Los Angeles, California, November 7, 2013

MINUTES OF SPECIAL MEETING OF THE BOARD OF
WATER AND POWER COMMISSIONERS OF THE CITY OF LOS ANGELES
HELD IN ROOM 1555-H
NOVEMBER 7, 2013
9:15 A.M.

Meeting called to order by President Mel Levine and roll called:

Present – Commissioners: President Levine
William W. Funderburk, Jr.
Jill Banks Barad
Christina E. Noonan

Absent – Michael Fleming

A quorum present.

IN ATTENDANCE were the following:

Ronald O. Nichols, General Manager
Aram Benyamin, Senior Assistant General Manager – Power System, Power System
Joseph Brajevich, Assistant General Counsel, Water and Power, City Attorney’s Office
Richard M. Brown, General Counsel, Water and Power, City Attorney’s Office
Michael A. Coia, Assistant General Manager, Power System
Clifford K. Eng, Assistant Director Information System, Information Technology Services Division
Sharon Grove, Assistant General Manager – Customer Service, Customer Service
Charles Holloway, Utility Services Manager, Environment and Efficiency Division
Reynan Ledesma, Property Manager, Systems Support Division
Philip Leiber, Chief Financial Officer, Financial Services Organization
Jonathan Leung, Managing Water Utility Engineer, Water Distribution, Water System
Craig Luna, Chief Real Estate Officer
James B. McDaniel, Senior Assistant General Manager – Water System, Water System
George Rofail, Utility Service Manager, Customer Service, Joint System
Susan Rowghani, Director of Water Engineering & Technical Services, Water System
Mark J. Sedlacek, Director of Environment and Efficiency Division
Thomas T. Simonovski, Utility Administrator, Human Resources Division
Gwendolyn W. Williams, Director of Supply Chain Services
Gary E. Wong, Assistant General Manager - Systems Support Division, Systems Support Division

Also, in attendance:

Camden Collins, Rate Payer Advocate
Tom Coultaus, Office of City Administrative Officer
Guy Lipa, Mayor’s Office

ITEM NO. 1 – Opening remarks by the Commission President on agenda and other items relating to Department operations, and Channel 35 broadcast announcement.
ITEM NO. 2 – A report/briefing by the General Manager

ITEM NO. 3 – Comments and/or requests from Commissioners relating to Department operations.

Commissioner Noonan – For future IT board letters include the alternatives considered for contracting and how the cost structure was determined (Item 14 - ARC GIS Software)

Commissioner Funderburk – Before approval of the Investment Policy, please provide a briefing for Commissioners Funderburk and Levine on the topic. (Item 16 - Investment Policy)

Commissioner Levine – Change previous request made at October 16, 2013 Special Board Meeting regarding JTII/JSI; request that the Board receive records of all checks and electronic transfers that exceed anything over $1,000 instead of the original request of $5,000.

Commissioner Barad - Provide a cost analysis on the San Fernando Valley Water Recycling Project that factors revenue received from the customers on the project. Consider the potential of bringing recycled water to a city property operating recreational activities (batting cages, miniature golf) that is located near the Tillman plant. Lastly, provide greater outreach with local neighborhood councils and other community groups on the project. Report back to the Board the outreach taken. (From Item 18 – San Fernando Valley Water Recycling Project).

Commissioner Funderburk - For future sole source contracts, provide an industry best practices comparison regarding costs. (Request from Item 21 - Advanced Customer Support from Oracle).

ITEM NO. 4 – The Secretary presented the 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.

ITEM NO. 5 – Potential Comments or Reports from Ratepayer Advocate. - Ms. Collins told Board members to contact their office if they have any questions.

Written recommendation, approved by the General Manager, transmitting the following resolutions, approved as to form and legality by the City Attorney:

Commissioner Barad moved adoption of the following eight resolutions, approved as to form and legality by the City Attorney:

ITEM NO. 6 – Recommendation for approval of the minutes of the following meetings of the Board of Water and Power Commissioners:

1. Special Meeting, October 1, 2013
2. Regular Meeting, October 1, 2013
Approval moved by Commissioner Barad.

Seconded by Commissioner Funderburk, Jr. and carried by the following vote:

Ayes, Commissioners Barad, Funderburk, Jr., Noonan, President Levine;

Noes, None.

ITEM NO. 7 – Spec. No. 353 (Amendment No. 1) to continue furnishing deep sea diving services with American Marine Corporation. The amendment will extend the contract term by twelve months. Submitted by Senior Assistant General Manager – Power System.

RESOLUTION NO. 19608

WHEREAS, American Marine Corporation (American) was awarded Contract No. 353 by the Los Angeles Department of Water and Power (LADWP) Board of Commissioners on November 6, 2012, for deep sea diving services; and

WHEREAS, the contract was awarded for a term of one year, for an amount not to exceed $468,469.00; and

WHEREAS, LADWP recommends Amendment No.1 to Contract No. 353 with American to extend the contract term by 12 months through November 15, 2014.

NOW, THEREFORE, BE IT RESOLVED that Amendment No.1 to Contract No. 353, approved as to form and legality by the City Attorney and on file with the Secretary of the Board, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to City Charter Section 1022, the Board finds that it is more feasible to have the work performed by an independent contractor.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of LADWP is hereby authorized and directed to draw demands on the Power Revenue Fund in accordance with the terms of this amendment pursuant to Contract No. 353 and this Resolution.

BE IT FURTHER RESOLVED that the President or Vice President of the Board, or the General Manager, or such person as the General Manager shall designate In writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said contract for and on behalf of LADWP.

ITEM NO. 8 – Spec. No. 482R1 to furnish and deliver propane fuel in the Owens Valley. Award to AmeriGas Propane, Inc. for a total amount not to exceed $536,775 for a period of nine months with two optional one-year periods. Submitted by Senior Assistant General Manager – Water System.

RESOLUTION NO. 19609

WHEREAS, through a competitive bid process the Los Angeles Department of Water and Power (LADWP) issued a solicitation to procure propane fuel in the Owens Valley under Bid No. 482R1; and

WHEREAS, AmeriGas Propane, Inc., is the only bidder under Bid No. 482R1.
NOW, THEREFORE, BE IT RESOLVED that AmeriGas Propane, Inc. is awarded the contract for a total amount not to exceed $536,775.00, for a period of nine months with two optional one-year periods, under Contract No. 482R1.

BE IT FURTHER RESOLVED that Contract No. 482R1, approved as to form and legality by the City Attorney, and filed with the Secretary of the Board, is hereby approved.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification, is authorized and directed to draw demands on the Water Revenue Funds, in accordance with the terms of this contract awarded pursuant to Bid No. 482R1 and this resolution.

BE IT FURTHER RESOLVED that the President or Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said contract for and on behalf of LADWP.

ITEM NO. 9 – Bid No. 485 to procure paper insulated lead covered cable. Award to OneSource Distributors, LLC for a total amount not to exceed $4,582,674 for a term of one year with two optional one-year periods. Submitted by Senior Assistant General Manager – Power System.

RESOLUTION NO. 19610

WHEREAS, through a competitive bid process, the Los Angeles Department of Water and Power (LADWP) issued a solicitation to procure paper insulated lead covered cable, under Bid No. 485; and

WHEREAS, OneSource Distributors, LLC (OneSource) is the lowest responsive bidder, under Bid No. 485.

NOW, THEREFORE, BE IT RESOLVED that OneSource is awarded the contract for an amount not to exceed $4,582,674.00, for a term of one year with two optional one-year periods, under Contract No. 485.

BE IT FURTHER RESOLVED that Contract No. 485, approved as to form and legality by the City Attorney, and filed with the Secretary of the Board, is hereby approved.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification, is authorized and directed to draw demands on the Power Revenue Fund, in accordance with the terms of this contract awarded pursuant to Bid No. 485 and this resolution.

BE IT FURTHER RESOLVED that the President or Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said contract for and on behalf of LADWP.

ITEM NO. 10 – Bid No. 519 to furnish and deliver ferric chloride. Award to Kemira Water Solutions, Inc. for a total amount not to exceed $7,526,000 for a period of one year with one optional one-year extension. Submitted by Senior Assistant General Manager – Water System.

RESOLUTION NO. 19611

WHEREAS, through a competitive bid process the Los Angeles Department of Water and Power (LADWP) issued a solicitation to procure Ferric Chloride under Bid No. 519; and
WHEREAS, Kemira Water Solutions, Inc. (Kemira) is the lowest responsive bidder under Bid No. 519.

NOW, THEREFORE, BE IT RESOLVED that Kemira is awarded the contract for a total amount not to exceed $7,526,000.00, for a period of one year with one optional one-year extension, under Bid No. 519.

BE IT FURTHER RESOLVED, that Contract 519, approved as to form and legality by the City Attorney and filed with the Secretary of the Board is hereby approved.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of LADWP, upon proper certification, is hereby authorized and directed to draw demands on the Water Revenue Fund in accordance with the terms of this contract awarded pursuant to Bid No. 519 and this resolution.

BE IT FURTHER RESOLVED that the President or Vice President of the Board or the General Manager, or such person as he shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized, empowered, and directed to execute said contract for and on behalf of LADWP.

ITEM NO. 11 – Bid No. 7487 to procure an Articulated 3-Axle Dump Truck. Award to Quinn Company for a total amount not to exceed $487,365 for a one-time purchase. Submitted by Senior Assistant General Manager – Water System.

