

MINUTES
REGULAR MEETING OF THE
BOARD OF DIRECTORS
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
October 12, 2021

52526 The Board of Directors of The Metropolitan Water District of Southern California met in Regular session on Tuesday, October 12, 2021.

Chairwoman Gray called the Teleconference Meeting to order at 12:01 PM.

52527 The Meeting was opened with an invocation by Ann Salgado, Administrative Assistant III, Water System Operations Group.

52528 The Pledge of Allegiance to the Flag was led by Director Tamaribuchi, Municipal Water District of Orange County

Chairwoman addressed the Board providing brief remarks acknowledging Hispanic Heritage Month, Global Diversity Month, and Disability Employment Awareness Month.

52529 Board Secretary Abdo administered the roll call. Those responding present were: Directors Abdo, Ackerman, Apodaca, Atwater, Blois, Cordero, De Jesus, Dennstedt, Dick, Erdman, Faessel, Fellow, Goldberg, Gray, Hawkins, Jung, Kassakhian, Kurtz, Lefevre, Luna, McCoy, Morris, Ortega, Petersen, Peterson, Phan, Pressman, Ramos, Record, Repenning, Smith, Tamaribuchi, and Williams.

Director Camacho entered the Meeting after the roll call.

Those not responding were: Directors Butkiewicz, Hogan, Murray, and Quinn.

Board Secretary Abdo declared a quorum present.

52530 Chairwoman Gray invited members of the public to address the Board on matters within the Board's jurisdiction.

| Name | Affiliation | Item |
|------------------|---------------------------------------|---------------------------|
| 1. Caty Wagner | Sierra Club | Regional Recycled Project |
| 2. Joseph Alonso | Orchard Dale Water District, Whittier | Support to Metropolitan |
| 3. Undetermined | Southern California Resident | Regional Recycled Project |

Chairwoman Gray addressed the following: Other Matters and Reports.

52531 Chairwoman Gray asked if there were any changes to the report of events attended by Directors at Metropolitan's expense during the month of September as previously posted and distributed to the Board. No amendments were made.

52532 Chairwoman Gray referred to her monthly report, which was previously posted and distributed to the Board. Chairwoman stated she had nothing to add to her report.

Director Camacho entered the Meeting.

52533 Regarding matters relating to Metropolitan's operations and activities, General Manager Hagekhalil announced the following:

1. Recognition of Indigenous People day.
2. Staff has begun work to return to the Board with strategic priorities based on the input received from the Board Retreat, Member Agency Managers as well as discussions at a retreat with Metropolitan's management.
3. In coordination with the Chair and General Counsel, Metropolitan will be working with the San Diego County Water Authority staff to move forward with developing a framework for a successful negotiating settlement between the two organizations.
4. Acknowledged Metropolitan's workforce through Social Media for Water Professionals week.
5. Participated in a joint press conference to highlight Metropolitan's operational shift to support our State Water Project dependent areas and call for increased conservation; by developing short – and long-term measures. A video developed by Metropolitan staff was presented sharing this event.

Additional information on the General Manager's activities may be found in his written monthly report.

52534 General Counsel Scully stated she had nothing to add to her report.

52535 General Auditor Riss announced that there will be an Audit and Ethics Committee meeting held on October 26, 2021 to hear KPMG's annual report.

52536 Ethics Officer Salinas stated he will be bringing back the Ethics Office Amendments item to the Audit and Ethics Committee on October 26, 2021, and anticipates bringing the item to the full Board in November for action.

52537 Chairwoman Gray acknowledged Jeff Kightlinger for his leadership and service to Metropolitan during his term as Metropolitan's General Manager.

Mr. Kightlinger responded with brief remarks to the Board.

The following Directors asked questions or made comments:

| | Directors | Comments/Questions |
|---|-----------|--------------------|
| 1 | Record | Commented |
| 2 | Pressman | Commented |

General Manager Hagekhalil also acknowledged Mr. Kightlinger with brief remarks.

Chairwoman Gray addressed the Consent Calendar Items for October 2021.

52538 Approval of the Minutes of the meeting for September 14, 2021 and the Special Board Meeting for September 28, 2021. Chairwoman Gray asked Directors if there were any comments or discussion on the approval of the Minutes of the Meeting for September 14, 2021 and/or September 28, 2021 (Agenda Item 6A). No comments or requests were made.

52539 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). No comments or requests were made.

52540 Approval of Committee Assignments (Agenda Item 6C). None were made.

Chairwoman Gray addressed the Board regarding the deferment of Item 8-2 concerning committee assignments.

Chairwoman Gray called on the Committee Chairs to give a report of the Consent Calendar Action Items as discussed at their Committees.

