

Draft

August 16 & 17, 2021

Adjourned

Board and Committee

Meetings

Agenda Packet



The Metropolitan Water District of Southern California



Schedule of Meetings – August 2021

Monday, August 16

- 9:30 a.m. Adjourned Finance and Insurance Committee
- 11:00 a.m. Adjourned Engineering and Operations Committee
- 12:00 p.m. Break
- 12:30 p.m. Adjourned Water Planning and Stewardship Committee
- 2:00 p.m. Adjourned Communications and Legislation Committee
- 3:00 p.m. Adjourned Organization, Personnel and Technology Committee

Tuesday, August 17

- 9:00 a.m. Adjourned Legal and Claims Committee
- 10:00 a.m. Adjourned Real Property and Asset Management Committee
- 11:30 a.m. Break
- 12:00 p.m. Adjourned Board Meeting

Note: Tuesday, August 24 regularly scheduled committee meetings are cancelled

****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 viateleconference only. To participate call (404) 400-0335 and use Code: 9601962.



F&I Committee

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

**Adjourned Finance and Insurance
Committee - Draft**

Meeting with Board of Directors *

August 16, 2021

9:30 a.m.

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Code: 9601962.

**Monday, August 16, 2021
Meeting Schedule**

09:30 a.m. - Adj. F&I
11:00 a.m. - Adj. E&O
12:00 p.m. - Break
12:30 p.m. - Adj. WP&S
02:00 p.m. - Adj. C&L
03:00 p.m. - Adj. OP&T

* 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))

2. OTHER MATTERS

5G Report on list of certified assessed valuations for fiscal year **21-326**
2021/22 and tabulation of assessed valuations, percentage
participation, and vote entitlement of member agencies as of
August 17, 2021. [Posting Separately]

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

3. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the Meeting of the Finance and **21-380**
Insurance Committee held June 7, 2021

4. CONSENT CALENDAR ITEMS - ACTION

- | | | |
|------------|---|---------------|
| 7-1 | Adopt resolution establishing the tax rate for fiscal year 2021/22; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [Posting Separately] | 21-321 |
| 7-2 | Approve proposed updates to the Rate Refinement Structure Principles recommended by the Member Agency Workgroup; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA | 21-323 |

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

5. OTHER BOARD ITEMS - ACTION

None

6. BOARD INFORMATION ITEMS

- | | | |
|------------|--|---------------|
| 9-2 | Report on Rate Refinement Workgroup's Review of Demand Management Cost Recovery Alternatives | 21-329 |
|------------|--|---------------|

7. COMMITTEE ITEMS

- | | | |
|-----------|--|---------------|
| a. | Quarterly Financial Report | 21-355 |
| b. | Quarterly Investment Activities Report | 21-356 |

8. MANAGEMENT REPORTS

- | | | |
|-----------|----------------------------------|---------------|
| a. | Chief Financial Officer's Report | 21-357 |
|-----------|----------------------------------|---------------|

9. FOLLOW-UP ITEMS

None

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

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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
J. Murray Jr.
G. Peterson
H. Repenning
H. Williams

**Adjourned Engineering and Operations
Committee - Draft**

Meeting with Board of Directors *

August 16, 2021

11:00 a.m.

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

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the meeting of the Engineering and Operations Committee held July 12, 2021 **21-320**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-3** Award a \$492,440 procurement contract to Royal Industrial Solutions for equipment to upgrade the ozone control system at the Henry J. Mills Water Treatment Plant and authorize an agreement with Suez Treatment Solutions, Inc. in an amount not to exceed \$430,000 for specialized technical assistance to support the upgrade; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-330**

- 7-4** Authorize an agreement with CDM Smith, Inc., in an amount not-to-exceed \$2.75 million, for support of engineering and technical studies at the advanced water treatment demonstration facility; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-337**

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

4. OTHER BOARD ITEMS - ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- a. Update on Emerging Water Quality issues **21-359**
- b. Developments in Coatings and Materials selection for Metropolitan's projects **21-358**

7. MANAGEMENT REPORTS

- a. Water System Operations Manager's report **21-360**
- b. Engineering Services Manager's report **21-361**

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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WP&S Committee

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

**Adjourned Water Planning and
Stewardship Committee - Draft**

Meeting with Board of Directors *

August 16, 2021

12:30 p.m.

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03:00 p.m. - Adj. OP&T

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the meeting of the Water Planning and Stewardship Committee held July 12, 2021 **21-322**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-6 Review and consider the City of Beverly Hills' approved Final Mitigated Negative Declarations and Addendum and take related CEQA actions, and authorize the General Manager to reinstate and amend the existing Groundwater Recovery Program Joint Participation Agreement **21-336**

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

4. OTHER BOARD ITEMS - ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- | | |
|---|---------------|
| a. Update on Water Surplus and Drought Management | 21-364 |
| b. Preferential Rights | 21-365 |

7. MANAGEMENT REPORTS

- | | |
|---|---------------|
| a. Colorado River Matters | 21-362 |
| b. Water Resource Management Manager's Report | 21-363 |

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
J. Butkiewicz
D. Erdman
M. Luna
J. Morris
J. Murray Jr.
G. Peterson
T. Quinn
R. Record
H. Repenning
T. Smith

**Adjourned Communications and
Legislation Committee**

Meeting with Board of Directors *

August 16, 2021

2:00 p.m.

