

MINUTES
REGULAR MEETING OF THE
BOARD OF DIRECTORS
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

October 10, 2023

53392 The Board of Directors of The Metropolitan Water District of Southern California met in a regular session on Tuesday, October 10, 2023.

Chair Ortega called the meeting to order at 1:13 p.m.

Directors Fong-Sakai and Kurtz are using AB 2449 due to illness.

53393 The Meeting was opened with an invocation by Director Martin Miller, San Diego County Water Authority.

53394 The Pledge of Allegiance was given by Board Vice Chair Michael Camacho, Inland Empire Utilities Agency.

Chair Ortega welcomed Director Peterson, Las Virgenes Municipal Water District, to introduce the guest Member Agency Manager Dave Pedersen, General Manager from Las Virgenes Municipal Water District. Director Peterson also introduced Jay Lewitt, President, Andy Coradeschi, Treasurer from Las Virgenes Municipal Water District, and Jeremy Wolf, City Councilmember City of Agoura Hills. Mr. Peterson and Mr. Garner made remarks.

Chair Ortega acknowledged that it is Water Professionals Appreciation Week and that Metropolitan will highlight field employees who help maintain, operate, and support tours of the Colorado River Aqueduct on our social media channels. October 10th was the 20th Anniversary of the signing of the Quantification Settlement Agreement. Also, Chair Ortega, the General Manager, Director Peterson, Director Cordero, and key staff will travel to Imperial Irrigation District in the afternoon. October 19th is Imagine a Day Without Water Day. Metropolitan will be looking to some of Southern California's youngest water conservation ambassadors to highlight through student artwork that focuses on this theme. In addition, the great shakeout is also on October 19th, which helps us each individually prepare for the earthquakes but also gives us a chance to highlight our good work for seismic safety on Metropolitan's water systems.

53395 Board Executive Secretary Hudson administered the roll call. Those responding present were: Directors Abdo, Ackerman, Alvarez, Bryant, Camacho, Chacon, De Jesus, Dennstedt, Dick, Douglas, Erdman, Faessel, Fellow, Fong-Sakai (AB2449), Goldberg, Jung (teleconference posted location), Kurtz (AB2449), Lefevre, Luna, McCoy, Miller, Morris, Ortega, Peterson, Quinn, Seckel, Smith, and Sutley.

Director Kurtz announced during the roll that no one was in the room with them 18 years of age or older.

Director Fong-Sakai announced during the roll that no one was in the room with them 18 years of age or older.

Those not responding were: Directors Armstrong, Cordero, Garza, Gray, Kassakhian, McMillan, Petersen, Phan, Pressman, and Ramos.

Board Executive Secretary Hudson declared a quorum present.

53396 Chair Ortega invited members of the public to address the Board on matters within the Board's jurisdiction (in-person and via teleconference).

	Name	Affiliation	Item
1.	Adam Wilson	San Diego LAFCO	Municipal Service Review
2.	Darcy Burke	Elsinore Water District	Item 9-3
3.	Connor Everts	Southern California Watershed Alliance and the Environmental Justice Coalition for Water	Item 9-3
4.	Maura Monagan	LA Waterkeeper	Item 9-3

Chair Ortega made brief remarks regarding the public speakers' comments.

Chair Ortega addressed the following: Other Matters and Reports.

53397 Chair Ortega asked if there were any corrections to the report of events attended by Directors at Metropolitan's expense during the month of September, as previously posted and distributed to the Board. No corrections were made.

53398 Chair Ortega referred to the Chair's monthly report, which was previously posted and distributed to the Board. In addition, there was a supplemental report relating to the Facilities Naming Committee highlighting the efforts the Committee will take in naming a facility after Senator Feinstein. Chair Ortega asked Directors to inform him if they are interested in serving on the Committee. Lastly, Director Morris' spouse of fifty-two years, Sandy Morris, passed away, and today's meetings will be adjourned in her honor.