Director Record recused himself from Items 7-9 and 7-11, which he stated involves authorizing a new lease with HayDay Farms. Director Record disclosed, for the record, that Dale Tyson of HayDay Farms made a purchase from his spouse's company in November of last year. Although it may not be required under law, he recused himself from this item in an abundance of caution.

Director Phan recused herself from Item 7-3, stating that Iteris, Inc., is a client of her employer, although they are a subcontractor, out of an abundance of caution she recused herself.

Director Pressman stated for the record that Item 7-8 involves amending an agreement with the City of Beverly Hills. He disclosed that he receives a monthly per diem from the City of Beverly Hills for serving as their representative on the Metropolitan Board. However, he was advised by counsel that this does not preclude him from partaking in the discussion or voting on this issue.

52541 Approve the nomination and naming of the overlook at Lake Mathews in honor of Donald "Don" Galleano, as set forth in Agenda Item 7-1 board letter.

52542 Award a \$3,815,000 contract to Creative Home dba Chi Construction for Lake Mathews Site Wastewater System Replacement, as set forth in Agenda Item 7-2 board letter.

52543 Authorize an agreement with Helix Environmental Planning, Inc., in an amount not to exceed \$2.8 million for preparation of environmental documentation for the Regional Recycled Water Program; and Authorize an agreement with Stantec Consulting Services Inc., in an amount not to exceed \$6.5 million for engineering and technical studies to support environmental planning phase activities of the Regional Recycled Water Program, as set forth in Agenda Item 7-3 board letter.

52544 Award a \$282,390 contract to AME Builders, Inc. for replacement of the roof on the Vehicle Maintenance and Warehouse Building at the Jensen plant, as set forth in Agenda Item 7-4 board letter.

52545 Authorize an agreement with the Arizona Parties to support the development of the Regional Recycled Water Program, as set forth in Agenda Item 7-5 board letter.

52546 Authorize the General Manager to seek legislation for Metropolitan to utilize alternative project delivery methods for construction of the Regional Recycled Water Program and drought-related projects in addition to traditional Design-Bid-Build, as set forth in Agenda Item 7-6 board letter.

52547 Approve the salary schedules pursuant to CalPERS regulations, as set forth in Agenda Item 7-7 board letter.

52548 Review and consider the City of Beverly Hills' approved Final Mitigated Negative Declarations and Addendum and take related CEQA actions; authorize the General Manager to reinstate and amend the existing Groundwater Recovery Program Joint Participation Agreement for Recovery and Utilization of Degraded Groundwater for the Beverly Hills Desalter Project with the City of Beverly Hills for up to 2,600 AFY of advanced treated brackish groundwater under the terms included in the board letter and approve the proposed framework and one-time pause and extension of agreement terms, as set forth in Agenda Item 7-8 board letter.

The City of Beverly Hills submitted a letter dated October 7, 2021 regarding Agenda Item 7-8, and will be made part of the record. The letter was received on Friday, October 8, 2021 4:59 p.m.

52549 Adopt the resolution declaring certain Metropolitan-owned real property in the Palo Verde Valley in the counties of Imperial and Riverside as exempt surplus land pursuant to California Government Code Section 54221, as set forth in Agenda Item 7-9 board letter.

52550 Review and consider the city of Perris' certified Final Environmental Impact Report, and take related CEQA actions; and authorize the granting of a permanent easement for public road purposes to the city of Perris, as set forth in Agenda Item 7-10 board letter.

52551 Authorize five new agricultural leases with Coxco, LLC, Joey DeConinck Farms, and HayDay Farms Venture, LLC, thereby allowing these existing lessees to continue their farming operations on Metropolitan's fee-owned properties in the Palo Verde Valley as set forth in Agenda Item 7-11.

52552 Authorize settlement of OHL USA, Inc. v. The Metropolitan Water 21-562 District of Southern California, Los Angeles Superior Court Case No. 19STCV27689, as set forth in Agenda Item 7-12.

Chairwoman Gray called for a vote to approve the Consent Calendar Items 6A, 6B, and 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, and 7-12 **(M.I. 52538 through 52552)**.

Director Dick moved, seconded by Director Peterson that the Board approve the Consent Calendar Items 6A, 6B, and 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, and 7-12 as follows:

Director Ramos left the meeting.

