñonez.

Board Secretary Morris declared a quorum present.

49905 Chairman Record invited members of the public to address the Board on matters within the Board's jurisdiction.

Kurt Grossman, CEO of Genergy, LLC, commented on his company's technology for renewable energy desalination.

Director Koretz took his seat at 12:08 p.m.

49906 There being no objection, Chairman Record ordered the reading of the Minutes of the Meeting of September 9, 2014, dispensed with, a copy having been mailed to each Director.

Vice Chairman Touhey moved, seconded by Director Camacho, that the Board approve the foregoing Minutes as mailed.

Chairman Record called for a vote to approve the Minutes of the Meeting of September 9, 2014.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Ayes: Dirs. Barbre and Dick, 19,565.50 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 183,225.50 votes.

Noes: None.

Abstain: Anaheim (Dir. Calkins, 3,811 votes), Municipal Water District of Orange County (Dirs. Ackerman and KcKenney, 19,565.50 votes). Total 23,376.50 votes.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve the Minutes of September 9, 2014, passed by a vote of 183,225.50 ayes, 23,376.50 abstain, and 23,273 absent.

49907 A written report of meetings attended by Directors at Metropolitan expense during the month of September was distributed. The report was received and filed.

49908 The General Counsel's letter signed October 3, 2014, was presented, transmitting the credentials evidencing the appointment by the city of Anaheim of Don Calkins as its representative on Metropolitan's Board for an indefinite term, replacing Kristine Murray.

General Counsel Scully reported the credentials had been examined and found legally sufficient; and that Director Calkins was sworn in on October 3, 2014.

Chairman Record ordered the credentials, together with the General Counsel's letter, received and filed.

Following his introduction by Director Dick, Director Calkins took his seat as a member of the Board.

49909 The General Counsel's letter signed October 6, 2014, was presented, transmitting the credentials evidencing the appointment by Municipal Water District of Orange County of Larry McKenney as one of its representatives on Metropolitan's Board for an indefinite term, replacing the late John V. Foley.

General Counsel Scully reported the credentials had been examined and found legally sufficient; and that Director McKenney was sworn in on October 13, 2014.

Chairman Record ordered the credentials, together with the General Counsel's letter, received and filed.

Following his introduction by Director Dick, Director McKenney took his seat as a member of the Board.

49910 The General Counsel's letter signed October 6, 2014, was presented, transmitting the credentials evidencing the appointment by San Diego County Water Authority of Yen C. Tu as one of its representatives on Metropolitan's Board for an indefinite term, replacing Vincent Mudd.

General Counsel Scully reported the credentials had been examined and found legally sufficient; and that Director Tu was sworn in on October 13, 2014.

Chairman Record ordered the credentials, together with the General Counsel's letter, received and filed.

Following her introduction by Director Steiner, Director Tu took her seat as a member of the Board.

49911 Vice Chairman J. Murray moved, seconded by Director Camacho, that the Board approve the appointments by the Chairman of Directors to the following committees:

Director Calkins to the Engineering and Operations Committee, Organization, Personnel and Technology Committee, and Water Planning and Stewardship Committee

Director McKenney to the Finance and Insurance Committee, Legal and Claims Committee, and Special Committee on Bay-Delta

Director Tu to the Agriculture and Business Outreach Committee, Communications and Legislation Committee, and Legal and Claims Committee

Removal of Director Ackerman from the Legal and Claims Committee

Chairman Record called for a vote to approve the committee appointments

The following is a record of the vote on **M.I. 49911**:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton

(Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre, Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 206,602 votes.

Noes: None.

Abstain: None.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve the committee appointments passed by a vote of 206,602 ayes and 23,273 absent.

49912 Chairman Record referred to his written monthly report, which was distributed to the Board.

49913 Regarding matters relating to Metropolitan's operations and activities, Assistant General Manager Man referred to the General Manager's activity report for September dated September 30, 2014, which was posted to the Directors' website.

Assistant General Manager Man commented on the open house and viewing of the art exhibit of the Colorado River Aqueduct done by Rex Brandt.

Assistant General Manager Man reported on the higher temperatures Southern California is currently experiencing and

the lower deliveries of water during the peak summer period in this drought season.

