

MINUTES
REGULAR MEETING OF THE
BOARD OF DIRECTORS
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
February 13, 2023

53123 The Board of Directors of The Metropolitan Water District of Southern California met in a regular session on Monday, February 13, 2023.

Chair Ortega called the hybrid in-person and teleconference meeting to order at 10:43 a.m.

53124 The Meeting was opened with an invocation by Director Nancy Sutley, City of Los Angeles.

53125 The Pledge of Allegiance was given by Director Richard Atwater, Foothill Municipal Water District.

Chair Ortega announced Metropolitan's celebration of Black History Month.

53126 Board Secretary Fong-Sakai administered the roll call. Those responding present were: Directors Abdo, Ackerman, Alvarez, Armstrong, Camacho, Chacon, Cordero, De Jesus, Dennstedt, Dick, Faessel, Fellow, Fong-Sakai, Garza, Goldberg, Gray, Jung, Kassakhian, Kurtz, Lefevre, Luna, McCoy, McMillan, Miller, Morris, Ortega, Petersen, Peterson, Phan, Pressman, Quinn, Ramos, Repenning, Seckel, Smith, and Sutley.

Those not responding were: Director Erdman.

Directors entered the meeting after the roll call Atwater.

Board Secretary Fong-Sakai declared a quorum present.

53127 Chair Ortega invited members of the public to address the Board on matters within the Board's jurisdiction (in-person and via teleconference). There were none.

Director Atwater entered the meeting.

Chair Ortega addressed the following: Other Matters and Reports.

53128 Chair Ortega asked if there were any changes to the report of events attended by Directors at Metropolitan's expense during the month of January, as previously posted and distributed to the Board. Chair Ortega asked the Directors if there were any corrections on the item. No amendments were made.

53129 Chair Ortega referred to Chair's monthly report, which was previously posted and distributed to the Board. Chair Ortega asked the Directors if there were any questions on the item. No comments were made.

53130 General Manager Hagekhalil stated he had nothing to add to his previously provided written report.

53131 General Counsel Scully stated she had nothing to add to her report.

Chair Ortega introduced and welcomed Metropolitan's new General Auditor, Scott Suzuki.

53132 General Auditor Suzuki stated he had nothing to add to the written report.

53133 Chair Ortega announced the Induction of new Director Karl Seckel of Municipal Water District of Orange County (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 that the credentials were received and are in order.

Director Dick introduced new Director Seckel. Director Seckel made brief remarks.

53134 Ethics Officer Salinas stated that he had nothing to add to the written report.

53135 Chair Ortega announced the Induction of new Director Juan Garza of Central Basin Municipal Water District (Agenda Item 5H).

- (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 that the credentials were received and are in order.

Chair Ortega introduced new Director Garza. Director Garza made brief remarks.

53136 Chair Ortega announced the Induction of new Desi Alvarez of West Basin Municipal Water District (Agenda Item 5I).

- (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 that the credentials were received and are in order.

Chair Ortega and Director Gray introduced new Director Alvarez. Director Alvarez made brief remarks.

53137 Presentation of 30-year Service Pin to Director Glen D. Peterson, Las Virgenes Municipal Water District. Director Peterson made brief remarks.

Chair Ortega addressed the Consent Calendar Items for February 2023.

53138 Chair Ortega asked the Directors if there were any comments or discussions on the Approval of the Minutes of the Special Board Meeting for January 9, 2023, and the Board of Directors Meeting for January 10, 2023. (Copies have been submitted to each Director, Any additions, corrections, or omissions) (Agenda Item 6A). No amendments were made.

53139 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. (Agenda Item 6B).

The following Director(s) asked questions or made comments:

Director(s)

1. Peterson

Staff responded to the Directors' comments or questions.