The following is a record of the vote:

| Record of Vote on Consent Item(s) 6A, 6B, 7-1, 7-2, 7-3*, 7-4, 7-5, 7-8, 7-9*, 7-10, 7-11* and 7-12 | | | | | | | | | |
|---|---------------|-------------|-----------|-----|---------------|----|---------|---------|--------------|
| Member Agency | Total Votes | Director | Present | Yes | Yes Vote | No | No Vote | Abstain | Abstain Vote |
| Anaheim | 5277 | Faessel | x | x | 5277 | | | | |
| Beverly Hills | 4056 | Pressman | x | x | 4056 | | | | |
| Burbank | 2666 | Ramos | | | | | | | |
| Calleguas Municipal Water District | 11552 | Blois | x | x | 11552 | | | | |
| Central Basin Municipal Water District | 17051 | Apodaca | x | x | 8526 | | | | |
| | | Hawkins | x | x | 8526 | | | | |
| | | | Subtotal: | | 17051 | | | | |
| Compton | 553 | McCoy | x | x | 553 | | | | |
| Eastern Municipal Water District | 9492 | Record | x | x | 9492 | | | | |
| Foothill Municipal Water District | 2131 | Atwater | x | x | 2131 | | | | |
| Fullerton | 2255 | Jung | x | x | 2255 | | | | |
| Glendale | 3622 | Kassakhian | x | | | | | | |
| Inland Empire Utilities Agency | 13433 | Camacho | x | x | 13433 | | | | |
| Las Virgenes | 2741 | Peterson | x | x | 2741 | | | | |
| Long Beach | 5772 | Cordero | x | x | 5772 | | | | |
| Los Angeles | 70689 | Murray | | | | | | | |
| | | Petersen | x | x | 23563 | | | | |
| | | Quinn | | | | | | | |
| | | Luna | x | x | 23563 | | | | |
| | | Repenning | x | x | 23563 | | | | |
| | | | Subtotal: | | 70689 | | | | |
| Municipal Water Dist. of Orange County | 57264 | Ackerman | x | x | 14316 | | | | |
| | | Tamaribuchi | x | x | 14316 | | | | |
| | | Dick | x | x | 14316 | | | | |
| | | Erdman | x | x | 14316 | | | | |
| | | | Subtotal: | | 57264 | | | | |
| Pasadena | 3522 | Kurtz | x | x | 3522 | | | | |
| San Diego County Water Authority | 58302 | Butkiewicz | | | | | | | |
| | | Goldberg | x | x | 29151 | | | | |
| | | Hogan | | | | | | | |
| | | Smith | x | x | 29151 | | | | |
| | | | Subtotal: | | 58302 | | | | |
| San Fernando | 224 | Ortega | x | x | 224 | | | | |
| San Marino | 730 | Morris | x | x | 730 | | | | |
| Santa Ana | 3035 | Phan | x | x | 3035 | | | | |
| Santa Monica | 4352 | Abdo | x | x | 4352 | | | | |
| Three Valleys Municipal Water District | 7753 | De Jesus | x | x | 7753 | | | | |
| Torrance | 3237 | Lefevre | x | x | 3237 | | | | |
| Upper San Gabriel Valley Mun. Wat. D. | 11942 | Fellow | x | x | 11942 | | | | |
| West Basin Municipal Water District | 23608 | Williams | x | x | 11804 | | | | |
| | | Gray | x | x | 11804 | | | | |
| | | | Subtotal: | | 23608 | | | | |
| Western Municipal Water District | 12466 | Dennstedt | x | x | 12466 | | | | |
| Total | 337725 | | | | 331437 | | | | |
| Present and not voting | 3622 | | | | | | | | |
| Absent | 2666 | | | | | | | | |

Director Kassakhian's did not respond to vote .

The motion to approve the Consent Calendar Items 6A, 6B, 7-1, 7-2, 7-3*, 7-4, 7-5, 7-8, 7-9*, 7-10, 7-11* and 7-12 passed by a vote of 331,437 ayes; 0 noes; 0 abstain; 3,622 not voting; and 2,666 absent.

***Note: Individual vote tally for Item 7-3**

Director Phan recused herself from Item 7-3. The motion to approve the Consent Calendar Item 7-3 passed by a vote of 328,402 ayes; 0 noes; 0 abstain; 3,622 not voting; and 5,701 absent.

***Note: Individual vote tally for Item 7-9 and 7-11**

Director Record recused himself from Items 7-9 and 7-11. The motion to approve Consent Calendar Items 7-9 and 7-11 passed by a vote of 321,945 ayes; 0 noes; 0 abstain; 3,622 not voting; and 12,158 absent.

Chairwoman Gray addressed the Other Board Items for Action. No requests to speak were made.

52553 Director Ortega moved, seconded by Director Kurtz that the Board adopt the Board's Statement of Commitment to Diversity, Equity, and Inclusion, as set forth in Agenda Item 8-1 board letter.

