



Exec Committee

- G. Gray, Chair
- D. De Jesus, Vice Chair
- C. Kurtz, Vice Chair
- H. Repenning, Vice Chair
- J. Abdo, Board Secretary
- L. Ackerman
- R. Atwater
- M. Camacho
- G. Cordero
- L. Dick
- M. Hogan
- J. Murray Jr.
- M. Ramos
- R. Record
- T. Smith

Executive Committee

Meeting with Board of Directors *

June 22, 2021

12:00 p.m.

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: Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via teleconference only. To participate call (404) 400-0335 and use Code: 9601962.

Tuesday, June 22, 2021 Meeting Schedule	
08:30 AM	IRP
10:30 AM	Bay-Delta
11:30 AM	Break
12:00 PM	Exec
12:30 PM	A&E

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

* The Metropolitan Water District’s Executive Committee meeting 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 the Executive Committee may attend and 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 the Executive Committee will not vote on matters before the Executive 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 AND REPORTS**
 - a. Chairwoman's report
 - b. General Manager's report of Metropolitan activities [21-229](#)
 - c. General Counsel's report of Metropolitan activities [21-230](#)
 - d. General Auditor's report of Metropolitan activities [21-231](#)
 - e. Ethics Officer's report of Metropolitan activities [21-232](#)
 - f. Report from Audit and Ethics Committee
 - g. Report from Bay-Delta Committee

- h. Report from Communications and Legislation Committee
- i. Report from Engineering and Operations Committee
- j. Report from Finance and Insurance Committee
- k. Report from Legal and Claims Committee
- l. Report from Organization, Personnel and Technology Committee
- m. Report from Real Property and Asset Management Committee
- n. Report from Water Planning and Stewardship Committee

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

3. CONSENT CALENDAR OTHER ITEMS - ACTION

- a. Approval of the Minutes of the meeting of the Executive Committee held May 25, 2021 [21-233](#)

Attachments: [06222021 Exec 3a draft minutes.pdf](#)

- b. Approve draft committee and Board meeting agendas, and schedule for July 2021 [21-234](#)

Attachments: [06222021 Exec 3b Packet.pdf](#)

4. CONSENT CALENDAR ITEMS - ACTION

None

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

5. OTHER BOARD ITEMS - ACTION

None

6. BOARD INFORMATION ITEMS

None

7. FOLLOW-UP ITEMS

None

8. FUTURE AGENDA ITEMS

9. ADJOURNMENT

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THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

EXECUTIVE COMMITTEE

May 25, 2021

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

Members present: Directors Abdo, Ackerman, Atwater, Camacho, Cordero, De Jesus, Dick, Gray, Hogan, Kurtz, Murray, Ramos, Record, Repenning, and Smith

Member absent: None

Other Board members present: Directors Blois, Erdman, Fellow, Galleano, Goldberg, Hawkins, Jung, Lefevre, Luna, Morris, Ortega, Peterson, Pressman, Quinn, Tamaribuchi, and Williams

Committee staff present: Aldrete, Beatty, Castro, Chapman, Kasaine, Kightlinger, Riss, Salinas, Scully, Upadhyay, Walters, and Zinke

1. Opportunity for members of the public to address the committee and Board on matters within their jurisdiction

None

2. OTHER MATTERS AND REPORTS

a. Subject: Chairwoman's Report

Presented by: Chairwoman Gloria D. Gray

Chairwoman Gray stated she had nothing to add to her report.

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

Presented by: General Manager Jeffrey Kightlinger

General Manager Kightlinger stated he had nothing to add to his report.

- c. Subject: General Counsel's report of Legal Department activities
Presented by: General Counsel Marcia Scully

General Counsel Scully reported on the following:

Systems Integrated (vendor for SCADA software support) noticed an ex parte hearing against Metropolitan for May 18, 2021 to restrain Metropolitan from moving forward with the current RFP process to upgrade the SCADA system, asserting disclosure of copyrighted materials in violation of a previous licensing agreement. Litigation was also filed as well, but Metropolitan had not been served. Outside counsel assisted on the ex parte issue and the court ruled in Metropolitan's favor finding that documents filed by Systems Integrated were insufficient.

Regarding the recent *Williams vs Metropolitan* matter re Yuma Island litigation. This is the third case filed by Mr. Williams on behalf of himself and other farmers on Yuma Island, asserting Metropolitan violated their rights to Colorado River water. The courts dismissed the case without providing any leave to amend. Following the court's decision, Metropolitan received an appeal on this matter.