53399 General Manager Hagekhalil referred to the General Manager's monthly report, which was previously posted and distributed to the Board. In addition, General Manager Hagekhalil reported on the following:

1. Offered his condolences to Director Morris, acknowledged the recent passing of Mark Abramson, Environmentalist, and Senator Feinstein
2. Acknowledged Indigenous Peoples Day
3. Updated on the incoming Human Resources Group Manager, Mark Brower
4. Updated on the centralized grants management office

53400 General Counsel Scully stated she had nothing to add to the written report.

53401 General Auditor Suzuki stated he had nothing to add to the written report.

53402 Ethics Officer Salinas stated he had nothing to add to the written report.

53403 Chair Ortega asked the Directors if there were any comments or discussions on the Approval of the Minutes of the Board of Directors Meeting for September 12, 2023. (Copies have been submitted to each Director, any additions, corrections, or omissions) (Agenda Item 6A). No amendments were made.

53404 Approval of Committee Assignments (Agenda Item 6B). Removing: Director Sutley from the Legal and Claims Committee; Director Petersen from the One Water and Stewardship Committee; and Director Quinn from the Engineering, Operations, and Technology Committee. Appointing Director McMillian to the Finance, Audit, Insurance, and Real Property Committee and the Subcommittee on Long-Term Regional Planning Processes and Business Modeling Committee.

53405 Nomination and Election of Nonofficer Member of the Executive Committee for the remaining two-year term effective October 10, 2023 and ending at the January 2025 Board Meeting (Item 6C).

Directors Camacho and Quinn nominated Director Chacon.

Directors Peterson and Bryant nominated Director Kurtz.

Director Chacon accepted the nomination and made brief remarks.

Director Kurtz accepted the nomination and made brief remarks.

Chair Ortega called for a vote to approve Consent Calendar Item 6C.

The following is a record of the vote:

Record of Vote on Consent Item(s): 6C									
Member Agency	Total Votes	Director	Present	Chacon	Chacon Vote	Kurtz	Kurtz Vote	Abstain	Abstain Vote
Anaheim	6038	Faessel	x			x	6038		
Beverly Hills	4493	Pressman							
Burbank	3175	Ramos							
Calleguas Municipal Water District	13073	McMillan							
Central Basin Municipal Water District	19324	Garza							
		Chacon	x	x	19324				
		Subtotal:			19324				
Compton	641	McCoy	x			x	641		
Eastern Municipal Water District	11559	Armstrong							
Foothill Municipal Water District	2409	Bryant	x			x	2409		
Fullerton	2561	Jung	x			x	2561		
Glendale	3985	Kassakhian							
Inland Empire Utilities Agency	16030	Camacho	x	x	16030				
Las Virgenes	3090	Peterson	x			x	3090		
Long Beach	6558	Cordero							
Los Angeles	80172	Sutley	x	x	20043				
		Petersen							
		Quinn	x	x	20043				
		Luna	x	x	20043				
		Douglas	x	x	20043				
		Subtotal:			80172				
Municipal Water Dist. of Orange County	64634	Ackerman	x			x	16159		
		Seckel	x			x	16159		
		Dick	x			x	16159		
		Erdman	x			x	16159		
		Subtotal:					64634		
Pasadena	3864	Kurtz	x			x	3864		
San Diego County Water Authority	67702	Fong-Sakai	x	x	16926				
		Goldberg	x	x	16926				
		Miller	x	x	16926				
		Smith	x	x	16926				
		Subtotal:			67702				
San Fernando	260	Ortega	x	x	260				
San Marino	800	Morris	x			x	800		
Santa Ana	3431	Phan							
Santa Monica	4861	Abdo	x	x	4861				
Three Valleys Municipal Water District	8634	De Jesus	x			x	8634		
Torrance	3590	Lefevre	x			x	3590		
Upper San Gabriel Valley Mun. Wat. Dist.	13418	Fellow	x			x	13418		
West Basin Municipal Water District	27064	Alvarez	x	x	27064				
		Gray							
		Subtotal:			27064				
Western Municipal Water District	14775	Dennstedt	x			x	14775		
Total	386141				215413		124454		
Present and not voting									
Absent	46274								

