

WEST BASIN MUNICIPAL WATER DISTRICT

APRIL 28, 2003 - Board Meeting

Prepared by: Darryl G. Miller

Submitted by: Darryl G. Miller

Approved by: Darryl G. Miller

INFORMATION CALENDAR

WEST BASIN/WRD MEMORANDUM OF UNDERSTANDING

SUMMARY:

The WRD Board on April 16 voted unanimously to approve the Barrier agreement. Staff is currently in the process of arranging a special Ad Hoc Committee meeting this week to address lingering reservations from Directors Acosta and Goldsworthy about specific language in the agreement, which we expect to resolve at that meeting. The plan is to bring the agreement to the Board meeting on Monday for final approval.

With approval of the agreement, Director Murray of WRD has requested that West Basin and WRD execute a Memorandum of Understanding (MOU) that had been previously discussed during the Ad Hoc Committee meetings. He has requested that the Board approve the MOU at Monday's Board meeting.

As originally discussed, the intent of the MOU was for both Districts to agree that West Basin would:

- 1) Approach MWD to request a special "Barrier rate" for imported water;
- 2) Commit to expediting completion of the treatment plant expansion; and
- 3) Acknowledge that WRD enjoys the powers it is granted under the California Water Code.

On Friday, April 18, the District received a first draft of the MOU as presented by WRD legal counsel. Staff has some initial concerns regarding the MOU and its consistency with the original intent of the Ad Hoc Committee. Attached, for your review is the original MOU (as received from WRD Counsel) along with comments from District staff and legal counsel incorporated for your consideration as indicated in the underlined text.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

None.

COMMITTEE STATUS:

This item was developed and reviewed by the Ad Hoc Committee on the Barrier.

RECOMMENDED MOTION:

This item is for information.

EXHIBITS:

Exhibit "A" - Draft MOU

G:\directors\wbmwd\wrd-wb mou 4-03