

MINUTES
REGULAR MEETING OF THE
BOARD OF DIRECTORS
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
March 14, 2023

53160 The Board of Directors of The Metropolitan Water District of Southern California met in a regular session on Tuesday, March 14, 2023.

Chair Ortega called the hybrid in-person and teleconference meeting to order at 12:35 p.m.

53161 The Meeting was opened with an invocation by Director Karl Seckel, Municipal Water District of Orange County.

53162 The Pledge of Allegiance was given by Director David D. De Jesus, Three Valleys Municipal Water District.

Chair Ortega announced Metropolitan's celebration of Women's History Month.

53163 Board Secretary Fong-Sakai administered the roll call. Those responding present were: Directors Abdo, Ackerman, Alvarez, Armstrong, Camacho, De Jesus, Dennstedt, Dick, Erdman, Faessel, Fellow, Fong-Sakai, Garza, Goldberg, Gray, Jung, Kurtz, Lefevre, Luna, McCoy, Miller, Morris, Ortega, Phan, Pressman, Quinn, Ramos, and Seckel.

Those not responding were: Director Cordero, Kassakhian, Petersen, Smith, and Sutley.

Directors entered the meeting after the roll call Atwater, Chacon, McMillan, Peterson, Repenning.

Board Secretary Fong-Sakai declared a quorum present.

53164 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.	Gina Chavez	Metropolitan Employee	Support for Chair Ortega and Women's History Month
2.	Jolene Fuentes	Metropolitan Employee	Deferred Equity, Inclusion, & Affordability Committee and Women's History Month
3.	Caty Wagner	Sierra Club of California	Support for Women's Caucus Comments, Drought messaging, and Pure Water
4.	Ellen Mackey	Metropolitan Employee	Support for Chair Ortega and Women's History Month

Chair Ortega addressed the following: Other Matters and Reports.

53165 Chair Ortega asked if there were any changes to the report of events attended by Directors at Metropolitan's expense during the month of January, as previously posted and distributed to the Board. Chair Ortega asked the Directors if there were any corrections on the item. No amendments were made.

Director Peterson entered the meeting.

53166 Chair Ortega referred to Chair's monthly report, which was previously posted and distributed to the Board. In addition, Chair Ortega reported on the following:

1. Update on committee timeliness and scheduling
2. The Executive Committee will discuss Committee and Board meeting schedule

Chair Ortega asked the Directors if there were any questions on the item. No comments were made.

53167 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. Thanked the public comment callers and recognition for Women's History month. Also, thank you to the essential staff that worked during the recent storms in the region.
2. Introduction of new leadership in the Human Resource Department. Debra S. Gill, Human Resources Group Manager and Gifty Beets, Human Resources Section Manager.
3. Update on Desert Housing upgrades and visits.
4. Update on the Colorado River Negotiations.
5. Update on Service Awards for employees.

Director McMillan entered the meeting.

53168 General Counsel Scully stated she had nothing to add to her report.

53169 General Auditor Suzuki stated he had nothing to add to the written report.

53170 Ethics Officer Salinas referred to the General Ethics Officer's monthly report, which was previously posted and distributed to the Board. In addition, Ethics Officer Salinas reported on the following:

1. The annual Form 700 is due April 3, 2023.

53171 Presentation of Commendatory Resolution honoring Director Gloria D. Gray, West Basin Municipal Water District for her leadership during her term as Chair of Metropolitan's Board of Directors. Director Gray made brief remarks.

Chair Ortega addressed the Consent Calendar Items for March 2023.

53172 Chair Ortega asked the Directors if there were any comments or discussions on the Approval of the Minutes of the Special Board Meeting for January 17, 2023, and the Board of Directors Meeting for February 13, 2023. (Copies have been submitted to each Director, Any additions, corrections, or omissions) (Agenda Item 6A). No amendments were made.

53173 Approve Commendatory Resolutions for Directors Phillip D. Hawkins and Robert Apodaca both representing Central Basin Municipal Water District; Randy Record representing Eastern Municipal Water District; Steve Blois representing Calleguas Municipal Water District; Satoru Tamaribuchi representing Municipal Water District of Orange County; and Harold C. Williams representing West Basin Municipal Water District (Agenda Item 6B).

53174 Approval of Committee Assignments (Agenda Item 6C).

Chair Ortega called on Director Erdman, Chair of the Engineering, Operations, and Technology Committee, to announce appointments to the subcommittee .

