

Draft

February 13 & 14, 2023

Board and Committee

Meetings

Agenda Packet



The Metropolitan Water District of Southern California



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

BOARD UPDATES

Schedule of Meetings – February 2023

Monday, February 13

8:30 a.m.	Legal and Claims Committee
9:00 a.m.	Board of Directors Meeting
9:30 a.m.	Break
10:00 a.m. – 4:00 p.m.	Board of Directors' Retreat – Day #1

Tuesday, February 14

8:30 a.m. – 2:00 p.m.	Board of Directors' Retreat – Day #2
--------------------------	--------------------------------------

Monday, February 20

Observance of Presidents' Day Holiday – District Offices Closed

Tuesday, February 28

12:00 p.m.	Executive Committee
------------	---------------------

****Note: Board members, please call in 30 minutes in advance of the meeting start time***

Live streaming is available for all board and committee meetings on our mwdh2o.com website
([Click to Access Board Meetings Page](#))

The Metropolitan Water District of Southern California

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

N. Sutley, Chair
R. Apodaca, Vice Chair
M. Camacho
G. Cordero
L. D. Dick
C. Kurtz
T. McCoy
C. Miller
G. Peterson
M. Ramos
H. Repenning
H. Williams

Legal and Claims Committee - Hidden

Meeting with Board of Directors *

February 13, 2023

8:30 a.m.

**Monday, February 13, 2023
Meeting Schedule**

**08:30 a.m. L&C
09:00 a.m. BOD
09:30 a.m. BOD
Retreat**

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: 831 5177 2466. 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: 815 2066 4276.

ZOOM Online and Temecula Creek Inn 44501 Rainbow Canyon Road, Temecula, CA 92592

* 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))

2. MANAGEMENT REPORTS

a. General Counsel's report of monthly activities

21-1917

**** CONSENT CALENDAR ITEMS -- ACTION ****

3. CONSENT CALENDAR OTHER ITEMS - ACTION

NONE

4. CONSENT CALENDAR ITEMS - ACTION

- 7-4** Report on Baker Electric, Inc. v. Metropolitan Water District of Southern California, et al., (Los Angeles Superior Court Case No. 21STCV15612) regarding Metropolitan’s CRA 6.9 kV Power Cables Replacement Project, Contract No. 1915; authorize an increase in the maximum amount payable under contract with Musick, Peeler & Garrett LLP, for legal services by \$xxx,xxx to an amount not to exceed \$xxx,xxx; and authorize an increase in the maximum amount payable under contract with Exponent, Inc. for consultant services by \$xxx,xxx to an amount not to exceed \$xxx,xxx; the General Manager has determined 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)] **21-1912**

- 7-5** Report on American Federation of State, County Municipal Employees Local 1902 v. Metropolitan Water District of Southern California pending Administrative Hearing Officer Appeal and authorize an increase in the maximum amount payable under contract for legal services with Renne Public Law Group by \$100,000 to an amount not to exceed \$200,000; 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)] **21-1913**

- 7-6** Update on Sierra Club et al. v. California Department of Water Resources, Sacramento County Superior Court Case No. 34-2020-80003517 (consolidated with 34-2020-00283112) and request for authorization to increase maximum amount payable under a contract with Atkinson, Andelson, Loya, Ruud & Romo, PLC by \$150,000 to an amount not to exceed \$250,000; 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)] **21-1916**

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

5. OTHER BOARD ITEMS - ACTION

NONE

6. BOARD INFORMATION ITEMS

NONE

7. COMMITTEE ITEMS

NONE

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Agendas for the meeting of the Board of Directors may be obtained from the Board Executive Secretary. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

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 <http://www.mwdh2o.com>.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

The Metropolitan Water District of Southern California

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.

Board of Directors - Hidden

February 13, 2023

9:00 AM

Monday, February 13, 2023 Meeting Schedule
08:30 a.m. L&C 09:00 a.m. BOD 09:30 a.m. BOD Retreat

ZOOM Online and Temecula Creek Inn 44501 Rainbow Canyon Road, Temecula, CA 92592

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 21-1898
- B. Chair's Monthly Activity Report 21-1899
- C. General Manager's summary of activities 21-1900
- D. General Counsel's summary of activities 21-1901
- E. Interim General Auditor's summary of activities 21-1902
- F. Ethics Officer's summary of activities 21-1903

- G.** Induction of new Director Karl Seckel of Municipal Water District of Orange County **21-1919**
 (a) Receive credentials
 (b) Report on credentials by General Counsel
 (c) File credentials
 (d) Administer Oath of Office
 (e) File Oath

- H.** Presentation of 30-year Service Pin to Director Glen D. Peterson **21-1904**

