

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 3

June 11, 2024

2:00 PM

Tuesday, June 11, 2024
Meeting Schedule

09:00 a.m. FAM
11:00 a.m. EOP
01:30 p.m. Break
02:00 p.m. BOD

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.aspx>. Written public comments received by 5:00 p.m. (business days) before the meeting is scheduled will be posted under the Submitted Items and Responses tab available here: <https://mwdh2o.legistar.com/Legislation.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>

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

1. Call to Order

- a. Invocation: Director Dennis Erdman, Municipal Water District of Orange County
- b. Pledge of Allegiance: Director Desi Alvarez, West Basin 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

[21-3393](#)

Attachments: [06112024 BOD 5A Report](#)

- B.** Chair's Monthly Activity Report [21-3394](#)
Attachments: [06112024 BOD 5B Report](#)
- C.** General Manager's summary of activities [21-3395](#)
Attachments: [06112024 BOD 5C Report](#)
- D.** General Counsel's summary of activities [21-3396](#)
Attachments: [06112024 BOD 5D](#)
- E.** General Auditor's summary of activities [21-3397](#)
Attachments: [06112024 BOD 5E Report with attachments](#)
- F.** Ethics Officer's summary of activities [21-3398](#)
Attachments: [06112024 BOD 5F Report](#)
- G.** Induction of new Director James Crawford from Central Basin Municipal Water District (ADDED ITEM 6/5/24) [21-3474](#)
(a) Receive credentials
(b) Report on credentials by General Counsel
(c) File credentials
(d) Administer Oath of Office
(e) File Oath
Attachments: [06112024 BOD 5G Central Basin Municipal Water District - Crawford](#)
- H.** Induction of new Director Jay Lewitt from Las Virgenes Municipal Water District (ADDED ITEM 6/5/24) [21-3475](#)
(a) Receive credentials
(b) Report on credentials by General Counsel
(c) File credentials
(d) Administer Oath of Office
(e) File Oath
Attachments: [06112024 BOD 5H Las Virgenes Municipal Water District - Lewitt](#)

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

6. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Subcommittee on Audits for January 23, 2024 and Board of Directors Meeting for May 14, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions) [21-3380](#)

Attachments: [06112024 Audits \(01232024\) Minutes](#)
[06112024 BOD 6A \(05142024\) Minutes](#)

- B. Approve Committee Assignments
- C. Approve Commendatory Resolution for Director Michael Gualtieri representing Central Basin Municipal Water District
- D. Approve Commendatory Resolution for Director Glen Peterson representing Las Virgenes Municipal Water District (ADDED ITEM 6/5/24)

7. CONSENT CALENDAR ITEMS - ACTION

- 7-1 Approve General Auditor's Audit Plan for fiscal year 2024/25; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (Exec) [21-3386](#)

Attachments: [06112024 Exec 7-1 B-L](#)
[05282024 Exec 7-1 Presentation](#)

- 7-2 Authorize on-call agreements with AECOM, Black & Veatch, and Hazen and Sawyer in amounts not to exceed \$3 million each, for a maximum of three years for engineering services; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) [21-3402](#)

Attachments: [06112024 EOT 7-2 B-L](#)
[06102024 EOT 7-2 Presentation](#)

- 7-3 Award a \$897,469 contract to Exaro Technologies Corporation to construct a cathodic protection system along the Santa Monica Feeder; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) [21-3404](#)

Attachments: [06112024 EOT 7-3 B-L \(updated Attach #2\)](#)
[06102024 EOT 7-3 Presentation](#)

- 7-4** Approve up to \$2.257 million to purchase insurance coverage for Metropolitan's Property and Casualty Insurance Program for fiscal year 2024/25; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [REVISED SUBJECT 6/3/2024] (FAM) [21-3441](#)
- Attachments:** [06112024 FAM 7-4 B-L](#)
[06112024 FAM 7-4 Presentation](#)
- 7-5** Approve Metropolitan's Statement of Investment Policy for fiscal year 2024/25, delegate authority to the Treasurer to invest Metropolitan's funds for fiscal year 2024/25; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (FAM) [21-3442](#)
- Attachments:** [06112024 FAM 7-5 B-L](#)
[06112024 FAM 7-5 Presentation](#)
- 7-6** Authorize the General Manager to grant a permanent easement to the Las Virgenes Municipal Water District for water pipeline purposes on Metropolitan fee-owned property in the City of Los Angeles within Assessor Parcel Number 2723-009-905; the General Manager has determined that the proposed action is exempt and not subject to CEQA (FAM) [21-3443](#)
- Attachments:** [06112024 FAM 7-6 B-L](#)
[06112024 FAM 7-6 Presentation](#)
- 7-7** Authorize amending agreements with Hazen and Sawyer for a new not-to-exceed amount of \$2,000,000 and CDM Smith Inc. for a new not-to-exceed amount of \$500,000, and authorize a new agreement with Arup US, Inc. for a not-to-exceed amount of \$500,000 for a period of three years to provide support services in the development and implementation of the CAMP4W; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (FAM) [21-3444](#)
- Attachments:** [06112024 FAM 7-7 B-L](#)
[06112024 FAM 7-7 Presentation](#)