Committee

Subcommittee on Pure Water
Southern California and Regional
Conveyance

Directors

Art Chacon, Committee Chair
John T. Morris, Committee Vice Chair
Desi Alvarez
Michael Camacho
Anthony Fellow
Lois Fong-Sakai
Russell Lefevre
Miguel Angel Luna
Jacque McMillan
Glen Peterson
Karl W. Seckel

Chair Ortega called on Director Quinn, Chair of the One Water and Stewardship Committee, to announce appointments to the subcommittee.

Committee

Subcommittee on Bay-Delta

Directors

Tracy Quinn, Committee Chair
Linda Ackerman, Committee Vice Chair
Desi Alvarez
Jeff D. Armstrong
Dennis Erdman
Russell Lefevre
Miguel Angel Luna
C. Martin (Marty) Miller
Tim M. Smith

Chair Ortega addressed the Consent Calendar Items for March 2023.

Chair Ortega called on the Committee Chairs to give a report on Consent Calendar Action Items and to hear recusals before any discussion on the items.

53175 A. Adopt the Twenty-Fifth Supplemental Resolution to the Master Bond Resolution authorizing the issuance of up to \$330 million of Water Revenue Bonds, 2023 Series, and providing the terms and conditions for the sale and issuance of said Water Revenue Bonds; and B. Approve approximately \$1.1 million for the payment of the costs of issuance of the Water Revenue Bonds to be paid from bond proceeds or Metropolitan funds., as set forth in Agenda Item 7-1 board letter.

53176 Authorize issuing a license agreement to Brightline West for an initial fifty-year term with options to extend, totaling an additional fifty years, as set forth in Agenda Item 7-2 board letter.

53177 A. Authorize agreement with Black & Veatch Corporation, Inc. in an amount not to exceed \$8 million for the preliminary design of conveyance Reach 1 of the Pure Water Southern California program; B. Authorize agreement with HDR Engineering, Inc. in an amount not to exceed \$9 million for preliminary design of conveyance Reach 2 of the Pure Water Southern California program; and C. Adopt a resolution to support a grant application to the U.S. Bureau of Reclamation for water recycling and desalination planning and authorize the General Manager or a designated representative to accept the grant if awarded, as set forth in Agenda Item 7-3 board letter.

53178 Authorize an increase of \$500,000 in change order authority for the contract to replace the overhead bridge cranes at the five Colorado River Aqueduct pumping plants, as set forth in Agenda Item 7-4 board letter.

53179 Authorize on-call agreements with Fugro USA Land, Inc., GeoPentech, Inc., Geosyntec Consultants, Inc., and Kleinfelder West, Inc., in amounts not to exceed \$3 million each, for a maximum period of five years for geotechnical engineering services, as set forth in Agenda Item 7-5 board letter.

53180 Award a \$394,534 contract to Slater Waterproofing, Inc. to rehabilitate concrete walls within the ozone contactor structure at the Robert A. Skinner Water Treatment Plant, as set forth in Agenda Item 7-6 board letter.

53181 Adopt the Mitigated Negative Declaration for the Copper Basin Discharge Valve Replacement and Access Road Improvements Project and take related CEQA actions, as set forth in Agenda Item 7-7 board letter.

Agenda Item 7-8 Deferred.

53182 Remove the Water Shortage Emergency Condition declared on April 26, 2022, for the SWP Dependent Area, terminate the Emergency Water Conservation Program and application of any penalties accrued, as set forth in Agenda Item 7-9 board letter.

53183 Approve to adopt the attached salary schedule to ensure compliance with California Code of Regulations, Section 570.5, and the negotiated MOUs, as set forth in Agenda Item 7-10 board letter.

53184 Adopt two new Resolutions to ensure compliance with the current Memoranda of Understandings and Administrative Code 6521 according to Government Code Sections 20636, 20691, and California Code of Regulations Section 569, as set forth in Agenda Item 7-11 board letter.

53185 Approve proposed amendment to Administrative Code Section 6471 to increase the amount of the Ethics Officer's authority to obtain professional services for external investigations from \$50,000 to \$100,000, as set forth in Agenda Item 7-12 board letter.

Director Chacon entered the meeting.

53186 Authorize an increase in the maximum amount payable under contract with Burke, Williams & Sorensen, LLP for general real estate legal services by \$100,000 to a maximum amount payable of \$200,000, as set forth in Agenda Item 7-13 board letter.

53187 Authorize the General Counsel to increase the amount payable under its agreement with Olson Remcho LLP by \$100,000 to a maximum amount payable of \$400,000, as set forth in Agenda Item 7-14 board letter.