RESOLUTION NO. 19612

WHEREAS, through a competitive bid process the Los Angeles Department of Water and Power (LADWP) issued a solicitation to procure articulated 3-axle dump trucks under Bid No. 7487 and

WHEREAS, Quinn Company, is the lowest evaluated bidder, due to the Local Business Preference Program, under Bid No. 7487.

NOW, THEREFORE, BE IT RESOLVED that Quinn Company is awarded the contract for a total amount not to exceed $487,365.00, for a one-time purchase, under Contract No. 7487.

BE IT FURTHER RESOLVED that Contract No. 7487, approved as to form and legality by the City Attorney, and filed with the Secretary of the Board, is hereby approved.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification, is authorized and directed to draw demands on the Water Revenue Fund, in accordance with the terms of this contract awarded pursuant to Bid No. 7487 and this resolution.

BE IT FURTHER RESOLVED that the President or Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said contract for and on behalf of LADWP.

ITEM NO. 12 – Bid No. 7527 to furnish an electric, water-cooled, double bundle, heat recovery chiller. Award to Vertical Systems, LLC for a total amount not to exceed $761,845 for a one-time purchase. Submitted by Assistant General Manager – Systems Support Division.
RESOLUTION NO. 19613

WHEREAS, the Los Angeles Department of Water and Power (LADWP) sought a single sole source to furnish and deliver an electric, water cooled double bundle, heat recovery chiller, under Bid No. 7527; and

WHEREAS, Vertical System LLC, (Vertical) is the single distributor of large electric multi compressor, oil free, double bundle, heat recovering water chillers and heaters in Los Angeles, Orange, Riverside, San Bernardino and San Diego Counties; thus Vertical is the only invited bidder.

NOW, THEREFORE, BE IT RESOLVED that Vertical is awarded the contract for a total amount not to exceed $761,845.00, for a one-time purchase, under Contract No. 7527.

BE IT FURTHER RESOLVED that Contract No. 7527, approved as to form and legality by the City Attorney, and filed with the Secretary of the Board, is hereby approved.

BE IT FURTHER RESOLVED that the Chief Accounting Employee is hereby authorized and directed to draw demands upon the Water and Power Revenue Funds in accordance with the terms of this contract awarded pursuant to Bid No. 7527 and this resolution.

BE IT FURTHER RESOLVED that the President or Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said contract for and on behalf of LADWP.

ITEM NO. 13 – Authorizes LADWP’s General Manager to Execute Fourteenth Amendment of Lease No. PRC 8079.9 with the California State Lands Commission. LADWP to implement the Owens Lake Dust Mitigation Program Phase 7a Project for a total amount not to exceed $50,000. Submitted by Senior Assistant General Manager – Water System.

RESOLUTION NO. 014 080

WHEREAS, the Los Angeles Department of Water and Power (LADWP) has been implementing the Owens Lake Dust Mitigation Program (OLDMP) since 2000, which includes the construction and operation of dust control measures (DCM) on Owens Lake in compliance with orders issued by Great Basin Unified Air Pollution Control District (GBUAPCD) under the authority of California Health & Safety Code Section 42316 (Section 42316), legal settlement agreements with GBUAPCD, lease agreements for use of state lands (administered by the California State Lands Commission [State Lands]) and other regulatory approvals; and

WHEREAS, LADWP is currently controlling dust on 42square miles of the Owens’Lake-area; and

WHEREAS, on March 17, 2011, GBUAPCD Governing Board issued Stipulated Order for Abatement No. 110317 (Order) requiring LADWP to install fully operational Best Available Control Measures (BACM) to control dust on certain areas of the Owens Lake, known as the Owens Lake Dust Mitigation Program Phase 7a Project (Phase 7a) by December 31,2013; and

WHEREAS, LADWP encountered delays of the project due to the unanticipated discovery of cultural resources on segments of Phase 7a; and

WHEREAS, Phase 7a will expand the existing system of dust control measures on Owens Lake by construction and operation of 3.1 square miles of DCMs in six areas, and 3.4 square miles of transitioned DCMs (water-saving technology) in seven existing areas for a total area of 6.5 square-miles of the lakebed; and
WHEREAS, LADWP and GBUAPCD negotiated an extension of the deadline; and

WHEREAS, on August 19, 2013, GBUAPCD issued Modified Stipulated Order for Abatement No. 110317-1, which among other things, extended the deadline to December 31, 2015, for Phase 7a; and

WHEREAS, the 6.5 square-miles of the lakebed discussed above are under the jurisdiction of the State Lands; and

WHEREAS, LADWP had been working with State Lands to amend the OLDMP Lease No. PRC 8079.9 to include Phase 7a; and

WHEREAS, on September 20, 2013, State Lands approved the lease amendment known as Fourteenth Amendment of Lease No. PRC 8079.9; and

WHEREAS, under Section 1 of Lease No. PRC 8079.9, in accordance with California Code of Regulations, Title 2, Division 3, Chapter 1, Article 2, Section 2003, Subsection (a)(4)(A), State Lands, for public health and safety reasons, does not charge LADWP for the leasing of State-owned Owens Lake properties, while reserving the right to do so if it is in the State's best interest; and

WHEREAS, the total cost of the Amendment is not-to-exceed $50,000 through May 30, 2019, for reimbursing all of State Lands' reasonable staff expenses for ensuring compliance with all terms and conditions of the Lease; and

WHEREAS, LADWP must execute the Amendment promptly to be able to award a construction contract by December 2013, in order to meet the December 31, 2015, deadline.

NOW, THEREFORE, BE IT RESOLVED, that the Fourteenth Amendment of Lease No. PRC 8079.9, approved as to form and legality by the City Attorney and filed with the Secretary of the Board, between LADWP and State Lands, be and the same hereby ratified and approved.

BE IT FURTHER RESOLVED, that the Chief Accounting Employee of LADWP, upon proper certification, is authorized and directed to draw demands on the Water Revenue Fund in payment of costs of State Lands, as stipulated under the Amendment, up to the total amount of $50,000.

BE IT FURTHER RESOLVED, that the President or Vice President of this Board, or the General Manager, or such person as he shall designate in writing as his designee, and the Secretary, Assistant Secretary, or the Acting Secretary of this Board are hereby authorized, empowered, and directed to ratify and execute said Amendment for and on behalf of LADWP.

Seconded by Commissioner Funderburk, Jr. and carried by the following vote:

Ayes, Commissioners Barad, Funderburk, Jr., Noonan, President Levine;

Noes, None.
THE BOARD shall recess to closed session for a conference with legal counsel regarding:

A. Existing litigation in the following matters:

1. In re Great Basin Unified Air Pollution Control District Owens Lake Dust Control Revised Final 2011 Supplemental Control Requirements Determination, State of California Air Resources Board, pursuant to Section 54956.9 (d)(1) of the California Government Code.

2. The People of the State of California and Great Basin Unified Air Pollution Control District v. City of Los Angeles, Department of Water and Power, et al., Kern County Superior Court Case No. SI CV PT 1254188, pursuant to Section 54956.9 (d)(1) of the California Government Code.


4. Romero v. City of Los Angeles, Los Angeles Superior Court Case Number BC449834, pursuant to Section 54956.9 (d)(1) of the California Government Code.

5. Golden Eagle Insurance Corporation v. Los Angeles Department of Water and Power, Los Angeles Superior Court Case No. BC483684, pursuant to Section 54956.9(d)(1) of the California Government Code.

6. Ayala Boring, Inc. v. Los Angeles Department of Water and Power, et al., Los Angeles Superior Court Case No. 468667, pursuant to Section 54956.9(d)(1) of the California Government Code.

B. Anticipated litigation in the following matters:

1. Discussion regarding significant exposure to litigation (1 case), pursuant to Section 54956.9 (d)(2) of the California Government Code.

2. Discussion regarding initiation of litigation (1 case), pursuant to Section 54956.9 (d)(4) of the California Government Code.

C. Conference with Labor Negotiators:

1. Pursuant to California Government Code Section 54957.6, the Board will meet in closed session with the Department’s labor negotiators (the Department’s General Manager) concerning labor negotiations with the following employee bargaining representatives:

   International Brotherhood of Electrical Workers, Local 18

MEETING RECESSED at 9:33 a.m.

MEETING RECONVENED at 9:36 a.m.
Los Angeles, California, November 7, 2013

MINUTES OF CLOSED SESSION OF THE BOARD OF WATER AND POWER COMMISSIONERS OF THE CITY OF LOS ANGELES
HELD IN ROOM 1555
NOVEMBER 7, 2013
9:36 A.M.

Meeting called to order by President Mel Levine and roll called:

Present – Commissioners:
President Levine
William W. Funderburk, Jr.
Jill Banks Barad
Christina E. Noonan

Absent –
Michael F. Fleming

A quorum present.

IN ATTENDANCE were the following:

Ronald O. Nichols,
James Bart King,
Aram Benyamin,
Joseph Brajevich,
Dirk Broersma,
Richard M. Brown,
Joe Castruita,
Steven Cole,
Jonathan Leung,
James B. McDaniel,
Gwendolyn Williams,

General Manager
Waterworks Engineer
Senior Assistant General Manager – Power System
Assistant General Counsel, Water and Power
Deputy City Attorney
General Counsel, Water and Power
Water Services Manager
Waterworks Engineer
Managing Water Utility Engineer
Senior Assistant General Manager – Water System
Director of Supply Chain Services

Also, in attendance:
Dana Brown,
Tom Coultas,
Adena Hopenstand,
Guy Lipa,
Miguel A. Santana,

Office of City Administrative Officer
Office of City Administrative Officer
Office of Mike Feuer, City Attorney
Mayor’s Office
City Administrative Officer

A CLOSED SESSION was held for a conference with legal counsel regarding:

Existing litigation in the following matter:

ITEM NO. 30A(4) – Romero v. City of Los Angeles, Los Angeles Superior Court Case Number BC449834, pursuant to Section 54956.9 (d)(1) of the California Government Code.

