

MINUTES
REGULAR MEETING OF THE
BOARD OF DIRECTORS
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
December 14, 2021

52610 The Board of Directors of The Metropolitan Water District of Southern California met in Regular Session on Tuesday, December 14, 2021.

Chairwoman Gray called the Teleconference Meeting to order at 12:51 PM.

52611 The Meeting was opened with an invocation by Omar H. De Leon Medina, Senior Administrative Analyst, Chief Finance Office.

52612 The Pledge of Allegiance to the Flag was given by Director Linda Ackerman, Municipal Water District of Orange County.

52613 Board Secretary Abdo administered the roll call. Those responding present were: Directors Abdo, Ackerman, Apodaca, Atwater, Blois, Camacho, Cordero, De Jesus, Dennstedt, Dick, Erdman, Faessel, Fellow, Fong-Sakai, Gray, Jung, Kurtz, Lefevre, Luna, McCoy, Miller, Morris, Ortega, Petersen, Peterson, Phan, Pressman, Ramos, Record, Repenning, Smith, Tamaribuchi, and Williams.

Those not responding were: Directors Goldberg, Hawkins, Kassakhian, Quinn, and Sutley.

Board Secretary Abdo declared a quorum present.

52614 Chairwoman Gray invited members of the public to address the Board on matters within the Board's jurisdiction.

Public Comment

	Name	Affiliation	Item
1.	Conner Everts	Southern California Watershed Alliance	SB 60 Annual Report
2.	Caty Wagner	Sierra Club of California	Sites Reservoir Project
3.	Chris Clarke	National Parks Association	Cadiz Water Project
4.	Ellen Mackey	Chair of AFSCME Women's Caucus	Personnel matters
5.	Did not state name	Did not state organization	Sites Reservoir Project
6.	Evelyn Charming	Sierra Club of California	Sites Reservoir Project
7.	Neal Desai	Sr. Program Director National Parks Assoc	Cadiz Water Project
8.	John Munson [sic]	Did not state organization	Three Valleys MWD / Cadiz

- g. Did not state name Did not state organization Sites Reservoir Project

Chairwoman Gray addressed the following: Other Matters and Reports.

52615 Chairwoman Gray asked if there were any changes to the report of events attended by Directors at Metropolitan's expense during the month of November as previously posted and distributed to the Board. No amendments were made.

52616 Chairwoman Gray referred to her monthly report, which was previously posted and distributed to the Board.

Chairwoman addressed the Board on upcoming holidays and drought conditions; and acknowledged state and national leaders who have dedicated funding for essential water supply projects.

In addition, Chairwoman reported on her trip to Washington, D.C. regarding a new national initiative to help close the gap in jobs and wages for those historically left behind. A full report is scheduled for the Board in January 2022.

52617 Regarding matters related to Metropolitan's operations and activities, General Manager Hagekhalil announced the following:

1. Attended ACWA conference in Pasadena and met with water agency leaders to discuss state-wide projects we can advocate for, focusing on recycled water and storage, and working collaboratively.
2. A letter was submitted to the Governor asking for \$552 million to focus on water issues/State Water Project efforts.
3. Scheduled to travel to Sacramento on December 20 to meet with the Governor's office.
4. Recent trip to Washington, D.C. to discuss programs with the Bureau of Reclamation including the Regional Recycled Program, specifically design, engineering, and environmental; and future projects for major storage.
5. The Climate Action Plan has been released for public input. Meetings with the public and environmental stakeholders are scheduled to discuss how to move forward in a collaborative way.
6. Will be attending CRUWA Conference and participate in discussions with other leaders to launch more partnerships, and specifically discussions regarding the 500+ Plan.

Additional information on the General Manager's activities may be found in his written monthly report.

52618 General Counsel Scully stated she had nothing to add to her report.

52619 General Auditor Riss stated he had nothing to add to his report. Mr. Riss addressed the Board with a holiday message.