49914 Regarding Legal Department activities, General Counsel Scully referred to the General Counsel's activity report for September dated October 1, 2014, which was posted to the Directors' website.

General Counsel Scully had no further report.

49915 General Auditor Riss referred to the Audit Department's activity report for the month of September dated September 30, 2014, which was posted to the Directors' website.

General Auditor Riss commented on the three audit reports that were completed in September, which were rather lengthy. Mr. Riss stated that more time will be spent on these comments at the next meeting of the Audit and Ethics Committee, and that the General Manager has been very active in responding to the comments.

49916 Ethics Officer Ghaly referred to the Ethics Department activity report for September dated October 8, 2014, which was posted to the Directors' website.

Ethics Officer Ghaly reported on the upcoming training to meet the requirements of AB 1234 to be held on Tuesday, November 18, 2014. She stated that outside speakers will attend to give presentations and answer questions.

Ethics Officer Ghaly reported that Governor Brown vetoed a bill (AB 1728) that would have amended Government Code section 84308, known as the Levine Act, to apply to members of water agency boards throughout the state.

Director Steiner moved, seconded by Director Camacho, that the Board approve the Consent Calendar Items, **M.I. 49917** through **M.I. 49919** as follows:

49917 Adopt the California Environmental Quality Act (CEQA) determination that the proposed action is categorically exempt, and (a) appropriate \$700,000 (Appropriation No. 15477, No. 9); and authorize (b) final design to improve the domestic and fire water system at the Weymouth plant; and (c) preliminary design to rehabilitate Metropolitan's demonstration-scale testing facility, as set forth in Agenda Item 7-1 board letter.

49918 Adopt the CEQA determination that this action is categorically exempt from CEQA, and (a) appropriate \$960,000 (Appropriation No. 15485, No. 2); and authorize (b) design and construction of modifications to the Lake Skinner outlet tower chlorine system and the finished water reservoir chemical mixing system; and (c) design to replace the Skinner Administration Building's HVAC system, as set forth in Agenda Item 7-2 board letter.

49919 Adopt the CEQA determination that this action is categorically exempt, and (a) appropriate \$1.15 million (Appropriation No. 15438, No. 26); and (b) award \$783,333 contract to Malibu Pacific Tennis Courts, Inc. to construct two storage buildings at Gene Pumping Plant, as set forth in Agenda Item 7-3 board letter.

Chairman Record called for a vote to approve the Consent Calendar Items, **M.I. 49917** through **M.I. 49919**.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 206,602 votes.

Noes: None.

Abstain: None.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve the Consent Calendar Items passed by a vote of 206,602 ayes and 23,273 absent

49920 On behalf of the Engineering and Operations Committee, Director Dake moved, seconded by Board Vice Chairman Murray, that the Board adopt the CEQA determination that the proposed action has been previously addressed in the 2010 categorical exemptions, and (a) appropriate \$3.81 million (Appropriation No. 15452, No. 15); and (b) award \$2,565,063 contract to Hobbs-Bannerman, Inc. for improvements to the Mills industrial wastewater handling system, as set forth in Agenda Item 8-1 board letter.

Chairman Record called for a vote to approve
M.I. 49920.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre, Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 206,602 votes.

Noes: None.

Abstain: None.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve **M.I. 49920** passed by a vote of 206,602 ayes and 23,273 absent.

49921 On behalf of the Engineering and Operations Committee, Director Dake moved, seconded by Director Barbre, that the Board adopt the CEQA determination that this action is categorically exempt, and (a) appropriate \$3.06 million (Appropriation No. 15438, No. 27); and (b) authorize final design to rehabilitate the sump system at each Colorado River Aqueduct pumping plant, as set forth in Agenda Item 8-2 board letter.

Chairman Record called for a vote to approve **M.I. 49921**.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 206,602 votes.

Noes: None.

Abstain: None.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve **M.I. 49921** passed by a vote of 260,602 ayes and 23,273 absent.

