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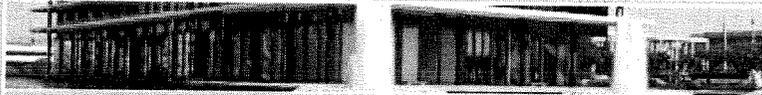
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BOARD OF COMMISSIONERS

Board Action Agenda for May 4, 2010

BOARD OF WATER AND POWER COMMISSIONERS
DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES
Room 1555-H, 111 North Hope Street, Los Angeles, CA 90012

Agenda
Board of Water and Power Commissioners

Tuesday, May 4, 2010

CUSTOMER SERVICE

- Access Your Account
- Make a Payment
- Turn On Service
- Transfer Service
- Turn Off Service
- Contact Customer Service

▪ **ESPAÑOL**

1. **Opening remarks** by the Commission President on agenda and other items relating to Department operations, and Channel 35 broadcast announcement.

REMARKS MADE

2. **Presentation** of Certificates of Appreciation by Councilmember Ed Reyes to LADWP Employees for work on the Los Angeles River Project.

DEFERRED

3. **Report/Briefing** by the General Manager/Chief Operating Officer.
 - Water System Review of the Independent Third Party Expert on Summer 2009 Water Main Leaks Report. (Presentation by Professor J. P. Bardet, University of Southern California – Center on Megacities.)

REPORT/BRIEFING GIVEN

4. **Comments** and/or requests from Commissioners relating to Department operations.

COMMENTS MADE

5. Opportunity for the **public** to address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

4 SPEAKERS

Items for Approval – Discussion Not Required

6. Recommendation for approval of the **minutes** of the March 31, 2010, special meeting of the Board of Water and Power Commissioners.

APPROVED

7. (Recommended by Chief Operating Officer, Chief Administrative Officer and Senior Assistant General Manager – Power System)
(Approved by General Manager)
Spec. No.163 to provide nitrogen gas furnished in Los Angeles Department of Water and Power owned cylinders, and bulk liquid nitrogen furnished in vendor-owned storage containers. Award to **Cameron Welding Supply**, for a total amount not to exceed \$1,021,677 for a term of one year with two optional one-year periods, for nitrogen supply and related services.

ADOPTED RES 19287

8. (Recommended by Chief Operating Officer and Chief Information Officer)
(Approved by General Manager)
Resolution authorizing execution of **Short Form IRU-04 Lease Agreement No. FO-624-04/2010** with the **Regents of the University of California** on behalf of UCLA Communications Technology Services to provide the Indefeasible Right of Use of certain components of LADWP's fiber optic network at 720 Hilgard Avenue and 824 Hilgard Avenue, Los Angeles for a term of five years.

ADOPTED RES 010 302

9. (Recommended by Chief Operating Officer, Chief Administrative Officer and Senior Assistant General Manager – Power System)
(Approved by General Manager)
Resolution approving **Amendment No. 3** to the **2009-10 Annual Personnel Resolution** (Resolution No. 010-053, adopted by this Board on August 4, 2009), to add substitute positions for Line Maintenance Assistants. The addition to filling these positions will assist journey-level workers engaged in maintaining, repairing, and modifying overhead and underground street lighting circuits and associated equipment.

ADOPTED RES 010 303
AMEND 327 4326
AMEND 328 3549

10. (Recommended by Chief Operating Officer and Chief Financial Officer)
(Approved by General Manager)
Resolution authorizing execution of the **Standard Offer to Port of Los Angeles Alternative Maritime Power Electric Service Agreement** to begin electrification of their ports to meet State Mandates for Air Quality Improvement in the basin. No fiscal impact.

ADOPTED RES 010 304

11. (Recommended by Chief Operating Officer, Chief Financial Officer, and Senior Assistant General Manager – Water System)
(Approved by General Manager)
Resolution approving the water quality improvement, demand side management, reclaimed water, and water security **expenditures** for the 12-month period commencing October 1, 2010.

ADOPTED RES 010 307

12. (Recommended by Chief Operating Officer and Senior Assistant General Manager – Water System)
(Approved by General Manager)
Resolution authorizing execution of **Lease No. 1507** with **Fleet Card Fuels** for a term of 15 years, covering 1.92 acres of city-owned property located in the City of Bishop, Inyo County, California.

Council approval is required.

