

MINUTES
ADJOURNED REGULAR MEETING OF THE
BOARD OF DIRECTORS
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
August 16, 2022

52916 The Board of Directors of The Metropolitan Water District of Southern California met in adjourned regular session on Tuesday, August 16, 2022.

Chairwoman Gray called the teleconference meeting to order at 2:16 p.m.

52917 The Meeting was opened with an invocation by John M. Carter, Team Manager-Pump Plant, Water System Operations Group.

52918 The Pledge of Allegiance was given by Director Stephen J. Faessel, City of Anaheim.

52919 Board Secretary Abdo administered the roll call. Those responding present were: Directors Abdo, Ackerman, Apodaca, Atwater, Blois, Cordero, De Jesus, Dennstedt, Dick, Erdman, Faessel, Fellow, Fong-Sakai, Goldberg, Gray, Jung, Kurtz, McCoy, Miller, Morris, Petersen, Peterson, Phan, Pressman, Ramos, Record, Repenning, Smith, Sutley, and Tamaribuchi.

Those not responding were: Directors Hawkins, Kassakhian, Quinn, and Williams.

Directors Camacho, Lefevre, Luna, and Ortega entered the meeting after the roll call.

Board Secretary Abdo declared a quorum present.

52920 Chairwoman Gray invited members of the public to address the Board on matters within the Board's jurisdiction.

	Name	Affiliation	Item
1.	Oliva Verrett	NAACP California Hawaii State, and regional Coordinator for seven other states	Item 6E
2.	Tony Tremblay	City Council Member, City of Camarillo	Item 7-13
3.	Steve Nash	Candidate District Division 5 Calleguas Municipal Water District	Item 7-13
4.	Jay Lewis	President Las Virgenes Muncipal Water District	Item 7-13
5.	Bert E. Perello	Councilmember, City of Oxnard in Ventura County	Item 7-13
6.	Silvia Ballin	Retired Metropolitan Employee, Former Director, and City of San Fernando Council Member	The memory of the late Ronald Wheeler
7.	Pastor William D. Smart	President and CEO of the Southern Christina Leadership Conference of Southern California	Item 6E and the memory of the Late Ronald Wheeler
8.	Alan Shanahan	President of the local AFSCME	Item 6E
9.	Tom Love	San Grabriel Valley Municipal Water District	Item 7-13

52921 Member Agency Overview: Anselmo G. Collins, Senior Assistant General Manager, Water System, Los Angeles Department of Water and Power..

Directors Lefevre and Luna entered the meeting after the roll call.

Chairwoman Gray invited members of the public to address the Board on matters within the Board's jurisdiction due to technical difficulties. There were no callers on the line. Chairwoman Gray addressed the following: Other Matters and Reports.

52922 Chairwoman Gray asked if there were any changes to the report of events attended by Directors at Metropolitan's expense during the month of July as previously posted and distributed to the Board. No amendments were made.

52923 Chairwoman Gray referred to her monthly report, which was previously posted and distributed to the Board.

In addition, Chairwoman Gray announced that the Palo Verde Irrigation District will be holding an election for two of the seven members of its Board of Trustees on September

20th. Metropolitan is authorized to cast votes based on its land ownership in Palo Verde Irrigation District. In August 2015, the Board adopted resolution 9196, which authorizes the Chair to cast Metropolitan's votes by directing or granting a proxy to a Metropolitan employee or agent. Proxy has been granted to Vice Chair De Jesus to cast Metropolitan's votes.

The incumbent seeking re-election to the Palo Verde Irrigation District Board of Trustees is Bart Fisher. The second seat is vacant. Candidates will be announced on September 8th. Chairwoman Gray invited directors interested in providing information to Vice Chair De Jesus with their input on the election after the candidates are announced at the September 12th board meeting. Chairwoman asked Directors if there were any comments or discussion on the item. No comments were made.

Additionally, Chairwoman Gray announced of the Members, Chairs, and Vice Chairs of Committees for the remainder of the current term commencing August 16, 2022 through January 11, 2023.

