

# THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

## MINUTES

### EXECUTIVE COMMITTEE

**September 27, 2022**

Vice Chair Kurtz called the hybrid teleconference and in-person meeting to order at 1:18 p.m.

Members present: Directors Abdo, Ackerman, Atwater, Camacho, Cordero, De Jesus, Dick, Fellow, Gray, Hawkins, Jung, Kurtz, Luna, McCoy (entered after roll call), Peterson, Pressman, Ramos, Record, Smith, and Sutley.

Other Board members present: Directors Blois, Dennstedt, Erdman, Faessel, Fong-Sakai, Goldberg, Lefevre, Miller, Morris, Ortega, Repenning, Tamaribuchi, and Williams.

Committee staff present: Beatty, Castro, Chapman, Hagekhalil, Hudson, Kasaine, Salinas, Scully, Tonsick, Upadhyay, Zinke.

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

	Name	Affiliation	Item
1.	Carolyn Fowler	National Federation of Democratic Women, California, Vice Chair of California Senior Legislature and California Coalition	3D
2.	Charming Evelyn	Chair of the Water Committee, Sierra Club, California	3D
3.	Delphine Puritt	Connect the Dot Consultants and Rate Payer	3D
4.	Nancy Glasgow	Redland ratepayer	3D
5.	Sidney		3D
6.	Connor Everett	Southern California Watershed Alliance	3D
7.	Caty Wagner	Sierra Club, California	3D
8.	Myra Morris		3D
9.	No name provided		3D

Director McCoy entered the meeting.

**2. OTHER MATTERS AND REPORTS**

a. Subject: Chairwoman's Report

Presented by: Vice Chair Cynthia Kurtz

Vice Chair Kurtz reported on the following:

- Department head evaluations due September 29, 2022.
- Palo Verde Irrigation District elections update provided by Vice Chair De Jesus

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

Presented by: General Manager Adel Hagekhalil

General Manager Hagekhalil reported on the following:

- Rancho Los Cerritos Award
- Upper Feeder Shutdown
- Desert Oversight Committee
- Meeting in Santa Fe regarding Colorado River

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

Presented by: General Counsel Marcia L. Scully

General Counsel Scully reported that Assembly Bill 2449 regarding teleconference meetings was signed into law and that a memorandum will be sent to the Board.

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

Presented by: Interim General Auditor John L. Tonsick

Nothing to add to his report.

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

Presented by: Ethics Officer Abel Salinas

Nothing to add to his report.

f. Subject: Report from Audit and Ethics Committee

Presented by: Committee Chair Ramos

Committee Chair Ramos announced that the Committee will hear the following items:

- Ethics Officer Abel Salinas and EEO Officer Jonaura Wisdom will present for discussion a revised process for EEO investigations involving Directors and Department Heads. Based on feedback from A&E Committee members, Mr. Salinas and Ms. Wisdom will then bring back proposed amendments to the Administrative Code for action at a subsequent meeting.
- Update on the Ethics Office monthly activity report.
- Update on the General Auditor's monthly activity report.

g. Subject: Report from Communications and Legislation Committee

Presented by: Committee Chair Cordero

Committee Chair Cordero announced that the Committee will hear three committee items:

- Update on outreach and research for Pure Water Southern California.
- Report on activities from Washington D.C.
- Report on activities from Sacramento.

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

h. Subject: Report from Diversity, Equity, and Inclusion Committee

The Diversity, Equity, and Inclusion Committee will meet in October

i. Subject: Report from Engineering and Operations Committee

Presented by: Committee Chair Smith

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

- Authorize the General Manager to sign a Project Labor Agreement with the trade councils of Los Angeles, Orange, Riverside, San Bernardino,

and San Diego Counties and approve its use as a bid condition for select construction contracts within the Capital Investment Plan for a term of five years; and authorize an agreement with Parsons Constructors, Inc. in an amount not to exceed \$5,750,000 to administer the Project Labor Agreement.

- Authorize an agreement with MWA Architects in an amount not to exceed \$990,000 for preliminary design of new warehouse facilities at Metropolitan's La Verne site.
- Authorize on-call agreements with Brown and Caldwell, CDM Smith, Inc., Carollo Engineers, Inc., Jacobs Engineering Group, Inc., and Parsons Transportation Group, in amounts not-to-exceed \$10 million each, for a maximum of five years for engineering services.
- Authorize on-call agreements with MARRS Services, Inc., Butier Engineering, Inc., and Berg & Associates, Inc., in amounts not-to-exceed \$6.7 million, \$4.4 million, and \$3.5 million, respectively, for a maximum of three years for construction management and inspection services to support board-authorized O&M and Capital Investment Plan projects.