ADOPTED RES 010 305

13. (Recommended by Chief Operating Officer and Senior Assistant General Manager – Water System)
(Approved by General Manager)
Resolution authorizing a **grant of an easement** to the County of Inyo for airport purposes covering 608.71 acres. The property is located east of the city of Bishop, California. An administrative cost of \$5,000 to process the grant.

Council approval by ordinance is required.

ADOPTED RES 010 308

14. (Recommended by Chief Operating Officer, Senior Assistant General Manager – Water System, and Chief Administrator Officer)
(Approved by General Manager)
Resolution approving execution of a **Purchase and Sale Agreement of Real Property at 6860 Hinds Avenue, North Hollywood**, (Real Estate File W-36939) for the purchase price of \$450,000 plus escrow fees and incidental expenses. Acquiring additional property at this essential location would allow for potential future uses in advanced treatment systems and increased groundwater availability, thereby improving the reliability of the potable water supply.

ADOPTED RES 010 309

15. (Recommended by Chief Operating Officer and Senior Assistant General Manager – Power System)
(Approved by General Manager)
Resolution authorizing execution of **Utility Agreement No. 7UA-11679 (LADWP Agreement No. BP 09-032) Department of Transportation (Caltrans) for Relocating Towers 410, 411, 510, and 511** near the Route 5/170 Interchange. Subject to full reimbursement from Caltrans for all costs of labor, materials, supplies, and equipment.

ADOPTED RES 010 306

16. (Recommended by Chief Operating Officer, Senior Assistant General Manager – Power System, and Chief Information Officer)
(Approved by General Manager)
Resolution authorizing the execution **Agreement No. 47957** with **Power Costs, Inc.** for power system planning software tool to provide unit cost analysis generation assets and marketing functions, provide implementation services including training and interface development. Amount not to exceed \$3,944,000 for a term of three years.

ADOPTED RES 010 310

17. (Recommended by Chief Operating Officer and Senior Assistant General Manager – Power System)
(Approved by General Manager)
Resolution ratifying Amendment Nos. 1 - 6 and approving Amendment Nos. 7 - 9 to the **Navajo Project Co-Tenancy Agreement, DWP No. 10498**.
Execution of the amendments will have no cost effect.

Council approval is required.

ADOPTED RES 010 311

18. (Recommended by Chief Operating Officer and Senior Assistant General Manager – Power System)
(Approved by General Manager)
Resolution ratifying Amendment Nos. 1 and 2 and approving Amendment Nos. 3 and 4 to the **Navajo Project Western Transmission System Operating Agreement, DWP No. 10125**. Execution of the amendments will have no cost effect.

Council approval is required.

ADOPTED RES 010 312

Items for Approval and Discussion

19. (Recommended by Chief Operating Officer and Chief Financial Officer)
(Approved by General Manager)
Resolution consenting to the adoption of an ordinance by the Council of the City of Los Angeles **transferring** from the Power Revenue Fund to the City during the 2009/10 fiscal year, the sum of \$73,475,000.

Council approval by ordinance is required.

ADOPTED RES 010 313

20. (Recommended by Chief Operating Officer and Senior Assistant General Manager – Water System)
(Approved by General Manager)
Resolution authorizing execution of the **Surplus Water Agreement** with **NBC Universal, Inc.**, to ensure a long-term reliable water supply for the proposed NBC Universal Evolution Project. This agreement establishes the terms and conditions by which LADWP will serve the project with a reliable water supply for the next 50 years for areas of the project within the City and those areas of the Project outside the City.

Council approval is required.

ADOPTED RES 010 314

21. (Recommended by Chief Operating Officer and Senior Assistant General Manager – Water System)
(Approved by General Manager)
Resolution approving the **Water Supply Assessment** for the **NBC Universal Evolution Plan**, located within the Sherman Oaks, Studio City, Toluca Lake, Cahuenga Pass Community Plan area.

ADOPTED RES 010 315

22. (Recommended by Chief Operating Officer, Senior Assistant General Manager – Sustainability Programs and External Affairs, and Senior Assistant General Manager – Power System)
(Approved by General Manager)
Resolution adopting the Environmental Impact Report for the **Haynes Generating Station Units 5 and 6 Repowering Project**, authorizes its construction, and approves the payment for permit and mitigation costs associated with this project.

ADOPTED RES 010 316

23. (Recommended by Chief Operating Officer and Senior Assistant General Manager – Power System)
(Approved by General Manager)
Resolution authorizing execution of **Design-Build Criteria for Haynes Generation Station Units 5 and 6 Repowering Project**. Amount not to exceed \$579 million for a term of four years for each contract.

Council approval by ordinance is required.