- d. Subject: General Auditor's report of Audit Department activities
Presented by: General Auditor Gerald Riss

The General Auditor reported that the initial planning meeting for the 2020/21 Annual Financial Audit was conducted. Attendees included staff from the Controller's office, Internal Audit Department, as well as KPMG. The audit fieldwork begins in August.

- e. Subject: Ethics Officer's report of Ethics Department activities
Presented by: Ethics Officer Abel Salinas

Ethics Officer Salinas stated he had 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 a report on the Ethics Office monthly activity.

In addition to providing an update on the Audit department activities, the General Auditor will conduct a discussion on KPMG External Audit Fiscal Year 2020/21 Audit Plan.

Mr. Riss will also present a board letter for an extension of the KPMG external audit contract.

g. Subject: Report from Bay-Delta Committee

Presented by: Committee Chair Ackerman

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

- Update on Delta Conveyance.
- Presentation of Delta Conveyance Tribal Engagement, including overview of DWR's Tribal Consultation Policy and Process. This presentation will be provided by DWR's Tribal Policy Advisor, Anecita Agustinez.
- Overview of Metropolitan's Bay-Delta Science Program

and, lastly the Committee will hear the Bay-Delta Manager's report.

h. Subject: Report from Communications and Legislation Committee

Presented by: Committee Chair Cordero

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

- Update on Metropolitan Website Redesign Project.
- Service Recognition of the Diamond Valley Lake Docents.
- Reports on Activities from Washington D.C.
- Report on Activities from Sacramento.

As well as the External Affairs Management Report.

i. Subject: Report from Engineering and Operations Committee

Presented by: Committee Chair Smith

Committee Chair Smith announced the Committee will hear two consent items:

- Authorize an agreement with Black & Veatch Corporation, Inc., in an amount not to exceed \$8 million, for engineering and technical studies to

support environmental planning activities of the Regional Recycled Water Program.

- Adopt resolution to support Metropolitan's \$6,250,000 WaterSMART Title XVI WIIN Water Reclamation and Reuse grant application and authorize General Manager to accept funding and enter contract if awarded.

In addition, the Committee will hear three oral reports:

- Application of Hydraulic Modeling.
- Shutdown Planning at Metropolitan.
- Capital Investment Plan quarterly report for period ending Mar 2021.

and, the following two management reports:

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

j. Subject: Report from Finance and Insurance Committee

Presented by: Committee Vice Chair Record

Committee Vice Chair Record announced that the Committee will hear two action items:

- Approve up to \$1.594 million to purchase insurance coverage for Metropolitan's Property and Casualty Insurance Program.
- Approve Metropolitan's Statement of Investment Policy for fiscal year 2021/22, delegate authority to the Treasurer to invest Metropolitan's funds for fiscal year 2021/22.

Also, note the following item has been withdrawn from the June draft agenda: Item 7-2, a Board Letter for Action Approving Update to Rate Refinement Structure Principles Recommended by the Member Agency Workgroup. This item is deferred to July.

In addition, the Committee will hear two committee items:

- Financing Overview for Bond Issuance
- Quarterly Investment Activities Report

and, lastly the Chief Financial Officer's monthly activity report.

k. Subject: Report from Legal and Claims Committee

Presented by: Committee Chair Dick

Committee Chair Dick announced that the Committee will hear the General Counsel's monthly activities report; and will consider an item regarding Board Parliamentary Procedures.

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

- The Department of Water Resources Water Operations cases and consider a request to approve an increase in maximum amount payable under contract with the law firm Andrade Gonzalez LLP.

The committee will also hear an update on the *San Diego County Water Authority v. Metropolitan* rate litigation.

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

Presented by: Committee Chair Murray

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

- Converting to a Hybrid Work Environment
- Ethics Officer's Monthly Update on Independent Review of Workplace Concerns
- Diversity, Equity, and Inclusion Council Update

In addition, the Committee will hear the Information Technology Group Manager report; as well as an update from the Chief Administrative Officer.

There will be no Human Resources Manager's Report in June.

