



**Exec Committee**

G. Gray, Chair  
D. De Jesus, Vice Chair  
C. Kurtz, Vice Chair  
J. Abdo, Board Secretary  
R. Atwater  
M. Camacho  
G. Cordero  
L. Dick  
M. Luna  
M. Ramos  
R. Record  
T. Smith

**Executive Committee - Final - Revised 1**

Meeting with Board of Directors \*

**April 26, 2022**

**12:00 p.m.**

**Tuesday, April 26, 2022  
Meeting Schedule**

09:00 am - Sp OP&T  
10:30 am - OWC  
11:30 am - Break  
12:00 pm - Exec  
12:30 pm - Sp BOD  
02:00 pm - Sp WP&S

Teleconference meetings will continue until further notice. Live streaming is available for all board and committee meetings on [mwdh2o.com](http://mwdh2o.com) ([Click Here](#))

A listen only phone line is also available at 1-800-603-9516; enter code: 2176868#. 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 enter Code: 9601962.

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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))**

**2. OTHER MATTERS AND REPORTS**

- a. Chairwoman's Report [21-1087](#)
- b. General Manager's report of Metropolitan activities [21-1081](#)
- c. General Counsel's report of Metropolitan activities [21-1082](#)
- d. General Auditor's report of Metropolitan activities [21-1083](#)
- e. Ethics Officer's report of Metropolitan activities [21-1084](#)
- f. Report from Audit and Ethics Committee
- g. Report from Communications and Legislation Committee

- h. Report from Engineering and Operations Committee
- i. Report from Finance and Insurance Committee
- j. Report from Legal and Claims Committee
- k. Report from One Water (Conservation and Local Resources) 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 Executive Committee Meeting for March 22, 2022 (Copies have been submitted to each Director, Any additions, corrections, or omissions) [21-1085](#)

**Attachments:** [04262022 Exec 3A Minutes](#)

- B.** Approve draft committee and board meeting agendas, and schedule for May 2022 [21-1086](#)

**Attachments:** [04262022 Exec 3B Draft Agenda](#)

- C.** Appoint a replacement member to the ad hoc committee established by the Executive Committee on March 22, 2022 to fill a vacancy created by the resignation of Director Record from the ad hoc committee; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [ITEM ADDED] [21-1153](#)

- D.** Create an ad hoc subcommittee of the Executive Committee and select three members to serve on the subcommittee to investigate allegations pursuant to Administrative Code section 2416(f)(5); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-1091](#)

**Attachments:** [04262022 Exec 4D Admin Code](#)

**4. CONSENT CALENDAR ITEMS - ACTION**

**\*\* 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**

**NOTE:** This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Agendas for the meeting of the Board of Directors may be obtained from the Board Executive Secretary. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

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# THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

## MINUTES

### EXECUTIVE COMMITTEE

**March 22, 2022**

Chairwoman Gray called the teleconference meeting to order at 12:15 p.m.

Members present: Directors Abdo, Atwater, Camacho, Cordero, De Jesus, Dick, Gray, Kurtz, Luna, Ramos (entered after roll call), Record, and Smith

Member absent: None

Other Board members present: Directors Ackerman, Blois, Dennstedt, Erdman, Faessel, Fellow, Fong-Sakai, Goldberg, Jung, Lefevre, McCoy, Miller, Morris, Ortega, Peterson, Pressman, Quinn, Repenning, Sutley, and Tamaribuchi

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

#### **1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction**

Name	Affiliation	Item
Caty Wagner	Sierra Club of CA	Committee Assignment
Conner Everts	Alliance Environmental Water Caucus & Environmental Justice Coalition	Committee Assignment/Public Comment
Charming Evelyn	Sierra Club of CA & Environmental and Social Justice Committee	Committee Assignment/Public Comment

#### **2. OTHER MATTERS AND REPORTS**

a. Subject: Chairwoman's Report

Presented by: Chairwoman Gloria D. Gray

Chairwoman Gray spoke on the ongoing drought conditions and water conservation.

In addition, Chairwoman Gray announced under Section 2202 of the Administrative Code, she removed Director Repenning from Vice Chair of the Board position.

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

Presented by: General Manager Adel Hagekhalil

General Manager Hagekhalil reported on the following:

- Traveled to Washington, D.C. with Chairwoman Gray, the Los Angeles Chamber, and BizFed and met with legislators asking for support with the recycled water funding provided under the infrastructure bill.
- Liz Crosson was recently hired as Metropolitan's Chief Sustainability, Resiliency, and Innovation Officer to begin March 28, 2022. General Manager also announced that a selection was made for the Diversity Equity & Inclusion Officer to begin in April.
- Metropolitan received two grants from the state to assist with our Direct Install Program in partnership with Southern California Gas Company; and for additional funding for Metropolitan's Turf removal program.
- Provided a drought and conservation update.
- Introduced Assistant General Manager Upadhyay to present an update on State Water Project supply and its effect on state water project dependent areas.
- The first All-Hands Manager Forum will be conducted this month to launch a series of trainings to enhance the culture at Metropolitan's workplace and quality of work.
- A confidential State Audit report will be presented at a Special Board Meeting on March 29, 2022.

