

**THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

**MINUTES**

**EXECUTIVE COMMITTEE**

**February 28, 2023**

Vice Chair Camacho called the hybrid teleconference and in-person meeting to order at 12:01 p.m.

Members present: Directors Abdo, Camacho, Erdman, Fong-Sakai, Goldberg, Gray, McCoy, Pressman, Quinn, Ramos, Smith, and Sutley.

Members absent: Director Cordero, Jung, Luna, Ortega, and Repenning.

Other Board members present: Directors Ackerman, Alvarez, Armstrong, Atwater, Chacon, De Jesus, Dennstedt, Dick, Faessel, Lefevre, McMillan, and Morris.

Committee staff present: Hudson, Kasaine, Salinas, Scully, Suzuki, Upadhyay.

**1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION**

No members responded.

**2. VOICES OF MET (SPOTLIGHT ON ADVANCING DIVERSITY, EQUITY, AND INCLUSION – EMPLOYEE PERSPECTIVES)**

Vice Chair Camacho called on Liji Thomas, Chief Diversity, Equity, and Inclusion Officer to present the item.

**3. OPPORTUNITY FOR DIRECTORS WHO ARE NOT MEMBERS OF THE COMMITTEE TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION**

No Directors responded.

**4. OTHER MATTERS AND REPORTS**

a. Subject: Chair's Report

Presented by: Vice Chair Michael Camacho

Vice Chair Camacho reported that Chair Ortega is traveling on Metropolitan Business this week nothing to report.

b. Subject: General Manager's report of Metropolitan activities

Presented by: Assistant General Manager Deven Upadhyay

Assistant General Manager Upadhyay reported on the following:

- Chair Ortega and General Manager Hagekhalil are traveling on Metropolitan business meeting with Congress in Washington, D.C.
- Staff wanted to thank the Board for the engagement and direction at the Board Retreat
- Follow-up has begun from the feedback at the Board Retreat, starting with the Subcommittee on Long-Term Regional Planning Processes and Business Modeling
- The Department of Water Resources increased the state water allocation by five percent; a detailed report will be given at the March Committee meetings

c. Subject: General Counsel's report of Metropolitan activities

Presented by: General Counsel Marcia L. Scully

General Counsel Scully reported on the following:

- Update on the Navajo Nation v. U.S. Department of the Interior litigation case
- Update on Summary Judgment in favor of U.S. Department of the Interior on a challenge to long-term experimental management of Glen Canyon Dam, case is being appealed by plaintiffs in the 9<sup>th</sup> Circuit

d. Subject: General Auditor's report of Metropolitan activities

Presented by: General Auditor Scott Suzuki

Nothing to add to his report.

e. Subject: Ethics Officer's report of Metropolitan activities

Presented by: Ethics Officer Abel Salinas

Nothing to add to his report.

f. Subject: Report from Engineering, Operations, and Technology

Presented by: Committee Chair Erdman

Committee Chair Erdman announced that the Committee will consider the following six consent items:

- 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; 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 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 to accept the grant if awarded
- 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
- 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 of five years for geotechnical engineering services
- 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
- Adopt Mitigated Negative Declaration for the Copper Basin Discharge Valve Replacement and Access Road Improvements Project and take related CEQA actions
- Approve the creation of the subcommittee on Pure Water Southern California and Regional conveyance

The Committee will consider the following three Committee items:

- Capital Investment Plan Quarterly Report for Period Ending December 2022
- Quarterly Cybersecurity Update [Confidential]
- Power Operations and Planning Update

Lastly, three management report(s):

- Water System Operations Manager's report

- Engineering Services Manager's report
- Information Technology Manager's report

g. Subject: Report from Equity, Inclusion, and Affordability Committee

Presented by: Committee Chair McCoy

Committee Chair McCoy announced that the Committee will hear one Committee item:

- Business Outreach Update

Lastly, the Committee will hear the management report:

- Diversity, Equity, and Inclusion Manager's Report

h. Subject: Report from Ethics, Organization, and Personnel Committee

Presented by: Committee Chair Ramos

Committee Chair Ramos announced that the Committee will consider the following three consent items:

- Approve The Metropolitan Water District of Southern California's salary schedules pursuant to CalPERS regulations
- Adopt CalPERS Resolutions for Paying and Reporting the Value of Employer Paid Member Contributions
- 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

The Committee will consider the following three Committee items:

- Health and Safety Program Update
- Update on Status of Recommendations from Independent Review of Workplace Concerns
- An Ethics Training Model and Workshop for governmental decision-making processes

Two management report(s):

- Ethics Officer's report
- Equal Employment Opportunity Manager's report

- i. Subject: Report from Finance, Audit, Insurance, and Real Property Committee

Presented by: Committee Chair Smith

Committee Chair Smith announced that the Committee will hear three action items:

- Authorize the General Manager to develop a Climate Adaptation Master Plan for Water
- Adopt the Twenty-Fifth Supplemental Resolution to the Master Bond Resolution authorizing the issuance of up to \$300 million of Water Revenue Bonds, 2023 Series; and approve expenditures to fund the costs of issuance of the Bonds
- Authorize the General Manager to issue a new fifty-year license agreement, with options to extend for up to fifty additional years, to DesertXpress Enterprises, LLC for the purpose of a high-speed rail line traversing Metropolitan property