The following is a record of the vote:

| Record of Vote on Item: | | 8-1 | | | | | | | |
|--|---------------|-------------|-----------|-----|---------------|----|---------|---------|--------------|
| Member Agency | Total Votes | Director | Present | Yes | Yes Vote | No | No Vote | Abstain | Abstain Vote |
| Anaheim | 5277 | Faessel | x | x | 5277 | | | | |
| Beverly Hills | 4056 | Pressman | x | x | 4056 | | | | |
| Burbank | 2666 | Ramos | | | | | | | |
| Calleguas Municipal Water District | 11552 | Blois | x | x | 11552 | | | | |
| Central Basin Municipal Water District | 17051 | Apodaca | x | x | 8526 | | | | |
| | | Hawkins | x | x | 8526 | | | | |
| | | | Subtotal: | | 17051 | | | | |
| Compton | 553 | McCoy | x | x | 553 | | | | |
| Eastern Municipal Water District | 9492 | Record | x | x | 9492 | | | | |
| Foothill Municipal Water District | 2131 | Atwater | x | x | 2131 | | | | |
| Fullerton | 2255 | Jung | x | x | 2255 | | | | |
| Glendale | 3622 | Kassakhian | x | x | 3622 | | | | |
| Inland Empire Utilities Agency | 13433 | Camacho | x | x | 13433 | | | | |
| Las Virgenes | 2741 | Peterson | x | x | 2741 | | | | |
| Long Beach | 5772 | Cordero | x | x | 5772 | | | | |
| Los Angeles | 70689 | Murray | | | | | | | |
| | | Petersen | x | x | 23563 | | | | |
| | | Quinn | | | | | | | |
| | | Luna | x | x | 23563 | | | | |
| | | Repenning | x | x | 23563 | | | | |
| | | | Subtotal: | | 70689 | | | | |
| Municipal Water Dist. of Orange County | 57264 | Ackerman | x | x | 14316 | | | | |
| | | Tamaribuchi | x | x | 14316 | | | | |
| | | Dick | x | x | 14316 | | | | |
| | | Erdman | x | x | 14316 | | | | |
| | | | Subtotal: | | 57264 | | | | |
| Pasadena | 3522 | Kurtz | x | x | 3522 | | | | |
| San Diego County Water Authority | 58302 | Butkiewicz | | | | | | | |
| | | Goldberg | x | x | 29151 | | | | |
| | | Hogan | | | | | | | |
| | | Smith | x | x | 29151 | | | | |
| | | | Subtotal: | | 58302 | | | | |
| San Fernando | 224 | Ortega | x | x | 224 | | | | |
| San Marino | 730 | Morris | x | x | 730 | | | | |
| Santa Ana | 3035 | Phan | x | x | 3035 | | | | |
| Santa Monica | 4352 | Abdo | x | x | 4352 | | | | |
| Three Valleys Municipal Water District | 7753 | De Jesus | x | x | 7753 | | | | |
| Torrance | 3237 | Lefevre | x | x | 3237 | | | | |
| Upper San Gabriel Valley Mun. Wat. | 11942 | Fellow | x | x | 11942 | | | | |
| West Basin Municipal Water District | 23608 | Williams | x | x | 11804 | | | | |
| | | Gray | x | x | 11804 | | | | |
| | | | Subtotal: | | 23608 | | | | |
| Western Municipal Water District | 12466 | Dennstedt | x | x | 12466 | | | | |
| Total | 337725 | | | | 335059 | | | | |
| Present and not voting | | | | | | | | | |
| Absent | 2666 | | | | | | | | |

The motion to approve Item 8-1 passed by a vote of 335,059 ayes; 0 noes; 0 abstain; 0 not voting; and 2,666 absent.

Item 8-2 was deferred.

52554 Board Chairwoman Gray asked if there were questions or need for discussion for Board Information Item 9-1 through 9-3. No requests were made.

52555 Chairwoman Gray addressed the Other Matters Item 10-1.

Chairwoman called on Human Resources Group Manager Pitman who provided a PowerPoint presentation to the Board on Item 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].

Chairwoman Gray called the meeting into closed session to continue discussion on Agenda Item 10-1.

Meeting returned to open session at 1:59 p.m. Chairwoman Gray stated that the Board discussed Item 10-1. No action was taken during Closed Session.

52556 Chairwoman Gray asked if there were any follow-up items. No requests were made.

52557 Chairwoman Gray asked if there were any future agenda items. No requests were made.


52558 Chairwoman Gray acknowledged the passing of former Director Larry Stamper and expressed her condolences to the family.

Directors Peterson, Fellow, and Morris addressed the Board in memory of Director Stamper.

Chairwoman Gray also expressed her condolences to Director Tracy Quinn for the loss of her father and adjourned the meeting in memoriam of both former Director Stamper and Director Quinn's father. There being no objection, at 2:04 p.m., Chairwoman Gray adjourned the Meeting.



GLORIA D. GRAY
CHAIRWOMAN



JUDY ABDO
SECRETARY