The following Directors provided comments or asked questions:

Directors	
1.	Repenning
2.	Ortega
3.	Blois
4.	Goldberg
5.	Cordero
6.	Quinn

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

No report was given.

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

Presented by: Assistant General Auditor John Tonsick

Assistant General Auditor Tonsick stated he had nothing to add to the written report.

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

Presented by: Ethics Officer Abel Salinas

Ethics Officer Salinas stated that the Form 700 due date is April 1, 2022.

f. Subject: Report from Audit and Ethics Committee

Chairwoman Gray announced that the Audit and Ethics Committee will not be meeting in April.

g. Subject: Report from Communications and Legislation Committee

Presented by: Committee Chair Cordero

Committee Chair Cordero announced that the Committee will hear the following consent item:

- Express support for SB 991 (Newman, D-Fullerton): Public contracts: progressive design-build: local agencies.

In addition, the Committee will hear two committee items:

- Reports on activities from Washington D.C.
- Report on activities from Sacramento.

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

i. Subject: Report from Finance and Insurance Committee

Presented by: Committee Vice Chair Record

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

- Adopt the resolution finding that for fiscal years 2022/23 through 2025/26, the ad valorem property tax rate limitation of Metropolitan Water District Act Section 124.5 is not applicable because it is essential to Metropolitan's fiscal integrity to collect ad valorem property taxes in excess of the limitation.
- Approve the proposed biennial budget for fiscal years 2022/23 and 2023/24, which includes the Capital Investment Plan and revenue requirements for fiscal years 2022/23 and 2023/24, and ten-year forecast; adopt resolutions fixing and adopting the water rates and charges for calendar years 2023 and 2024.

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

j. Subject: Report from Legal and Claims Committee

Presented by: Committee Chair Dick

Committee Chair Dick announced that the Committee will hear the following:

- The General Counsel's monthly activities.

In closed session, the Committee will hear four items:

- A report on *Baker Electric, Inc. v. Metropolitan*, and consider authorizing an increase in the amount payable under contract with Exponent, Inc. for consulting services and Musick, Peeler & Garrett, LLP for legal services.
- Authorize a settlement in the lawsuit, *John Campbell v. Metropolitan*.
- A report on the *Pacific Coast Federation of Fishermen's Associations v. Ross* case.
- The *San Diego County Water Authority v. Metropolitan* litigation, including discussions regarding potential settlement.

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

Presented by: Committee Vice Chair McCoy

Committee Vice Chair McCoy announced that the Committee will hear two committee items:

- Update on Status of Recommendations for Independent Review of Workplace Concerns.
- Labor Negotiations Update.

There will be no Human Resources Manager's Report or Information Technology Manager's Report in April.

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

Presented by:   Committee Chair Abdo

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

- Oral Update on Conservation Program Activity.
- Oral Update on New and Modified Conservation Programs.
- Oral Update on Southern Nevada Water Authority's Non-Functional Turf Removal.

There will be one management report on:

- Water Resource Management Manager's Report.

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

Presented by:   Committee Vice Chair Peterson

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

- Authorize an agreement to grant a new ten-year license agreement to New Cingular Wireless PCS LLC, for the continued operation of an existing telecommunications site on Metropolitan's fee-owned property in the city of Yorba Linda identified as Orange County Assessor Parcel Number 329-021-03.
- Authorize an agreement to grant a new ten-year license agreement to CCATT LLC, for the continued operation of an existing telecommunications site on Metropolitan's fee-owned property in the city of Los Angeles commonly identified as the Los Angeles County Assessor Parcel Number 4493-014-906.



As well as one oral report:

- Headquarters Sustainability Initiatives and Utility Use Overview.

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

n. Subject: Report from Water Planning and Stewardship Committee

Presented by: Committee Chair Atwater

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

- Authorize agreement with Western Municipal Water District, Rubidoux Community Services District, West Valley Water District, and San Bernardino Valley Municipal Water District to provide Rubidoux Community Services District assistance on water deliveries.
- Authorize the General Manager to negotiate an agreement consistent with the draft terms of the Metropolitan Water District/Inland Empire Utilities Agency Exchange Agreement.
- Authorize the General Manager to: (1) secure one-year water transfers with various water districts north of the Sacramento-San Joaquin River Delta for up to 75,000 acre-feet of additional supplies; (2) secure storage and conveyance agreements with the Department of Water Resources and various water districts to facilitate these transfers; (3) pay up to \$60 million from the State Water Project Budget for such transfers; and grant final decision-making authority to the General Manager subject to the terms set forth in this letter.
- Appropriate \$20 million and authorize an amendment to the 2019 Reservoir Project Agreement with the Sites Project Authority to allow participation in the Sites Reservoir Project Amendment 3 Workplan.