**** CONSENT CALENDAR ITEMS -- ACTION ****

6. CONSENT CALENDAR OTHER ITEMS - ACTION

- A.** Approval of the Minutes of the Board of the Directors Meeting for January 10, 2023 (Copies have been submitted to each Director, Any additions, corrections, or omissions) **21-1914**
- B.** Approve Committee Assignments **21-1915**

7. CONSENT CALENDAR ITEMS - ACTION

- 7-1** Award a \$407,800.33 procurement contract to Cascade Consultants, LLC for a 20-inch triple offset ball valve to rehabilitate Service Connection CB-11; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) **21-1906**
- 7-2** Adopt Mitigated Negative Declaration for the Colorado River Aqueduct Master Reclamation Plan for San Bernardino and Riverside Counties and take related CEQA actions; approve Master Reclamation Plan for San Bernardino and Riverside Counties (EOT) **21-1907**
- 7-3** Adopt resolutions to support three applications for the California Department of Water Resources 2022 Urban Community Drought Relief Program totalling \$38 million; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS) **21-1908**

- 7-4** Report on Baker Electric, Inc. v. Metropolitan Water District of Southern California, et al., (Los Angeles Superior Court Case No. 21STCV15612) regarding Metropolitan’s CRA 6.9 kV Power Cables Replacement Project, Contract No. 1915; authorize an increase in the maximum amount payable under contract with Musick, Peeler & Garrett LLP, for legal services by \$xxx,xxx to an amount not to exceed \$xxx,xxx; and authorize an increase in the maximum amount payable under contract with Exponent, Inc. for consultant services by \$xxx,xxx to an amount not to exceed \$xxx,xxx; the General Manager has determined 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) (LC) **21-1912**
- 7-5** Report on American Federation of State, County Municipal Employees Local 1902 v. Metropolitan Water District of Southern California pending Administrative Hearing Officer Appeal and authorize an increase in the maximum amount payable under contract for legal services with Renne Public Law Group by \$100,000 to an amount not to exceed \$200,000; 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)] (LC) **21-1913**
- 7-6** Update on Sierra Club et al. v. California Department of Water Resources, Sacramento County Superior Court Case No. 34-2020-80003517 (consolidated with 34-2020-00283112) and request for authorization to increase maximum amount payable under a contract with Atkinson, Andelson, Loya, Ruud & Romo, PLC by \$150,000 to an amount not to exceed \$250,000; 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)] (LC) **21-1916**

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

8. OTHER BOARD ITEMS - ACTION

NONE

9. BOARD INFORMATION ITEMS

- 9-1** Conservation Board Report **21-1905**

- 9-2 Update on Water Surplus and Drought Management and Water Shortage Emergency Condition 21-1909
- 9-3 Bay-Delta Manager's Report 21-1910
- 9-4 Colorado River Manager's Report 21-1911

10. OTHER MATTERS

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. (E&O). Committee agendas may be obtained from the Executive Secretary.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

The Metropolitan Water District of Southern California

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.

Board of Directors Retreat - Hidden

February 13, 2023

9:30 AM

Monday, February 13, 2023 Meeting Schedule
08:30 a.m. L&C 09:00 a.m. BOD 09:30 a.m. BOD Retreat

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: 831 5177 2466. 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 teleconference only. To participate via teleconference (833) 548-0276 and enter meeting ID: 815 2066 4276.

ZOOM Online and Temecula Creek Inn 44501 Rainbow Canyon Road, Temecula, CA 92592

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Opportunity for members of the public to address the Board limited to the items listed on agenda. (As required by Gov. Code § 54954.3(a))
5. Climate Change Conditions and Vulnerabilities
6. Review of Integrated Resources Plan Needs Assessment Findings
7. Overview of Water Supplies and Availabilities
8. 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. (E&O). Committee agendas may be obtained from the Executive Secretary.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

The Metropolitan Water District of Southern California

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.

Board of Directors Retreat - Hidden

February 14, 2023

8:30 AM

Tuesday, February 14, 2023 Meeting Schedule
--

08:30 a.m. BOD Retreat

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: 831 5177 2466. 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 teleconference only. To participate via teleconference (833) 548-0276 and enter meeting ID: 815 2066 4276.

ZOOM Online and Temecula Creek Inn 44501 Rainbow Canyon Road, Temecula, CA 92592

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Opportunity for members of the public to address the Board limited to the items listed on agenda. (As required by Gov. Code §54954.3(a))
5. Metropolitan's Role in Regional Supply Resiliency
6. Resource Planning Next Steps
7. 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. (E&O). Committee agendas may be obtained from the Executive Secretary.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