49922 Water Planning and Stewardship Committee Chairman De Jesus moved, seconded by Committee Vice Chairman Touhey, that the Board adopt the CEQA determination that the proposed action was addressed in prior environmental documentation, and (a) authorize the General Manager to execute an amendment to the Agreement with California Department of Water Resources to purchase surface water supplies from Yuba County Water Agency consistent with the key terms outlined in the board letter and in Attachment 1 to the letter and in a form approved by the General Counsel; and (b) appropriate up to \$20 million for water transfer payments from the Water Management Fund, as set forth in Agenda Item 8-3 board letter.

Chairman Record called for a vote to approve **M.I. 49922**.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518

votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 206,602 votes.

Noes: None.

Abstain: None.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve **M.I. 49922** passed by a vote of 206,602 ayes and 23,273 absent.

49923 Water Planning and Stewardship Committee Chairman De Jesus moved, seconded by Committee Vice Chairman Touhey, that the Board adopt the CEQA determination that the proposed action is not defined as a project and is not subject to CEQA, and authorize (a) increasing the Local Resources Program (LRP) maximum incentive amount to \$340/AF; (b) including alternative payment structures for new local projects as outlined in Attachment 2 to the board letter and the general program information outlined in Attachment 1 to the letter; (c) including on-site retrofits as eligible costs in the LRP; (d) including seawater desalination as an eligible resource in the LRP; and (e) entering into reimbursable agreements with member agencies as outlined in Attachment 3 to the letter, as set forth in Agenda Item 8-4 board letter.

Director Koretz expressed support for the proposed action to meet the needs of a growing population. He noted that the city of Los Angeles had announced extraordinary measures to deal with existing drought conditions.

The San Diego County Water Authority submitted a letter regarding the item that was filed for the record. Director Lewinger stated that the Carlsbad desalination plant will provide 56,000 acre-feet annually, reducing the remaining target for this program to 7,000 acre-feet, so that the proposed action is unnecessary.

Chairman Record called for a vote to approve **M.I. 49923**.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre, Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 166,438 votes.

Noes: San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes). Total 40,164 votes.

Abstain: None.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve **M.I. 49923** passed by a vote of 166,438 ayes, 40,164 noes, and 23,273 absent.

49924 Water Planning and Stewardship Committee Chairman De Jesus moved, seconded by Director Camacho, that the Board adopt the CEQA determination that the action is not subject to CEQA, and authorize the General Manager to enter into an exchange agreement and amend the existing Coordinated Operating Agreement with San Bernardino Valley Municipal Water District consistent

with the terms outlined in the board letter and in a form approved by the General Counsel, as set forth in Agenda Item 8-5 board letter.

Chairman Record called for a vote to approve **M.I. 49924**.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre, Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 206,602 votes.

Noes: None.

Abstain: None.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve **M.I. 49924** passed by a vote of 206,602 ayes and 23,273 absent.

49925 Organization, Personnel and Technology Committee Chairman J. Murray moved, seconded by Director De Jesus, that the Board adopt the CEQA determination that the proposed action is not subject to CEQA and is categorically exempt, and (a) appropriate \$6.04 million (Appropriation No. 15487, No. 2); (b) award \$3,555,971.27 procurement contract to CDW Corporation to supply network switches and routers; and authorize (c) final design of network room upgrades at Metropolitan's Headquarters Building; and (d) preliminary design and field assessments of microwave upgrades at remote sites, as set forth in Agenda Item 8-6 board letter.

Chairman Record called for a vote to approve
M.I. 49925.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre, Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 206,602 votes.

Noes: None.

Abstain: None.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District

of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve **M.I. 49925** passed by a vote of 206,602 ayes and 23,273 absent.

49926 On behalf of the Engineering and Operations Committee, Director Dake moved, seconded by Director Lefevre, that the Board adopt the CEQA determination that the proposed action is not defined as a project and is not subject to CEQA, and authorize the General Manager to execute the Fifth Amendment to the District-Edison 1987 Service and Interchange Agreement under the terms described in the board letter to reinstate Edison Purchased Power using an hourly pricing methodology under the California Independent System Operator tariff to value the transactions, as set forth in Agenda Item 8-7 board letter.

Chairman Record called for a vote to approve **M.I. 49926**.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre, Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 206,602 votes.