53140 Approval of Committee Assignments (Agenda Item 6C).

<u>Director</u>	<u>Committee</u>
Director McMillan	Legislation, Regulatory Affairs, and Communications Committee Engineering, Operations, and Technology Committee Ethics, Organization, and Personnel Committee
Director Garza	Legal and Claims Committee, Vice Chair Legislation, Regulatory Affairs, and Communications Committee Equity, Inclusion, and Affordability Committee
Director Alvarez	One Water and Stewardship Committee Engineering, Operations, and Technology Committee Finance, Audit, Insurance, and Real Property Committee
Director Seckel	Engineering, Operations, and Technology Committee Finance, Audit, Insurance, and Real Property Committee Legal and Claims Committee

Chair Ortega addressed the Consent Calendar Items for February 2023.

Chair Ortega called on the Committee Chairs to give a report on Consent Calendar Action Items and to hear recusals before any discussion on the items.

Director Phan recused herself on Item 7-6 due to the fact that Atkinson, Andelson, Loya, Ruud & Romo, PLC, and Item 8-1 City of Torrance are clients of her employer Rutan & Tucker, LLP.

Director Smith recused himself and Directors Miller, Fong-Sakai, and Goldberg on Item 8-1 due as San Diego County Water Authority Delegation.

53141 Award a \$407,800.33 procurement contract to Cascade Consultants, LLC for a triple offset ball valve to rehabilitate Service Connection CB-11, as set forth in Agenda Item 7-1 board letter.

53142 Adopt the Mitigated Negative Declaration for the Colorado River Aqueduct Master Reclamation Plan for San Bernardino and Riverside Counties and take related CEQA actions, and approve the Master Reclamation Plan for San Bernardino and Riverside Counties, as set forth in Agenda Item 7-2 board letter.

53143 Adopt resolutions to support three applications for the California Department of Water Resources' 2022 Urban Community Drought Relief Program totaling \$38 million; and authorize the General Manager to accept this potential funding and enter contracts with the California Department of Water Resources if awarded, as set forth in Agenda Item 7-3 board letter.

53144 Authorize an increase in the maximum amount payable under contract with Musick, Peeler & Garrett LLP, for legal services by \$800,000 to an amount not to exceed \$1,700,000; and authorize an increase in the maximum payable under contract with HKA Global, Inc. for consultant services by \$300,000 to an amount not to exceed \$400,000, as set forth in Agenda Item 7-4 board letter.

53145 Authorize the General Counsel to increase the maximum amount payable under a contract with Renne Public Law Group for legal services by \$100,000, to an amount not to exceed \$200,000, as set forth in Agenda Item 7-5 board letter.

53146 Authorize the General Counsel to amend the agreement with Atkinson, Andelson, Loya, Ruud & Romo, PLC to increase the maximum amount payable by Metropolitan by \$150,000 to an amount not to exceed \$250,000, as set forth in Agenda Item 7-6 board letter.

Chair Ortega called for a vote to approve Consent Calendar Items 6A, 6B, 6C, 7-1 through 7-6 (**M.I. No. 53138 through 53146**).

Director Sutley moved, seconded by Director Ramos that the Board approve the Consent Calendar Items 6A, 6B, 6C, 7-1 through 7-6 as follows:

The following is a record of the vote:

Record of Vote on Consent Item(s):		6A, 6B, 6C, 7-1 through 7-6							
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	5627	Faessel	x	x	5627				
Beverly Hills	4267	Pressman	x	x	4267				
Burbank	2893	Ramos	x	x	2893				
Calleguas Municipal Water District	12368	McMillan	x	x	12368				
Central Basin Municipal Water District	18216	Garza	x	x	9108				
		Chacon	x	x	9108				
			Subtotal:		18216				
Compton	599	McCoy	x	x	599				
Eastern Municipal Water District	10502	Armstrong	x	x	10502				
Foothill Municipal Water District	2290	Atwater	x	x	2290				
Fullerton	2390	Jung	x	x	2390				
Glendale	3814	Kassakhian	x	x	3814				
Inland Empire Utilities Agency	14663	Camacho	x	x	14663				
Las Virgenes	2927	Peterson	x	x	2927				
Long Beach	6151	Cordero	x	x	6151				
Los Angeles	75699	Sutley	x	x	15140				
		Petersen	x	x	15140				
		Quinn	x	x	15140				
		Luna	x	x	15140				
		Repenning	x	x	15140				
			Subtotal:		75699				
Municipal Water Dist. of Orange County	60913	Ackerman	x	x	20304				
		Seckel	x	x	20304				
		Dick	x	x	20304				
		Erdman							
			Subtotal:		60913				
Pasadena	3716	Kurtz	x	x	3716				
San Diego County Water Authority	63232	Fong-Sakai	x	x	15808				
		Goldberg	x	x	15808				
		Miller	x	x	15808				
		Smith	x	x	15808				
			Subtotal:		63232				
San Fernando	238	Ortega	x	x	238				
San Marino	770	Morris	x	x	770				
Santa Ana	3228	Phan	x	x	3228				
Santa Monica	4619	Abdo	x	x	4619				
Three Valleys Municipal Water District	8254	De Jesus	x	x	8254				
Torrance	3416	Lefevre	x	x	3416				
Upper San Gabriel Valley Mun. Wat. Dist.	12688	Fellow	x	x	12688				
West Basin Municipal Water District	25453	Alvarez	x	x	25453				
		Gray							
			Subtotal:		25453				
Western Municipal Water District	13541	Dennstedt	x	x	13541				
Total	362474				362474				
Present and not voting									
Absent	0								