52620 Ethics Officer Salinas reminded the Board that the Fair Political Practices Commission will present a one-hour training session on preventing conflicts of interest at the January Board meeting. To address as many questions as possible, Mr. Salinas recommended that Board members submit questions to him in advance, so he can share with the presenter before the training. Secondly, Mr. Salinas reminded the Board that at the January Organization, Personnel and Technology Committee meeting, there will be an overview of the Equal Employment Opportunities investigations that were conducted by the Shaw Law Group.

52621 Chairwoman Gray announced the Induction of new Director Lois Fong-Sakai from the city of Los Angeles (Agenda Item 5G).

- (a) Received credentials
- (b) Reported on credentials by General Counsel
- (c) Filed credentials
- (d) Administered Oath of Office
- (e) Filed Oath

General Counsel Scully reported the credentials were received and are in order and Director Fong-Sakai had been sworn in.

Director Smith introduced Director Fong-Sakai to the Board. Director Fong-Sakai provided brief remarks.

Chairwoman Gray addressed the Consent Calendar Other Items for Action for December 2021.

52622 Approval of the Minutes of the workshop on November 8, 2021 and the meeting on November 9, 2021. Chairwoman Gray asked Directors if there were any comments or discussion on the approval of the Minutes (Agenda Item 6A). No comments or requests were made.

52623 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 (Agenda Item 6B). No comments or requests were made.

52624 Approve Commendatory Resolutions for Directors John Murray, Jr. representing the city of Los Angeles; and Jerry Butkiewicz and Michael T. Hogan both representing San Diego County Water Authority (Agenda Item 6C).

Agenda Item 6D was deferred.

52625 Approval of Committee Assignments (Agenda Item 6E). There were no committee assignments.

Chairwoman Gray called on the Committee Chairs to give a report of the Consent Calendar Action Items as discussed at their Committees.

Director Fong-Sakai announced that she is recusing herself from Agenda Item 7-6 pursuant to Metropolitan Act Section 56, Directors who are also members of the governing body of their member agency are disqualified from voting (including abstaining) on a contract between Metropolitan and their member agency.

Director Fong-Sakai also announced that she will be abstaining from Agenda Item 7-9.

Director Smith disclosed for the record that he and Directors Fong-Sakai and Miller receive per diem from San Diego County Water Authority. Additionally, pursuant to Metropolitan Act Section 56, Directors who are also members of the governing body of their member agency are disqualified from voting (including abstaining) on a contract between Metropolitan and their member agency. Therefore, Directors Fong-Sakai Miller, and Smith would not vote and recused themselves on Item 7-6 authorizing agreements with SDCWA and other agencies. They did not have to leave the meeting during discussion or voting of this item.

52626 Amend current CIP to include projects to improve water supply reliability in the Rialto Pipeline service area, as set forth in Agenda Item 7-1 board letter.

52627 Award an \$11,499,000 contract to J. F. Shea Construction, Inc. for Casa Loma Siphon Barrel No. 1 Seismic Upgrade; and, authorize a \$1.1 million increase to an agreement with Carollo Engineers, Inc. for a new not-to-exceed amount of \$3.6 million, as set forth in Agenda Item 7-2 board letter.

52628 Award a \$32,824,000 contract to J. F. Shea Construction, Inc. to upgrade the domestic water treatment systems at the five CRA pumping plants, as set forth in Agenda Item 7-3 board letter.

Director Peterson made a comment.

52629 Authorize the General Manager to enter into the 500+ Plan MOU to facilitate near-term actions necessary to maintain the elevation of water in Lake Mead above elevation 1,020 feet and to provide up to 20 percent of the non-federal cost share of any such actions, for an amount not to exceed \$10 million per year in 2022 and 2023, and delegate authority to the General Manager to enter into additional agreements as needed to implement the MOU, as set forth in Agenda Item 7-4 board letter.

52630 Authorize the General Manager to execute agreements with San Bernardino Valley Municipal Water District and the Department of Water Resources consistent with the key terms outlined herein and in Attachment 1, and in a form approved by the General Counsel, as set forth in Agenda Item 7-5 board letter.

52631 Authorize the General Manager to enter into agreements with San Diego County Water Authority, Semitropic Water Storage District, and the California Department of Water Resources to purchase water, lease groundwater return capacity, exchange water, and to convey water in the State Water Project facilities consistent with the terms outlined herein and in Attachment 1, and in a form approved by the General Counsel, as set forth in Agenda Item 7-6 board letter.