Committee	Vacancy	Proposal
Executive	Vice Chairs	Director Jung Director Ackerman
Engineering and Operations	Vice Chair	Director Blois
Finance & Insurance	Chair	Director Pressman
Legal & Claims	Vice Chair	Director Dennstedt
Organization, Personnel and Technology	Chair	Director Fellows
Organization, Personnel and Technology	Vice Chair	Director Morris
Real Property	Chair	Director Hawkins
Imported Water	Chair	Director Peterson
Imported Water	Vice Chair	Director Erdman
Underserved Communities	Chair	Director Sutley
Underserved Communities	Vice Chair	Director Miller
Diversity, Equity and Inclusion	Chair	Director McCoy
Diversity, Equity and Inclusion	Vice Chair	Director Jung

Lastly, an announcement of the committee members for the new committees. Committee members were selected based on their expressed interest. If a director is no longer interested in serving or would like to be considered to serve, please contact Elisa Mendez.

Diversity, Equity and Inclusion	Imported Water	Underserved Communities
Director Abdo	Director Ackerman	Director Ackerman
Director Atwater	Director Atwater	Director Atwater
Director Erdman	Director Cordero	Director Camacho
Director Ortega	Director Dick	Director Cordero
Director Ramos	Director Faessel	Director Erdman
Director Tamaribuchi	Director Jung	Director Jung
Director Williams	Director McCoy	Director Ortega
	Director Morris	Director Quinn
	Director Pressman	Director Williams
	Director Quinn	
	Director Ramos	
	Director Record	
	Director Smith	

52924 Regarding matters relating to Metropolitan's operations and activities, General Manager Hagekhalil, reported on the following:

1. Meeting with the Governor regarding Metropolitan's efforts on conservation and local water supply;
2. The Inflation Reduction Act;
3. The press conference regarding the Colorado River and the September shut down of the Upper Feeder;
4. The upcoming workshop on One Water Plan deliverables;
5. Update on the Equal Opportunity Office investigations and transition plan.

The following Directors asked questions or made comments:

Director(s)

1. Pressman

Staff responded to the Directors' comments or questions.

52925 General Counsel Scully stated she had nothing to add to her written report.

52926 Interim General Auditor Tonsick stated he had nothing to add to his report.

52927 Ethics Officer Salinas stated he had nothing to add to his report.

52928 Report on list of certified assessed valuations for fiscal year 2022/23 and tabulation of assessed valuations, percentage participation, and vote entitlement of member agencies as of August 16, 2022.

Chairwoman asked Directors if there were any comments or discussion on the item. No comments were made.

Chairwoman Gray addressed the Consent Calendar Items for August 2022.

52929 Chairwoman Gray asked Directors if there were any comments or discussions on the approval of the Minutes of the Regular Meeting for July 12, 2022 (Agenda Item 6A). No comments were made.

52930 Adopt resolution to continue remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of Metropolitan's legislative bodies for a period of 30 days (Agenda Item 6B). Chairwoman Gray asked Directors if there were any comments or discussions on the item. No comments were made.

52931 Presentation of Commendatory Resolution honoring Ned Hyduke for his service and leadership during his term as General Manager at Palo Verde Irrigation District (Agenda Item 6C).

Chairwoman Gray acknowledged and thanked Mr. Hyduke for his support and partnership on behalf of the Metropolitan Water District of Southern California.

Directors Ortega and Camacho entered the meeting after the roll call.

The following Directors asked questions or made comments:

Director(s)

1. Peterson

2. Kurtz
3. Record
4. Camacho

Staff responded to the Directors' comments or questions.

52932 Approval of Committee Assignments (Agenda Item 6D). There were no committee assignments at this time.

Chairwoman Gray called on Director Kurtz to introduce Item 6E.

52933 Adopt resolution encouraging civility by public speakers at Metropolitan Board and Committee Meetings, with amendments deleting sections two and four, (per the discussion and clarification before the consent calendar vote, see **note below). (Agenda Item 6E).

The following Directors asked questions or made comments:

	Director(s)
1.	Cordero
2.	Pressman
3.	Goldberg
4.	Kurtz
5.	Camacho
6.	Peterson
7.	Ramos
8.	Fong-Sakai
9.	Dennstedt
10.	Sutley
11.	Ortega

Staff responded to the Directors' comments or questions.

52934 Adopt the Resolution levying ad valorem property taxes for the fiscal year commencing July 1, 2022 and ending June 30, 2023 for the purposes of The Metropolitan Water District of Southern California, as shown in Attachment 1, maintaining the tax rate at .0035 percent of assessed valuation, the same rate levied in FY 2021/22; and direct staff to transmit that resolution to the county auditors for the levy and collection of the ad valorem property tax., as set forth in Agenda Item 7-1 board letter.