The motion to approve the Consent Calendar Item 6C (**M.I. No. 53405**)* passed by a vote of 215,413 Chacon; 124,454 Kurtz; 0 abstain; 0 not voting; and 46,274 absent. Directors Fong-Sakai and Kurtz using AB2449 appeared on video and did not have anyone over the age of 18 present during the vote.

Director Chacon made remarks.

Chair Ortega called on Directors who are requesting an item be pulled from the Consent Calendar Action Items. No responses were made.

Director Peterson moved, seconded by Director Camacho that the Board approve the Consent Calendar Items 6A, 6B, 7-1 through 7-5 as follows:

Chair Ortega called for a vote to approve Consent Calendar Items 6A, 6B, 7-1 through 7-5 (**M.I. No. 53403 through 53404 and 53406 through 53410**). (Items 7-1 through 7-5 as discussed at Committee as shown below).

53406 Amend the Capital Investment Plan for fiscal years 2022/23 and 2023/24 to include development of a multi-benefit landscape project on Webb Tract and authorize professional service agreements with: (1) GEI Consultants Inc. in an amount not to exceed \$1.5 million; and (2) Environmental Science Associates in an amount not to exceed \$980,000, as set forth in Agenda Item 7-1 board letter.

53407 Authorize an agreement with Black & Veatch in an amount not to exceed \$750,000 for design services for access platform improvements to facilitate maintenance activities on the main pumps at the five CRA pumping plants, as set forth in Agenda Item 7-2 board letter.

53408 Award a \$4,400,000 contract to Bosco Constructors Inc. to rehabilitate the San Diego Canal at three locations, as set forth in Agenda Item 7-3 board letter.

53409 Authorize up to \$6 million in additional funding for member agency studies and research under the Future Supply Actions Program, as set forth in Agenda Item 7-4 board letter.

53410 Authorize a 3 percent Cost-of-Living Adjustment for the General Auditor effective June 25, 2023, as set forth in Agenda Item 7-5 board letter.

Director Garza moved, seconded by Director Jung that the Board approve the Consent Calendar Items 6A, 6B, 7-1 through 7-5 as follows:

The following is a record of the vote:

Record of Vote on Consent Item(s):		6A, 6B, and 7-1 through 7-5							
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	6038	Faessel	x	x	6038				
Beverly Hills	4493	Pressman							
Burbank	3175	Ramos							
Calleguas Municipal Water District	13073	McMillan							
Central Basin Municipal Water District	19324	Garza							
		Chacon	x	x	19324				
			Subtotal:		19324				
Compton	641	McCoy	x	x	641				
Eastern Municipal Water District	11559	Armstrong							
Foothill Municipal Water District	2409	Bryant	x	x	2409				
Fullerton	2561	Jung	x	x	2561				
Glendale	3985	Kassakhian							
Inland Empire Utilities Agency	16030	Camacho	x	x	16030				
Las Virgenes	3090	Peterson	x	x	3090				
Long Beach	6558	Cordero							
Los Angeles	80172	Sutley	x	x	20043				
		Petersen							
		Quinn	x	x	20043				
		Luna	x	x	20043				
		Douglas	x	x	20043				
			Subtotal:		80172				
Municipal Water Dist. of Orange County	64634	Ackerman	x	x	16159				
		Seckel	x	x	16159				
		Dick	x	x	16159				
		Erdman	x	x	16159				
			Subtotal:		64634				
Pasadena	3864	Kurtz							
San Diego County Water Authority	67702	Fong-Sakai	x	x	16926				
		Goldberg	x	x	16926				
		Miller	x	x	16926				
		Smith	x	x	16926				
			Subtotal:		67702				
San Fernando	260	Ortega	x	x	260				
San Marino	800	Morris	x	x	800				
Santa Ana	3431	Phan							
Santa Monica	4861	Abdo	x	x	4861				
Three Valleys Municipal Water District	8634	De Jesus	x	x	8634				
Torrance	3590	Lefevre	x	x	3590				
Upper San Gabriel Valley Mun. Wat. Dist.	13418	Fellow	x	x	13418				
West Basin Municipal Water District	27064	Alvarez	x	x	27064				
		Gray							
			Subtotal:		27064				
Western Municipal Water District	14775	Dennstedt	x	x	14775				
Total	386141				336003				
Present and not voting									
Absent	50138								