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 Finance and Insurance Committee

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

- Adopt resolution authorizing the reimbursement of capital expenditures from bond proceeds for fiscal years 2022/23 and 2023/24 relating to Metropolitan's water delivery system.

The committee will hear one information item:

- Compliance with Fund Requirements and Bond Indenture Provisions

Lastly, the Chief Financial Officer will present the monthly activity report.

k. Subject: Report from Imported Water Committee

Presented by: Committee Chair Peterson

Committee Chair Peterson announced that the Committee will hear two consent items:

- Authorization to extend the term of the Operational Shift Cost Offset Program to provide credits in calendar year 2023.
- Adopt the Revision and Restatement of Bay-Delta Policies.

The Committee will hear one information item:

- Information on Potential Early Operation of the High Desert Water Bank Program.

The Committee will hear three committee items:

- Update on Delta Conveyance Public Draft Environmental Impact Report.
- Update on Water Surplus and Drought Management and Water Shortage Emergency Condition.
- Update on plan to add 500,000 acre-feet of water to Lake Mead (500 Plus Plan).
- The following item was withdrawn from October draft agenda: Item 6b, a committee item regarding update on Colorado River Basin States discussions. This item will be part of the Colorado River Manager's Report.

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

- Colorado River Manager's Report
- Bay-Delta Manager's Report
- Water System Operations Manager's report.

l. Subject: Report from Legal and Claims Committee

Presented by: Committee Chair Dick

Committee Chair Dick announced that the Committee will hear a report on the General Counsel's monthly activities.

- The Committee will consider authorizing a \$300,000 settlement for claims against the federal government for the recovery of cost resulting from damages to Metropolitan infrastructure due to the crash of a military helicopter; and
- In closed session, will hear a report on the San Diego County Water Authority v. Metropolitan litigation.

One Water (Conservation and Local Resources) Committee reported out of order.

n.        Subject:            Report from Organization, Personnel and Technology Committee

Presented by:    Committee Chair Fellow

Committee Chair Fellow announced that the Committee will hear one action item:

- Approve the Metropolitan Water District of Southern California's salary schedules pursuant to CalPERS regulations.

The Committee will hear one committee item:

- Unmanned Aerial Vehicles Data Analytics using Geographic Information System artificial intelligence

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

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

Presented by:    Committee Chair Hawkins

Committee Chair Hawkins announced the Committee will hear the following one consent calendar items:

- Declare 46 parcels, totaling approximately 651 acres as surplus land that is no longer required for Metropolitan's current and foreseeable needs and authorize staff to dispose of the parcels.

The Committee hear one oral report:

- Briefing on Delta Island opportunities.

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

- p. Subject: Report from Underserved Communities Committee

The Underserved Communities Committee will meet in October.

- q. Subject: Report from Water Planning and Stewardship Committee

The Water Planning and Stewardship Committee will not meet in October.

- m. Subject: Report from One Water (Conservation and Local Resources) Committee

Presented by: Committee Chair Abdo

Committee Chair Abdo announced the Committee will hear the following two consent calendar items:

- Authorize an agreement with Upper San Gabriel Valley Municipal Water District and the City of South Pasadena for a Stormwater for Direct Use Pilot Program project.
- Adopt the CEQA determination that the previous environmental documentation acted on by the Board in conjunction with the East County Advanced Water Purification (ECAWP) Project fully complies with CEQA and the State CEQA Guidelines and that no further CEQA review is required; authorize the General Manager to amend the existing LRP Agreement with SDCWA and ECAWP Joint Powers Authority for the ECAWP Project.

There will be one committee item on:

- Update on Conservation Program

Lastly, the Committee will hear the Water Resource Management Manager's monthly report.

### **CONSENT CALENDAR ITEMS – ACTION**

### **3. CONSENT CALENDAR OTHER ITEMS – ACTION**

- A. Approval of the Minutes of the Executive Committee Meeting for August 23, 2022.

Vice Chair Kurtz asked Directors if there were any comments or discussion on the minutes of August 23, 2022, Executive Committee Meeting. None were made.

- B. Add to the October Board Agenda an action item to: Consider waiver of Metropolitan Administrative Code Section 2201 regarding term limits for Board Chairwoman Gray.

