

Draft

March 7-8, 2022

Board and Committee

Agenda Packet



The Metropolitan Water District of Southern California



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
700 N. Alameda Street, Los Angeles, California 90012

DRAFT

Schedule of Meetings – March 2022

Monday, March 7

8:30 a.m.	Engineering and Operations Committee
10:00 a.m.	Finance and Insurance Committee
12:30 p.m.	Break
1:00 p.m.	Communications and Legislation Committee
2:00 p.m.	Water Planning and Stewardship Committee

Tuesday, March 8

8:30 a.m.	Real Property and Asset Management Committee
9:30 a.m.	Organization, Personnel and Technology Committee
10:30 a.m.	Legal and Claims Committee
11:30 a.m.	Break
12:00 p.m.	Board Meeting

Tuesday, March 22

9:00 a.m.	Finance and Insurance Budget Workshop #4
11:30 a.m.	Break
12:00 p.m.	Executive Committee

Thursday, March 31

Observance of Cesar Chavez Birthday – District Offices Closed

****Note: Board members please call in 30 minutes in advance of meeting start time***

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 (No in-person attendance):

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.

February 11, 2022



E&O Committee

T. Smith, Chair
Vacant, Vice Chair
R. Apodaca
S. Blois
M. Camacho
D. De Jesus
L. Dick
S. Faessel
R. Lefevre
J. Morris
G. Peterson
H. Repenning
H. Williams

**Engineering and Operations Committee
- Draft**

Meeting with Board of Directors *

March 7, 2022

8:30 a.m.

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A listen only phone line is also available at 1-800-603-9516; enter code: 2176868#. 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 enter Code: 9601962.

**Monday, March 7, 2022
Meeting Schedule**

08:30 am - E&O
10:00 am - F&I
12:30 pm - Break
01:00 pm - C&L
02:00 pm - WP&S

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

* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Engineering and Operations Committee held February 7, 2022 **21-925**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-1 Authorize the use of a Project Labor Agreement for construction contracts exceeding \$5 million within Metropolitan's Capital Investment Plan and grant authority to the General Manager to amend the list of projects covered by the Project Labor Agreement as needed; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-880**

- 7-2** Authorize two professional services agreements to support radial gates replacement projects: (1) an agreement with Hazen and Sawyer in an amount not to exceed \$890,000; and (2) an agreement with LEE + RO, Inc. in an amount not to exceed \$904,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-881**
- 7-3** Adopt CEQA determination that the proposed action was previously addressed in the certified 2020 Program Environmental Impact Report and related CEQA actions; and award \$677,898 contract to Jeremy Harris Construction, Inc. to construct erosion control improvements for three sites in the Western San Bernardino County region **21-882**
- 7-4** Authorize a professional services agreement with HDR Engineering, Inc. in an amount not to exceed \$2,800,000 for preliminary design services in support of erosion control improvements along the Colorado River Aqueduct; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-883**

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

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

- a.** Regional Recycled water Program Update **21-895**
- b.** Capital Investment Plan quarterly report for period ending December 2021 **21-896**

7. MANAGEMENT REPORTS

- a.** Water System Operations Manager's Report **21-926**
- b.** Engineering Services Manager's Report **21-927**

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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F&I Committee

Vacant, Chair
R. Record, Vice Chair
S. Blois
B. Dennstedt
L. Dick
S. Faessel
S. Goldberg
P. Hawkins
F. Jung
A. Ortega
T. Quinn
M. Ramos
T. Smith
S. Tamaribuchi

**Finance and Insurance Committee -
Draft**

Meeting with Board of Directors *

March 7, 2022

10:00 a.m.