The motion to approve the Consent Calendar Items 6A, 6B, 7-1 through 7-5 (**M.I. No. 53403 through 53404 and 53406 through 53410**)* passed by a vote of 336,003 ayes; 0 noes; 0 abstain; 0 not voting; and 50,138 absent.

Director Fong-Sakai using AB2449 appeared on video and did not have anyone over the age of 18 present during the vote.

***Note: Individual vote tally for Item 7-2**

Director Smith recused himself on Item 7-2, involves Black & Veatch, a company in which he currently owns stock. The motion to approve the Consent Calendar Items 7-2 passed by a vote of 336,003 ayes; 0 noes; 0 abstain; 0 not voting; and 50,138 absent.

Chair Ortega called on the Committee Chairs to give a report on Board Items for action and to hear recusals, abstentions, and disclosures before any discussion on the items.

53411 Authorize an increase in the maximum amount payable under two contracts for legal services with Seyfarth Shaw LLP as follows: Agreement No. 201897 by \$150,000 to an amount not to exceed \$350,000, and Agreement No. 203454 by \$50,000 to an amount not to exceed \$210,000, as set forth in Agenda Item 8-1 board letter.

Chair Ortega called for a vote to approve Board Item 8-1 (**M.I. No. 53411**)

Director Luna moved, seconded by Director Sutley that the Board approve the Board Item 8-1 as follows:

The following is a record of the vote:

Record of Vote on Item:		8-1							
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	6038	Faessel	x	x	6038				
Beverly Hills	4493	Pressman							
Burbank	3175	Ramos							
Calleguas Municipal Water District	13073	McMillan							
Central Basin Municipal Water District	19324	Garza							
		Chacon	x	x	19324				
			Subtotal:		19324				
Compton	641	McCoy	x	x	641				
Eastern Municipal Water District	11559	Armstrong							
Foothill Municipal Water District	2409	Bryant	x	x	2409				
Fullerton	2561	Jung	x	x	2561				
Glendale	3985	Kassakhian							
Inland Empire Utilities Agency	16030	Camacho	x	x	16030				
Las Virgenes	3090	Peterson	x	x	3090				
Long Beach	6558	Cordero							
Los Angeles	80172	Sutley	x	x	20043				
		Petersen							
		Quinn	x	x	20043				
		Luna	x	x	20043				
		Douglas	x	x	20043				
			Subtotal:		80172				
Municipal Water Dist. of Orange County	64634	Ackerman	x	x	16159				
		Seckel	x	x	16159				
		Dick	x	x	16159				
		Erdman	x	x	16159				
			Subtotal:		64634				
Pasadena	3864	Kurtz							
San Diego County Water Authority	67702	Fong-Sakai	x	x	16926				
		Goldberg	x	x	16926				
		Miller	x	x	16926				
		Smith	x	x	16926				
			Subtotal:		67702				
San Fernando	260	Ortega	x	x	260				
San Marino	800	Morris	x	x	800				
Santa Ana	3431	Phan							
Santa Monica	4861	Abdo	x	x	4861				
Three Valleys Municipal Water District	8634	De Jesus	x	x	8634				
Torrance	3590	Lefevre	x	x	3590				
Upper San Gabriel Valley Mun. Wat. Dist.	13418	Fellow	x	x	13418				
West Basin Municipal Water District	27064	Alvarez	x	x	27064				
		Gray							
			Subtotal:		27064				
Western Municipal Water District	14775	Dennstedt	x	x	14775				
Total	386141				336003				
Present and not voting									
Absent	50138								

The motion to approve the Board Item 8-1 (**M.I. No. 53411**) by a vote of 336,003 ayes; 0 noes; 0 abstain; 0 not voting; and 50,138 absent.

