Draft October 9-10, 2023 Board and Committee Agenda Packet



The Metropolitan Water District of Southern California

Schedule of Meetings – October 2023

Monday, October 9

9:30 a.m. Engineering, Operations, and Technology Committee

11:30 a.m. Ethics, Organization, and Personnel Committee

1:30 p.m. Break

2:00 p.m. One Water and Stewardship Committee

Tuesday, October 10

8:30 a.m. Legal and Claims Committee

10:30 a.m. Finance, Audit, Insurance, and Real Property Committee

12:30 p.m. Break

1:00 p.m. Board of Directors Meeting

2:30 p.m. Subcommittee on Bay-Delta

Tuesday, October 24

9:30 a.m. Equity, Inclusion, and Affordability Committee

11:30 a.m. Break

12:00 p.m. Executive Committee

1:30 p.m. Board Workshop on Long-Term Regional Planning Processes and Business Modeling

Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

EOT Committee

- D. Erdman, Chair
- M. Camacho, Vice Chair
- D. Alvarez
- G. Bryant
- A. Chacon
- B. Dennstedt
- S. Faessel
- L. Fong-Sakai
- R. Lefevre
- J. McMillan
- C. Miller
- C. Mille
- J. Morris
- M. Petersen
- G. Peterson
- T. Quinn
- K. Seckel
- T. Smith

Engineering, Operations, and Technology Committee - Hidden

Meeting with Board of Directors *

October 9, 2023

9:30 a.m.

Monday, October 9, 2023 Meeting Schedule

> 09:30 a.m. EOT 11:30 a.m. EOP 01:30 p.m. Break 02:00 p.m. OWS

Agendas, live streaming, meeting schedules, and other board materials are available here: https://mwdh2o.legistar.com/Calendar.aspx. A listen-only phone line is available at 1-877-853-5257; enter meeting ID: 891 1613 4145. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference 1-833-548-0276 and enter meeting ID: 815 2066 4276 or click https://us06web.zoom.us/j/81520664276pwd=a1RTQWh6V3h3ckFhNmdsUWpK R1c2Zz09

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- * The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.
- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

** CONSENT CALENDAR ITEMS -- ACTION **

2. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the Engineering, Operations, and Technology Committee for September 11, 2023 (Copies have been submitted to each Director, Any additions, corrections, or omissions)

3. CONSENT CALENDAR ITEMS - ACTION

21-2668

21-2672

7-1	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; (2) Hydrofocus Inc. in an amount not to
	exceed \$840,000; and (3) Environmental Science Associates in an
	amount not to exceed \$980,000; the General Manager has
	determined that the proposed actions are exempt or otherwise not
	subject to CEQA

- 7-2 Authorize an agreement with Black & Veatch Corporation in an amount not to exceed \$750,000 for design of new access platforms to facilitate maintenance activities on the main pumps at the five Colorado River Aqueduct pumping plants; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA
- 7-3 Award a \$4,400,000 construction contract to Bosco Constructors
 Inc. for San Diego Canal Concrete Liner Rehabilitation; the
 General Manager has determined that the proposed action is
 exempt or otherwise not subject to CEQA

** END OF CONSENT CALENDAR ITEMS **

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

9-4 Update on Alternative Water Supply Augmentation Technologies21-2671Review

6. COMMITTEE ITEMS

- a. Quarterly Cybersecurity Oral Update
 [Conference with Metropolitan Director of Info Tech Services, Information Technology, Jacob Margolis, or designated agents on threats to public services or facilities; to be heard in closed session pursuant to Gov. Code Section 54957(a)]
- b. Update on Asset Management Program 21-2673

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

a. Engineering Services, Information Technology, and Water System **21-2527** Operations activities

8. SUBCOMMITTEE REPORTS AND DISCUSSION

Page 3

- a. Report from Subcommittee on Subcommittee on Pure Water 21-2675
 Southern California and Regional Conveyance
- b. Discuss and provide direction to Subcommittee on Pure Water
 Southern California and Regional Conveyance

9. FOLLOW-UP ITEMS

NONE

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

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Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

EO&P Committee

- M. Ramos, Chair
- T. Phan, Vice Chair
- G. Bryant
- M. Camacho
- G. Cordero
- C. Douglas
- D. Erdman
- S. Faessel L. Fong-Sakai
- F. Jung
- A. Kassakhian
- A. Nassakiilai
- J. McMillan
- N. Sutley

Ethics, Organization, and Personnel Committee - Hidden

Meeting with Board of Directors *

October 9, 2023

11:30 a.m.