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- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))**

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

- 2. CONSENT CALENDAR OTHER ITEMS - ACTION**

- A. Approval of the Minutes of the Finance and Insurance Committee held February 7, 2022 **21-923**

- 3. CONSENT CALENDAR ITEMS - ACTION**

NONE

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

- 4. OTHER BOARD ITEMS - ACTION**

NONE

5. BOARD INFORMATION ITEMS

- 9-2** Review of the applicability of the Metropolitan Water District Act Section 124.5 ad valorem property tax limitation for fiscal years 2022/23 through 2025/26 **21-879**

6. WORKSHOP/COMMITTEE ITEMS

- a.** Proposed biennial budget, which includes the Capital Investment Plan and revenue requirements for fiscal years 2022/23 and 2023/24; proposed water rates and charges for calendar years 2023 and 2024 to meet revenue requirements for fiscal years 2022/23 and 2023/24; ten-year forecast; and Cost of Service Report.(Workshop #3) **21-894**

7. MANAGEMENT REPORTS

- a.** Chief Financial Officer's Report **21-924**

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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C&L Committee

G. Cordero, Chair
C. Kurtz, Vice Chair
J. Abdo
L. Ackerman
D. Erdman
M. Luna
J. Morris
G. Peterson
T. Quinn
R. Record
H. Repenning
T. Smith

**Communications and Legislation
Committee - Draft**

Meeting with Board of Directors *

March 7, 2022

1:00 p.m.

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01:00 pm - C&L
02:00 pm - WP&S

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting of the Communications and Legislation Committee held February 7, 2022 **21-928**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-5** Adopt the CEQA determination and Authorize entering into a three-year contract with GP Generate, LLC for media placement services related to water conservation not to exceed \$10.5 million; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA **21-884**

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

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

- | | | |
|----|--|---------------|
| a. | Report on Activities from Washington, D.C. | 21-897 |
| b. | Report on Activities from Sacramento | 21-898 |

7. MANAGEMENT REPORTS

- | | | |
|----|--------------------------------------|---------------|
| a. | External Affairs Management's Report | 21-929 |
|----|--------------------------------------|---------------|

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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WP&S Committee

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C. Kurtz, Vice Chair
J. Abdo
L. Ackerman
G. Cordero
D. De Jesus
L. Dick
S. Goldberg
R. Lefevre
M. Luna
J. Morris
M. Petersen
G. Peterson
B. Pressman
R. Record

**Water Planning and Stewardship
Committee - Draft**

Meeting with Board of Directors *

March 7, 2022

2:00 p.m.

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting of the Water Planning and Stewardship Committee held February 7, 2022 **21-930**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-10** Authorize agreement with Western Municipal Water District, Rubidoux Community Services District, West Valley Water District, and San Bernardino Valley Municipal Water District to provide assistance on water deliveries; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA **21-891**

**** END OF CONSENT CALENDAR ITEMS ******4. OTHER BOARD ITEMS - ACTION**

NONE

5. BOARD INFORMATION ITEMS

- | | | |
|------------|--|---------------|
| 9-3 | Review of the Remaining Planning Process and Funding Needs for Sites Reservoir Project | 21-885 |
|------------|--|---------------|

6. COMMITTEE ITEMS

- | | | |
|-----------|--|---------------|
| a. | Update on Water Surplus and Drought Management | 21-902 |
| b. | Update on Chino Basin Program Development and Pending Terms of Agreement with Inland Empire Utilities Agency | 21-951 |
| c. | Bay-Delta Policies Workshop #1 | 21-901 |
| d. | Update on Salmon Conservation Measures | 21-899 |

7. MANAGEMENT REPORTS

- | | | |
|-----------|--|---------------|
| a. | Colorado River Manager's Report | 21-931 |
| b. | Bay-Delta Manager's Report | 21-947 |
| c. | Water Resource Management Manager's Report | 21-932 |

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS**10. ADJOURNMENT**

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RP&AM Committee

Vacant, Chair
G. Peterson, Vice Chair
M. Camacho
L. Dick
D. Erdman
A. Kassakhian
C. Kurtz
R. Record
T. Smith
N. Sutley

**Real Property and Asset Management
Committee - Draft**

Meeting with Board of Directors *

March 8, 2022

8:30 a.m.

