

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 - Final - Revised 1

February 13, 2023

9:00 AM

Monday, February 13, 2023 Meeting Schedule
08:00 a.m. LC 09:00 a.m. BOD 09:30 a.m. Break 10:00 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.

MWD Headquarters Building - 700 N. Alameda Street - Los Angeles, CA 90012

1. Call to Order

- a. Invocation: Director Nancy Sutley, City of Los Angeles
- b. Pledge of Allegiance: Director Richard Atwater, Foothill Municipal Water District

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](#)
Attachments: [02132023 BOD 5A Report](#)
- B. Chair's Monthly Activity Report [21-1899](#)
Attachments: [02132023 BOD 5B Report](#)

- C. General Manager's summary of activities [21-1900](#)
Attachments: [02132023 BOD 5C Report](#)
- D. General Counsel's summary of activities [21-1901](#)
Attachments: [02142023 BOD 5D Report](#)
- E. Interim General Auditor's summary of activities [21-1902](#)
Attachments: [02132023 BOD 5E Report](#)
- F. Ethics Officer's summary of activities [21-1903](#)
Attachments: [02142023 BOD 5F Report](#)
- 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. Induction of new Director Juan Garza of Central Basin Municipal Water District [21-1922](#)
(a) Receive credentials
(b) Report on credentials by General Counsel
(c) File credentials
(d) Administer Oath of Office
(e) File Oath
- I. Induction of new Director Desi Alvarez of West Basin Municipal Water District [ADDED ITEM 2/8/23] [21-1941](#)
(a) Receive credentials
(b) Report on credentials by General Counsel
(c) File credentials
(d) Administer Oath of Office
(e) File Oath
- J. 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 Special Board of the Directors Meeting for January 9, 2023 and 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](#)**

Attachments: [02142023 BOD 6A-1 \(01092023\) minutes](#)
[02142023 BOD 6A-2 \(01102023\) minutes](#)

- B.** 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; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **[21-1923](#)**

Attachments: [02132023 BOD 6B Report](#)
[9332 Resolution](#)

- C.** 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 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](#)**

Attachments: [02132023 EOT 7-1 B-L.pdf](#)
[02132023 BOD 7-1 Presentation](#)

- 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](#)**

Attachments: [02132023 BOD 7-2 B-L](#)
[02132023 BOD 7-2 - Attach 1](#)
[02132023 BOD 7-2 - Attach 2](#)
[02132023 BOD 7-2 - Attach 3](#)
[02132023 BOD 7-2 Presentation](#)

- 7-3** Adopt resolutions to support three applications for the California Department of Water Resources' 2022 Urban Community Drought Relief Program totaling \$38 million; and authorize the General Manager to accept this potential funding and enter contracts with the California Department of Water Resources if awarded; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (OWS) [21-1908](#)
- Attachments:** [02132023 BOD 7-3 B-L.pdf](#)
[02132023 BOD 7-3 Presentation](#)
[9333 Resolution](#)
[9334 Resolution](#)
[9335 Resolution](#)
- 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 \$800,000 to an amount not-to-exceed \$1,700,000; and authorize an increase in the maximum amount payable under contract with HKA Global, Inc., for consulting services by \$300,000 to an amount not-to-exceed \$400,000; 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

- 8-1** Report on litigation in San Diego County Water Authority v. Metropolitan Water District of Southern California, et al., San Francisco County Superior Court Case Nos. CPF-10-510830, CPF-12-512466, CPF-14-514004, CPF-16-515282, CPF-16-515391, CGC-17-563350, and CPF-18-516389; the appeals of the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case Nos. A146901, A148266, A161144, and A162168, and California Supreme Court Case No. S243500; the petition for extraordinary writ in the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case No. A155310; the petition for extraordinary writ in the second 2016 action, Court of Appeal for the First Appellate District Case No. A154325 and California Supreme Court Case No. S251025; and the Metropolitan Water District of Southern California v. San Diego County Water Authority cross-complaints in the 2014, 2016, and 2018 actions; and consider San Diego County Water Authority's proposal: (1) to stipulate to stay proceedings in the 2014, 2016, and 2018 actions; and (2) to engage in settlement negotiations prior to issuance of the court's statement of decision in those actions; 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) [21-1933](#)

9. BOARD INFORMATION ITEMS

- 9-1** Conservation Update Report [21-1905](#)
Attachments: [02142023 BOD 9-1 Report](#)

- 9-2 Update on Water Surplus and Drought Management and Water Shortage Emergency Condition [21-1909](#)

Attachments: [02142023 BOD 9-2 Report](#)
[02132023 BOD 9-2 Presentation](#)

- 9-3 Bay-Delta Manager's Report [21-1910](#)

Attachments: [02142023 BOD 9-3 Report](#)

- 9-4 Colorado River Manager's Report [21-1911](#)

Attachments: [02132023 BOD 9-4 Report](#)

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. (EOT). Committee agendas may be obtained from the Board Executive Secretary.

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>.

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.