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12:00 p.m. - Break
12:30 p.m. - Adj. WP&S
02:00 p.m. - Adj. C&L
03:00 p.m. - Adj. OP&T

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A.** Approval of the Minutes of the meeting of the Communications and Legislation Committee held July 12, 2021 **21-324**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-5** Approve Metropolitan's annual membership in the U.S. Water Alliance and authorize payment of \$18,500, and approve Metropolitan's annual membership in Water Education for Latino Leaders and authorize payment of \$25,000; the General Manager determined that the proposed action is exempt or otherwise not subject to CEQA **21-332**

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

4. OTHER BOARD ITEMS - ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- | | | |
|----|---|--------|
| a. | Update on Conservation Messaging | 21-366 |
| b. | Report on Activities from Sacramento | 21-367 |
| c. | Report on Activities from Washington DC | 21-368 |

7. MANAGEMENT REPORTS

- | | | |
|----|------------------------------------|--------|
| a. | External Affairs Management Report | 21-369 |
|----|------------------------------------|--------|

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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OP&T Committee

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

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

Meeting with Board of Directors *

August 16, 2021

3:00 p.m.

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12:00 p.m. - Break
12:30 p.m. - Adj. WP&S
02:00 p.m. - Adj. C&L
03:00 p.m. - Adj. OP&T

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

- 2. CONSENT CALENDAR OTHER ITEMS - ACTION**

Approval of the Minutes of the meeting of the Organization,
Personnel and Technology Committee held July 12, 2021

21-325

- 3. CONSENT CALENDAR ITEMS - ACTION**

None

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

- 4. OTHER BOARD ITEMS - ACTION**

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- | | | |
|----|---|--------|
| a. | Labor Negotiations Update | 21-371 |
| b. | Diversity, Equity, and Inclusion Council Update | 21-372 |

7. MANAGEMENT REPORTS

- | | | |
|----|---|--------|
| a. | Human Resources Manager's Report | 21-373 |
| b. | Information Technology Manager's Report | 21-374 |

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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L&C Committee

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

Adjourned Legal and Claims

Committee - Draft

Meeting with Board of Directors *

August 17, 2021

9:00 a.m.

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**Tuesday, August 17, 2021
Meeting Schedule**

09:00 a.m. - Adj. L&C
10:00 a.m. - Adj.
RP&AM
11:30 a.m. - Break
12:00 p.m. - Adj. Board

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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))

2. MANAGEMENT REPORTS

- a. General Counsel's report of monthly activities **21-376**

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

3. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the meeting of the Legal and Claims Committee held July 13, 2021 **21-327**

4. CONSENT CALENDAR ITEMS - ACTION

7-9 Adopt amendment to the Administrative Code establishing Metropolitan-specific parliamentary procedures; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **20-175**

7-10 Report on existing litigation OHL USA, Inc. v. The Metropolitan Water District of Southern California, Los Angeles Superior Court Case No. 19STCV27689; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-333**

[Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)]

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

5. OTHER BOARD ITEMS - ACTION

None

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

a. General Counsel's Business Plan for Fiscal Year 2021/22 **21-378**

b. Report on 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 action and the first 2016 action. **21-375**
[Conference with legal counsel – existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)]

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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RP&AM Committee

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

**Adjourned Real Property and Asset
Management Committee**

Meeting with Board of Directors *

August 17, 2021

10:00 a.m.

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10:00 a.m. - Adj.

RP&AM

11:30 a.m. - Break

12:00 p.m. - Adj. Board

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**** CONSENT CALENDAR OTHER 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 July 13, 2021 **21-328**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-7** Authorize the General Manager to grant a ten-year agreement to Urban Park Concessionaires to operate and maintain the marina facility at Diamond Valley Lake in the City of Hemet; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA **21-334**

- 7-8** Authorize the General Manager to acquire up to 702 gross acres (up to 665 water toll acres) of property located in Riverside County in the Palo Verde Valley from Cox Family Farms, LLC, subject to a leased occupancy reservation; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-335**
- [Conference with real property negotiators; property identified as Riverside County Assessor's Parcel Nos. 821-140-002 (a portion of); 821-140-007; 830-110-001 (a portion of); 830-110-002; 830-120-009; 836-031-007; 836-031-008; 863-120-005; 863-170-003; 863-170-009; 863-180-001 (a portion of); 863-180-002; 879-130-010; 879-130-011; agency negotiators: Jennifer G. Ryan and Seyou Oh; negotiating parties: Cox Family Farms, LLC and Coxco, LLC; under negotiation: price and terms; to be heard in closed session pursuant to Gov. Code Section 54956.8]

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

4. OTHER BOARD ITEMS - ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- a. Desert Recreation **21-379**

7. MANAGEMENT REPORTS

- a. Real Property Group Manager's Report **21-377**

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

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THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