Monday, October 9, 2023 Meeting Schedule

> 09:30 a.m. EOT 11:30 a.m. EOP 01:30 p.m. Break 02:00 p.m. OWS

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- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

** CONSENT CALENDAR ITEMS -- ACTION **

2. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the Ethics, Organization, and Personnel
 Committee for September 11, 2023 (Copies have been submitted to each Director, Any additions, corrections, or omissions)

3. CONSENT CALENDAR ITEMS - ACTION

NONE

** END OF CONSENT CALENDAR ITEMS **

21-2512

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

a.	Monthly Ethics Education: Fair Political Practices Commission advice letter re contracts with member agencies	21-2692
b.	Ethics Policy Development for 2024	21-2691
C.	Update on Implementation of Recommendations from State Audit and Independent Review of Workplace Concerns	21-2690
d.	Labor Negotiations Update [closed session language]	21-2688
e.	Equal Employment Opportunity Statistical Report	21-2687
MAN	AGEMENT ANNOUNCEMENTS AND HIGHLIGHTS	
a.	Ethics Officer's report on monthly activities	21-2717

8. FOLLOW-UP ITEMS

NONE

b.

7.

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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Equal Employment Opportunity and Human Resources activities

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The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

OW&S Committee

- T. Quinn, Chair
- S. Faessel, Vice Chair
- L. Ackerman
- D. Alvarez
- J. Armstrong
- A. Chacon
- G. Cordero
- D. De Jesus
- D. De Jesu:
- D. Erdman
- L. Fong-Sakai
- S. Goldberg
- C. Kurtz
- R. Lefevre
- C. Miller
- M. Petersen
- G. Peterson
- B. Pressman
- N. Sutley

- Hidden

One Water and Stewardship Committee

Meeting with Board of Directors *

October 9, 2023

2:00 p.m.

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Monday, October 9, 2023 Meeting Schedule

> 09:30 a.m. EOT 11:30 a.m. EOP 01:30 p.m. Break 02:00 p.m. OWS

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MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012 Teleconference Locations:

1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

** CONSENT CALENDAR ITEMS -- ACTION **

2. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the One Water and Stewardship Committee for September 11, 2023 (Copies have been submitted to each Director, Any additions, corrections, or omissions)

3. CONSENT CALENDAR ITEMS - ACTION

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7-4	Authorize the funding of member agency studies and research	21-2676
	under the Future Supply Actions Program; the General Manager	
	has determined that the proposed action is exempt or otherwise	
	not subject to CEQA	

7-5 Express support for the goals of the Climate Mayors Colorado River Conservation Working Group and approve a financial sponsorship of \$50,000; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA

21-2677

21-2679

** END OF CONSENT CALENDAR ITEMS **

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

a.	The 20th Anniversary of the Quantification Settlement Agreement	21-2678
b.	Update on Conversation	21-2681

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

Bay-Delta Initiatives, Colorado River Resources, Sustainability,
 Resilience and Innovation, and Water Resource Management activities

8. SUBCOMMITTEE REPORTS AND DISCUSSION

-		'					,			
b.	Discuss	and	provide	direction	to	Subcommittee	on	Demand	:	21-2680
	Managei	ment a	and Cons	ervation P	rogi	ams and Prioriti	es			

Discuss and provide direction to Subcommittee on Bay-Delta

9. FOLLOW-UP ITEMS

NONE

a.

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

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Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

L&C Committee

- M. Luna, Chair
- J. Garza, Vice Chair
- M. Camacho
- G. Cordero
- L. D. Dick
- C. Douglas
- C. Kurtz
- T. McCov
- C. Miller
- G. Peterson
- M. Ramos
- K. Seckel
- N. Sutley

Legal and Claims Committee - Hidden

Meeting with Board of Directors *

October 10, 2023

8:30 a.m.

Tuesday, October 10, 2023 **Meeting Schedule**

08:30 a.m. L&C 10:30 a.m. FAIRP 12:30 p.m. Break

01:00 p.m. BOD

02:30 p.m. Bay-Delta

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1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

2. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

Α. General Counsel's report of monthly activities 21-2501

** CONSENT CALENDAR ITEMS -- ACTION **

CONSENT CALENDAR OTHER ITEMS - ACTION 3.

A. Approval of the Minutes of the Legal and Claims Committee for 21-2695 September 12, 2023 (Copies have been submitted to each Director, any additions, corrections, or omissions)

CONSENT CALENDAR ITEMS - ACTION 4.

