

# 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

March 14, 2023

12:00 PM

Tuesday, March 14, 2023 Meeting Schedule
09:00 a.m. OWS 11:00 a.m. EIA 11:30 a.m. Break 12:00 p.m. BOD 01:00 p.m. EOP Wksp

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: 891 1613 4145. 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.

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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: Director Karl Seckel, Municipal Water District of Orange County
- b. Pledge of Allegiance: Director David D. De Jesus, Three Valleys 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 [21-1954](#)  
**Attachments:** [03142023 BOD 5A Report](#)
- B. Chair's Monthly Activity Report [21-1955](#)  
**Attachments:** [03142023 BOD 5B Report](#)

- C. General Manager's summary of activities [21-1956](#)  
**Attachments:** [03142023 BOD 5C Report](#)
- D. General Counsel's summary of activities [21-1957](#)  
**Attachments:** [03142023 BOD 5D Report](#)
- E. General Auditor's summary of activities [21-1958](#)  
**Attachments:** [03142023 BOD 5E Report](#)
- F. Ethics Officer's summary of activities [21-1959](#)  
**Attachments:** [03142023 BOD 5F Report](#)
- G. Presentation of Commendatory Resolution honoring Director Gloria D. Gray, West Basin Municipal Water District for her leadership during her term as Chair of Metropolitan's Board of Directors [21-2018](#)

**\*\* 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 17, 2023 and Minutes of the Board of the Directors Meeting for February 13, 2023 (Copies have been submitted to each Director, any additions, corrections, or omissions) [21-1960](#)  
**Attachments:** [03142023 BOD 6A-1 \(01172023\) minutes](#)  
[03142023 BOD 6A-2 \(02142023\) minutes](#)
- B. Approve Commendatory Resolutions for Directors Phillip D. Hawkins and Robert Apodaca both representing Central Basin Municipal Water District; Randy Record representing Eastern Municipal Water District; Steve Blois representing Calleguas Municipal Water District; Satoru Tamaribuchi representing Municipal Water District of Orange County; and Harold C. Williams representing West Basin Municipal Water District [21-2017](#)
- C. Approve Committee Assignments [21-1961](#)

**7. CONSENT CALENDAR ITEMS - ACTION**

- 7-1** Adopt the Twenty-Fifth Supplemental Resolution to the Master Bond Resolution authorizing the issuance of up to \$330 million of Water Revenue Bonds, 2023 Series; and approve expenditures to fund the costs of issuance of the Bonds; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (FAIRP) [21-1963](#)
- Attachments:** [03132023 FAIRP 7-1 B-L](#)
- 7-2** 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 in the city of Fontana, California; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (FAIRP) [21-1962](#)
- Attachments:** [03142023 FAIRP 7-2 B-L](#)  
[03132023 FAIRP 7-2 Presentation](#)
- 7-3** 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; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EOT) [21-1964](#)
- Attachments:** [03142023 EOT 7-3 B-L](#)  
[03132023 EOT 7-3 Presentation](#)
- 7-4** 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; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) [21-1965](#)
- Attachments:** [03142023 EOT 7-4 B-L](#)  
[03132023 EOT 7-4 Presentation](#)

- 7-5** 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; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) [21-1966](#)
- Attachments:** [03142023 EOT 7-5 B-L](#)  
[03132023 EOT 7-5 Presentation](#)
- 7-6** 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; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) [21-1967](#)
- Attachments:** [03142023 EOT 7-6 B-L](#)  
[03132023 EOT 7-6 Presentation](#)
- 7-7** Adopt Mitigated Negative Declaration for the Copper Basin Discharge Valve Replacement and Access Road Improvements Project and take related CEQA actions (EOT) [21-1968](#)
- Attachments:** [03142023 EOT 7-7 B-L](#)  
[03132023 EOT 7-7 Presentation](#)
- 7-8** 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; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS) [21-1969](#)
- Attachments:** [03142023 OWS 7-8 B-L](#)  
[03142023 OWS 7-8 Presentation](#)

- 7-9** 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 General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS) [21-1970](#)
- Attachments:** [03142023 OWS 7-9 B-L](#)  
[03142023 OWS 7-9 Presentation](#)
- 7-10** Approve The Metropolitan Water District of Southern California's salary schedules pursuant to CalPERS regulations; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOP) [21-1971](#)
- Attachments:** [03142023 EOP 7-10 BL](#)  
[03132023 EOP 7-10 Presentation](#)
- 7-11** Adopt CalPERS Resolutions for Paying and Reporting the Value of Employer-Paid Member Contributions; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOP) [21-1972](#)
- Attachments:** [03142023 EOP 7-11 B-L](#)
- 7-12** 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 General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOP) [21-1973](#)
- Attachments:** [03142023 EOP 7-12 B-L](#)  
[03132023 EOP 7-12 Presentation](#)
- 7-13** Authorize an increase in the maximum amount payable under contract with Burke, Williams & Sorensen, LLP for legal services related to general real estate and leasing law issues by \$100,000 to a maximum amount payable of \$200,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (LC) [21-1974](#)
- Attachments:** [03142023 LC 7-13 B-L](#)  
[03132023 LC 7-13 Presentation](#)

- 7-14** Authorize increase of \$100,000, to a maximum amount payable of \$400,000, for existing General Counsel contract with Olson Remcho LLP to provide general government law advice related to the Political Reform Act, the Fair Political Practices Commission regulations, conflict of interest law and other legislative and ethics matters; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (LC) [21-1975](#)

**Attachments:** [03142023 LC 7-14 B-L](#)  
[03132023 LC 7-14 Presentation](#)

- 7-15** Approve amendments to the Metropolitan Water District Administrative Code to provide for the implementation of new legislation authorizing the use of alternative project delivery methods; adopt an organizational conflict-of-interest policy governing the solicitation of a design-build or progressive design-build project; and authorize an increase in the maximum amount payable under contract with Hanson Bridgett LLP, for legal services related to implementation of new legislation, by \$150,000 for an amount not to exceed \$250,000; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (LC) [21-1976](#)

**Attachments:** [03142023 LC 7-15 B-L](#)  
[03132023 LC 7-15 Presentation](#)

- 7-16** Report on litigation in Darren A. Reese v. Metropolitan Water District of Southern California, Riverside County Superior Court Case No. CVPS2204312; and authorize increase in maximum amount payable under contract for legal services with Seyfarth Shaw LLP in the amount of \$300,000 for a total amount not to exceed \$400,000; 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)(2)]. [UPDATED SUBJECT] (LC) [21-2026](#)

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

## **8. OTHER BOARD ITEMS - ACTION**

NONE

## **9. BOARD INFORMATION ITEMS**

9-1 Conservation Program Board Report [21-1977](#)

**Attachments:** [03142023 BOD 9-1 Report](#)

9-2 Information on the High Desert Water Bank Program status, updated costs, and water quality [21-1978](#)

**Attachments:** [03142023 OWS 9-2 B-L](#)  
[03142023 OWS 9-2 Presentation](#)

## 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.