MWD MEETING AGENDA

Adjourned Board Meeting

August 17, 2021

12:00 PM

Tuesday, August 17, 2021 Meeting Schedule
09:00 a.m. - Adj. L&C
10:00 a.m. - Adj. RP&AM
11:30 a.m. - Break
12:00 p.m. - Adj. Board

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1. Call to Order

1.1 Invocation: TBD

1.2 Pledge of Allegiance: TBD

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))

5. OTHER MATTERS AND REPORTS

- | | | |
|-----------|--|---------------|
| A. | Report on Directors' events attended at Metropolitan expense | 21-349 |
| B. | Chairwoman's Monthly Activity Report | 21-350 |
| C. | General Manager's report of Metropolitan activities | 21-239 |
| D. | General Counsel's summary of activities | 21-351 |
| E. | General Auditor's summary of activities | 21-352 |
| F. | Ethics Officer's summary of activities | 21-353 |

- G.** Report on list of certified assessed valuations for fiscal year 2021/22 and tabulation of assessed valuations, percentage participation, and vote entitlement of member agencies as of August 17, 2021. [Posting Separately] **21-326**

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

6. CONSENT CALENDAR OTHER ITEMS - ACTION

- A.** Approval of the Minutes of the Meeting for July 13, 2021 (Copies have been submitted to each Director) Any additions, corrections, or omissions **21-331**
- B.** Approve Committee Assignments

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

7. CONSENT CALENDAR ITEMS - ACTION

- 7-1** Adopt resolution establishing the tax rate for fiscal year 2021/22; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [Posting Separately] (FI) **21-321**
- 7-2** Approve proposed updates to the Rate Refinement Structure Principles recommended by the Member Agency Workgroup; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-323**
- 7-3** Award a \$492,440 procurement contract to Royal Industrial Solutions for equipment to upgrade the ozone control system at the Henry J. Mills Water Treatment Plant and authorize an agreement with Suez Treatment Solutions, Inc. in an amount not to exceed \$430,000 for specialized technical assistance to support the upgrade; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) **21-330**
- 7-4** Authorize an agreement with CDM Smith, Inc., in an amount not-to-exceed \$2.75 million, for support of engineering and technical studies at the advanced water treatment demonstration facility; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) **21-337**
- 7-5** Approve Metropolitan's annual membership in the U.S. Water Alliance and authorize payment of \$XX, and approve Metropolitan's annual membership in Water Education for Latino Leaders and authorize payment of \$25,000; the General Manager determined that the proposed action is exempt or otherwise not subject to CEQA (CL) **21-332**

- 7-6** Review and consider the City of Beverly Hills' approved Final Mitigated Negative Declarations and Addendum and take related CEQA actions, and authorize the General Manager to reinstate and amend the existing Groundwater Recovery Program Joint Participation Agreement (WPS) **21-336**
- 7-7** Authorize the General Manager to grant a ten-year concession agreement to Urban Park Concessionaires to operate and maintain the marina facility at Diamond Valley Lake in the City of Hemet; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (RPAM) **21-334**
- 7-8** Authorize the General Manager to acquire up to 702 gross acres (up to 665 water toll acres) of property located in Riverside County in the Palo Verde Valley from Cox Family Farms, LLC and enter into a lease amendment with Coxco, LLC to add the newly acquired acreage to the existing lease; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-335**
 [Conference with real property negotiators; property identified as Riverside County Assessor's Parcel Nos. 821-140-002 (a portion of); 821-140-007; 830-110-001 (a portion of); 830-110-002; 830-120-009; 836-031-007; 836-031-008; 863-120-005; 863-170-003; 863-170-009; 863-180-001 (a portion of); 863-180-002; 879-130-010; 879-130-011; agency negotiators: Jennifer G. Ryan and Seyou Oh; negotiating parties: Cox Family Farms, LLC and Coxco, LLC; under negotiation: price and terms; to be heard in closed session pursuant to Gov. Code Section 54956.8] (RPAM)
- 7-9** Adopt amendment to the Administrative Code establishing Metropolitan-specific parliamentary procedures; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (LC) **20-175**
- 7-10** Report on existing litigation OHL USA, Inc. v. The Metropolitan Water District of Southern California, Los Angeles Superior Court Case No. 19STCV27689; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-333**
 [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)] (LC)

8. OTHER BOARD ITEMS - ACTION

None

9. BOARD INFORMATION ITEMS

- | | | |
|------------|---|---------------|
| 9-1 | Update on Conservation Program | 21-354 |
| 9-2 | Report on Rate Refinement Workgroup's Review of Demand Management Cost Recovery Alternatives (FI) | 21-237 |

10. OTHER MATTERS

- | | | |
|-------------|--|---------------|
| 10-1 | Discussion of Department Head Evaluation Process Guidelines and Department Head Evaluation Presentations
[Public employee's performance evaluations; General Counsel, General Auditor, and Ethics Officer, to be heard in closed session pursuant to Gov. Code Section 54957] | 21-370 |
|-------------|--|---------------|

10. FOLLOW-UP ITEMS

None

11. FUTURE AGENDA ITEMS**12. 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.