Agenda Item 7-7 was deferred.

52632 Adopt resolutions to support Metropolitan's application to the California Department of Water Resources 2021 Urban and Multi-benefit Drought Relief Program grant funding of \$7.5 million to provide supplemental funding for residential and commercial landscapes in the Turf Replacement Program and \$2.5 million for the direct installation of water efficiency devices for the Residential Direct Install Program; authorize the General Manager to accept grant funds, if awarded; and authorize the General Manager to enter into a contract with the California Department of Water Resources for the grant funds, if awarded, as set forth in Agenda Item 7-8 board letter.

Director Ortega, Camacho, Repenning, and Apodaca stated they will be abstaining from Agenda Item 7-9.

Director Morris moved, seconded by Director Ortega that the Board approve Consent Calendar Items 6A, 6B, 6C, and 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-8, and 7-9:

Director Ramos asked to pull 7-9 from agenda and have a brief discussion about the abstentions.

Chairwoman Gray called for a vote to approve the Consent Calendar Items 6A, 6B, 6C, and 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, and 7-8 **(M.I. 52622 through 52632)**.

The following is a record of the vote:

Record of Vote on Consent Item(s): 6A, 6B, 6C, 7-1 through 7-6 and 7-8									
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	5277	Faessel	x	x	5277				
Beverly Hills	4056	Pressman	x	x	4056				
Burbank	2666	Ramos	x	x	2666				
Calleguas Municipal Water District	11552	Blois	x	x	11552				
Central Basin Municipal Water District	17051	Apodaca	x	x	17051				
		Hawkins							
			Subtotal:		17051				
Compton	553	McCoy	x	x	553				
Eastern Municipal Water District	9492	Record	x	x	9492				
Foothill Municipal Water District	2131	Atwater	x	x	2131				
Fullerton	2255	Jung	x						
Glendale	3622	Kassakhian							
Inland Empire Utilities Agency	13433	Camacho	x	x	13433				
Las Virgenes	2741	Peterson	x	x	2741				
Long Beach	5772	Cordero	x	x	5772				
Los Angeles	70689	Sutley							
		Petersen	x	x	23563				
		Quinn							
		Luna	x	x	23563				
		Repenning	x	x	23563				
			Subtotal:		70689				
Municipal Water Dist. of Orange County	57264	Ackerman	x	x	19088				
		Tamaribuchi	x						
		Dick	x	x	19088				
		Erdman	x	x	19088				
			Subtotal:		57264				
Pasadena	3522	Kurtz	x	x	3522				
San Diego County Water Authority	58302	Fong-Sakai	x	x	29151				
		Goldberg							
		Miller	x						
		Smith	x	x	29151				
			Subtotal:		58302				
San Fernando	224	Ortega	x	x	224				
San Marino	730	Morris	x	x	730				
Santa Ana	3035	Phan	x	x	3035				
Santa Monica	4352	Abdo	x	x	4352				
Three Valleys Municipal Water District	7753	De Jesus	x	x	7753				
Torrance	3237	Lefevre	x	x	3237				
Upper San Gabriel Valley Mun. Wat. Di	11942	Fellow	x	x	11942				
West Basin Municipal Water District	23608	Williams	x	x	11804				
		Gray	x	x	11804				
			Subtotal:		23608				
Western Municipal Water District	12466	Dennstedt	x	x	12466				
Total	337725				331848				
Present and not voting	2255								
Absent	3622								

***Directors Jung, Miller, and Tamaribuchi were present but did not vote.**

Director Lefevre left the meeting.

The motion to approve the Consent Calendar Items 6A, 6B, 6C, and 7-1, 7-2, 7-3, 7-4, 7-5, 7-6*, and 7-8, and **(M.I. 52622 through 52632**, passed by a vote of 331,848 ayes; 0 noes; 0 abstain; 2,255 not voting; and 3,622 absent.

***Note: Individual vote tally for Item 7-6**

Directors Fong-Sakai, Miller, and Smith recused themselves from Item 7-6. The motion to approve the Consent Calendar Item 7-6 passed by a vote of 273,546 ayes; 0 noes; 0 abstain; 2,255 not voting; and 61,924 absent.