Discussion held – no action taken.
ITEM NO. 30C – Conference with Labor Negotiators:

1. Pursuant to California Government Code Section 54957.6, the Board will meet in closed session with the Department’s labor negotiators (the Department’s General Manager) concerning labor negotiations with the following employee bargaining representatives:

   International Brotherhood of Electrical Workers, Local 18

Discussion held – no action taken.

ITEM NO. 30 B(1) – Discussion regarding significant exposure to litigation (1 case), pursuant to Section 54956.9 (d)(2) of the California Government Code.

Discussion held – no action taken.

MEETING RECESS AT 11:07 A.M.

MEETING RECONVENED TO OPEN SESSION AT 11:18 A.M.

ITEM NO. 14 – Authorizes the execution of Memorandum of Understanding between the Los Angeles Department of Public Works, Bureau of Engineering and the Los Angeles Department of Water and Power for “ARC” GIS software to view and analyze data regarding LADWP assets and facilities from a geographic perspective in both the Power and Water Systems. The total amount not to exceed $403,300. Submitted by Assistant General Manager – Systems Support Division.

RESOLUTION NO. 014 081

WHEREAS, on October 5, 2010, the Board of Water and Power Commissioners authorized the Los Angeles Department of Water and Power (LADWP) to enter into a Cooperative Purchase Agreement (under Specification No. 256) between the City of Los Angeles (City) and the Environmental Systems Research Institute (ESRI) for "ARC" Geographic Information Systems (GIS) software that listed LADWP as a Participating City Department (PCD) through City Contract No. 59144 for a three (3) year term that expired on June 30, 2013 that allowed direct payment to ESRI by LADWP; and

WHEREAS, the LADWP uses ESRI "ARC" GIS software to view and analyze data regarding LADWP assets and facilities from a geographic perspective in both the Power and Water Systems; and

WHEREAS, the City has extended the term of the contract with ESRI for three (3) years beginning July 1, 2013 to June 30, 2016 with LADWP listed as one (1) of the seventeen (17) PCDs under Amendment No.2 to City Contract No. 59144, however, restructured the payment remittance to allow a single annual payment made to ESRI by the Los Angeles Department of Public Works, Bureau of Engineering (BOE); and

WHEREAS, the Los Angeles City Council has adopted Motion No. 13-1006 authorizing BOE to act on behalf of the City in respect to Amendment No.2 to City Contract No. 59144, and to make three (3) annual payments to ESRI in the amount of $1,308,000.00 beginning Fiscal Year 2013/2014; and
WHEREAS, the proposed Memorandum of Understanding between LADWP and BOE allows LADWP to continue to utilize the services rendered by ESRI and reimburse BOE the annual fee for services rendered to both the Power and Water Systems; and

WHEREAS, LADWP, as a PCD under Amendment No.2 to City Contract No. 59144, will make an annual reimbursement to BOE for the next three (3) years beginning Fiscal Year 2013/2014 in an amount not-to-exceed $403,300.00.

BE IT FURTHER RESOLVED, that the Chief Accounting Employee of LADWP, upon proper certification, is authorized and directed to draw demands on both the Water Revenue Fund and the Power Revenue Fund in payment of the obligations arising under City Contract No. 59144 and all amendments.

BE IT FURTHER RESOLVED, that the President or Vice President of the Board, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board be and they are hereby authorized and directed to execute said Memorandum of Understanding for and on behalf of LADWP.

Approval moved by Commissioner Noonan.

Seconded by Commissioner Levine and carried by the following vote:

Ayes, Commissioners Barad, Funderburk, Jr., Noonan, President Levine;  
Noes, None.

ITEM NO. 15 – Authorizes execution of the following amendments to continue to provide uninterrupted environmental support to current Water and Power System capital projects: 1) Agreement No. 47063-2 (Amendment No. 1) with MWH Americas, Inc. for an additional amount of $750,000. 2) Agreement No. 47064-2 (Amendment No. 1) with ESA Planning and Environmental Services for an additional amount of $1,200,000. Submitted by Director of Environment and Efficiency.

RESOLUTION NO. 014 082

WHEREAS, the Los Angeles Department of Water and Power (LADWP) in the course of providing water and electricity services to the City of Los Angeles complies with various environmental laws, rules and regulations adopted and enforced by local, state and federal agencies for existing facility operations, improvements to existing infrastructure and capital development projects; and

WHEREAS, Resolution 012-106 was adopted on November 15, 2011 authorizing the execution of Agreement No.4 7064-2 with ESA Planning and Environmental Services to provide environmental assessment and air quality services to LADWP, and

WHEREAS, Resolution 012-106 was adopted on November 15, 2011 authorizing the execution of Agreement No. 47063-2 with MWH Americas, Inc. to provide environmental assessment and air quality services to LADWP, and

WHEREAS, the Agreement has assisted LADWP in completing environmental assessment projects as well as insuring timely and efficient compliance with environmental regulations for LADWP facilities and operations. The agreement has also assisted LADWP in conducting specialized technical studies, preparing environmental documents and performing mitigation monitoring; and
WHEREAS, additional funds are needed to comply with unanticipated environmental studies at Owens Lake as well as additional renewable energy and transmission line projects that were not in development when the original cost estimates were prepared for the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the proposed Amendment No.1 to Agreement No.4 7064-2, adding $1.2 million for a new not-to-exceed amount of $4.95 million, approved as to form and legality by the City Attorney and filed with the Secretary of the Board, between LADWP and ESA Planning and Environmental Services, is hereby approved; and

NOW, THEREFORE, BE IT RESOLVED that the proposed Amendment No.1 to Agreement No. 47063-2, adding $750,000 for a new not-to-exceed amount of $4.95 million, approved as to form and legality by the City Attorney and filed with the Secretary of the Board, between LADWP and MWH Americas, Inc., is hereby approved; and

BE IT FURTHER RESOLVED that pursuant to Section 1022 of the City Charter, the Board finds that such services can be performed more economically or feasibly by independent contractors than by City of Los Angeles employees.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of LADWP, upon proper certification, is authorized to authenticate demands on both the Water Revenue Fund and the Power Revenue Fund in payment of the obligations arising under said amendments.

BE IT FURTHER RESOLVED that the President or the Vice President of this Board, or the General Manager, or such person as the General Manager shall designate in writing as his designee; and the Secretary, Assistant Secretary, or the Acting Secretary of this Board are hereby authorized, empowered and directed to execute said amendments for and on behalf of LADWP.

Approval moved by Commissioner Noonan.
Seconded by Commissioner Levine and carried by the following vote:
Ayes, Commissioners Barad, Funderburk, Jr., Noonan, President Levine;
Noes, None.

ITEM NO. 16 – Adopts the Investment Policy for the Los Angeles Department of Water and Power Trust Funds. Submitted by Chief Financial Officer.
Commissioner Levine moved this item be deferred.
Seconded by Commissioner Funderburk, Jr. and carried by the following vote:
Ayes, Commissioners Barad, Funderburk, Jr., Noonan, President Levine;
Noes, None.

ITEM NO. 17 – Honors John C. Kokoska, Director of Power Supply Operations, upon his retirement. (No presentation)

RESOLUTION NO. 014 083

WHEREAS, John C. Kokoska, Director of Power Supply Operations Division, is retiring December 1, 2013, after 34 years of providing distinguished service with the Los Angeles Department of Water and Power (LADWP) and the City of Los Angeles; and
WHEREAS, John C. Kokoska began his career on June 15, 1981, as an Electric Station Operator Trainee with the LADWP. Throughout his career, he promoted to increasingly more responsible positions, including Power Switchboard Operator, Electric Station Operator, Chief Electric Station Operator, Chief Electric Plant Operator, Electric Plant Superintendent, and Electrical Service Manager; and

WHEREAS, John C. Kokoska's leadership included most recently serving as the Director of Power Supply Operations Division, and on numerous Joint Labor Management Committees and as the Management Co-Chair on the International Brotherhood of Electrical Workers, Local 18/LADWP Joint Resolution Board, and as the first Management Administrator in 2000 for the Joint Safety Institute; and

WHEREAS, under John C. Kokoska's direction and management, Power Supply Operations Division has made significant progress in the areas of employee safety and system reliability.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Water and Power Commissioners on behalf of the management of the LADWP, its employees, and the citizens of the City of Los Angeles, thank and commend John C. Kokoska for his service as a highly dedicated, motivated, and efficient manager with broad supervisory and management experience. The Board extends every best wish to him for a prosperous and enjoyable retirement.

BE IT FURTHER RESOLVED, that a suitable copy of this resolution be presented to John C. Kokoska in appreciation and recognition of his long and faithful service to the people of Los Angeles and to the LADWP.

Approval moved by Commissioner Levine.

Seconded by Commissioner Funderburk, Jr. and carried by the following vote:

Ayes, Commissioners Barad, Funderburk, Jr., Noonan, President Levine;

Noes, None.

