

# 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 2

July 12, 2022

3:00 PM

### Tuesday, July 12, 2022 Meeting Schedule

9:30 am - E&O  
10:30 am - RP&AM  
11:00 am - OP&T  
12:00 pm - L&C  
1:00 pm - C&L  
1:30 pm - WP&S  
3:00 pm - BOD

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=a1RTQWh6V3h3ckFhNmduUWpKR1c2Zz09>

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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: Tuannee L. Holmes, Administrative Assistant III, External Affairs
- b. Pledge of Allegiance: Director Tana L. McCoy, City of Compton

## 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

[21-1286](#)

**Attachments:** [07122022 BOD 5A Report](#)

- B. Chairwoman's Monthly Activity Report [21-1287](#)  
**Attachments:** [07122022 BOD 5B Report](#)
- C. General Manager's summary of activities [21-1288](#)  
**Attachments:** [07122022 BOD 5C Report](#)
- D. General Counsel's summary of activities [21-1289](#)  
**Attachments:** [07122022 BOD 5D Report - Revised](#)
- E. Interim General Auditor's summary of activities [21-1290](#)  
**Attachments:** [07122022 BOD 5E Report](#)
- F. Ethics Officer's summary of activities [21-1291](#)  
**Attachments:** [07122022 BOD 5F Report](#)
- G. Presentation of Commendatory Resolution honoring Gerald C. Riss for his service and leadership during his term as General Auditor of The Metropolitan Water District of Southern California [21-1295](#)

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

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

- A. Approval of the Minutes of the Regular Meeting for June 14, 2022 (Copies have been submitted to each Director) (Any additions, corrections, or omissions) [21-1292](#)  
**Attachments:** [07122022 BOD 6A Minutes](#)
- B. Adopt resolution to continue remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of Metropolitan's legislative bodies for a period of 30 days; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-1294](#)  
**Attachments:** [Resolution 9312](#)
- C. Authorize preparation of Commendatory Resolution for Ned Hyde for his service and leadership during his term as General Manager at Palo Verde Irrigation District. [ADDED ITEM 7/6/22] [21-1363](#)

- D. Waive applicable provisions of the Administrative Code and authorize the Chairwoman, without approval of the Board, to appoint Members, Chairs, and Vice-Chairs of Committees to fill current vacancies and to stand up the Under Served Communities, Diversity, Equity, and Inclusion and Imported Water Committees established by Board approval on November 23, 2021. [ADDED ITEM 7/6/22] [21-1364](#)
- E. Approve Committee Assignments [21-1293](#)

## 7. CONSENT CALENDAR ITEMS - ACTION

- 7-1 Amend the Capital Investment Plan for fiscal years 2022/2023 and 2023/2024 to include replacement of an expansion joint on the Upper Feeder at the Santa Ana River Bridge; and determine that there is a need to continue the emergency action of executing a no bid contract for the expansion joint replacement (Requires four-fifths vote of the Board); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (EO) [21-1296](#)
- Attachments:** [07122022 EO 7-1 B-L](#)  
[07122022 EO 7-1 Presentation](#)
- 7-2 Adopt the CEQA determination that the proposed action has been previously addressed in the certified 2015 Final EIR, related CEQA actions, and Addendum No. 3; and award \$25,972,700 contract to Mladen Buntich Construction Company, Inc. for Stage 3 rehabilitation of the Etiwanda Pipeline (EO) [21-1297](#)
- Attachments:** [07122022 EO 7-2 B-L](#)  
[07122022 EO 7-2 Presentation](#)
- 7-3 Authorize an agreement with Jacobs Engineering Group, Inc., for a not-to-exceed amount of \$700,000 to perform final design of security upgrades at the Joseph Jensen Water Treatment Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) [21-1298](#)
- Attachments:** [07122022 EO 7-3 B-L](#)  
[07122022 EO 7-3 Presentation](#)

- 7-4** Review and consider the Jurupa Community Services District's approved Final Initial Study/Mitigated Negative Declarations and four Addenda and take related CEQA actions; Authorize the General Manager to enter into a Local Resources Program Agreement with Western Municipal Water District and Jurupa Community Services District for the JCSD Recycled Water Program for up to 500 AFY of recycled water for irrigation use and groundwater recharge in the JCSD service area (OWC) **[21-1299](#)**
- Attachments:** [07122022 OWC 7-4 B-L Revised](#)  
[06282022 OWC 7-4 Presentation](#)
- 7-5** Express support, if amended, for AB 2108 (Rivas, D-Hollister and Garcia, D-Bell Gardens): Water policy: environmental justice: disadvantaged and tribal communities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (CL) **[21-1326](#)**
- Attachments:** [07122022 LC 7-5 B-L](#)  
[07122022 CL 7-5 Presentation](#)
- 7-6** 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; and authorize increase in maximum amount payable under contract for legal services with Manatt, Phelps & Phillips, LLP, in the amount of \$1,500,000 for a total amount not to exceed \$4,400,000; 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 Sections 54956.9(d)(1)] (LC) **[21-1315](#)**

**\*\* END OF CONSENT CALENDAR ITEMS \*\*****8. OTHER BOARD ITEMS - ACTION**

- 8-1** Approve public release of documents by Shaw Law Group, PC concerning its investigations of equal employment opportunity complaints by four employees, by waiving the attorney-client privilege and confidentiality in specified documents; the General Manager has determined that 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 legal claim threatening litigation, there is significant exposure to litigation against Metropolitan: unknown number of potential cases; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)]. [ADDED ITEM 7/6/22] [21-1331](#)

**Attachments:** [07122022 BOD 8-1 B-L](#)

**9. BOARD INFORMATION ITEMS**

- 9-1** Report on Conservation [21-1300](#)

**Attachments:** [07122022 BOD 9-1 Report](#)

**10. OTHER MATTERS**

NONE

**11. FOLLOW-UP ITEMS****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.