Director Fong-Sakai using AB2449 appeared on video and did not have anyone over the age of 18 present during the vote.

53412 Authorize an increase in the maximum amount payable under contract for legal services with Seyfarth Shaw LLP in the Reese v. Metropolitan lawsuit in the amount of \$350,000 for a total amount not to exceed \$750,000, as set forth in Agenda Item 8-2 board letter.

Chair Ortega called for a vote to approve Board Item 8-2 (**M.I. No. 53412**)

Director Luna moved, seconded by Director De Jesus that the Board approve the Board Item 8-2 as follows:

The following is a record of the vote:

Record of Vote on Item:	8-2								
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	6038	Faessel	x	x	6038				
Beverly Hills	4493	Pressman							
Burbank	3175	Ramos							
Calleguas Municipal Water District	13073	McMillan							
Central Basin Municipal Water District	19324	Garza							
		Chacon	x	x	19324				
			Subtotal:		19324				
Compton	641	McCoy	x	x	641				
Eastern Municipal Water District	11559	Armstrong							
Foothill Municipal Water District	2409	Bryant	x	x	2409				
Fullerton	2561	Jung	x	x	2561				
Glendale	3985	Kassakhian							
Inland Empire Utilities Agency	16030	Camacho	x	x	16030				
Las Virgenes	3090	Peterson	x					x	3090
Long Beach	6558	Cordero							
Los Angeles	80172	Sutley	x	x	20043				
		Petersen							
		Quinn	x	x	20043				
		Luna	x	x	20043				
		Douglas	x	x	20043				
			Subtotal:		80172				
Municipal Water Dist. of Orange County	64634	Ackerman	x	x	16159				
		Seckel	x	x	16159				
		Dick	x					x	16159
		Erdman	x	x	16159				
			Subtotal:		48476				16159
Pasadena	3864	Kurtz	x	x	3864				
San Diego County Water Authority	67702	Fong-Sakai	x	x	16926				
		Goldberg	x	x	16926				
		Miller	x	x	16926				
		Smith	x	x	16926				
			Subtotal:		67702				
San Fernando	260	Ortega	x	x	260				
San Marino	800	Morris	x	x	800				
Santa Ana	3431	Phan							
Santa Monica	4861	Abdo	x	x	4861				
Three Valleys Municipal Water District	8634	De Jesus	x	x	8634				
Torrance	3590	Lefevre	x	x	3590				
Upper San Gabriel Valley Mun. Wat. Dist.	13418	Fellow	x	x	13418				
West Basin Municipal Water District	27064	Alvarez	x	x	27064				
		Gray							
			Subtotal:		27064				
Western Municipal Water District	14775	Dennstedt	x	x	14775				
Total	386141				320619				19249
Present and not voting									
Absent	46274								

The motion to approve the Board Item 8-2 (**M.I. No. 53412**) by a vote of 320,619 ayes; 0 noes; 19,249 abstain; 0 not voting; and 46,274 absent.

Directors Fong-Sakai and Kurtz using AB2449 appeared on video and did not have anyone over the age of 18 present during the vote.

Director Ortega recused himself on Item 8-3, as it involves Honeywell, a company that is a source of income.

Director Miller recused himself on Item 8-3, as it involves 3M, a company in which he currently own stock.