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

Presented by: Committee Chair Hogan

Committee Chair Hogan announced that the Committee will hear one consent calendar item:

- Authorize the General Manager to acquire approximately 701 gross 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 an existing lease, to be heard in closed session.

and, will also hear the Real Property Group Manager's Report

n. Subject: Report from Water Planning and Stewardship Committee

Presented by: Committee Chair Atwater

Committee Chair Atwater announced that the Committee will hear five consent calendar items:

- Review and consider the Santa Margarita Water District's approved Final Mitigated Negative Declaration and Addendum and take related CEQA actions; and authorize the General Manager enter into an agreement with the Municipal Water District of Orange County and Santa Margarita Water District for the Las Flores Recycled Water Expansion Project.
- By a two-thirds vote, authorize the General Manager to make payment of up to \$780,800 for support of the Colorado River Board and Six Agency Committee for FY 2021/22.
- Approve framework for consideration of Local Resource Program extension requests; authorize General Manager to amend the start-of-operation deadline and subsequent milestones by up to three fiscal years; direct staff to request Board authorization to revise agreements and reduce the maximum length of operation by any duration longer than three years; and, review and approve extension request for LADWP Terminal Island project.
- Review and consider Inland Empire Utilities Agency's approved Final PEIR and Addendum and take related CEQA actions, and authorize the General Manager to enter into a Stormwater for Recharge Pilot Agreement with Inland Empire Utilities Agency for the Montclair Basins Improvement Project.
- Authorize General Manager to enter into an agreement with the U.S Bureau of Reclamation, Central Arizona Water Conservation District and Southern Nevada Water Authority to: (1) fund up to *[an amount to be determined]* to conserve water from land fallowing programs; and (2) forebear up to *[an amount to be determined]* acre-feet of conserved Colorado River water generated under the agreement.

As well as hear two board information items on:

- Update on California Proposition 1 Water Storage Investment Program and Letter of intent to work with Inland Empire Utilities Agency on the Chino Basin Program.
- Review of Storage Management Strategy and Implementation.

and, two committee items:

- Oral update on Water Surplus Drought Management.
- Lower Colorado River Multi Species Conservation Program.

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

- Colorado River Matters.
- Water Resource Management Manager's Report.

CONSENT CALENDAR ITEMS – ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Approval of the Minutes of the meeting of the Executive Committee held April 27, 2021; and the meeting of the Special Executive Committee held April 16, 2021.

Chairwoman made a statement regarding a previous board discussion on "Adding information from closed session to the April 16, 2021 Special Executive Committee meeting Minutes." Chairwoman stated that since closed session discussion is confidential, it is therefore not included in the minutes. Accordingly, no changes were made to the April 16, 2021 Special Executive Committee meeting Minutes. Chairwoman also reminded the Board that matters discussed in closed session are confidential and must not be revealed to anyone outside of the closed session; this includes member agencies.

Chairwoman Gray asked Directors if there were any comments or discussion on the Minutes of the April 27, 2021 Executive Committee Meeting.

The following Directors provided comments or asked questions:

1. Smith
2. Smith
3. Repenning
4. Ortega

Staff responded to the Directors.

Chairwoman Gray then asked Directors if there were any comments, additions, or corrections to the June 2021 Draft Packet. No requests were made.

- B. Approve draft Committee and Board meeting agendas, and schedule for June 2021.

4. CONSENT CALENDAR ITEMS – ACTION

None

Chairwoman Gray called for the vote.

After hearing committee reports, Director Ackerman made a motion, seconded by Director Atwater to approve the consent calendar consisting of items 3A and 3B.

The vote was:

Ayes:	Directors Abdo, Ackerman, Atwater, Camacho, Cordero, De Jesus, Dick, Gray, Hogan, Kurtz, Murray, Ramos, Record, Repenning, and Smith
Noes	Directors Hogan, Murray, Repenning, and Smith (item 3A)
Abstentions:	None
Absent:	None

The motion for Item 3A passed by a vote of 11 ayes; 4 no; 0 abstain; and 0 absent.

The motion for Item 3B passed by a vote of 15 ayes; 0 no; 0 abstain; and 0 absent.

END OF CONSENT CALENDAR ITEMS**5. OTHER BOARD ITEMS – ACTION**

None

6. BOARD INFORMATION ITEMS

None

7. FOLLOW-UP ITEMS

None

The following Director asked a question:

1. Peterson

Staff responded to the Directors.

8. FUTURE AGENDA ITEMS

None

The following Directors made comments or asked questions:

1. Murray
2. De Jesus
3. De Jesus
4. Ortega
5. De Jesus
6. Murray

Staff responded to the Directors.

The meeting was adjourned at 12:40 p.m.

