



Regular Board Meeting - Final - Revised 1

July 13, 2021

12:00 PM

Tuesday, July 13, 2021 Meeting Schedule
09:00 a.m. L&C
10:00 a.m. RP&AM
11:30 a.m. Break
12:00 p.m. Board

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

Public Comment Via Teleconference Only: Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via teleconference only. To participate call (404) 400-0335 and use Code: 9601962.

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

1. Call to Order

- 1.1 Invocation: Raymond E. Townsend Jr, Administrative Assistant II, Guest Services Team, Water System Operations Group [Revised 7/8/2021]
- 1.2 Pledge of Allegiance: Director Quinn, City of Los Angeles

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 expense [21-241](#)
Attachments: [07132021 BOD 5A Report.pdf](#)
- B. Chairwoman's Monthly Activity Report [21-247](#)
- C. General Manager's summary of activities [21-242](#)
Attachments: [07132021 BOD 5C Report](#)

- D. General Counsel's summary of activities [21-243](#)
Attachments: [07132021 BOD 5D Report](#)
- E. General Auditor's summary of activities [21-244](#)
Attachments: [07132021 BOD 5E Report](#)
- F. Ethics Officer's summary of activities [21-245](#)
Attachments: [07132021 BOD 5F Report](#)

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

6. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting for June 8, 2021 (Copies have been submitted to each Director) Any additions, corrections, or omissions [21-246](#)
Attachments: [07132021 BOD 6A Draft Minutes](#)
- B. Approve Committee Assignments

7. CONSENT CALENDAR ITEMS - ACTION

- 7-1 Authorize extending Agreement No. 177666 for one year with KPMG LLP to continue engagement for external audit services for fiscal year 2021/22, for an amount not to exceed \$465,500; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (AE) [21-214](#)
Attachments: [07132021 BOD 7-1 B-L.pdf](#)
- 7-2 Item Withdrawn [21-300](#)

- 7-3** Authorize four actions for the Desert region communication system including: (1) an agreement with Nokia of America Corporation in an amount not to exceed \$5,297,000 for equipment procurement and design support to upgrade the wide area network; (2) an amendment to an agreement with Hatfield & Dawson Consulting Engineers, LLC for a new not-to-exceed amount of \$730,000 to provide specialized technical support for the upgrade; (3) an amendment to the Capital Investment Plan for fiscal years 2020/2021 and 2021/2022 to include additional communication system improvements at the Colorado River Aqueduct's Gene Pumping Plant; and (4) an agreement in an amount not to exceed \$275,000 with HDR Engineering, Inc. for design services related to the construction of a communication line; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EO) [21-248](#)

Attachments: [07132021 BOD 7-3 B-L.pdf](#)
[07122021 EO 7-3 Presentation.pdf](#)

- 7-4** Adopt amendments to Metropolitan's Administrative Code to move certain responsibilities for annexations from the Finance and Insurance Committee to Real Property and Asset Management Committee; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (RPAM) [21-265](#)

Attachments: [07132021 BOD 7-4 B-L.pdf](#)
[07132021 RPAM 7-4 Presentation.pdf](#)

- 7-5** Authorize the General Manager to grant a permanent easement to the State of California Department of Transportation (Caltrans) on Metropolitan fee-owned property in the City of Los Angeles; Metropolitan previously reviewed and considered Caltrans' Environmental Impact Report/Environmental Impact Statement and took related CEQA actions (RPAM) [21-266](#)

Attachments: [07132021 BOD 7-5 B-L.pdf](#)
[07132021 RPAM 7-5 Presentation.pdf](#)

- 7-6** Authorize an increase of \$3 million to an agreement with Roesling Nakamura Terada Architects for a new not-to-exceed amount of \$5 million for preliminary design and architectural services in support of the District Housing and Property Improvement Program; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (RPAM) [21-267](#)
- Attachments:** [07132021 BOD 7-6 B-L.pdf](#)
[07132021 RPAM 7-6 Presentation.pdf](#)
- 7-7** Authorize agreement with Inland Empire Utilities Agency, West Valley Water District, and San Bernardino Valley Water District to provide assistance on water deliveries; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (WPS) [21-269](#)
- Attachments:** [07132021 BOD 7-7 B-L.pdf](#)
[07122021 WPS 7-7 Presentation.pdf](#)
- 7-8** Authorize payments, by a two-thirds vote, of up to \$3.56 million for participation in the State Water Contractors for fiscal year 2021/22; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (WPS) [21-270](#)
- Attachments:** [07132021 BOD 7-8 B-L.pdf](#)
[07122021 WPS 7-8 Presentation.pdf](#)
- 7-9** Adopt amendment to the Administrative Code establishing Metropolitan-specific parliamentary procedures; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (LC) [21-263](#)
- Attachments:** [07132021 BOD 7-9 B-L.pdf](#)
- 7-10** Authorize increase of \$100,000, to a maximum amount payable of \$300,000, 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) [21-278](#)
- Attachments:** [07132021 BOD 7-10 B-L.pdf](#)

- 7-11** Report on existing litigation OHL USA, Inc. v. The Metropolitan Water District of Southern California, Los Angeles Superior Court Case No. 19STCV27689; and authorize increase of maximum amount payable under contract with Theodora Oringher PC for legal services by \$200,000 to an amount not to exceed \$900,000 (Approp. 154170); 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) [21-261](#)
- 7-12** 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 filing cross-complaints; and authorize an increase in the maximum amount payable under contract with Musick, Peeler & Garrett LLP, for legal services by \$200,000 to an amount not-to-exceed \$300,000; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel - existing litigation and initiating litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1) and 54956.9(d)(4)] [Revised closed session language 7/8/2021] (LC) [21-262](#)

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

8. OTHER BOARD ITEMS - ACTION

- 8-1** Effective July 23, 2021, waive attorney-client privilege and direct staff to publicly post the report by Shaw Law Group concerning allegations of systemic Equal Employment Opportunity-related discrimination, harassment and retaliation, and related concerns; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel - potential litigation (unknown number of cases); may be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)] [Added Item 7/8/2021] [21-306](#)

Attachments: [07132021 BOD 8-1 B-L.pdf](#)

9. BOARD INFORMATION ITEMS

- 9-1 Update on Conservation Program

[21-276](#)

Attachments: [07132021 BOD 9-1 Report](#)

10. OTHER BOARD MATTERS

- 10-1 Discussion of Department Head Evaluation Process Guidelines and Department Head Evaluation Presentations [Public employee's performance evaluations; General Counsel, General Auditor, and Ethics Officer, to be heard in closed session pursuant to Gov. Code Section 54957]

[21-259](#)

Attachments: [07132021 BOD 10-1 Presentation.pdf](#)

11. FOLLOW-UP ITEMS

None

12. FUTURE AGENDA ITEMS

13. ADJOURNMENT

NOTE:

At the discretion of the Board, all items appearing on this agenda and all committee agendas, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

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.