Director Dick recused himself on Item 8-3, as it involves Bayer, 3M, and Corteva a company in which he currently owns stock.

Director Erdman recused himself on Item 8-3, as it involves Raytheon and 3M, a company in which he currently own stock.

53413 Regarding Item 8-3, the committee discussed and conferred with its legal counsel and no action was taken in closed session. No action is necessary for the Board at this time. There will be a follow-up item in November.

53414 Express support for the goals of the Climate Mayors Colorado River Conservation Working Group and, by two-thirds vote, approve a financial sponsorship of \$50,000, as set forth in Agenda Item 8-4 board letter.

Chair Ortega called for a vote to approve Board Item 8-4 (**M.I. No. 53414**)

Director Quinn moved, seconded by Director Sutley that the Board approve the Board Item 8-4 as follows:

The following is a record of the vote:

Record of Vote on Item:		8-4							
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	6038	Faessel	x	x	6038				
Beverly Hills	4493	Pressman							
Burbank	3175	Ramos							
Calleguas Municipal Water District	13073	McMillan							
Central Basin Municipal Water District	19324	Garza							
		Chacon	x	x	19324				
			Subtotal:		19324				
Compton	641	McCoy	x	x	641				
Eastern Municipal Water District	11559	Armstrong							
Foothill Municipal Water District	2409	Bryant	x	x	2409				
Fullerton	2561	Jung	x	x	2561				
Glendale	3985	Kassakhian							
Inland Empire Utilities Agency	16030	Camacho	x	x	16030				
Las Virgenes	3090	Peterson	x	x	3090				
Long Beach	6558	Cordero							
Los Angeles	80172	Sutley	x	x	20043				
		Petersen							
		Quinn	x	x	20043				
		Luna	x	x	20043				
		Douglas	x	x	20043				
			Subtotal:		80172				
Municipal Water Dist. of Orange County	64634	Ackerman	x	x	16159				
		Seckel	x	x	16159				
		Dick	x	x	16159				
		Erdman	x	x	16159				
			Subtotal:		64634				
Pasadena	3864	Kurtz	x	x	3864				
San Diego County Water Authority	67702	Fong-Sakai	x	x	16926				
		Goldberg	x	x	16926				
		Miller	x	x	16926				
		Smith	x	x	16926				
			Subtotal:		67702				
San Fernando	260	Ortega	x	x	260				
San Marino	800	Morris	x	x	800				
Santa Ana	3431	Phan							
Santa Monica	4861	Abdo	x	x	4861				
Three Valleys Municipal Water District	8634	De Jesus	x	x	8634				
Torrance	3590	Lefevre	x	x	3590				
Upper San Gabriel Valley Mun. Wat. Dist.	13418	Fellow	x	x	13418				
West Basin Municipal Water District	27064	Alvarez	x	x	27064				
		Gray							
			Subtotal:		27064				
Western Municipal Water District	14775	Dennstedt	x	x	14775				
Total	386141				339867				
Present and not voting									
Absent	46274								

The motion to approve the Board Item 8-4 (**M.I. No. 53414**) passed by a vote of 339,867 ayes; 0 noes; 0 abstain; 0 not voting; and 46,274 absent.

Directors Fong-Sakai and Kurtz using AB2449 appeared on video and did not have anyone over the age of 18 present during the vote.

53415 Chair Ortega asked if there were questions or need for discussion for Board Information Item 9-1, 9-2, or 9-3. No requests were made.

53416 Chair Ortega asked if there were any Other Matters Items. There were none.

53417 Chair Ortega asked if there were any Follow-Up Items. There were none.

53418 Chair Ortega asked if there were any Future Agenda Items. There were none.

53419 There being no objection, the meeting was adjourned in memory and honor of the late Mrs. Sandy Morris and in support of Director John Morris at 2:12 p.m.



ADÁN ORTEGA
CHAIR OF THE BOARD



LOIS FONG-SAKAI
SECRETARY OF THE BOARD