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NONE

** END OF CONSENT CALENDAR ITEMS **

5. OTHER BOARD ITEMS - ACTION

- **8-1** Confidential Seyfarth Shaw LLP contract increase [Subject and **21-2694** CEQA language pending]
- 8-2 Receive report on litigation in In re: Aqueous Film-Forming Foams 21-2664 **Products** Liability Litigation, Master Docket 2:18-mn-2873-RMG, and consider options and provide direction on action in response to settlements in: (1) City of Camden, et al. v. 3M Company, Civil Action No.: 2:23-cv-03147-RMG; and (2) City of Camden, et al. v. E.I. DuPont De Nemours and Company (n/k/a EIDP, Inc.) et al., Civil Action No.: 2:23-cv-03230-RMG; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with legal counsel - existing litigation; may be heard in closed session pursuant to Government Code Section 54956.9(d)(1)]
- 8-3 Report on litigation in Darren A. Reese v. Metropolitan Water District of Southern California, Riverside County Superior Court Case No. CVPS2204312; and authorize increase in maximum amount payable under contract for legal services with Seyfarth Shaw LLP in the amount of \$TBD for a total amount not to exceed \$TBD; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]

6. BOARD INFORMATION ITEMS

NONE

7. COMMITTEE ITEMS

NONE

8. FOLLOW-UP ITEMS

NONE

- 9. FUTURE AGENDA ITEMS
- 10. ADJOURNMENT

Page 3

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Agenda

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FAIRP Committee

- T. Smith, Chair
- L. Dick, Vice Chair
- D. Alvarez
- J. Armstrong
- A. Chacon
- D. De Jesus
- B. Dennstedt
- L. Fong-Sakai
- C. Miller
- M. Petersen
- B. Pressman
- T. Quinn
- K. Seckel

Finance, Audit, Insurance, and Real Property Committee - Hidden

Meeting with Board of Directors *

October 10, 2023

10:30 a.m.

Tuesday, October 10, 2023 Meeting Schedule

08:30 a.m. L&C 10:30 a.m. FAIRP 12:30 p.m. Break

01:00 p.m. BOD 02:30 p.m. Bay-Delta

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1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

** CONSENT CALENDAR ITEMS -- ACTION **

2. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the Finance, Audit, Insurance, and Real Property Committee Meeting for September 12, 2023 (Copies have been submitted to each Director, Any additions, corrections, or omissions)

21-2505

3. CONSENT CALENDAR ITEMS - ACTION

NONE

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** END OF CONSENT CALENDAR ITEMS **

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

9-2 Compliance with Fund Requirements and Bond Indenture **21-2696** Provisions

6. COMMITTEE ITEMS

a.	Pure Water Southern	California Cost Rec	covery Alternatives	21-2697
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b. Review Draft 2023 Long-Range Finance Plan Needs Assessment 21-2698

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

a.	General Auditor's report on monthly activities	21-2506
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b. Financial, Insurance, and Real Property activities 21-2716

8. SUBCOMMITTEE REPORTS AND DISCUSSION

- Report from Subcommittee on Long-Term Regional Planning 21-2699
 Processes and Business Modeling
- b. Discuss and provide direction to Subcommittee on Long-Term
 Regional Planning Processes and Business Modeling

9. FOLLOW-UP ITEMS

NONE

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

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Agenda

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BOD Committee

Board of Directors - Hidden

Meeting with Board of Directors *

October 10, 2023

1:00 p.m.

Tuesday, October 10, 2023 Meeting Schedule

> 08:30 a.m. L&C 10:30 a.m. FAIRP 12:30 p.m. Break 01:00 p.m. BOD 02:30 p.m. Bay-Delta

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1. Call to Order

a. Invocation: TBD

b. Pledge of Allegiance: TBD

2. Roll Call

3. Determination of a Quorum

4. Opportunity for members of the public to address the Board on matters within the Board's jurisdiction. (As required by Gov. Code §54954.3(a))

5. OTHER MATTERS AND REPORTS

A.	Report on Directors' Events Attended at Metropolitan's Expense	21-2492
В.	Chair's Monthly Activity Report	21-2493
C.	General Manager's summary of activities	21-2494
D.	General Counsel's summary of activities	21-2495

Board of Directors October 10, 2023

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E. General Auditor's summary of activities
Ethics Officer's summary of activities
21-2496
21-2497

** CONSENT CALENDAR ITEMS -- ACTION **

6. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. 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)
- B. Approve Committee Assignments

7. CONSENT CALENDAR ITEMS - ACTION

- 7-1 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; (2) Hydrofocus Inc. in an amount not to exceed \$840,000; and (3) Environmental Science Associates in an amount not to exceed \$980,000; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EOT)
- 7-2 Authorize an agreement with Black & Veatch Corporation in an amount not to exceed \$750,000 for design of new access platforms to facilitate maintenance activities on the main pumps at the five Colorado River Aqueduct pumping plants; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT)
- 7-3 Award a \$4,400,000 construction contract to Bosco Constructors
 Inc. for San Diego Canal Concrete Liner Rehabilitation; the
 General Manager has determined that the proposed action is
 exempt or otherwise not subject to CEQA (EOT)
- 7-4 Authorize the funding of member agency studies and research under the Future Supply Actions Program; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS)
- 7-5 Express support for the goals of the Climate Mayors Colorado
 River Conservation Working Group and approve a financial sponsorship of \$50,000; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (OWS)