Gloria D. Gray
Chairwoman of the Board

Draft

July 12 & 13, 2021

Board and Committee

Meetings

Agenda Packet



The Metropolitan Water District of Southern California



**Schedule of Meetings
July 2021**

Monday, July 5

Independence Day Holiday observed – District Offices Closed

Monday, July 12

- 9:00 a.m. Finance and Insurance Committee
- 10:00 a.m. Engineering and Operations Committee
- 11:00 p.m. Break
- 11:30 a.m. Water Planning and Stewardship Committee
- 1:00 p.m. Communications and Legislation Committee
- 2:00 p.m. Organization, Personnel and Technology Committee

Tuesday, July 13

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

Tuesday, July 27

- 8:30 a.m. Integrated Resources Plan Special Committee
- 10:30 a.m. Bay-Delta Committee
- 11:30 a.m. Break
- 12:00 p.m. Executive Committee
- 12:30 p.m. Audit and Ethics Committee
- 1:30 p.m. Special Organization, Personnel and Technology Committee

**Note: Board members please call in 30 minutes in advance of meeting start time*

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Public Comment Via Teleconference Only (No in-person attendance):

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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

Finance and Insurance Committee

Meeting with Board of Directors *

July 12, 2021

9:00 a.m.

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Monday, July 12, 2021 Meeting Schedule
09:00 a.m. F&I
10:00 a.m. E&O
11:00 a.m. Break
11:30 a.m. WP&S
01:00 p.m. C&L
02:00 p.m. OP&T

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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))

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting of the Finance and Insurance Committee held June 7, 2021 **21-279**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-2 Approve Update to 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 **21-236**

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

4. OTHER BOARD ITEMS - ACTION

None

5. BOARD INFORMATION ITEMS

- 9-2** Report on Status of Member Agency Workgroup’s Review of Demand Management Cost Recovery Alternatives **21-237**

6. COMMITTEE ITEMS

None

7. MANAGEMENT REPORTS

- a.** Chief Financial Officer’s Report **21-286**

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. 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

Engineering and Operations Committee

Meeting with Board of Directors *

July 12, 2021

10:00 a.m.

Monday, July 12, 2021 Meeting Schedule	
09:00 a.m.	F&I
10:00 a.m.	E&O
11:00 a.m.	Break
11:30 a.m.	WP&S
01:00 p.m.	C&L
02:00 p.m.	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 Engineering and Operations Committee held June 7, 2021 **21-280**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-3** Authorize four actions for the Desert region communication system including: 1) an agreement with Nokia of America Corporation in an amount not to exceed \$5,297,000 for equipment procurement and design support to upgrade the wide area network; 2) an amendment to an agreement with Hatfield & Dawson Consulting Engineers, LLC for a new not-to-exceed amount of \$730,000 to provide specialized technical support for the upgrade; 3) an amendment to the Capital Investment Plan for fiscal years 2020/2021 and 2021/2022 to include additional communication system improvements at the Colorado River Aqueduct's Gene Pumping Plant and 4) an agreement in an amount not to exceed \$275,000 with HDR Engineering, Inc. for design services related to the construction of a communication line; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA **21-248**

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

4. OTHER BOARD ITEMS - ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- a. Power Operations and Planning update **21-274**
- b. Apprenticeship Program Update **21-275**
- c. Innovative approaches to seismic resilience for Metropolitan's pipelines and tunnels **21-250**

7. MANAGEMENT REPORTS

- a. Water System Operations Manager's report **21-287**
- b. Engineering Services Manager's report **21-288**

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

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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

Water Planning and Stewardship Committee

Meeting with Board of Directors *

July 12, 2021

11:30 a.m.

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11:30 a.m.	WP&S
01:00 p.m.	C&L
02:00 p.m.	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 June 7, 2021 **21-281**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-7 Authorize agreement with Inland Empire Utilities Agency, West Valley Water District, and San Bernardino Valley Water District to provide assistance on water deliveries; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-269**

- 7-8 Authorize payments, by a two-thirds vote, of up to \$3.56 million for participation in the State Water Contractors for fiscal year 2021/22; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-270**

**** 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 **21-272**
- b. Report on Storage Management Strategy and Implementation **21-273**

7. MANAGEMENT REPORTS

- a. Colorado River Matters **21-256**
- b. Water Resource Management Manager's Report **21-257**

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

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C&L Committee

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- 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

Communications and Legislation Committee

Meeting with Board of Directors *

July 12, 2021

1:00 p.m.

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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 June 7, 2021 **21-289**

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. Report on Solar Cup 2021 **21-255**
- b. Report on Activities from Sacramento **21-253**
- c. Report on Activities from Washington DC **21-254**

7. MANAGEMENT REPORTS

- a. External Affairs Management Report **21-252**

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

Organization, Personnel and Technology Committee

Meeting with Board of Directors *

July 12, 2021

2:00 p.m.