ITEM NO. 27 – Discussion of and Possible Action on Review of the Joint Safety Institute and the Joint Training Institute.

(A Verbal Motion No. 1 was moved by Commissioner Levine, seconded by Commissioner Barad, that the Board "Communicate to the Trustees of the Joint Safety Institute and the Joint Training Institute that the Board “Instead of what was previously requested on October 16, 2013: Include records of all checks and electronic transfers that exceed anything over $5,000 that the amount now be anything exceeding $1,000").

Approval moved by Commissioner Levine.

Seconded by Commissioner Barad and carried by the following vote:

Ayes, Commissioners Barad, Funderburk, Jr., Noonan, President Levine;

Noes, None.

President Mel Levine leaves the Board Meeting for the day at 12:45 p.m.
ITEM NO. 18 – Adopts the San Fernando Valley Water Recycling Project including the Mitigated Negative Declaration. Submitted by Director of Environment and Efficiency and Senior Assistant General Manager – Water System.

RESOLUTION NO. 014 084

ADOPTED AS AMENDED AT 11/7/13 SPEC. BOARD MTG. SEE ATTACHED VERBAL MOTION

WHEREAS, the Los Angeles Department of Water and Power (LADWP) in response to the challenges facing the City’s water supply, has embarked upon an aggressive effort to create reliable and sustainable sources of water for the future of Los Angeles; and

WHEREAS, a key component to the LADWP’s Urban Water Management Plan is to maximize the use of recycled water; and

WHEREAS, the proposed San Fernando Valley Water Recycling Project (Project) will help to maximize the use of recycled water to replace potable water sources for irrigation and industrial uses by extending the recycled pipeline network to the San Fernando Valley; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Water and Power Commissioners of the City of Los Angeles (Board) recognizes that a study was made of the environmental effects of the Project including its construction and operation. This study is embodied in the Mitigated Negative Declaration (MND) on file with the Secretary of this Board and is incorporated in this Resolution, and made a part hereof.

BE IT FURTHER RESOLVED that this Board makes the following findings and determinations with respect to the proposed Project:

The proposed Project would be located within the Valley Service Area and supplied with recycled water from the Donald C. Tillman Water Reclamation Plant and would include a connection to the City of Burbank recycled water system, which receives recycled water from the Burbank Water Reclamation Plant.

The proposed Project would consist of six segments: North Hollywood Park, Valley Plaza Park, Van Nuys Sherman Oaks Park, Reseda Park, Veteran Administration Hospital (VA Hospital), and Pierce College. The construction of these six segments would expand the supply of recycled water to customers located throughout the San Fernando Valley. All segments would connect to existing recycled water pipeline systems in the area using a 16-inch connection. In addition, all segments except for North Hollywood Park would include 16-inch diameter distribution lines. The North Hollywood Park segment would include 4- to 16-inch diameter distribution lines. The North Hollywood Park segment would connect to the existing City of Burbank recycled water pipeline; the Valley Plaza Park, Van Nuys Sherman Oaks Park, Reseda Park, and VA Hospital segments would connect to the existing LADWP recycled water pipeline; and the Pierce College segment would connect to the Reseda Park segment. In total, approximately 114,080 linear feet of new recycled water pipeline would be installed with implementation of the proposed Project.

The North Hollywood Park segment would connect to the existing 16-inch City of Burbank pipeline via a 16-inch point connection on the City of Los Angeles border at Verdugo Avenue and Clybourn Avenue. From the pipeline connection point, this 16-inch diameter pipeline segment would extend approximately 18,280 linear feet west on Verdugo Avenue to Camarillo Street, then continue west on Camarillo Street to Vineland Avenue, then north on Vineland Avenue to Magnolia Boulevard, and west on Magnolia Boulevard to North Hollywood High School, with two extensions. One extension would include an 8-inch diameter pipeline located north on Colfax Avenue from Magnolia Boulevard to Chandler Boulevard. This extension would then split into two legs including 6-inch diameter pipelines. One leg would travel west on Chandler Boulevard terminating at North Hollywood High School; and the other leg would travel east on Chandler Boulevard terminating at SR 170. The second extension would include a 4-inch diameter pipeline located south on Irvine Avenue from Magnolia Boulevard to Hartsack Street, east on Hartsack Street to Westpark Drive, and south on Westpark Drive terminating at North Hollywood Park.
The Metro Orange Line Busway operates in the median of Chandler Boulevard in this area. Proposed pipeline segments that would cross the Metro Orange Line Busway would be tunneled beneath the existing transit facility. Proposed pipelines located on Chandler Boulevard would be located beneath the vehicle traffic lanes and would not disturb the existing busway. This segment would be trenched across the San Fernando Wash on Magnolia Boulevard approximately 900 feet west of Tujunga Avenue. Along its route, the North Hollywood Park segment would serve the following known customers:

- North Hollywood Park, located on Magnolia Boulevard west of Tujunga Avenue
- North Hollywood High School, located at Magnolia Boulevard and Colfax Avenue
- Metro Orange Line Busway, located in the median of Chandler Boulevard
- Caltrans operated SR 170

The Valley Plaza Park segment would connect to the existing 54-inch LADWP pipeline via a 16-inch connection point at the intersection of Sherman Way and Woodman Avenue. This segment would extend approximately 14,700 linear feet east on Sherman Way from the connection point to SR 170, with two segments extending south; one on Ethel Avenue from Sherman Way to James Madison Middle School; and one on Whitsett Avenue from Sherman Way to Vanowen Street, and east on Vanowen Street terminating at Valley Plaza Park. This segment would cross the San Fernando Wash in two places. The first channel crossing would occur on Sherman Way approximately 1,300 feet east of Woodman Avenue, and the second channel crossing would occur on Vanowen Street approximately 1,021 feet east of Whitsett Avenue. For the channel crossing on Sherman Way, the pipe would be hung from the side of the roadway or installed through an existing utility duct. For the channel crossing on Vanowen Street, trenching would be used. Additionally, this route would cross over the SR 170 freeway overpass bridge on Sherman Way, which would require installation through an existing utility duct. The Valley Plaza Park segment would serve the following known customers:

- James Madison Middle School, located on Ethel Avenue south of Hart Street
- Caltrans facility, located on Sherman Way east of SR 170
- Valley Plaza Park, located on Vanowen Street east of SR 170

The Van Nuys Sherman Oaks Park segment would begin on Kester Avenue just south of the Metro Orange Line Busway via an extension of the existing 16-inch LADWP pipeline. This segment would extend approximately 21,800 linear feet south on Kester Avenue from the connection point to Oxnard Street, then east on Oxnard Street to Van Nuys Boulevard, and south on Van Nuys Boulevard terminating at Sherman Oaks Hospital, with two extensions. One of these extensions would travel east on Burbank Boulevard from Van Nuys Boulevard and terminate at Los Angeles Valley College. The other extension would travel east on Magnolia Boulevard from Van Nuys Boulevard and terminate at Van Nuys Sherman Oaks Park. The Van Nuys Sherman Oaks Park segment would serve the following known customers:

- Sherman Oaks Hospital, located on Van Nuys Boulevard south of Addison Street
- Van Nuys - Sherman Oaks Park, located on Magnolia Boulevard east of Van Nuys Boulevard
- Burbank Oaks Apartments, located on Burbank Boulevard west of Tyrone Avenue
- Los Angeles Valley College, located on Burbank Boulevard east of Fulton Avenue

The Reseda Park segment would connect to the existing 54-inch LADWP pipeline via a 16-inch connection point at the intersection of Victory Boulevard and Woodley Avenue. This segment would extend approximately 24,300 linear feet west on Victory Boulevard from the connection point terminating at the intersection of Victory Boulevard and Reseda Boulevard, with three extensions. One extension would travel south on Balboa Boulevard from Victory Boulevard and terminate at the Sepulveda Basin Sports Complex. Another extension would travel north on
Balboa Boulevard from Victory Boulevard to Vanowen Street, then west on Vanowen Street terminating at Mulholland Middle School. A third extension would travel north on Lindley Avenue from Victory Boulevard to Kittridge Street, then west on Kittridge Street and terminate on the north side of Reseda Park, just east of the intersection of Kittridge Street and Reseda Boulevard. There would be two channel crossings on Victory Boulevard. The first channel crossing would occur over Bull Creek approximately 1,050 feet east of Balboa Boulevard, and the other crossing would occur over the Los Angeles River approximately 600 feet west of Lindley Avenue. For both channel crossings, the pipelines would be hung from the side or underneath the bridges.

The Reseda Park segment would serve the following known customers:
- Sepulveda Basin Sports Complex, located on Balboa Boulevard south of Victory Boulevard
- Birmingham High School, located on Balboa Boulevard and Haynes Street
- Valley Alternative School, located on Balboa Boulevard and Vanowen Street
- Mulholland Middle School, located on Vanowen Street east of Aldea Avenue
- High Tech High School, located on Victory Boulevard east of Aldea Avenue
- South side of Reseda Park, located on Victory Boulevard at Reseda Boulevard
- North side of Reseda Park, located on Kittridge Street east of Reseda Boulevard

The VA Hospital segment would connect to the existing 54-inch LADWP pipeline via a 16-inch connection point at the intersection of Sherman Way and Woodley Avenue. This segment would extend approximately 21,400 linear feet north on Woodley Avenue from the connection point and terminate at the intersection of Woodley Avenue and Roscoe Boulevard, with two extensions. One extension would travel west on Roscoe Boulevard from Woodley Avenue to Gothic Avenue, then north on Gothic Avenue terminating at Valley Sod Farms. Another extension would travel east on Roscoe Boulevard from Woodley Avenue to Haskell Avenue, then north on Haskell Avenue and terminate at the VA Hospital. This segment would cross the Amtrak/Metrolink tracks located on Woodley Avenue approximately 1,000 feet south of Roscoe Boulevard. Trenchless construction would be required for this rail crossing.