52935 Determine that there is a need to continue the emergency action of executing a no-bid contract for construction of pipe joint repairs on the Upper Feeder (requires four-fifths vote of the Board.), as set forth in Agenda Item 7-2 board letter.

52936 Adopt the CEQA determination that the Calabasas Feeder and Sepulveda Feeder rehabilitation projects were previously addressed in the certified 2017 Prestressed Concrete Cylinder Pipe Rehabilitation Program Final Programmatic Environmental Impact Report; (a.) authorize an agreement with Pure Technologies U.S. Inc. in an amount not to exceed \$7 million to perform PCCP pipeline inspections; (b.) authorize an agreement with Brown and Caldwell in an amount not to exceed \$900,000 to provide preliminary design engineering services to rehabilitate PCCP portions of Calabasas Feeder; and (c.) authorize a \$6 million increase to an agreement with HDR Engineering, Inc. for a new not-to-exceed amount of \$12.5 million to rehabilitate PCCP and steel portions of the Sepulveda Feeder, as set forth in Agenda Item 7-3 board letter.

52937 Authorize an agreement with HDR Engineering, Inc. for a not-to-exceed amount of \$1,300,000 for final design of the Inland Feeder/Foothill Pump Station Intertie, as set forth in Agenda Item 7-4 board letter.

52938 Award a \$5,647,405 contract to Sojitz Machinery Corporation of America to furnish three 84-inch diameter butterfly valves to improve the water supply reliability of the Rialto Pipeline, as set forth in Agenda Item 7-5 board letter.

52939 Authorize annual increases of \$200,000 to existing, five-year on-call agreements with RHA, LLC; Strategic Value Solutions, Inc.; and Value Management Strategies, Inc. for a new annual not-to-exceed total of \$440,000, for value engineering and technical engineering services, as set forth in Agenda Item 7-6.

52940 Authorize a five-year reimbursable agreement with the California Department of Water Resources to provide services for the State Water Project operations and maintenance activities for an amount not to exceed \$3 million per year (\$15 million total), as set forth in Agenda Item 7-7.

52941 Approve recommended ethics-related amendments to the Administrative Code, as set forth in Agenda Item 7-8.

52942 Authorize granting a ten-year license agreement with three 5-year options to the County of Orange for telecommunications purposes, as set forth in Agenda Item 7-9.

52943 Authorize granting a 30-year license agreement to the County of Los Angeles Parks and Recreation for a public park, as set forth in Agenda Item 7-10.

52944 Approve Metropolitan's membership in the California Water Data Consortium and authorize payment of dues of \$20,000 per year on an ongoing basis, as set forth in Agenda Item 7-11.

52945 By a two-thirds vote, authorize the General Manager to make payments of up to \$3.75 million to the State Water Contractors for FY 2022/23, as set forth in Agenda Item 7-12.

Chairwoman Gray made remarks regarding adopting the resolution on regional reliability.

52946 Adopt the Resolution shown in Attachment 1 committing to regional reliability for all member agencies, as set forth in Agenda Item 7-13.

52947 Adopt the resolution to support Metropolitan's application for United States Bureau of Reclamation grant funding of \$5 million to provide supplemental funding for residential and commercial landscapes in the Turf Replacement Program; (a.) authorize the General Manager to accept grant funds, if awarded; (b.) authorize the General Manager to enter into a contract with United States Bureau of Reclamation for the grant funds, if awarded, as set forth in Agenda Item 7-14.

52948 Express opposition, unless amended, to SB 1020 (Laird, D-Santa Cruz, Caballero, D-Salinas, Durazo, D-Los Angeles, and Atkins, D-San Diego): Clean Energy, Jobs, and Affordability Act of 2022, as set forth in Agenda Item 7-15.

52949 Authorize an increase in the maximum amount payable under four contracts with Seyfarth Shaw LLP, for legal services in the amounts as listed on the agenda for a total amount of \$485,000 to a total amount not to exceed \$885,000, as set forth in Agenda Item 7-16.

Chairwoman Gray called for a vote to approve the Consent Calendar Items 6A, 6B, 6E, and 7-1 through 7-16 (**M.I. 52929, 52930, and 52933 through 52949**).