Vice Chair Kurtz then asked Directors if there were any comments on item 3B.

The following Directors asked questions or made comments:

	Director(s)
1.	Peterson
2.	Camacho
3.	Fellow
4.	De Jesus
5.	Goldberg
6.	Record
7.	Repenning
8.	Pressman
9.	Sutley
10.	Jung
11.	Dennstedt
12.	Lefevre
13.	Luna
14.	Ramos
15.	Atwater

Vice Chair Kurtz called for the vote on Item 3B.

Director Peterson made a motion, seconded by Director Atwater to approve Item 3B as listed.

The vote was:

Ayes: Directors Abdo, Ackerman, Atwater, De Jesus, Dick, Fellow, Gray, Jung, Kurtz, McCoy, Peterson, Pressman, Ramos, and Record

Noes: Camacho, Cordero, Hawkins, Luna, Smith, and Sutley

Abstentions: None

Absent: None

The motion for Item 3B passed by a vote of 14 ayes; 6 noes; 0 abstention; and 0 absent.



- C. Approve draft committee and board meeting agendas, and schedule for October 2022.

Vice Chair Kurtz then asked Directors if there were any comments, additions, or corrections to the October 2022 draft packet. No comments were made.

- D. Establish procedures for elections for Board Chair in October 2022 and Board Secretary in November 2022 (which may include setting a forum for communicating candidate views and providing notice of proposed nominations); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Board Administrator Rosa Castro provided a presentation regarding the election timelines and process for Board Chair and Secretary.

Vice Chair Kurtz then asked Directors if there were any comments, additions, or questions regarding the election process. No comments were made.

- E. Approve candidates for Board Chair for two-year term effective January 1, 2023.

Vice Chair Kurtz announced candidates will have an opportunity to make a statement at the October Board meeting.

Candidate Director Ortega accepted his nomination for Board Chair.

Vice Chair Kurtz announced the vote for Chair of Board for the two-year term beginning January 1, 2023 will take place at the October 11 Board meeting.

The following Directors asked questions or made comments:

Director(s)	
1.	Cordero
2.	Camacho

Vice Chair Kurtz called for the vote on the Consent Calendar Other Items.

Director Peterson made a motion, seconded by Director Camacho to approve the consent calendar Items 3A, 3C, 3D, and 3E as listed.

The vote was:

Ayes: Directors Abdo, Ackerman, Camacho, Cordero, De Jesus, Dick, Fellow, Gray, Hawkins, Jung, Kurtz, Luna, Peterson, Pressman, Ramos, Record, Smith, and Sutley

Noes: None

Abstentions: None

Not Voting Atwater

Absent: McCoy

The motion for Items 3A, 3C, 3D, and 3E passed by a vote of 18 ayes; 0 noes; 0 abstention; and 2 absent.

- F. Create an ad hoc subcommittee of the Executive Committee and select three members to serve on the subcommittee to investigate allegations pursuant to Administrative Code section 2416(f)(5); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.

The following Directors asked questions or made comments:

	Director(s)
1.	Ramos
2.	Gray
3.	Fellow
4.	Camacho
5.	Ortega
6.	Smith
7.	Record
8.	Dick
9.	Camacho
10.	Gray
11.	Cordero

Staff responded to Directors questions or comments.

After discussion, Vice Chair Kurtz proposed the selection of three members: Directors Fellow, Glen Peterson, and Pressman to serve on the subcommittee.

Vice Chair Kurtz called for the vote on Item 3F.

Director Record made a motion, seconded by Director Dick to approve the Item 3F as listed.

The vote was:

Ayes: Directors Abdo, Ackerman, De Jesus, Dick, Fellow, Gray, Hawkins, Jung, Kurtz, Peterson, Pressman, Record, and Sutley

Noes: Smith

Abstentions: Camacho, Cordero, Luna, and Ramos

Not Voting Atwater

Absent: McCoy

The motion for Item 3F passed by a vote of 13 ayes; 1 noes; 4 abstention; and 2 absent.

**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**

None

**8. FOLLOW-UP ITEMS**

None

**9. FUTURE AGENDA ITEMS**

Director Dick inquired as to why the election is in October and if it can be moved to December and how we are going to hear all of the committees at the meeting times scheduled.

**10. ADJOURNMENT**

The meeting was adjourned at 3:23 p.m.

Cynthia Kurtz  
Vice Chair of the Board