The VA Hospital segment would serve the following customers:
- Valley Sod Farms, located on Gothic Avenue east of Hayvenhurst Avenue
- Anheuser Busch facility, located on Roscoe Boulevard west of Interstate 405 (I-405, San Diego Freeway)
- VA Hospital, located on Haskell Avenue south of Lassen Street

The Pierce College segment would connect to the westernmost termination point of the Reseda Park segment via a 16-inch pipeline extension, and then travel approximately 13,600 linear feet west on Victory Boulevard, terminating at the intersection of Victory Boulevard and Mason Avenue. This segment would cross the Metro Orange Line Busway on Victory Boulevard approximately 1,000 feet east of Winnetka Avenue. It would only serve Pierce College at this time.

The installation of the recycled water pipeline would occur within public roads and using a cut and cover trenching technique. An approximately 3-foot wide by 5-foot deep trench would be excavated within the roadway that could be covered with metal plates during periods of the day when construction is not ongoing. Once the pipeline has been installed within a segment, the trench would be backfilled with imported slurry and returned to its original condition. Recycled water pipeline installation would necessitate restrictions of on-street parking and closure of up to two lanes of the roadway depending on the location of construction. In general, approximately 90 linear feet of pipeline would be installed per day.
Construction is anticipated to occur sequentially along the alignment of each segment to minimize long-term disruption within any one area. Construction would generally occur from east to west, beginning with the North Hollywood Park segment. Subsequent segments would be constructed in the following order: Valley Plaza Park, Van Nuys Sherman Oaks Park, Reseda Park, VA Hospital, and Pierce College. Materials and equipment staging and construction worker parking would use City facilities and public parking lots located along or near the proposed alignments.

Railroad crossings would require tunneling instead of trenching via a procedure called “pipe jacking.” Launching and receiving pits would be located on either end of the tunnel. Hydraulic jacks would drive pipes through the ground. Excavated soil and other material would be removed from the pits and disposed of at an appropriate regional landfill. The launching and receiving pits would be backfilled with imported slurry and the roadway would be returned to its original condition.

Construction of the proposed Project is anticipated to begin in fall 2014 and take approximately 7 years to complete, concluding in summer 2022.

Generally, in accordance with the City of Los Angeles Noise Ordinance (the Noise Ordinance), construction activity would occur Mondays through Fridays from 7:00 a.m. to approximately 3:30 p.m. The City of Los Angeles Mayor’s Directive #2 prohibits construction on major roads during rush hour periods (6:00 a.m. to 9:00 a.m. and 3:30 p.m. to 7:00 p.m.). However, due to the nature of construction activities within public roadways, construction activity could occur during rush hour periods. Therefore, LADWP would request a variance to Directive #2. Additionally, construction activity may occur at night in non-residential areas in order to complete construction of the proposed Project in a timely manner. Construction would also be coordinated with the City of Los Angeles Department of Transportation (LADOT) to minimize traffic disturbances.

An appropriate combination of monitoring and resource impact avoidance would be employed during all phases of the proposed Project, including implementation of the following Best Management Practices (BMPs):

- The proposed Project would implement Rule 403 dust control measures required by the South Coast Air Quality Management District (SCAQMD), which would include the following:
  1) Water shall be applied to exposed surfaces at least two times per day to prevent generation of dust plumes.
  2) The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road:
     a. Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long;
     b. Pave the surface extending at least 100 feet and at least 20 feet wide;
     c. Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or
     d. Install a wheel washing system to remove bulk material from tires and vehicle undercarriages.
  3) All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).
  4) Construction activity on exposed or unpaved dirt surfaces shall be suspended when wind speed exceeds 25 miles per hour (such as instantaneous gusts).
  5) Ground cover in disturbed areas shall be replaced in a timely fashion when work is completed in the area.
  6) A community liaison shall be identified concerning on-site construction activity including resolution of issues related to PM_{10} generation.
7) Non-toxic soil stabilizers shall be applied according to manufacturers’ specifications to all inactive construction areas (previously graded areas inactive for ten days or more).

8) Traffic speeds on all unpaved roads shall be limited to 15 mph or less.

9) Streets shall be swept at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, water sweepers with reclaimed water shall be used.

- The construction contractor would develop and implement an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) for construction activities. Erosion control and grading plans may include, but would not be limited to, the following:
  - Minimizing the extent of disturbed areas and duration of exposure;
  - Stabilizing and protecting disturbed areas;
  - Keeping runoff velocities low; and
  - Retaining sediment within the construction area.

- Construction erosion control BMPs may include the following:
  - Temporary desilting basins;
  - Silt fences;
  - Gravel bag barriers;
  - Temporary soil stabilization with mattresses and mulching;
  - Temporary drainage inlet protection; and
  - Diversion dikes and interceptor swales.

- The proposed Project would comply with the Regional Water Quality Control Board’s National Pollution Discharge Elimination System Phase II Rule.

- The pipeline alignment would not be located within 15 feet of a residential or institutional building, or within 12 feet of a commercial building to minimize vibration induced building damage.

- Residences and businesses near the pipeline alignment would be notified prior to the start of construction (e.g., via flyers) of lane closures and parking restrictions in the MND vicinity. The notices would include a telephone number for comments or questions related to construction activities.

- The proposed Project construction would incorporate source reduction techniques and recycling measures and maintain a recycling program to divert waste in accordance with the Citywide Construction and Demolition Debris Recycling Ordinance.

BE IT FURTHER RESOLVED that this Board makes the following further findings and determinations with respect to the Proposed Project:

LADWP is lead agency under the California Environmental Quality Act (CEQA) and has prepared a MND in compliance with CEQA.

An Initial Study (IS) was prepared and since potentially significant effects were identified in the IS, it was determined that the Project should undergo further review through the preparation of a MND.

A Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration was prepared and made available for public review along with the IS from November 16, 2012 through December 17, 2012. Copies of the IS/MND and/or NOI were sent to the California State Clearinghouse as well as local agencies, organizations, and individuals believed to have an interest in the Proposed Project. A copy of the NOI is on file with the Secretary of the Board as Attachment 2 to the Board Letter.

BE IT FURTHER RESOLVED this IS/MND, now before this Board, identifies the following impacts that are potentially significant unless mitigation is incorporated, and proposes the following Mitigation Monitoring and Reporting Program (MMRP), over which LADWP will maintain oversight and act as monitoring agent:
CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>No.</th>
<th>Mitigation Measure</th>
<th>Time Frame for Implementation</th>
<th>Responsible Monitoring Agency</th>
<th>Verification of Compliance</th>
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<tbody>
<tr>
<td>CR-1</td>
<td>Cultural monitoring program shall be within segments identified as having cultural</td>
<td>During Construction</td>
<td>LADWP</td>
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<td>activity.</td>
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<td>a. Archaeological monitoring of ground-disturbing activities shall include:</td>
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<td>• Archaeological monitoring for the North Hollywood Park segment due to the</td>
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<td>presence of the Tujunga Wash, historic development, and evidence of prehistoric</td>
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<td>settlement 19-100281;</td>
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<td>• Archaeological monitoring for the Van Nuys Sherman Oaks Park segment due to</td>
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<td>the proximity of the San Fernando Mission, Los Angeles River, and Santa</td>
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<td>Monica Mountains; and</td>
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<td>• Archaeological monitoring for the VA Hospital segment pipe jacking entry and</td>
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<td>exit pits in the location of the former Southern Pacific Railroad crossing.</td>
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<td>b. The on-site archaeological monitor shall work under the direction of a qualified</td>
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<td>archaeological Principal Investigator. The on-site archaeological monitor shall</td>
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<td>conduct worker training prior to the initiation of ground-disturbing activity</td>
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<td>in order to inform workers of the types of resources that may be encountered,</td>
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<td>and apprise them of appropriate handling of such resources. If any prehistoric</td>
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<td>archaeological sites are encountered within the project area, consultation</td>
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<td>with interested Native American parties shall be conducted to apprise them of</td>
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<td>any such findings and solicit any comments they may have regarding appropriate</td>
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<td>treatment and disposition of the resources. The archaeological monitor shall</td>
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<td>have the authority to redirect construction equipment in the event potential</td>
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<td>archaeological resources are encountered.</td>
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<td>c. In the event archaeological resources are encountered, LADWP shall be notified</td>
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<td>immediately and work in the vicinity of the discovery shall be halted until</td>
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<td>appropriate treatment of the resource is determined by the qualified</td>
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<td>archaeological Principal Investigator in accordance with the provisions of CEQA</td>
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<td>Guidelines Section 15064.5 and Section 106 of the National Historic Preservation</td>
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<td>d. Ground-disturbing activities include, but are not limited to, geotechnical</td>
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<td>boring, boring, trenching, grading, excavating, and the demolition of building</td>
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<td>foundations. The archaeological monitor shall observe ground-disturbing</td>
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<td>activities in the segments requiring monitoring, to depth.</td>
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<td>e. Once ground-disturbing activities begin, if the level of disturbance of fill</td>
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<td>encountered to depth is determined by the archaeological Principal Investigator</td>
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<td>to make the likelihood of archaeological findings improbable, the Principal in</td>
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<td>consultation with LADWP may recommend that archaeological monitoring be</td>
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<td>continued intermittently, as appropriate, or discontinued within the segment</td>
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<td>or portion thereof.</td>
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<td>f. In the event that archaeological resources are encountered during archaeological</td>
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<td>monitoring, the monitor may halt work in the immediate vicinity until the</td>
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<td>discovery is assessed by the project archaeologist and appropriate</td>
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SPECIAL MEETING OF COMMISSIONERS (Continued)
NOVEMBER 7, 2013, 9:15 A.M. Page 20

