

# 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

November 8, 2022

12:00 PM

<b>Tuesday, November 8, 2022 Meeting Schedule</b>
08:30 a.m. L&C 09:30 a.m. OP&T 10:30 a.m. A&E 12:00 p.m. Board

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.aspx>. If you have technical difficulties with the live streaming page, a listen-only phone line is available at 1-877-853-5257; enter meeting ID: 891 1613 4145. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference 1-833-548-0276 and enter meeting ID: 815 2066 4276 or click <https://us06web.zoom.us/j/81520664276pwd=a1RTQWh6V3h3ckFhNmDsUWpKR1c2Zz09>

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

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## 1. Call to Order

- a. Invocation: Jaime C. Paz, Associate Environmental Specialist Water System Operations Group
- b. Pledge of Allegiance: Director John T. Morris, City of San Marino

## 2. Roll Call

## 3. Determination of a Quorum

### 4a. 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))

- 4b. Member Agency Overview: Craig J. Parker, P.E., BCEE, Acting Assistant General Manager, Water Services Anaheim Public Utilities

[21-1643](#)

**Attachments:** [11082022 BOD 4a Presentation](#)

## 5. OTHER MATTERS AND REPORTS

- A. Report on Directors' Events Attended at Metropolitan's Expense [21-1620](#)  
**Attachments:** [11072022 BOD 5A Report](#)
- B. Chairwoman's Monthly Activity Report [21-1679](#)  
**Attachments:** [11082022 BOD 5B Report](#)
- C. General Manager's summary of activities [21-1621](#)  
**Attachments:** [11082022 BOD 5C Report](#)
- D. General Counsel's summary of activities [21-1622](#)  
**Attachments:** [11082022 BOD 5D Report - Revised](#)
- E. Interim General Auditor's summary of activities [21-1623](#)  
**Attachments:** [11072022 BOD 5E Report](#)
- F. Ethics Officer's summary of activities [21-1624](#)  
**Attachments:** [11072022 BOD 5F Report](#)
- G. Report from Executive Committee on nominations for Board Secretary [21-1627](#)

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

**6. CONSENT CALENDAR OTHER ITEMS - ACTION**

- A. Approval of the Minutes of the Board of the Directors Meeting for October 11, 2022 (Copies have been submitted to each Director, Any additions, corrections, or omissions) [21-1628](#)  
**Attachments:** [11082022 BOD 6A Minutes](#)
- B. Nomination and Election for Board Secretary for two-year term effective January 1, 2023 [21-1626](#)
- C. Approve Committee Assignments [21-1680](#)

**7. CONSENT CALENDAR ITEMS - ACTION**

- 7-1** Approve proposed amendments to the Administrative Code sections 2416 and 2131 relating to Equal Employment Opportunity policies and investigative procedures involving the Board of Directors and its Direct Reports; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (AE) **[21-1616](#)**
- Attachments:** [11082022 AE 7-1 B-L](#)  
[11082022 AE 7-1 Presentation](#)
- 7-2** Ratify an emergency contract with PCL Construction, Inc., in the amount of \$855,623.78, for replacement of the expansion joint on the Upper Feeder pipeline at the Santa Ana River bridge crossing; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Requires four-fifths vote of the Board] (EO) **[21-1629](#)**
- Attachments:** [11082022 EO 7-2 B-L](#)  
[11072022 EO 7-2 Presentation](#)
- 7-3** Award a \$1,228,607.10 contract to Howard Ridley Company, Inc. for the rehabilitation of the concrete liner at ten locations within the Rainbow Tunnel segment of San Diego Pipeline No. 1; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) **[21-1630](#)**
- Attachments:** [11082022 EO 7-3 B-L](#)  
[11072022 EO 7-3 Presentation](#)
- 7-4** Authorize on-call agreements with GEI Consultants, Inc., HDR, Inc., and Stantec Consulting Services Inc. in amounts not to exceed \$2.5 million each, for a maximum of five years, to support Metropolitan's Dam Safety Initiatives Program; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [WITHDRAWN 11/4/22] (EO) **[21-1632](#)**

- 7-5** Adopt CEQA determination that the environmental effects of the East County Advanced Water Purification Local Resources project that is the subject of the proposed action was previously addressed in Padre Dam Municipal Water District's Mitigated Negative Declaration and related CEQA actions and that no further CEQA review is required, and authorize the General Manager to amend the existing Local Resources Program agreement with San Diego County Water Authority and East County Advanced Water Purification Joint Powers Authority for the East County Advanced Water Purification Project (OWC) **[21-1685](#)**

**Attachments:** [10252022 OWC 7-5 Board Letter](#)  
[10252022 OWC 7-5 Presentation](#)

- 7-6** Award an \$820,852.53 procurement contract to Whipps, Inc. for three slide gates to rehabilitate the San Jacinto Diversion Structure; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) **[21-1693](#)**

**Attachments:** [11082022 EO 7-6 B-L](#)  
[11072022 EO 7-6 Presentation](#)

- 7-7** 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; authorize increase in maximum amount payable under contract for legal services with Horvitz & Levy, LLP in the amount of \$350,000 for a total amount not to exceed \$1,250,000; and authorize increase in maximum amount payable under contract for consulting services with Cogent Legal, LLC in the amount of \$100,000 for a total amount not to exceed \$150,000; 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) [21-1636](#)

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

**8. OTHER BOARD ITEMS - ACTION**

NONE

**9. BOARD INFORMATION ITEMS**

- 9-1** Report on Conservation [21-1637](#)  
**Attachments:** [11082022 BOD 9-1 Report](#)
- 9-2** Legislative Priorities and Principles for 2023 (CL) [21-1638](#)  
**Attachments:** [11082022 BOD 9-2 B-L](#)  
[11072022 CL 9-2 Presentation](#)

**10. OTHER MATTERS**

**10-1** Department Head Performance Evaluations [Public Employees' performance evaluations; General Manager, General Counsel, and Ethics Officer; to be heard in closed session pursuant to Gov. Code 54957.] [21-1640](#)

**10-2** Report on Department Head 2022 Salary Survey [21-1641](#)

**Attachments:** [11082022 BOD 10-2 Presentation](#)

**10-3** Discuss and Approve Compensation Recommendations for General Manager, General Counsel, and Ethics Officer [21-1642](#)

**10-4** AB 1234 Ethics Biennial Training [21-1625](#)

**Attachments:** [11082022 BOD 10-4 Presentation](#)

## **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, BF&I). 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.