The motion to approve the Consent Calendar Items 6A, 6B, 6C, 7-1 through 7-6 (**M.I. 53138 through 53146**)* passed by a vote of 362,474 ayes; 0 noes; 0 abstain; 0 not voting; and 0 absent.

***Note: Individual vote tally for Item 6A**

Director Garza abstained on Item 6A due to the fact that he was not a member of the Board at that time. The motion to approve the Consent Calendar Items 6A passed by a vote of 353,366 ayes; 0 noes; 9,108 abstain; 0 not voting; and 0 absent.

***Note: Individual vote tally for Item 6B**

Directors Peterson voted No on Item 6B. The motion to approve the Consent Calendar Items 6B passed by a vote of 359,547 ayes; 2,927 noes; 0 abstain; 0 not voting; and 0 absent.

***Note: Individual vote tally for Item 7-4**

Director Dennstedt abstained on Item 7-4. The motion to approve the Consent Calendar Items 7-4 passed by a vote of 348,933 ayes; 0 noes; 13,541 abstain; 0 not voting; and 0 absent.

***Note: Individual vote tally for Item 7-5**

Director Dennstedt abstained on Item 7-5. The motion to approve the Consent Calendar Items 7-5 passed by a vote of 348,933 ayes; 0 noes; 13,541 abstain; 0 not voting; and 0 absent.

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

Director Dennstedt abstained on Item 7-6. Director Phan recused herself on Item 7-6 due to the fact that Atkinson, Andelson, Loya, Ruud & Romo, PLC are clients of her employer Rutan & Tucker, LLP. The motion to approve the Consent Calendar Items 7-6 passed by a vote of 345,705 ayes; 0 noes; 13,541 abstain; 3,228 not voting; and 0 absent.

53147 Report on litigation San Diego County Water Authority v. Metropolitan Water District of Southern California, et al., San Francisco County Superior Court case numbers are listed on the agenda to consider a proposal by the San Diego County Water Authority to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1).

Chair Ortega called the meeting into closed session to discuss Agenda Item 8-1. Directors Phan, Smith, Miller, Fong-Sakai, and Goldberg left the meeting during the closed session.

The Board returned to open session at 11:30 a.m.; in closed session, the Board discussed and conferred with legal counsel, and there were no reportable actions regarding Agenda Item 8-1.

53148 Chair Ortega asked if there were questions or need for discussion for Board Information Items 9-1, 9-2, 9-3, and 9-4. No requests were made.

53149 Chair Ortega asked if there were any Other Matters Items.

Director Faessel requested that the Directors for the Municipal Water District of Orange County accept a document from the City of Anaheim regarding the loss of their General Manager, Rob Hunter.

53150 Chair Ortega asked if there were any Follow-Up Items. There were none.

53151 Chair Ortega asked if there were any Future Agenda Items. There were none.

53152 There being no objection, at 11:31 a.m., Chair Ortega adjourned the meeting.



LOIS FONG-SAKAI
SECRETARY



ADÁN ORTEGA
CHAIR