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<tr>
<th>No.</th>
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<td>g.</td>
<td>Upon completion of all ground-disturbing activities, an Archaeological Resources Monitoring Report shall be prepared documenting construction activities observed, including copies of all daily archaeological monitoring logs. If discoveries are made during ground-disturbing activities, the report shall also document the associated cultural materials and the methods of treatment as determined appropriate by the archaeologist. This report shall be placed on file at the South Central Coastal Information Center upon its completion.</td>
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<td>CR-2</td>
<td>Any excavations below 5 feet, should they be necessary, shall be monitored to quickly and professionally recover any discovered fossil remains. In the event that paleontological resources are encountered, a qualified paleontologist shall be retained in order to recover and record any fossil remains discovered. Any discovered fossils shall be prepared, identified, and catalogued before curation in an accredited repository such as designated in consultation with LADWP.</td>
<td>During construction</td>
<td>LADWP</td>
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NOISE

<p>| N-1 | Equipment shall be properly maintained with mufflers and other suitable noise devices. | During construction | LADWP | |
| N-2 | Endeavor to use rubber-tired equipment rather than tracked equipment. Noisy equipment shall be used only when necessary and shall be switched off when not in use. | During construction | LADWP | |
| N-3 | Ensure that all stockpiling and vehicle staging is conducted away from noise-sensitive receivers. | During construction | LADWP | |
| N-4 | LADWP shall establish a public liaison for project construction that shall be responsible for addressing public concerns about construction activities, including excessive noise. The liaison shall determine the cause of the concern (e.g., starting too early, bad muffler, etc.) and shall work with LADWP to implement reasonable measures to address the concern. | Prior to and during construction | LADWP | |
| N-5 | The construction contractor shall develop a construction schedule to ensure that the construction would be completed quickly to minimize the time a sensitive receptor will be exposed to construction noise. | Prior to and during construction | LADWP | |
| N-6 | Construction supervisors shall be informed of project-specific noise requirements, noise issues for sensitive land uses adjacent to the pipeline route, and/or equipment operations. | Prior to and during construction | LADWP | |
| N-7 | Construction equipment shall be electric- and hydraulic-powered rather than diesel and pneumatic powered, as feasible. | During Construction | LADWP | |
| N-8 | During all construction activities in residential neighborhoods, temporary barriers, such as noise blankets, shall be utilized, as applicable to site conditions, around noisy equipment located within 500 feet of a sensitive receptor. Staging sites shall not be located within 500 feet of a sensitive receptor. A temporary barrier shall be employed when staging sites are restricted to residential neighborhoods. | During construction | LADWP | |
| N-9 | Prior to construction work, the public shall be notified of the location and dates of construction. Residents shall be kept informed of any changes to the schedule. | Prior to and during construction | LADWP | |
| N-10| Haul routes shall be on major arterial roads within non-residential areas. If not feasible, haul routes shall be reviewed and approved by LADOT before the haul route can be on major arterial roads in residential areas. | Prior to and during construction | LADWP | |
| N-11| LADWP shall coordinate with the site administrator for institutional land uses located adjacent to the pipeline. These include North Hollywood High School, Oakwood Secondary School, North Hollywood High School, and Oakwood Secondary School. | Prior to and during construction | LADWP |</p>
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<td></td>
<td>Hollywood Regional Library, James Madison Middle School, Valley Plaza Library, Sherman Oaks Hospital, Los Angeles Valley College, Birmingham High School, Valley Alternative School, High Tech High School, Mulholland Middle School, Veteran’s Administration Hospital, Monroe High School, and Pierce College. Coordination between the site administrator and LADWP shall continue on an as-needed basis while construction is occurring adjacent to these land uses to minimize potential disruption to the land uses.</td>
<td>During construction</td>
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<td>N-12</td>
<td>Construction activities are prohibited between the hours of 9:00 p.m. and 7:00 a.m. when located within 500 feet of occupied sleeping quarters or other land uses sensitive to increased nighttime noise levels.</td>
<td>Prior to final design, prior to construction, and during construction</td>
<td>LADWP</td>
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<td>N-13</td>
<td>Prior to the completion of final design, LADWP shall conduct a survey of the pipeline alignment to determine if buildings extremely susceptible to vibration damage are located less than 21 feet from the alignment. If identified, LADWP shall design the final pipeline alignment to avoid placing construction equipment within 21 feet of buildings extremely susceptible to vibration damage. In the event that avoidance is not possible, LADWP shall hire qualified structural and geotechnical engineers to review the predicted vibration levels and determine if there are any risks to the building(s). If potential risks are identified, all necessary steps would be taken to protect the building including, but not limited to, photographing and/or videotaping the building in order to provide a record of the existing conditions prior to construction activities. If any visible building damage occurs due to construction vibration activity, LADWP shall be responsible for performing repairs, under the direction of a qualified structural or geotechnical engineer, at the completion of construction.</td>
<td>Prior to final design, prior to construction, and during construction</td>
<td>LADWP</td>
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**TRAFFIC**

| TR-1 | LADWP shall consult with Caltrans to obtain permits for the transport of oversized loads, and to obtain encroachment permits for any work along State facilities. | Prior to construction | LADWP                         |                            |

THEREFORE, BE IT RESOLVED that the Board recognizes that a study was made of the environmental effects of the Project. This study is embodied in the MND.

BE IT FURTHER RESOLVED that the MND, including all comment letters and responses, is on file with the Secretary of this Board and is incorporated in this Resolution, and made a part hereof.

BE IT FURTHER RESOLVED that this Board adopts that the Final MND has been prepared in compliance with CEQA, that it has reviewed and considered the information contained in the MND, and that the MND reflects the independent judgment and analysis of this Board.

BE IT FURTHER RESOLVED that this Board adopts the Final MND, requires implementation of the mitigation measures, adopts the Mitigation Monitoring and Reporting Plan, approves the San Fernando Valley Water Recycling Project, authorizes its construction, and approves the payment for permit and mitigation costs associated with the Project.

BE IT FURTHER RESOLVED that LADWP shall file a Notice of Determination with the Los Angeles County Clerk and the Los Angeles City Clerk within five working days after deciding to approve the Project.

BE IT FURTHER RESOLVED that the Environmental Affairs Section will be the custodian of the record of proceedings for this Project.
ITEM NO. 19 – Bid No. 470 for Rental, Bare, Trench Shoring, Traffic Plates, and Traffic Control Equipment. Award to Trench Plate Rental Co. for a total amount not to exceed $22,110,281 for a term of ten months with two optional one-year periods. Submitted by Senior Assistant General Manager – Water System.

RESOLUTION NO. 19614

WHEREAS, through a competitive bid process the Los Angeles Department of Water and Power (LADWP) issued a solicitation to procure bare rental of trench shoring, traffic plates, and traffic control equipment under Bid No. 470; and

WHEREAS, Trench Plate Rental Company, is the only responsive bidder for Groups 1 and 2 and the lowest bidder for Group 3, under Bid No. 470.

NOW, THEREFORE, BE IT RESOLVED that Trench Plate Rental Company is awarded the contract for a total amount not to exceed $22,110,281.00, for a period of ten months with two optional one-year periods, under Contract No. 470.

BE IT FURTHER RESOLVED that Contract No. 470, approved as to form and legality by the City Attorney, and filed with the Secretary of the Board, is hereby approved.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification, is authorized and directed to draw demands on the Water Revenue Funds, in accordance with the terms of this contract awarded pursuant to Bid No. A70 and this resolution.

BE IT FURTHER RESOLVED that the President or Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said contract for and on behalf of LADWP.

Approval moved by Commissioner Funderburk, Jr.

Seconded by Commissioner Noonan and carried by the following vote:

Ayes, Commissioners Barad, Noonan, Vice President Funderburk, Jr.;

Noes, None.
ITEM NO. 20 – Authorizes execution of the Purchase of Real Property located at 11759 Vanowen Street, North Hollywood, California. The purchase price of $1,582,000 plus escrow and closing costs. (Real Estate File W-36857) Submitted by Assistant General Manager – Systems Support Division and Senior Assistant General Manager – Water System.