Chairwoman Gray called on Legal and Claims Committee Chair Dick to introduce Item 7-9.

52633 Retain Metropolitan's current procedural rules with amendments to Administrative Code Sections 2205 and 2401 to provide that a parliamentary ruling by the Chair of a committee or the Board may be overruled by a majority vote of the applicable committee or Board as set forth in Agenda Item 7-9 board letter.

The following Directors made comments or asked questions.

Directors	Comments/Questions
1. Ortega	Commented
2. Camacho	Commented
3. Repenning	Commented
4. Kurtz	Commented
5. Chairwoman Gray	Commented
6. Ramos	Commented
7. Chairwoman Gray	Commented
8. Record	Commented
9. Pressman	Commented, moved item 7-9.
10. Atwater	Commented, and made a second for item 7-9.
11. Chairwoman Gray	Commented

Director Pressman moved, seconded by Director Atwater that the Board approve the Consent Calendar Item 7-9. Chairwoman Gray called for a vote to approve Item 7-9.

Director Petersen, Smith, and Tamaribuchi left the meeting.

The following is a record of the vote:

Record of Vote on Consent Item(s) 7-9									
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	5277	Faessel	x	x	5277				
Beverly Hills	4056	Pressman	x	x	4056				
Burbank	2666	Ramos	x	x	2666				
Calleguas Municipal Water District	11552	Blois	x	x	11552				
Central Basin Municipal Water District	17051	Apodaca	x	x	17051				
		Hawkins							
		Subtotal:			17051				
Compton	553	McCoy	x	x	553				
Eastern Municipal Water District	9492	Record	x	x	9492				
Foothill Municipal Water District	2131	Atwater	x	x	2131				
Fullerton	2255	Jung	x						
Glendale	3622	Kassakhian							
Inland Empire Utilities Agency	13433	Camacho	x	x	13433				
Las Virgenes	2741	Peterson	x	x	2741				
Long Beach	5772	Cordero	x	x	5772				
Los Angeles	70689	Sutley							
		Petersen							
		Quinn							
		Luna	x	x	35345				
		Repenning	x					x	35345
		Subtotal:			35345				35345
Municipal Water Dist. of Orange County	57264	Ackerman	x	x	19088				
		Tamaribuchi							
		Dick	x	x	19088				
		Erdman	x	x	19088				
		Subtotal:			57264				
Pasadena	3522	Kurtz	x	x	3522				
San Diego County Water Authority	58302	Fong-Sakai	x					x	58302
		Goldberg							
		Miller	x						
		Smith							
		Subtotal:							58302
San Fernando	224	Ortega	x	x	224				
San Marino	730	Morris	x	x	730				
Santa Ana	3035	Phan	x	x	3035				
Santa Monica	4352	Abdo	x	x	4352				
Three Valleys Municipal Water District	7753	De Jesus	x	x	7753				
Torrance	3237	Lefevre							
Upper San Gabriel Valley Mun. Wat.	11942	Fellow	x	x	11942				
West Basin Municipal Water District	23608	Williams	x	x	11804				
		Gray	x	x	11804				
		Subtotal:			23608				
Western Municipal Water District	12466	Dennstedt	x	x	12466				
Total	337725				234965				93647
Present and not voting	2255								
Absent	6859								

***Directors Jung and Miller were present but did not vote.**

The motion to approve the Consent Calendar Item 7-9 passed by a vote of 234,965 ayes; 0 noes; 93,647 abstain; 2,255 not voting; and 6,859 absent.

52634 Board Chairwoman Gray asked if there were questions or need for discussion of Board Information Items 9-1 and 9-2. No requests were made.

Director Dick made a comment.

52635 Chairwoman Gray asked if there were any follow-up items. No requests were made.

52636 Chairwoman Gray asked if there were any future agenda items. No requests were made.

52637 There being no objection, at 2:21 PM, Chairwoman Gray adjourned the Meeting.



GLORIA D. GRAY
CHAIRWOMAN



JUDY ABDO
SECRETARY