53188 A. Approve amendments to the Metropolitan Water District Administrative Code, as shown in Attachment 2 of the board letter, to provide for the implementation of new legislation authorizing the use of alternative project delivery methods; B. Adopt an

organizational conflict-of-interest policy, as shown in Attachment 3 of the board letter, governing the solicitation of a design-build or progressive design-build project; and C. Authorize an increase in the maximum amount payable under contract with Hanson Bridgett LLP for legal services related to implementation of new legislation by \$150,000 to an amount not to exceed \$250,000, as set forth in Agenda Item 7-15 board letter.

53189 Authorize increase in maximum amount payable under contract for legal services with Seyfarth Shaw LLP in the Reese v. Metropolitan lawsuit in the amount of \$300,000 for a total amount not to exceed \$400,000, as set forth in Agenda Item 7-16 board letter.

Chair Ortega called for a vote to approve Consent Calendar Items 6A, 6B, 6C, 7-1 through 7-7, and 7-9 through 7-16 (**M.I. No. 53175 through 53189**).

Director Camacho moved, seconded by Director Morris that the Board approve the Consent Calendar Items 6A, 6B, 6C, 7-1 through 7-7, and 7-9 through 7-16 as follows:

The following is a record of the vote:

Record of Vote on Consent Item(s):		6A, 6B, 6C, 7-1 through 7-7 and 7-9 through 7-16							
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	5627	Faessel	x	x	5627				
Beverly Hills	4267	Pressman	x	x	4267				
Burbank	2893	Ramos	x	x	2893				
Calleguas Municipal Water District	12368	McMillan	x	x	12368				
Central Basin Municipal Water District	18216	Garza	x	x	9108				
		Chacon	x	x	9108				
			Subtotal:		18216				
Compton	599	McCoy	x	x	599				
Eastern Municipal Water District	10502	Armstrong	x	x	10502				
Foothill Municipal Water District	2290	Atwater	x	x	2290				
Fullerton	2390	Jung	x	x	2390				
Glendale	3814	Kassakhian							
Inland Empire Utilities Agency	14663	Camacho	x	x	14663				
Las Virgenes	2927	Peterson	x	x	2927				
Long Beach	6151	Cordero							
Los Angeles	75699	Sutley							
		Petersen							
		Quinn	x	x	25233				
		Luna	x	x	25233				
		Repenning	x	x	25233				
			Subtotal:		75699				
Municipal Water Dist. of Orange County	60913	Ackerman	x	x	15228				
		Seckel	x	x	15228				
		Dick	x	x	15228				
		Erdman	x	x	15228				
			Subtotal:		60913				
Pasadena	3716	Kurtz	x	x	3716				
San Diego County Water Authority	63232	Fong-Sakai	x	x	21077				
		Goldberg	x	x	21077				
		Miller	x	x	21077				
		Smith							
			Subtotal:		63232				
San Fernando	238	Ortega	x	x	238				
San Marino	770	Morris	x	x	770				
Santa Ana	3228	Phan	x	x	3228				
Santa Monica	4619	Abdo	x	x	4619				
Three Valleys Municipal Water District	8254	De Jesus	x	x	8254				
Torrance	3416	Lefevre	x	x	3416				
Upper San Gabriel Valley Mun. Wat. Dist.	12688	Fellow	x	x	12688				
West Basin Municipal Water District	25453	Alvarez	x	x	25453				
		Gray							
			Subtotal:		25453				
Western Municipal Water District	13541	Dennstedt	x	x	13541				
Total	362474				352509				
Present and not voting									
Absent	9965								

The motion to approve the Consent Calendar Items 6A, 6B, 6C, 7-1 through 7-7 and 7-9 through 7-16 (**M.I. 53175 through 53189**)* passed by a vote of 352,509 ayes; 0 noes; 0 abstain; 0 not voting; and 9,965 absent.

***Note: Individual vote tally for Item 7-4**

Director Phan recused herself on Item 7-4 due to the fact that J.F. Properties is a related entity to J. F. Shea Construction, Inc. and are clients of her employer Rutan & Tucker, LLP. The motion to approve the Consent Calendar Item 7-4 passed by a vote of 349,281 ayes; 0 noes; 0 abstain; 3,228 not voting; and 9,965 absent.

53190 Chair Ortega asked if there were questions or need for discussion for Board Information Items 9-1 and 9-2. No requests were made.

53191 Chair Ortega asked if there were any Other Matters Items. There were none.

53192 Chair Ortega asked if there were any Follow-Up Items. There were none.

53193 Chair Ortega asked if there were any Future Agenda Items. There were none.

53194 There being no objection, at 1:23 p.m., Chair Ortega adjourned the meeting.


LOIS FONG-SAKAI
SECRETARY


ADÁN ORTEGA
CHAIR