Director Dick moved, seconded by Director Fellow that the Board approve the Consent Calendar Items 6A, 6B, 6E, and 7-1 through 7-16 as follows:

The following Directors asked questions or made comments:

Director(s)

- | |
|---------------|
| 1. Fong Sakai |
|---------------|

Staff responded to the Directors' comments or questions. **Staff clarified that on Item 6E regarding the resolution on civility, section 2 and 4 would be deleted from the resolution per director request.

The following is a record of the vote:

Record of Vote on Consent Item(s):		6A, 6B, 6E, 7-1 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	Blois	x	x	12368				
Central Basin Municipal Water District	18216	Apodaca							
		Hawkins							
			Subtotal:						
Compton	599	McCoy	x	x	599				
Eastern Municipal Water District	10502	Record	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	x	x	6151				
Los Angeles	75699	Sutley	x	x	18925				
		Petersen	x	x	18925				
		Quinn							
		Luna	x	x	18925				
		Repenning	x	x	18925				
			Subtotal:		75699				
Municipal Water Dist. of Orange County	60913	Ackerman	x	x	15228				
		Tamaribuchi	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	15808				
		Goldberg	x	x	15808				
		Miller	x	x	15808				
		Smith	x	x	15808				
			Subtotal:		63232				
San Fernando	238	Ortega	x	x	238				
San Marino	770	Morris							
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	Williams							
		Gray	x	x	25453				
			Subtotal:		25453				
Western Municipal Water District	13541	Dennstedt	x	x	13541				
Total	362474				339674				
Present and not voting									
Absent	22800								

The motion to approve the Consent Calendar Items 6A, 6B, 6E, and 7-1 through 7-16 (**M.I. 52929, 52930, and 52933 through 52949**), passed by a vote of 339,674 ayes; 0 noes; 0 abstain; 0 not voting; and 22,800 absent.

***Note: Individual vote tally for Item 6B**

Directors Peterson and Record voted No on Item 6B. The motion to approve the Consent Calendar Item 6B passed by a vote of 326,245 ayes; 13,429 noes; 0 abstain; 0 not voting; and 22,800 absent.

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

Director Phan recused herself on Item 7-2, due to the fact that PCL Construction, Inc. is a client of her employer Rutan & Tucker, LLP. The motion to approve the Consent Calendar Item 7-2 required a four-fifths vote of the Board, passed by a vote of 336,446 ayes; 0 noes; 0 abstain; 3,228 not voting; and 22,800 absent.

***Note: Individual vote tally for Item 7-3**

Director Luna abstained on Item 7-3. The motion to approve the Consent Calendar Item 7-3 passed by a vote of 320,749 ayes; 0 noes; 18,925 abstain; 0 not voting; and 22,800 absent.

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

Director Luna abstained on Item 7-4. The motion to approve the Consent Calendar Item 7-4 passed by a vote of 320,749 ayes; 0 noes; 18,925 abstain; 0 not voting; and 22,800 absent.

***Note: Individual vote tally for Item 7-12**

The motion to approve the Consent Calendar Item 7-12 required two-thirds vote of the Board, passed by a vote of 339,674 ayes; 0 noes; 0 abstain; 0 not voting; and 22,800 absent.

***Note: Individual vote tally for Item 7-16**

Director Blois voted No on Item 7-16. The motion to approve Item 7-16 passed by a vote of 327,306 ayes; 12,368 noes; 0 abstain; 0 not voting; and 22,800 absent.

52950 Chairwoman Gray announced there were no Other Board Items for action

52951 Chairwoman Gray asked if there were questions or need for discussion for Board Information Item 9-1, 9-2, and 9-3. No requests were made.

52952 Chairwoman Gray asked if there were any Other Matters. No requests were made.

52953 Chairwoman Gray asked if there were any Follow-up Items. There were none.

52954 Chairwoman Gray asked if there were any future agenda items.

Director Peterson requested to review the process of removing Directors that do not attend Board and Committee meetings.

The following Director asked a question or made a comment:

Director(s)

1. Smith

Chairwoman Gray announced that Metropolitan's first Diversity, Equity and Inclusion Forum will be on August 23rd and encouraged everyone to attend.

52955 There being no objection, at 4:32 p.m. Chairwoman Gray adjourned the meeting in Memory of Metropolitan's employees Morris Duncan and Ronald Wheeler.

JUDY ABDO
SECRETARY

GLORIA D. GRAY
CHAIRWOMAN