

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

EXECUTIVE COMMITTEE

June 28, 2022

Chairwoman Gray called the teleconference meeting to order at 12:02 p.m.

Members present: Directors Abdo, Atwater, Camacho, Cordero, De Jesus, Dick, Gray, Kurtz, Luna, Ramos, Record, and Smith.

Other Board members present: Directors Ackerman, Blois, Dennstedt, Erdman, Fellow, Fong-Sakai, Goldberg, Jung, McCoy, Miller, Morris, Ortega, Peterson, Pressman, Quinn, Repenning, Sutley, Tamaribuchi, and Williams.

Committee staff present: Beatty, Castro, Chapman, Hagekhalil, Hudson, Kasaine, Riss, Salinas, Scully, Upadhyay, and Zinke

Chairwoman Gray announced that there would be a reordering of the meeting agenda. Item 6a would be heard prior to item 1.

6. BOARD INFORMATION ITEMS

- a. Presentation and discussion by Assistant Secretary for Water and Science at the Department of the Interior Tanya Trujillo and Chief of the Boulder Canyon Operations Office Daniel Bunk on Colorado River drought conditions and actions from the federal perspective.

The following Director asked questions or made comments:

Director(s)

1. Peterson

Daniel Bunk responded to the Director comments or questions.

1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION

	Name	Affiliation	Item
1.	Caty Wagner	Sierra Club California Senior Ecologist, Leader of the Women's Caucus, thirty-year Metropolitan employee, and a member of the public.	Public comment/Shaw Law Group report/OWC committee drought
2.	Ellen Mackey		Public comment/Shaw Law Group report Site reservoir/Tunnels/Shaw Law Group report
3.	No Name Provided		
4.	Leslie Chong	Ratepayer and concerned citizen	Shaw Law Group report Shaw Law report /Public comment
5.	Maura Mongan	Los Angeles Waterkeeper	Public comment/Colorado River/Drought/Shaw Law Group report /Hybrid Issues
6.	Conner Everetts	Green Los Angeles Water Committee	Public comment/Shaw Law Group report
7.	No Name Provided		

2. OTHER MATTERS AND REPORTS

- a. Subject: Chairwoman's Report

Presented by: Chairwoman Gloria D. Gray

Chairwoman Gray reported the Diversity, Equity, and Inclusion Forum will take place on August 23, 2022.

- b. Subject: General Manager's report of Metropolitan's activities

Presented by: General Manager Adel Hagekhalil

General Manager Hagekhalil reported on the following:

- The mandatory conservation efforts.
- The Regional Recycle Water project in Carson renaming.
- Management forum.
- Progress report to the State Auditor.
- Upcoming testimony to the Senate.

- c. Subject: General Counsel's report of Metropolitan's activities

General Counsel Scully reported on the following:

- Transition plan for Equal Employment Opportunity file transfer.
- Assistant General Counsel Heather Beatty will be attending the July Board meeting in her absence.

- d. Subject: General Auditor's report of Metropolitan's activities

Presented by: General Auditor Gerry Riss

Nothing to add to his report.

The following Director asked questions or made comments:

Director(s)

1. Luna

Staff responded to the Director comments or questions.

- e. Subject: Ethics Officer's report of Metropolitan's activities

Presented by: Ethics Officer Abel Salinas

Ethics Officer Salinas reported on the following:

- Administrative Code regarding ad hoc committees
- Lobbying registration

The following Directors asked questions or made comments:

Director(s)

1. Fong-Sakai
2. Kurtz

Staff responded to the Director's comments or questions.

- g. Subject: Report from Communications and Legislation Committee

Presented by: Committee Vice Chair Cordero

Committee Chair Cordero announced that the Committee will hear one consent item:

- Express support, if amended, for AB 2108 (Rivas, D-Hollister and Garcia, D-Bell Gardens): Water policy: environmental justice: disadvantaged and tribal communities

The Committee will hear two committee items:

- Written report on activities from Washington, D.C.
- Written report on activities from Sacramento.

Lastly, the Committee will also hear the External Affairs Management Report.

h. Subject: Report from Engineering and Operations Committee

Presented by: Committee Chair Smith

Committee Chair Smith announced that the Committee will hear the following three consent items:

- 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).
- Adopt the CEQA determination that the proposed action has been previously addressed in the certified 2015 Final EIR and related CEQA documents; and award \$25,972,700 contract to Mladen Buntich Construction Company, Inc. for Stage 3 lining rehabilitation of the Etiwanda Pipeline.
- Authorize an agreement with Jacobs Engineering Group, Inc., in an amount not to exceed \$700,000 to perform final design of security upgrades at the Joseph Jensen Water Treatment Plant.