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**Tuesday, March 8, 2022
Meeting Schedule**

08:30 am - RP&AM
09:30 am - OP&T
10:30 am - L&C
11:30 am - Break
12:00 pm - BOD

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1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting of the Real Property and Asset Management Committee held January 10, 2022 **21-933**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-8 Authorize an agreement with Kennedy Jenks Consultants in an amount not to exceed \$1.5 million for design of on-site utility systems to serve the Diamond Valley Lake East Marina; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA **21-888**

- 7-9** Review and consider the County of Riverside's certified Final Environmental Impact Report and Addendum No. 1 and take related CEQA actions, and authorize the General Manager to grant a permanent easement to the County of Riverside for public road purposes traversing Metropolitan fee-owned property in the County of Riverside and identified as Riverside County Assessor Parcel Number 472-180-002 **21-889**

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

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

- a. Desert Housing and Recreation Update **21-909**
- b. Encroachment Management Update **21-910**

7. MANAGEMENT REPORTS

- a. Real Property Manager's Report **21-934**

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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OP&T Committee

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T. McCoy, Vice Chair
S. Blois
M. Camacho
G. Cordero
S. Faessel
A. Fellow
F. Jung
R. Lefevre
J. Morris
A. Ortega
G. Peterson
T. Smith
S. Tamaribuchi
H. Williams

**Organization, Personnel and
Technology Committee - Draft**

Meeting with Board of Directors *

March 8, 2022

9:30 a.m.

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**Tuesday, March 8, 2022
Meeting Schedule**

**08:30 am - RP&AM
09:30 am - OP&T
10:30 am - L&C
11:30 am - Break
12:00 pm - BOD**

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- a. Approval of the Minutes of the Meeting of the Organization, **21-935**
Personnel and Technology Committee held January 11, 2022

3. CONSENT CALENDAR ITEMS - ACTION

- 7-7** Authorize the General Manager to Sign the Equity in Infrastructure Program pledge and participate in the project to support opportunities for historically underserved and underutilized businesses; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-805**

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

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

- a. Update on Status of Recommendation from Independent Review of Workplace Concerns **21-905**
- b. Labor Negotiations Update **21-906**
[Conference with labor negotiators; to be heard in closed session pursuant to Gov. Code Section 54957.6. Metropolitan representatives: Diane Pitman, Human Resources Group Manager, Stephen Lem, HR Section Manager of Labor Relations. Employee organizations: The Employees Association of The Metropolitan Water District of Southern California/AFSCME Local 1902 and the Supervisors Association]"
- c. Quarterly Cybersecurity Oral Update [Conference with Metropolitan Cybersecurity Unit Manager of Information Technology, Jacob Margolis, or designated agents on threats to public services or facilities; to be heard in closed session pursuant to Gov. Code Section 54957(a)] **21-907**

7. MANAGEMENT REPORTS

- a. Human Resources Manager's Report **21-936**
- b. Information Technology Manager's Report **21-937**

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

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L&C Committee

L. Dick, Chair
Vacant, Vice Chair
R. Atwater
M. Camacho
A. Fellow
S. Goldberg
A. Kassakhian
T. Phan
R. Record
T. Smith
N. Sutley
S. Tamaribuchi

Legal and Claims Committee - Draft

Meeting with Board of Directors *

March 8, 2022

10:30 a.m.

**Tuesday, March 8, 2022
Meeting Schedule**

**08:30 am - RP&AM
09:30 am - OP&T
10:30 am - L&C
11:30 am - Break
12:00 pm - BOD**

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

2. MANAGEMENT REPORTS

- a. General Counsel's report of monthly activities **21-938**

3. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting of the Legal and Claims Committee held February 8, 2022 **21-939**

4. CONSENT CALENDAR ITEMS - ACTION

NONE

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

5. OTHER BOARD ITEMS - ACTION

NONE

6. BOARD INFORMATION ITEMS

NONE

7. COMMITTEE ITEMS

- a. Report on litigation, including discussions regarding potential settlement, 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. [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)] **21-908**

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS**10. ADJOURNMENT**

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Regular Board of Directors Meeting - Draft

March 8, 2022

12:00 PM

Tuesday, March 8, 2022 Meeting Schedule
08:30 am - RP&AM
09:30 am - OP&T
10:30 am - L&C
11:30 am - Break
12:00 pm - BOD