RESOLUTION NO. 014 085

WHEREAS, the City of Los Angeles Department of Water and Power (LADWP) is constructing the River Supply Conduit Improvement Upper Reach Units 5 and 6 Project (Project) in accordance with a compliance agreement for the federally-mandated drinking water regulation; and

WHEREAS, the LADWP has identified property owned by Beron Vanowen Properties, LLC (Sellers), located at 11759 Vanowen Street, North Hollywood, California, to be acquired to support the Project; and

WHEREAS, the Board of Commissioners of the LADWP has the authority, pursuant to Los Angeles City Charter Section 675 (d)(1), to acquire by purchase all real property convenient for LADWP purposes;

NOW THEREFORE BE IT RESOLVED that the Board of Water and Power Commissioners hereby approves the acquisition of 11759 Vanowen Street; and

BE IT FURTHER RESOLVED that the President, or the Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and by the Secretary, Assistant Secretary or the Acting Secretary of the Board be and they are hereby authorized and directed to execute said Agreement for Purchase on behalf of the LADWP. The Manager of Real Estate is authorized, empowered and directed to execute Escrow Documents and other related documents for and on behalf of the LADWP. The Manager of Real Estate is further authorized, empowered and directed to execute all documents in accordance with the City of Los Angeles Rent Stabilization Ordinance; and

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification, is authorized and directed to draw demands on the Water Revenue Fund in payment of $1,582,000 plus closing and incidental expenses, at least five days prior to the close of escrow. The Chief Accounting Employee of the LADWP, upon proper certification, is also authorized and directed to draw demands on the Water Revenue Fund for all payments in accordance with the City of Los Angeles Rent Stabilization Ordinance;

Approval moved by Commissioner Barad.

Seconded by Commissioner Noonan and carried by the following vote:

Ayes, Commissioners Barad, Noonan, Vice-President Funderburk, Jr.;

Noes, None.

ITEM NO. 21 – Authorizes execution of Request for Sole Source Proposal for Advance Customer Support Services. Award to Oracle America Incorporated for a total amount not to exceed $7,000,000 for a term of three years. Submitted by Assistant General Manager – Customer Service Division.

RESOLUTION NO. 014 086

WHEREAS, a Request for Sole Source Proposal (RSSP No.90134) was written for the purpose of obtaining advance customer support services to support troubleshooting, design, architectures and training of specified Oracle America, Incorporated (Oracle) products; and

...
WHEREAS, Oracle was the solicited vendor; and

WHEREAS, the City of Los Angeles Department of Water and Power (LADWP) proposes to enter into agreement with Oracle for implementation of advance customer support services for three years in an amount not to exceed $7,000,000.

NOW THEREFORE BE IT RESOLVED that RSSP No. 90134 approved as to form and legality by the City Attorney, and filed with the Secretary of the Board, between the LADWP and Oracle, be and the same is hereby approved.

BE IT FURTHER RESOLVED that pursuant to Charter Section 1022, such services covered by this Agreement are for advance customer support services for the Oracle platform of services which requires knowledge and skills that are not available within the LADWP.

BE IT FURTHER RESOLVED that it is determined that competitive bidding is not practical or advantageous per City Charter Section 371 (E)(2).

BE IT FURTHER RESOLVED that the Chief Accounting Employee, upon proper certification, is authorized and directed to draw demands on both the Water Revenue Fund and the Power Revenue Fund in payment of the obligations arising under this Agreement.

BE IT FURTHER RESOLVED that the President or Vice President of the Board or the General Manager or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary or the Acting Secretary of the Board be and they are hereby authorized and directed to execute said Agreements for and on behalf of the LADWP.

Approval moved by Commissioner Noonan.

Seconded by Commissioner Barad and carried by the following vote:

Ayes, Commissioners Barad, Noonan, Vice-President Funderburk, Jr.;

Noes, None.

ITEM NO. 22 – Approves Two-Level Premium for Full-time Trainers of Approved Structured Training Programs in the Supervisory Blue Collar Unit Memoranda of Understanding for the International Brotherhood of Electrical Workers, Local 18. Submitted by Director of Human Resources.

RESOLUTION NO. 014 087

WHEREAS, the representatives of the Los Angeles Department of Water and Power (LADWP) and the International Brotherhood of Electrical Workers (IBEW), Local 18, have executed, subject to the review and approval of the Board of Water and Power Commissioners (Board), a Letter of Intent (LOI) regarding amendments to Salary Footnote Nos. 7 and 8 when assigned as training instructors included in the current Supervisory Blue Collar Bargaining Unit Memorandum of Understanding (MOU) effective October 1, 2010, through September 30, 2014, on file with the Secretary of the Board.

NOW, THEREFORE, BE IT RESOLVED that the LOI between LADWP and IBEW, Local 18, regarding specific Salary Footnotes for training instructors and training supervisors, as filed with the Secretary of the Board, is adopted for the purposes and under the terms set forth in the LOI, and the General Manager, or his designee, is hereby authorized to execute same on behalf of LADWP.
Commissioner Noonan moved adoption of the following two resolutions, approved as to form and legality by the City Attorney:

ITEM NO. 23 – Approves the Setting of Incremental Rate Stabilization Account Target of the Incremental Electric Rate Ordinance No. 182273 at $175 million. Submitted by Chief Financial Officer.

RESOLUTION NO. 014 088

WHEREAS, Electric Rate Ordinance No. 182273 (Incremental Electric Rate Ordinance) allows the Department of Water and Power of the City of Los Angeles to defer revenue in each fiscal year up to the revenue from wholesale generation and transmission and net gain on asset sales during the fiscal year and such that the balance of the Incremental Rate Stabilization Account does not exceed the Incremental Rate Stabilization Target; and

WHEREAS, use of the Incremental Electric Rate Ordinance's Incremental Rate Stabilization Account promotes financial stability and aims to provide a mechanism to maintain sufficient net income in case of any unplanned events.

NOW, THEREFORE, BE IT RESOLVED that the Incremental Rate Stabilization Target of the Incremental Electric Rate Ordinance is set at $175 million.

ITEM NO. 24 – Approves Deferment of Revenue in the amount of $8.2 million into the Incremental Rate Stabilization Account of the Electric Rate Ordinance No. 182273. Submitted by Chief Financial Officer.

RESOLUTION NO. 014 089

WHEREAS, Electric Rate Ordinance No. 182273 (Incremental Electric Rate Ordinance) will allow the Department of Water and Power of the City of Los Angeles (Department) to defer revenue in each fiscal year in an amount not exceeding the revenue earned from wholesale generation and transmission and net gain on asset sales during the fiscal year and such that the balance of the Incremental Rate Stabilization Account does not exceed the Incremental Rate Stabilization Target; and

WHEREAS, use of the Incremental Electric Rate Ordinance's Incremental Rate Stabilization Account promotes financial stability and aims to provide a mechanism to maintain sufficient net income in case of any unplanned events.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer of the Department, or his designee, is authorized and directed to defer $4.4 million of wholesale transmission revenue from Fiscal Year 2012-13 revenues into the Incremental Rate Stabilization Account of the Incremental Electric Rate Ordinance, so long as such deferment results in a balance in the Incremental Rate Stabilization Account not exceeding the Incremental Rate Stabilization Target set by the Board of Water and Power Commissioners.
SPECIAL MEETING OF COMMISSIONERS (Continued)  
NOVEMBER 7, 2013, 9:15 A.M. Page 26

Seconded by Commissioner Barad and carried by the following vote:

Ayes, Commissioners Barad, Noonan, Vice-President Funderburk, Jr.;

Noes, None.

ITEM NO. 25 – Authorizes execution of the following Enabling Agreements for Real Estate Acquisition, Relocation, and Property Management Services in a total aggregate amount not to exceed $4,500,000 for a term of 36 months: Submitted by Assistant General Manager – Systems Support Division, Senior Assistant General Manager – Power System, and Senior Assistant General Manager – Water System.

- Enabling Agreement No. 47200A-4 Overland, Pacific & Cutler, Inc.
- Enabling Agreement No. 47200B-4 Paragon Partners Ltd.
- Enabling Agreement No. 47200C-4 Epic Land Solutions, Inc.
- Enabling Agreement No. 47200D-4 Total Commercial Real Estate, Inc.
- Enabling Agreement No. 47200E-4 Charles Dunn Real Estate Service, Inc.
- Enabling Agreement No. 47200F-4 Del Richardson & Associates
- Enabling Agreement No. 47200G-4 The Bernard Johnson Group
- Enabling Agreement No. 47200H-4 Tierra West Advisors

RESOLUTION NO. 014 090

WHEREAS, the Los Angeles Department of Water and Power (ULADWP) proposes to enter into Enabling Agreements with the following firms for the Acquisition, Relocation, and Property Management Services listed beside each contract number for a term of 36 months:

<table>
<thead>
<tr>
<th>Enabling Agreement No.</th>
<th>Acquisition Services</th>
<th>Relocation Services</th>
<th>Property Management Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>47200B-4</td>
<td>Paragon Partners Ltd.</td>
<td>Paragon Partners Ltd.</td>
<td>Paragon Partners Ltd.</td>
</tr>
<tr>
<td>47200C-4</td>
<td>Epic Land Solutions Inc.</td>
<td>Epic Land Solutions Inc.</td>
<td>Total Commercial Real Estate, Inc.</td>
</tr>
<tr>
<td>47200D-4</td>
<td>Total Commercial Real Estate, Inc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>47200E-4</td>
<td></td>
<td></td>
<td>Charles Dunn Real Estate Services Inc.</td>
</tr>
<tr>
<td>47200F-4</td>
<td>Del Richardson &amp; Associates Inc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>47200G-4</td>
<td></td>
<td>The Bernard Johnson Group</td>
<td></td>
</tr>
<tr>
<td>47200H-4</td>
<td></td>
<td>Tierra West Advisors</td>
<td></td>
</tr>
</tbody>
</table>

(The enabling agreements listed above are collectively referred to herein as the "Enabling Agreements").

WHEREAS, the Enabling Agreements will be for a term of three (3) years with a combined aggregate not-to-exceed contract amount of four million five hundred thousand dollars ($4,500,000).

