



**Regular Board Meeting - Final - Revised 1**

**September 14, 2021**

**12:00 PM**

<b>Tuesday, September 14, 2021 Meeting Schedule</b>
09:00 a.m. - L&C
10:30 a.m. - RP&AM
12:00 p.m. - BOD
12:30 p.m. - FNA

Live streaming is available for all board and committee meetings on our [mwdh2o.com](http://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.

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

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**1. Call to Order**

1.1 Invocation: Carmen Bermudez-Bracy, Principal Administrative Analyst, Business Outreach, External Affairs Group

1.2 Pledge of Allegiance: Director Smith, San Diego County Water Authority

**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 [21-432](#)

**Attachments:** [09142021 BOD 5A Report.pdf](#)

B. Chairwoman of the Board Monthly Activity Report [21-475](#)

C. General Manager's summary of activities [21-433](#)

**Attachments:** [09142021 BOD 5C Report](#)

- D. General Counsel's summary of activities [21-434](#)  
**Attachments:** [09142021 BOD 5D Report](#)
  
- E. General Auditor's summary of activities [21-435](#)  
**Attachments:** [09142021 BOD 5E Report.pdf](#)
  
- F. Ethics Officer's summary of activities [21-436](#)  
**Attachments:** [09142021 BOD 5F Report](#)
  
- G. Presentation of 5-year Service Pin to Director Gloria Cordero, representing the city of Long Beach [21-437](#)

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

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

- A. Approval of the Minutes of the Adjourned Meeting for August 17, 2021 (Copies have been submitted to each Director) Any additions, corrections, or omissions [21-424](#)  
**Attachments:** [09142021 BOD 6A Minutes](#)
  
- B. Approve Committee Assignments

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

**7. CONSENT CALENDAR ITEMS - ACTION**

- 7-1 Authorize an increase of \$185,000 to an agreement with Rincon Consultants, Inc. for a new not-to-exceed amount of \$1 million for services related to the preparation of a Climate Action Plan and CEQA documentation; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) [21-405](#)  
**Attachments:** [09142021 EO 7-1 B-L.pdf](#)  
[09142021 EO 7-1 Presentation.pdf](#)

- 7-2** Award an \$11,604,521 contract to Ameresco, Inc. for construction of battery energy storage systems at the Joseph Jensen and Robert A. Skinner Water Treatment Plants; and authorize increase of \$550,000 to an agreement with Stantec Inc. for engineering services for a new not-to-exceed total of \$1,450,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) **[21-406](#)**
- Attachments:** [09142021 EO 7-2 B-L.pdf](#)  
[09142021 EO 7-2 Presentation.pdf](#)
- 7-3** Authorize an agreement with HDR Engineering, Inc., in an amount not to exceed \$635,000 for engineering design services to upgrade the 2.4 kV power line that serves the Black Metal Mountain communications site; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA (EO) **[21-407](#)**
- Attachments:** [09142021 EO 7-3 B-L.pdf](#)  
[09142021 EO 7-3 Presentation.pdf](#)
- 7-4** Express support for the 2021 California Resilience Challenge; and approve a financial sponsorship of \$200,000 to continue as a Resilience Leader and Steering Committee member; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (WPS) **[21-468](#)**
- Attachments:** [09142021 WPS 7-4 B-L.pdf](#)  
[09142021 WPS 7-4 Presentation .pdf](#)
- 7-5** Declare two parcels, totaling 1.25 acres, along the Val Verde Tunnels, in the unincorporated Mead Valley community within the County of Riverside, California, as surplus land and not necessary for Metropolitan's use and authorize staff to dispose of the properties; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (RPAM) **[21-409](#)**
- Attachments:** [09142021 RPAM 7-5 B-L.pdf](#)  
[09142021 RPAM 7-5 Presentation.pdf](#)

- 7-6** Authorize the General Manager to acquire up to 702 gross acres (up to 665 water toll acres) of property located in Riverside County in the Palo Verde Valley from Cox Family Farms, LLC, subject to a leased occupancy reservation; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-411](#)
- [Conference with real property negotiators; property identified as Riverside County Assessor's Parcel Nos. 821-140-002 (a portion of); 821-140-007; 830-110-001 (a portion of); 830-110-002; 830-120-009; 836-031-007; 836-031-008; 863-120-005; 863-170-003; 863-170-009; 863-180-001 (a portion of); 863-180-002; 879-130-010; 879-130-011; agency negotiators: Jennifer G. Ryan and Seyou Oh; negotiating parties: Cox Family Farms, LLC and Coxco, LLC; under negotiation: price and terms; to be heard in closed session pursuant to Gov. Code Section 54956.8] (RPAM)
- Attachments:** [09142021 RPAM 7-6 Presentation.pdf](#)
- 7-7** Authorize an increase in the maximum amount payable under contract with Ryan & Associates 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) [21-463](#)
- Attachments:** [09142021 LC 7-7 B-L.pdf](#)
- 7-8** 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 Oringer PC for legal services by \$200,000 to an amount not to exceed \$1,100,000 (Approp. 154170); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-415](#)
- [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)] (LC)

- 7-9** Update and authorize the settlement of: (1) Imperial Irrigation District v. The Metropolitan Water District of Southern California, et al., Los Angeles Superior Court Case No. 19STCP01376 and California Court of Appeal Case No. B311674; and (2) Imperial Irrigation District v. The Metropolitan Water District of Southern California, Los Angeles Superior Court Case No. 0STCV46404; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA **21-465**  
[Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]  
[Letter Added 9/8/2021] (LC)

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

None

## **9. BOARD INFORMATION ITEMS**

- 9-1** Update on Conservation Program **[21-416](#)**  
**Attachments:** [09142021 9-1 Report.pdf](#)
- 9-2** Information on a potential seasonal land fallowing pilot program with the Quechan Indian Tribe of the Fort Yuma Indian Reservation and farmers within the Quechan Indian Unit for 2022-2023 (WPS) **[21-417](#)**  
**Attachments:** [09142021 WPS 9-2 B-L.pdf](#)  
[09132021 WPS 9-2 Presentation.pdf](#)
- 9-3** Considerations for purchasing land which uses higher-priority Colorado River water supplies (WPS) **[21-418](#)**  
**Attachments:** [09142021 WPS 9-3 B-L](#)  
[09142021 WPS 9-3 Presentation.pdf](#)
- 9-4** Report on Rate Refinement Workgroup's Review of Demand Management Cost Recovery Alternatives (FI) **[21-419](#)**  
**Attachments:** [09142021 FI 9-4 B-L.pdf](#)  
[09142021 FI 9-4 Presentation.pdf](#)
- 9-5** Mid-cycle Biennial Budget Review (FI) **[21-420](#)**  
**Attachments:** [09142021 FI 9-5 BL.pdf](#)  
[09142021 FI 9-5 Presentation.pdf](#)

- 9-6 Update on fall and winter water conservation advertising and outreach campaign to be paid from board-approved conservation budget (CL) [21-470](#)

**Attachments:** [09142021 CL 9-6 B-L.pdf](#)  
[09132021 CL 9-6 Presentation.pdf](#)

**10. FOLLOW-UP ITEMS**

None

**11. FUTURE AGENDA ITEMS**

**12. 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.