Noes: None.

Abstain: None.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve **M.I. 49926** passed by a vote of 206,602 ayes and 23,273 absent.

49927 On behalf of the Engineering and Operations Committee, Director Dake moved, seconded by Director Lefevre, that this action has been previously addressed in the certified Environmental Impact Report and that no further environmental analysis or documentation is required, and (a) appropriate \$2.3 million (Appropriation No. 15369, No. 42); and (b) award \$1,465,000 contract to Kiewit Infrastructure West Co. for seismic upgrades to the Weymouth plant's east washwater tank, as set forth in Agenda Item 8-8 board letter.

Chairman Record called for a vote to approve **M.I. 49927**.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre, Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Ana (Dir. Griset, 2,187 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance (Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey,

8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 206,602 votes.

Noes: None.

Abstain: None.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve **M.I. 49927** passed by a vote of 206,602 ayes and 23,273 absent.

49928 Legal and Claims Committee Vice Chairman Dick moved, seconded by Director Dake, that the Board adopt the CEQA determination that the proposed action is not defined as a project, and approve the proposed settlement as described in Agenda Item 8-9 confidential board letter re *Alameda County Water District, et al. v. Sacramento Regional County Sanitation District*, Sacramento County Superior Court Case No. 05CS00913.

Chairman Record called for a vote to approve **M.I. 49928**.

The following is a record of the vote:

Ayes: Anaheim (Dir. Calkins, 3,811 votes), Beverly Hills (Dir. Wunderlich, 2,542 votes), Central Basin Municipal Water District (Dirs. Hawkins and Apodaca, 12,051 votes), Compton (Dir. Arceneaux, 354 votes), Eastern Municipal Water District (Dir. Record, 6,106 votes), Foothill Municipal Water District (Dir. Atwater, 1,495 votes), Fullerton (Dir. Beard, 1,640 votes), Glendale (Dir. Friedman, 2,539 votes), Inland Empire Utilities Agency (Dir. Camacho, 8,841 votes), Las Virgenes Municipal Water District (Dir. Peterson, 2,110 votes), Los Angeles (Ayes: Dirs. Dake, Koretz, and J. Murray. Absent: Dir. Quiñonez. 45,690 votes), Municipal Water District of Orange County (Dirs. Ackerman, Barbre, Dick, and McKenney, 39,131 votes), Pasadena (Dir. Kurtz, 2,386 votes), San Diego County Water Authority (Dirs. Hogan, Lewinger, Steiner, and Tu, 40,164 votes), San Fernando (Dir. Ballin, 162 votes), San Marino (Dir. Morris, 518 votes), Santa Monica (Dir. Abdo, 2,885 votes), Three Valleys Municipal Water District (Dir. De Jesus, 5,601 votes), Torrance

(Dir. Lefevre, 2,448 votes), Upper San Gabriel Valley Municipal Water District (Dir. Touhey, 8,351 votes), West Basin Municipal Water District (Dirs. Dear and Gray, 15,590 votes). Total 204,415 votes.

Noes: None.

Abstain: Santa Ana (Dir. Griset, 2,187 votes). Total 2,187 votes.

Absent: Burbank (Dir. Brown, 1,961 votes), Calleguas Municipal Water District (Dir. Blois, 8,583 votes), Long Beach (Dir. Lowenthal, 4,355 votes), Western Municipal Water District of Riverside County (Dir. Evans, 8,374 votes). Total 23,273 votes.

The motion to approve **M.I.49928** passed by a vote of 204,415 ayes, 2,187 abstain, and 23,273 absent.

49929 The following communication was submitted to the Board for information:

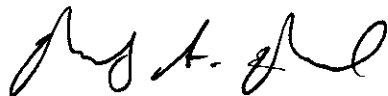
- a. Compliance with Fund Requirements and Bond Indenture Provisions.

49930 Chairman Record announced that consideration of the Department Heads' performance goals and objectives will be continued at the next committee meetings due to the absence of the General Manager.

49931 There being no objection, Chairman Record adjourned the Meeting at 12:43 p.m.



JOHN T. MORRIS
SECRETARY



RANDY A. RECORD
CHAIRMAN