The Committee will hear four Committee items:

- Financing Overview for Bond Issuance (SB 450)
- Quarterly Investment Activities Report
- Quarterly Financial Report
- Revenue Report

Lastly, the Committee will hear the management reports:

- Chief Financial Officer's Report
- General Auditor's Report
- Real Property Group Manager's Report

- j. Subject: Report from m Legal and Claims Committee

Presented by: Committee Chair Sutley

Committee Chair Sutley announced that the Committee will hear a report on the General Counsel's monthly activities; and we will hear reports on the following items and consider authorizing increases in the maximum amounts payment under contract with:

- Burke, Williams & Sorensen LLP by \$100,000 to an amount not to exceed \$200,00 for legal services related to general real estate and leasing law issues;
- Olson Remcho LLP to provide general government law advice related to Political Reform Act, the Fair Political Practices Commission

regulations, conflict of interest law and other legislative and ethics matters;

- Hanson Bridgett LLP by \$150,000 to an amount not to exceed \$250,000 and approve amendments to Metropolitan's Administrative Code to provide for the implementation of new legislation authorizing the use of alternative project delivery methods and adopt an organization conflict-of-interest policy governing the solicitation of a design-build or progressive design-build project; and
- In closed session, hear a report on *Darren A. Reese v. Metropolitan* litigation and in open session, consider an increase on the Seyfarth Shaw LLP contract for legal services

k. Subject: Report from Legislation, Regulatory Affairs, and Communications Committee

Presented by: Interim Board Administrator Hudson

Interim Board Administrator Hudson announced that the Committee will hear our three standard Committee items, including:

- Reports on activities from Washington D.C.
- Report on activities from Sacramento
- External Affairs Management Report

l. Subject: Report from One Water and Stewardship Committee  
Presented by: Committee Chair Quinn

Committee Chair Quinn the Committee will consider the following three consent items:

- Approve creating the Subcommittee on Bay-Delta and establish a two year term
- Authorize the General Manager to enter into an agreement with Western Municipal Water District, Rubidoux Community Services District, West Valley Water District, and San Bernardino Valley Municipal Water District to provide Rubidoux Community Services District assistance with water deliveries
- Consider changes to the Water Shortage Emergency Condition and the Emergency Water Conservation Program for the State Water Project dependent area and reaffirm the Regional Drought Emergency for all member agencies

The Committee will consider one Information item:

- Information on the High Desert Water Bank Program status, updated costs, and water quality

Committee will consider the following four Committee items:

- Proposed Grant Opportunity for Webb Tract
- Update on Watershed Initiatives
- Update on Water Surplus and Drought Management and Water Shortage Emergency Condition Power Operations and Planning Update
- Update on Conservation

Lastly, three management reports:

- Colorado River Management Manager's report
- Bay-Delta Manager's report
- Water Resource Management Manager's report

Vice Chair called on Katano Kasaine, Assistant General Manager, Chief Financial Officer.

Ms. Kasaine announced that at the Subcommittee on Long-Term Regional Planning Processes and Business Modeling, meeting agenda item 3b on Climate Adaptation Master Plan for Water will be moved to April instead of the March Finance, Audit, Insurance, and Real Property Committee.

## **CONSENT CALENDAR ITEMS – ACTION**

### **5. CONSENT CALENDAR OTHER ITEMS – ACTION**

- A. Approval of the Minutes of the Executive Committee Meeting for January 24, 2023.

Vice Chair Camacho asked Directors if there were any comments or discussion on the minutes of January 24, 2023, Executive Committee Meeting. None were made.

- B. Approve draft Committee and board meeting agendas, and schedule for March 2023.

Vice Chair Camacho asked Directors if there were any comments, additions, or corrections to the March 2023 draft packet.

Vice Chair Camacho called for the vote on Items 3A and 3B.

Director Erdman made a motion, seconded by Director Goldberg to approve the consent calendar Items 3A and 3B as listed.

The vote was:

Ayes: Directors Abdo, Camacho, Erdman, Fong-Sakai, Goldberg, Gray, McCoy, Pressman, Quinn, Ramos, Smith, and Sutley

Noes: None

Abstentions: None

Absent: Cordero, Jung, Luna, Ortega, and Repenning

The motion for Items 3A and 3B passed by a vote of 12 ayes; 0 noes; 0 abstention; and 5 absent.

## **6. CONSENT CALENDAR ITEMS – ACTION**

None

### **END OF CONSENT CALENDAR ITEMS**

## **7. OTHER BOARD ITEMS – ACTION**

None

## **8. BOARD INFORMATION ITEMS**

None

## **9. FOLLOW-UP ITEMS**

- Director Ramos reiterated that an item was added to the March agenda packet that was approved, included an agenda item on Ethics Training Model and Workshop for governmental decision-making processes.

## **10. FUTURE AGENDA ITEMS**

None



## **11. ADJOURNMENT**

The meeting was adjourned at 12:27 p.m.

Michael Camacho  
Vice Chair of the Board