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: Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via teleconference only. To participate call (404) 400-0335 and use Code: 9601962.

Monday, July 12, 2021 Meeting Schedule
09:00 a.m. F&I
10:00 a.m. E&O
11:00 a.m. Break
11:30 a.m. WP&S
01:00 p.m. C&L
02:00 p.m. 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))

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting of the Organization, **21-283**
Personnel and Technology Committee held June 8, 2021

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. Semi Annual Report on Equal Employment Opportunity Policy and Affirmative Action Plan **21-258**
- b. Ethics Officer's Monthly Update on Independent Review of Workplace Concerns **21-251**
- c. Cybersecurity Threat Briefing **21-260**
[Conference with Metropolitan Cybersecurity Unit Manager of Information Technology, Jacob Margolis, or designated agents on threats to public services or facilities; to be heard in closed session pursuant to Gov. Code Section 54957(a)]

7. MANAGEMENT REPORTS

- a. Human Resources Manager's Report **21-290**
- b. Information Technology Manager's Report **21-291**

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

Legal and Claims Committee

Meeting with Board of Directors *

July 13, 2021

9:00 a.m.

Tuesday, July 13, 2021 Meeting Schedule
09:00 a.m. L&C
10:00 a.m. RP&AM
11:30 a.m. Break
12:00 p.m. 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 **21-292**

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting of the Legal and Claims Committee held June 8, 2021 **21-284**

3. 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

21-263
- 7-10** Authorize increase of \$100,000, to a maximum amount payable of \$300,000, for existing General Counsel contract with Olson Remcho LLP to provide general government law advice related to the Political Reform Act, the Fair Political Practices Commission regulations, conflict of interest law and other legislative and ethics matters; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA

21-278
- 7-11** Report on existing litigation OHL USA, Inc. v. The Metropolitan Water District of Southern California, Los Angeles Superior Court Case No. 19STCV27689; and authorize increase of maximum amount payable under contract with Theodora Oringher PC for legal services by \$200,000 to an amount not to exceed \$900,000 (Approp. 154170); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA
[Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]

21-261
- 7-12** Report on Baker Electric, Inc. v. Metropolitan Water District of Southern California, et al., (Los Angeles Superior Court Case No. 21STCV15612) regarding Metropolitan’s CRA 6.9 kV Power Cables Replacement Project, Contract No. 1915; authorize filing cross-complaints; and authorize an increase in the maximum amount payable under contract with Musick, Peeler & Garrett LLP, for legal services by \$TBD to an amount not-to-exceed \$TBD; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA.
[Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA]

21-262

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

4. OTHER BOARD ITEMS - ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- a. 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. [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)] **21-264**

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

Real Property and Asset Management Committee

Meeting with Board of Directors *

July 13, 2021

10:00 a.m.

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Tuesday, July 13, 2021 Meeting Schedule
09:00 a.m. L&C
10:00 a.m. RP&AM
11:30 a.m. Break
12:00 p.m. Board

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

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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))

**** 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 May 11, 2021 **21-285**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-4** Adopt amendments to Metropolitan’s Administrative Code to move certain responsibilities for annexations from the Finance and Insurance Committee to Real Property and Asset Management Committee; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-265**

- 7-5 Authorize the General Manager to grant a permanent easement to the State of California Department of Transportation (Caltrans) on Metropolitan fee-owned property in the City of Los Angeles; Metropolitan previously reviewed and considered Caltrans' Environmental Impact Report/Environmental Impact Statement and took related CEQA actions **21-266**

- 7-6 Authorize an increase of \$3,000,000 to an agreement with Roesling Nakamura Terada Architects for a new not-to-exceed amount of \$5,000,000 for preliminary design and architectural services in support of the District Housing and Property Improvement Program; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-267**

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

4. OTHER BOARD ITEMS - ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

None

7. MANAGEMENT REPORTS

- a. Real Property Group Manager's Report **21-293**

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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Regular Board Meeting - Draft

July 13, 2021

12:00 PM

Tuesday, July 13, 2021 Meeting Schedule
09:00 a.m. L&C
10:00 a.m. RP&AM
11:30 a.m. Break
12:00 p.m. Board

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

1. Call to Order

1.1 Invocation: TBD

1.2 Pledge of Allegiance: Director Quinn, City of Los Angeles

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 21-241
- B. Chairwoman's Monthly Activity Report 21-247
- C. General Manager's summary of activities 21-242
- D. General Counsel's summary of activities 21-243
- E. General Auditor's summary of activities 21-244
- F. Ethics Officer's summary of activities 21-245