WHEREAS, the LADWP evaluated, interviewed firms, contacted references, and selected Epic Land Solutions, Inc., Overland, Pacific & Cutler, Inc., Paragon Partners Ltd., and Total Commercial Real Estate, Inc. to furnish acquisition services; Del Richardson & Associates, Inc., Epic Land Solutions, Inc., Overland, Pacific & Cutler, Inc., Paragon Partners Ltd., The Bernard Johnson Group, and Tierra West Advisors to furnish relocation services; and Charles Dunn Real Estate Services, Inc., Overland, Pacific & Cutler, Inc., Paragon Partners Ltd., and Total Commercial Real Estate, Inc. to furnish property management services; and
WHEREAS, such Enabling Agreements will maintain the competitive process in the assignment of work, but enable the LADWP to reduce labor requirements and expedite the award process by allowing the contract administrator to issue task proposals for competitive bid and task orders to successful bidders as opposed to Supply Chain Services issuing purchase orders; and

NOW, THEREFORE, BE IT RESOLVED that LADWP proposes to enter into Enabling Agreements to be numbered Enabling Agreement Nos. 47200A-4 through 47200H-4 in an aggregate total amount not to exceed $4,500,000.

BE IT FURTHER RESOLVED that the Board finds that pursuant to City Charter Section 1022, such services covered by the Enabling Agreements can be performed more economically or feasibly by independent contractors.

BE IT FURTHER RESOLVED that Agreement Nos. 47200A-4 through 47200H-4, approved as to form and legality by the City Attorney, and filed with the Secretary of the Board, are hereby approved.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification, is authorized and directed to draw demands on the Power Revenue Fund or Water Revenue Fund in amounts not to exceed four million five hundred thousand dollars ($4,500,000) in accordance with the terms of the Enabling Agreements and this Resolution.

BE IT FURTHER RESOLVED that the President or Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board, be and they are hereby authorized and directed to execute said Enabling Agreements for and on behalf of the LADWP.

Approval moved by Commissioner Barad.

Seconded by Commissioner Noonan and carried by the following vote:

Ayes, Commissioners Barad, Noonan, Vice-President Funderburk, Jr.;

Noes, None.

ITEM NO. 26 – Bid No. 7422R1 for Construction of Underground Conduit and Substructures for the Scattergood-Olympic Cable A. Award to Northwest Excavating Inc. for an amount not to exceed $47,997,549 for a one-time purchase. Submitted by Senior Assistant General Manager – Power System.

RESOLUTION NO. 19615

WHEREAS, through a competitive bid process, the Los Angeles Department of Water and Power (LADWP) issued a solicitation to procure the construction of underground conduit substructures for the Scattergood-Olympic Cable A, under Bid No. 7422R1; and

WHEREAS, Northwest Excavating (Northwest), is the lowest bidder under Bid No. 7422R1.

NOW, THEREFORE, BE IT RESOLVED that Northwest is awarded the contract for a total amount not to exceed $47,997,549.00, which includes a 15 percent contingency for a one-time purchase, under Contract No. 7422R1.

BE IT FURTHER RESOLVED that pursuant to City Charter Section 1022, the Board finds that it is more feasible to have the work performed by an independent contractor.

BE IT FURTHER RESOLVED that Contract No. 7422R1, approved as to form and legality by the City Attorney, and filed with the Secretary of the Board, is hereby approved.
BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP upon proper certification, is authorized and directed to draw demands on the Power Revenue Fund in accordance with the terms of this contract awarded pursuant to Bid No. 7422R1 and this resolution.

BE IT FURTHER RESOLVED that the President or Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said contract for and on behalf of LADWP.

Approval moved by Commissioner Funderburk, Jr.
Seconded by Commissioner Barad and carried by the following vote:

Ayes, Commissioners Barad, Noonan, Vice-President Funderburk, Jr.;
Noes, None.

The following items were presented by the Secretary and ordered filed.

ITEM NO. 28A – Monthly report of activities for the following units:
1. Power System (September 2013)
2. Water System (September 2013)
3. Financial Services Organization (July 2013)

ITEM NO. 28B(1) – Reports for informational purposes:
1. Quarter Status Report on Water Quality Regulatory Compliance Projects

ITEM NO. 28B(2) – Report for information purposes:

This item was ordered deferred.

ITEM NO. 29 - Report by Management concerning matters relating to Department operations, as follows:
• Filing – Renewable Portfolio Standard Projects Update (September 2013)
THE BOARD shall recess to closed session for a conference with legal counsel regarding:

A. Existing litigation in the following matters:

1. In re Great Basin Unified Air Pollution Control District Owens Lake Dust Control Revised Final 2011 Supplemental Control Requirements Determination, State of California Air Resources Board, pursuant to Section 54956.9 (d)(1) of the California Government Code.

2. The People of the State of California and Great Basin Unified Air Pollution Control District v. City of Los Angeles, Department of Water and Power, et al., Kern County Superior Court Case No. SI CV PT 1254188, pursuant to Section 54956.9 (d)(1) of the California Government Code.


4. Romero v. City of Los Angeles, Los Angeles Superior Court Case Number BC449834, pursuant to Section 54956.9 (d)(1) of the California Government Code.

5. Golden Eagle Insurance Corporation v. Los Angeles Department of Water and Power, Los Angeles Superior Court Case No. BC483684, pursuant to Section 54956.9(d)(1) of the California Government Code.

6. Ayala Boring, Inc. v. Los Angeles Department of Water and Power, et al., Los Angeles Superior Court Case No. 468667, pursuant to Section 54956.9(d)(1) of the California Government Code.

B. Anticipated litigation in the following matters:

1. Discussion regarding significant exposure to litigation (1 case), pursuant to Section 54956.9 (d)(2) of the California Government Code.

2. Discussion regarding initiation of litigation (1 case), pursuant to Section 54956.9 (d)(4) of the California Government Code.

C. Conference with Labor Negotiators:

1. Pursuant to California Government Code Section 54957.6, the Board will meet in closed session with the Department’s labor negotiators (the Department’s General Manager) concerning labor negotiations with the following employee bargaining representatives:

   International Brotherhood of Electrical Workers, Local 18

MEETING RECESSED at 1:50 p.m.

MEETING RECONVENED at 2:10 p.m.
Los Angeles, California, November 7, 2013

MINUTES OF CLOSED SESSION OF THE BOARD OF WATER AND POWER COMMISSIONERS OF THE CITY OF LOS ANGELES HELD IN ROOM 1555 NOVEMBER 7, 2013 2:10 P.M.

Meeting called to order by Vice-President William W. Funderburk, Jr. and roll called:

Present – Commissioners: Vice-President Funderburk, Jr.
Jill Banks Barad
Christina E. Noonan

Absent –
Michael F. Fleming
Mel Levine

A quorum present.

IN ATTENDANCE were the following:

Ronald O. Nichols, General Manager
Aram Benyamin, Senior Assistant General Manager – Power System
Joseph Brajevich, Assistant General Counsel, Water and Power
James B. McDaniel, Senior Assistant General Manager – Water System
Eric Rosenblatt, Deputy City Attorney
Susan Rowghani, Director of Water Engineering & Technical Services
Eskel H. Solomon, Deputy City Attorney

A CLOSED SESSION was held for a conference with legal counsel regarding:

Existing litigation in the following matter:

ITEM NO. 30A(5) – Golden Eagle Insurance Corporation v. Los Angeles Department of Water and Power, Los Angeles Superior Court Case No. BC483684, pursuant to Section 54956.9(d)(1) of the California Government Code.
Discussion held – action taken but not a final action that is reportable.

Existing litigation in the following matter:

ITEM NO. 30A(6) – Ayala Boring, Inc. v. Los Angeles Department of Water and Power, et al., Los Angeles Superior Court Case No. 468667, pursuant to Section 54956.9(d)(1) of the California Government Code.
Discussion held – action taken but not a final action that is reportable.

Existing litigation in the following matter:
ITEM NO. 30A(1) – In re Great Basin Unified Air Pollution Control District Owens Lake Dust Control Revised Final 2011 Supplemental Control Requirements Determination, State of California Air Resources Board, pursuant to Section 54956.9 (d)(1) of the California Government Code.

This item was deferred.

Existing litigation in the following matter:

ITEM NO. 30A(2) – The People of the State of California and Great Basin Unified Air Pollution Control District v. City of Los Angeles, Department of Water and Power, et al., Kern County Superior Court Case No. SI CV PT 1254188, pursuant to Section 54956.9 (d)(1) of the California Government Code.

This item was deferred.

Existing litigation in the following matter:

ITEM NO. 30A(3) – City of Los Angeles v. California Air Resources Board, et al., Sacramento Superior Court Case No. 34-2013-80001451-CU-WM-GDS, pursuant to Section 54956.9 (d)(1) of the California Government Code.

This item was deferred.

Anticipated litigation in the following matter:

ITEM NO. 30B(2)(1st case) – Discussion regarding initiation of litigation (1 case), pursuant to Section 54956.9 (d)(4) of the California Government Code.

This item was withdrawn.
COMMISSIONER NOONAN moved the meeting be adjourned.

Seconded by Commissioner Barad and carried by the following vote:

Ayes, Commissioners Barad, Noonan, Vice-President Funderburk, Jr.;

Noes, None.

MEETING ADJOURNED at 2:25 p.m.

SIGNED:

SECRETARY

ATTEST:

PRESIDENT