In addition, the Committee will hear one committee item:

- Update on Drought Initiatives for State Water Dependent Areas.

Lastly, the Committee will hear the following two management reports:

- Water System Operations Manager's report.
- Engineering Services Manager's report.

j. Subject: Report from Legal and Claims Committee

Presented by: Committee Chair Dick

Committee Chair Dick announced that the Committee will hear the following:

- The General Counsel's monthly activities.

In closed session, the Committee will hear a report on:

- *San Diego County Water Authority v. Metropolitan* litigation and consider a request to authorize an increase in maximum amount payable under contract for legal services with Manatt, Phelps & Phillips, LLP in the amount of \$1.5 million for a total amount not to exceed \$4.4 million.

Organization, Personnel and Technology Committee reported out of order.

m. Subject: Report from Real Property and Asset Management Committee

Presented by: Committee Vice Chair Peterson

Committee Vice Chair Peterson announced that the Committee will hear the following one committee item:

- An update on District Housing and Recreation; and

Lastly, the Real Property group manager will present her monthly report.

n. Subject: Report from Water Planning and Stewardship Committee

Presented by: Committee Chair Atwater

Committee Chair Atwater announced that the Committee will hear one committee item:

- Update on Water Surplus and Drought Management and Water Shortage Emergency Condition.

Lastly, there will be three management reports on:

- Colorado River Manager's Report
- Bay-Delta Manager's Report
- Water Resource Management Manager's Report

Director Ortega entered the meeting.

- I. Subject: Report from Organization, Personnel and Technology Committee

Presented by: Board Administrator Castro for Committee Vice Chair McCoy

The Committee will be meeting in July and will hear two committee items:

- Update on implementation of recommendations from State Audit and independent review of workplace concerns.
- Labor Negotiations Update.

Lastly, there will be no Information Technology Manager's Report and Human Resources Manager's Report in July.

CONSENT CALENDAR ITEMS – ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Approval of the Minutes of the Executive Committee Meeting for May 24, 2022.

Chairwoman Gray asked Directors if there were any comments or discussion on the minutes of May 24, 2022 Executive Committee Meeting. None were made.

- B. Direct the Executive Committee to place item on the agenda for the July 12, 2022 regular board meeting to waive confidentiality of the final four Shaw Law Group reports for the Board to take action in closed session to allow the Board to confer with Counsel regarding anticipated litigation, as permitted by the Brown Act. Chairwoman Gray made remarks.

- C. Add to the July board an agenda item to waive all 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 Underserved Communities, Diversity, Equity and Inclusion and Imported Water Committees established by Board approval on November 23, 2021.

- D. Approve draft committee and board meeting agendas, and schedule for July 2022.

Chairwoman Gray then asked Directors if there were any comments, additions, or corrections to the July 2022 Draft Packet. No comments were made.

Chairwoman Gray called for the vote on the Consent Calendar Other Items.

Director Dick made a motion, seconded by Director Atwater to approve the consent calendar Items 3A, 3B, 3C, and 3D as listed.

The vote was:

Ayes: Directors Abdo, Atwater, Cordero, De Jesus, Dick, Gray, Kurtz, Luna, Ramos, and Record

Noes: None

Abstentions: None

Absent: Camacho and Smith

The motion for Item 3A, 3B, 3C, and 3D passed by a vote of 10 ayes; 0 no; 0 abstain; and 2 absent.

4. CONSENT CALENDAR ITEMS – ACTION

None

END OF CONSENT CALENDAR ITEMS

5. OTHER BOARD ITEMS – ACTION

None

6. BOARD INFORMATION ITEMS

- b. Update on Colorado River Conditions
- c. Discussion regarding Metropolitan's comment period and reading written comments aloud

The following Directors asked questions or made comments:

	Director(s)
1.	Abdo
2.	Luna
3.	Kurtz
4.	Peterson
5.	Record
6.	Dick
7.	Record
8.	Goldberg
9.	Ortega

Staff responded to the Directors comments or questions.

7. FOLLOW-UP ITEMS

None

8. FUTURE AGENDA ITEMS

None

9. ADJOURNMENT

The meeting was adjourned at 1:49 p.m.

Gloria D. Gray
Chairwoman of the Board