**** CONSENT CALENDAR OTHER ITEMS -- ACTION ******6. CONSENT CALENDAR OTHER ITEMS - ACTION**

- A.** Approval of the Minutes of the Meeting for June 8, 2021 (Copies have been submitted to each Director) Any additions, corrections, or omissions **21-246**
- B.** Approve Committee Assignments

7. CONSENT CALENDAR ITEMS - ACTION

- 7-1** Authorize extending Agreement No. 177666 for one year with KPMG LLP to continue engagement for external audit services for fiscal year 2021/22, for an amount not to exceed \$465,500; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (AE) **21-214**
- 7-2** Approve Update to 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 (FI) **21-236**
- 7-3** Authorize four actions for the Desert region communication system including: 1) an agreement with Nokia of America Corporation in an amount not to exceed \$5,297,000 for equipment procurement and design support to upgrade the wide area network; 2) an amendment to an agreement with Hatfield & Dawson Consulting Engineers, LLC for a new not-to-exceed amount of \$730,000 to provide specialized technical support for the upgrade; 3) an amendment to the Capital Investment Plan for fiscal years 2020/2021 and 2021/2022 to include additional communication system improvements at the Colorado River Aqueduct's Gene Pumping Plant and 4) an agreement in an amount not to exceed \$275,000 with HDR Engineering, Inc. for design services related to the construction of a communication line; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EO) **21-248**
- 7-4** Adopt amendments to Metropolitan's Administrative Code to move certain responsibilities for annexations from the Finance and Insurance Committee to Real Property and Asset Management Committee; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (RPAM) **21-265**

- 7-5** Authorize the General Manager to grant a permanent easement to the State of California Department of Transportation (Caltrans) on Metropolitan fee-owned property in the City of Los Angeles; Metropolitan previously reviewed and considered Caltrans' Environmental Impact Report/Environmental Impact Statement and took related CEQA actions (RPAM) **21-266**
- 7-6** Authorize an increase of \$3,000,000 to an agreement with Roesling Nakamura Terada Architects for a new not-to-exceed amount of \$5,000,000 for preliminary design and architectural services in support of the District Housing and Property Improvement Program; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (RPAM) **21-267**
- 7-7** Authorize agreement with Inland Empire Utilities Agency, West Valley Water District, and San Bernardino Valley Water District to provide assistance on water deliveries; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (WPS) **21-269**
- 7-8** Authorize payments, by a two-thirds vote, of up to \$3.56 million for participation in the State Water Contractors for fiscal year 2021/22; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (WPS) **21-270**
- 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) **21-263**
- 7-10** Authorize increase of \$100,000, to a maximum amount payable of \$300,000, for existing General Counsel contract with Olson Remcho LLP to provide general government law advice related to the Political Reform Act, the Fair Political Practices Commission regulations, conflict of interest law and other legislative and ethics matters; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (LC) **21-278**

- 7-11** Report on existing litigation OHL USA, Inc. v. The Metropolitan Water District of Southern California, Los Angeles Superior Court Case No. 19STCV27689; and authorize increase of maximum amount payable under contract with Theodora Oringher PC for legal services by \$200,000 to an amount not to exceed \$900,000 (Approp. 154170); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)] (LC) **21-261**
- 7-12** Report on Baker Electric, Inc. v. Metropolitan Water District of Southern California, et al., (Los Angeles Superior Court Case No. 21STCV15612) regarding Metropolitan's CRA 6.9 kV Power Cables Replacement Project, Contract No. 1915; authorize filing cross-complaints; and authorize an increase in the maximum amount payable under contract with Musick, Peeler & Garrett LLP, for legal services by \$TBD to an amount not-to-exceed \$TBD; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA] (LC) **21-262**

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

8. OTHER BOARD ITEMS - ACTION

None

9. BOARD INFORMATION ITEMS

- 9-1** Update on Conservation Program **21-276**
- 9-2** Report on Status of Member Agency Workgroup's Review of Demand Management Cost Recovery Alternatives (FI) **21-237**

10. OTHER BOARD MATTERS

- 10-1** Discussion of Department Head Evaluation Process Guidelines and Department Head Evaluation Presentations **21-259**
[Public employee's performance evaluations; General Counsel, General Auditor, and Ethics Officer, to be heard in closed session]

11. FOLLOW-UP ITEMS

None

12. FUTURE AGENDA ITEMS

13. 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.

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