- 7-8** Express support for ballot measure ACA 1: Local government financing; affordable housing and public infrastructure; voter approval; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (Leg) [21-3446](#)

Attachments: [06112024 LEG 7-8 B-L](#)
[06102024 LEG 7-8 Presentation](#)

- 7-9** Express opposition to Initiative 1935: The Taxpayer Protection and Government Accountability Act and express support for ballot measure ACA 13: Voting thresholds; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (Leg) [21-3447](#)

Attachments: [06112024 LEG 7-9 B-L](#)
[06102024 LEG 7-9 Presentation](#)

- 7-10** Approve the nomination and naming of the Wildflower Trail at Diamond Valley Lake in honor of Metropolitan Board Vice Chair Judy Abdo; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (FNA) [21-3400](#)

Attachments: [06112024 BOD 7-10 B-L](#)
[06112024 LEG 7-10 Attachment Received](#)

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

8. OTHER BOARD ITEMS - ACTION

- 8-1** Approve and appropriate an increase of \$25 million to the Capital Investment Plan for fiscal years 2022/23 and 2023/24 for a new biennium amount of \$625 million; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) [21-3403](#)

Attachments: [06112024 EOT 8-1 B-L](#)
[06102024 EOT 8-1 Presentation](#)

- 8-2** By a two-thirds vote, authorize two payments of up to \$993,600 for support of the Colorado River Board, Six Agency Committee, and Colorado River Joint Powers Authority for fiscal year 2024/2025 and \$1,023,408 for fiscal year 2025/2026; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS) [21-3408](#)
- Attachments:** [06112024 OWS 8-2 B-L](#)
[06102024 OWS 8-2 Presentation](#)
- 8-3** Authorize entering into a three-year contract with We Are RALLY, LLC for media placement services related to drought awareness and water conservation not to exceed \$10.5 million; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (Leg) [21-3445](#)
- Attachments:** [06112024 LEG 8-3 B-L](#)
[06102024 LEG 8-3 Presentation](#)
- 8-4** Report on 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; the Metropolitan Water District of Southern California v. San Diego County Water Authority cross-complaints in the 2014, 2016, and 2018 actions; and the appeals of the 2014, 2016, and 2018 actions, Court of Appeal for the First Appellate District Case No. A170156; authorize initiation of settlement negotiations with SDCWA and provide direction to staff regarding the 2014, 2016, and 2018 actions, including the cross-complaints and appeals, San Francisco County Superior Court Case Nos. CPF-14-514004, CPF-16-515282, and CPF-18-516389 and Court of Appeal for the First Appellate District Case No. A170156; 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) [21-3438](#)

- 8-5** Authorize an option agreement with The AES Corporation, LLC, for a long-term lease of up to 6,742 acres of land in the Palo Verde Valley, California for possible carbon-free energy production and storage purposes, contingent upon further project permits and approvals; the General Manager has determined that the proposed action of issuing an option agreement is exempt or otherwise not subject to CEQA. The property is located southwest of the city of Blyth in Riverside County and commonly known as the Palo Verde Mesa, Riverside County Assessor Parcel Nos. 879-230-001, 879-230-003; 879-230-005; 879-230-008; 879-230-010; 879-230-011; 879-230-012; 879-230-013; 879-230-014; 879-230-015; 879-230-016; 879-230-017; 879-230-018; 879-230-023; 879-230-024; 879-240-001; 879-240-002; 879-240-037; 879-240-038; 879-250-001; 879-250-008; 879-250-011; 879-250-013; 879-250-014; 879-261-019; 879-261-020; 879-261-021; 879-261-022; [Conference with real property negotiators agency negotiators: Kevin Webb and Kieran Callanan; negotiating parties: The AES Corporation, LLC; under negotiation: price and terms; to be heard in closed session pursuant to Government Code Section 54956.8. [ADDED ITEM 6/3/2024] (FAM) [21-3469](#)

Attachments: [06112024 FAM 8-5 Open Session Presentation](#)

- 8-6** Discussion of correspondence alleging employment violations and provide direction to staff; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA [Conference with legal counsel—anticipated litigation; based on existing facts and circumstances, including receipt of a correspondence containing allegations of serious Equal Employment Opportunity and other violations; there is significant exposure to litigation against Metropolitan; one potential case; to be heard in closed session pursuant to Gov. Code Section 54956.9 (d)(2)]. [ADDED ITEM 6/7/24] [21-3478](#)

9. BOARD INFORMATION ITEMS

- 9-1** Conservation Report [21-3399](#)

Attachments: [06112024 BOD 9-1 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). Board agendas may be obtained on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>

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.