ADOPTED RES 010 317

24. (Recommended by Chief Operating Officer and Senior Assistant General Manager – Power System)
(Approved by General Manager)
Resolution authorizing execution of three agreements relating to the **Milford II Wind Project (Project)**, located in Beaver and Millard Counties, Utah, to provide for the purchase of renewable wind energy, as follows:

- (1) Milford Wind Corridor Phase II Project Power Sales Agreement (BP 10-005) with Southern California Public Power Authority (SCPPA), to authorize LADWP to purchase up to 102 megawatts of renewable wind energy from the Project starting December 1, 2010, for a period of 20 years.
- (2) Milford Wind Corridor Phase II Project Agency Agreement for Project Management Services (BP 10-006) with SCPPA which provides for the designation of LADWP as the Project Manager, to administer on behalf of and for the benefit of all the Project participants, which include the City of Glendale.
- (3) Contract for Sale and Purchase of Milford Wind Phase II Energy Agreement (BP 10-007) with SCPPA, and the City of Glendale, which provides for LADWP to purchase Glendale's share of 5 megawatts of the metered output and associated environmental attributes as produced by the Project.

Council approval is required.

DEFERRED

Report from Committee of the Board

25. Audit Committee – Status of meeting held on May 4, 2010, including discussion of the recent audits, internal control issues, tracking of recommendation status of prior external and internal audits, major accounting policy issues and other topics.

REPORT GIVEN

Management Report

26. (From Senior Assistant General Manager – Power System)
Renewable Portfolio Standard Project Update – Wind Project
Performance Review (July 2006 through December 2009).

REPORT GIVEN (ARAM BENYAMIN)

Filed Items

27. (From Chief Financial Officer)
Monthly Report of Cash Activity for the Water and Power Revenue
Funds for the month ending March 2010.

FILED

28. (From General Manager)
(1) Monthly report of activities for the Water System for March 2010.
(2) Quarterly Status Report on Water Quality Regulatory Compliance
Projects.

FILED

29. (From General Manager)
Report for informational purposes:

Water System's Review of the Independent Third Party Expert on
Summer 2009 Water Main Leaks Report.

FILED

Closed Session

30. The Board shall recess into **closed session** for a conference with
legal counsel regarding:
- A. Existing litigation in the following matters:
1. Aaron David Meziere, et al. v. Los Angeles Department of
Water and Power, et al., Los Angeles Superior Court Case No.
BC410003, pursuant to subdivision (a) of section 54956.9 of
the California Government Code.

DISCUSSED – ADOPTED RES 010 319

2. Olivia Barajas v. Los Angeles Department of water and Power,
et al., Los Angeles Superior Court Case No. BC406463,
pursuant to subdivision (a) of section 54956.9 of the California
Government Code.

DISCUSSED – ADOPTED RES 010 318

3. Central and West Basin Water Replenishment District, etc. v.
Charles E. Adams, et al., Los Angeles Superior Court Case
No. BC786656, pursuant to subdivision (a) of section 54956.9
of the California Government Code.

DISCUSSED – NO ACTION TAKEN

4. California Water Service Company, et al. v. City of Compton,
et al., Los Angeles Superior Court Case No. BC506806,
pursuant to subdivision (a) of section 54956.9 of the California
Government Code.

DISCUSSED – NO ACTION TAKEN

5. City of Cerritos; City of Downey and City of Signal Hill, Petitioners v. Water Replenishment District of Southern California, City of Huntington Park, City of Lakewood, City of Long Beach, Long Beach Water Department, City of Los Angeles, City of Los Angeles Department of Water and Power, City of Vernon, City of Compton, Respondents; Golden State Water Company, California Water Company, Maywood Mutual Water No. 2, Real parties in Interest, Los Angeles Superior Court Case No. BS120643, pursuant to subdivision (a) of section 54956.9 of the California Government Code.

DISCUSSED – NO ACTION TAKEN

- B. Anticipated litigation in the following matters:
 1. Discussion regarding significant exposure to litigation (1 case), pursuant to subdivision (b)(1) of Section 54956.9 of the California Government Code.

DISCUSSED – ADOPTED RES 010 320

2. Discussion regarding initiation of litigation (1 case), pursuant to subdivision (c) of Section 54956.9 of the California Government Code.

NOT DISCUSSED

The Board shall publicly report any action taken in closed session and the vote or abstention of every member present thereon, in accordance with Section 54957.1 of the California Government Code.

Last Modified: May 24, 2010

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