Board of Directors October 10, 2023

21-2703

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7-6 Authorize the General Manager to seek legislation to amend the Surface Mining and Reclamation Act to eliminate the sunset date to provide Metropolitan with lead agency status for its activities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (LRAC)

** END OF CONSENT CALENDAR ITEMS **

8. OTHER BOARD ITEMS - ACTION

- **8-1** Confidential Seyfarth Shaw LLP contract increase [Subject and CEQA language pending] (LC)
- 8-2 Receive report on litigation in In re: Aqueous Film-Forming Foams 21-2664 Liability Litigation, Master Docket 2:18-mn-2873-RMG, and consider options and provide direction on action in response to settlements in: (1) City of Camden, et al. v. 3M Company, Civil Action No.: 2:23-cv-03147-RMG; and (2) City of Camden, et al. v. E.I. DuPont De Nemours and Company (n/k/a EIDP, Inc.) et al., Civil Action No.: 2:23-cv-03230-RMG; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with legal counsel - existing litigation; may be heard in closed session pursuant to Government Code Section 54956.9(d)(1)] (LC)
- 8-3 Report on litigation in Darren A. Reese v. Metropolitan Water District of Southern California, Riverside County Superior Court Case No. CVPS2204312; and authorize increase in maximum amount payable under contract for legal services with Seyfarth Shaw LLP in the amount of \$TBD for a total amount not to exceed \$TBD; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)] (LC)

9. BOARD INFORMATION ITEMS

9-1 Conservation Program Board Report **21-2499**

9-2 Compliance with Fund Requirements and Bond Indenture **21-2696** Provisions (FAIRP)

9-3 Community Partnering Program Pilot Project (LRAC) 21-2704

9-4 Update on Alternative Water Supply Augmentation Technologies 21-2671 Review (EOT)

10. OTHER MATTERS

Board of Directors October 10, 2023

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NONE

11. FOLLOW-UP ITEMS

NONE

12. FUTURE AGENDA ITEMS

13. ADJOURNMENT

NOTE: Each agenda item with a committee designation will be considered and a recommendation may be made by one or more committees prior to consideration and final action by the full Board of Directors. The committee designation appears in parenthesis at the end of the description of the agenda item, e.g. (EOT). Board agendas may be obtained on Metropolitan's Web site https://mwdh2o.legistar.com/Calendar.aspx

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site https://mwdh2o.legistar.com/Calendar.aspx.

Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

Bay-Delta Committee

- T. Quinn, Chair
- L. Ackerman, Vice Chair
- D. Alvarez
- J. Armstrong
- D. Erdman
- R. Lefevre
- M. Luna
- C. Miller G. Peterson
- T. Smith

Subcommittee on Bay-Delta - Hidden

Meeting with Board of Directors *

October 10, 2023

2:30 p.m.

4Zz09

Tuesday, October 10, 2023 **Meeting Schedule**

08:30 a.m. L&C 10:30 a.m. FAIRP 12:30 p.m. Break 01:00 p.m. BOD

02:30 p.m. Bay-Delta

Agendas, live streaming, meeting schedules, and other board materials are available here: https://mwdh2o.legistar.com/Calendar.aspx. A listen only phone line is available at 1-877-853-5257; enter meeting ID: 873 4767 0235. Members of the public may present their comments to the Board or a Committee on matters within their jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference (833) 548-0276 and enter meeting ID: 876 9484 9772 or click https://us06web.zoom.us/j/87694849772pwd=V3dGZGRYUjJ3allqdUxXTIJRM04

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- * The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.
- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

** CONSENT CALENDAR ITEMS -- ACTION **

2. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the Legal and Claims Committee for 21-2715 April 25, 2023 (Copies have been submitted to each Director, any additions, corrections, or omissions)

** END OF CONSENT CALENDAR ITEMS**

3. SUBCOMMITTEE ITEMS

a.	Delta Island Collaborative Efforts	21-2467
b.	Delta Stewardship Council: Virginia Madueno, Chair and Jessica Pearson, Executive Officer	21-2714
C.	Overview of the Bay-Delta Memo	21-2713

4. FOLLOW-UP ITEMS

NONE

5. FUTURE AGENDA ITEMS

6. ADJOURNMENT