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1. Call to Order

1.1 Invocation: TBD

1.2 Pledge of Allegiance: Director Brenda Dennstedt, Western 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))

PUBLIC HEARING

- a. Public hearing regarding: (1) the proposed water rates and charges for calendar years 2023 and 2024 necessary to meet the revenue requirements for fiscal years 2022/23 and 2023/24, and (2) review of the applicability of the MWD Act Section 124.5 ad valorem **21-876**

5. OTHER MATTERS AND REPORTS

- A. Report on Directors' Events Attended at Metropolitan's Expense **21-941**
- B. Chairwoman's Monthly Activity Report **21-942**

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| C. | General Manager's summary of activities | 21-943 |
| D. | General Counsel's summary of activities | 21-944 |
| E. | General Auditor's summary of activities | 21-945 |
| F. | Ethics Officer's summary of activities | 21-946 |
| G. | Presentation of 20-year Service Pin to Director David D. De Jesus, representing Three Valleys Municipal Water District | 21-903 |

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

6. CONSENT CALENDAR OTHER ITEMS - ACTION

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| A. | Approval of the Minutes of the Regular Meeting for February 8, 2022 (Copies have been submitted to each Director) Any additions, corrections, or omissions | 21-940 |
| 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 | 21-887 |
| C. | Approve Committee Assignments | |

7. CONSENT CALENDAR ITEMS - ACTION

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|------------|--|---------------|
| 7-1 | Authorize the use of a Project Labor Agreement for construction contracts exceeding \$5 million within Metropolitan's Capital Investment Plan and grant authority to the General Manager to amend the list of projects covered by the Project Labor Agreement as needed; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) | 21-880 |
| 7-2 | Authorize two professional services agreements to support radial gates replacement projects: (1) an agreement with Hazen and Sawyer in an amount not to exceed \$890,000; and (2) an agreement with LEE + RO, Inc. in an amount not to exceed \$904,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) | 21-881 |

- 7-3** Adopt CEQA determination that the proposed action was previously addressed in the certified 2020 Program Environmental Impact Report and related CEQA actions; and award \$677,898 contract to Jeremy Harris Construction, Inc. to construct erosion control improvements for three sites in the Western San Bernardino County region (EO) **21-882**
- 7-4** Authorize a professional services agreement with HDR Engineering, Inc. in an amount not to exceed \$2,800,000 for preliminary design services in support of erosion control improvements along the Colorado River Aqueduct; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) **21-883**
- 7-5** Adopt the CEQA determination and Authorize entering into a three-year contract with GP Generate, LLC for media placement services related to water conservation not to exceed \$10.5 million; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (CL) **21-884**
- 7-6** Approve the General Manager's Strategic Priorities; the General Manager has determined that the proposed action is exempt of otherwise not subject to CEQA **21-886**
- 7-7** Authorize the General Manager to Sign the Equity in Infrastructure Program pledge and participate in the project to support opportunities for historically underserved and underutilized businesses; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OPT) [21-805](#)
- 7-8** Authorize an agreement with Kennedy Jenks Consultants in an amount not to exceed \$1.5 million for design of on-site utility systems to serve the Diamond Valley Lake East Marina; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA (RPAM) **21-888**
- 7-9** Review and consider the County of Riverside's certified Final Environmental Impact Report and Addendum No. 1 and take related CEQA actions, and authorize the General Manager to grant a permanent easement to the County of Riverside for public road purposes traversing Metropolitan fee-owned property in the County of Riverside and identified as Riverside County Assessor Parcel Number 472-180-002 (RPAM) **21-889**

- 7-10** Authorize agreement with Western Municipal Water District, Rubidoux Community Services District, West Valley Water District, and San Bernardino Valley Municipal Water District to provide assistance on water deliveries; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (WPS) **21-891**

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

8. OTHER BOARD ITEMS - ACTION

NONE

9. BOARD INFORMATION ITEMS

- 9-1** Report on Conservation **21-878**
- 9-2** Review of the applicability of the Metropolitan Water District Act Section 124.5 ad valorem property tax limitation for fiscal years 2022/23 through 2025/26 (FI) **21-879**
- 9-3** Review of the Remaining Planning Process and Funding Needs for Sites Reservoir Project (WPS) **21-885**

10. OTHER MATTERS

NONE

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.