As well as four committee items:

- Update on Water Surplus and Drought Management.
- Update on the Antelope Valley East Kern Water Agency High Desert Water Bank.
- Colorado River Tribal Partnerships.
- Bay-Delta Policies Workshop #1.

Lastly, the Committee will hear three management reports:

- Colorado River Manager's Report.
- Bay-Delta Manager's Report.
- Water Resource Management Manager's Report.

The following report was heard out of order.

h. Subject: Report from Engineering and Operations Committee

Presented by: Committee Chair Smith

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

- Adopt CEQA determination that the proposed action was previously addressed in the certified 2005 Environmental Impact Report; award a \$18,930,000 contract to Woodcliff Corporation for improvements to the La Verne Shops; and authorize an agreement with Richard Brady & Associates for a not to exceed amount of \$650,000.
- Authorize an agreement with Stantec Consulting Services, Inc. for a not-to-exceed amount of \$8.5 million to replace the control system at the Mills Water Treatment Plant and amend an existing agreement with CH2M Hill Engineers, Inc. for a not-to exceed amount of \$4.435 million; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA.
- Adopt the CEQA determination that the proposed project was previously addressed in the approved 2014 Mitigated Negative Declaration and related CEQA action, award a \$17,226,250 contract to Spinello Infrastructure West, Inc to replace the lining in a portion of the Orange County Feeder, and authorize the General Manager to enter into a new 24-month lease agreement, with an 18-month option to extend, at 2750 Bristol Street in Costa Mesa, CA (Assessor's Parcel No. 418 182-05) in an amount not to exceed \$360,000 for use as a construction staging and storage site.
- Appropriate \$600 million for projects identified in the Capital Investment Plan for Fiscal Years 2022/23 and 2023/24 and authorize the General Manager to initiate or proceed with work on capital projects identified in the Capital Investment Plan for Fiscal Years 2022/23 and 2023/24 and Minor Capital Projects to be identified during the biennial period, subject to any limits on the General Manager's authority and CEQA requirements; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA.

In addition, the Committee will hear one oral report:

- Overview of Arc Flash Safety Planning.

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

- Water System Operations Manager's report.
- Engineering Services 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 February 22, 2022, and the meeting of the Special Executive Committee held March 8, 2022.
- B. Approve draft committee and board meeting agendas, and schedule for April 2022.

Chairwoman Gray asked Directors if there were any comments or discussions on the minutes of February 22, 2022, Executive Committee Meeting, and the meeting of the Special Executive Committee held March 8, 2022. None were made.

Chairwoman Gray then asked Directors if there were any comments, additions, or corrections to the April 2022 Draft Packet. None were made.

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

Chairwoman Gray proposed the selection of three members: Directors Kurtz, Ramos, and Record to serve on the subcommittee then opened the matter for discussion.

The following Director provided comments or asked questions:

- Directors
- 1. Ortega

Outside counsel Lance Olson, Olson Remcho LLP responded to the Director questions and comments.

Chairwoman Gray called for the vote.

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

The vote was:

Ayes: Directors Abdo, Atwater, Camacho, Cordero, De Jesus, Dick, Gray, Kurtz, Luna, Ramos, Record, and Smith

Noes: None

Abstentions: None

Absent: None

The motion for Item 3A, 3B, and 3C passed by a vote of 12 ayes; 0 no; 0 abstain; and 0 absent.

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

#### **4. OTHER BOARD ITEMS – ACTION**

None

#### **5. BOARD INFORMATION ITEMS**

None

#### **6. FOLLOW-UP ITEMS**

None

#### **7. FUTURE AGENDA ITEMS**

None

The meeting was adjourned at 1:16 p.m.

Gloria D. Gray  
Chairwoman of the Board

**Draft**

**May 9 & 10, 2022**

**Board and Committee**

**Meetings**

**Agenda Packet**



The Metropolitan Water District of Southern California



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA  
700 N. Alameda Street, Los Angeles, California 90012

## Schedule of Meetings – May 2022

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### Monday, May 9

9:30 a.m.	Finance and Insurance Committee
11:00 a.m.	Organization, Personnel and Technology Committee
12:00 p.m.	Break
12:30 p.m.	Real Property and Asset Management Committee
1:30 p.m.	Communications and Legislation Committee
2:30 p.m.	Water Planning and Stewardship Committee

### Tuesday, May 10

8:30 a.m.	Legal and Claims Committee
9:30 a.m.	Engineering and Operations Committee
11:30 a.m.	Break
12:00 p.m.	Board Meeting

### Tuesday, May 24

9:30 a.m.	One Water (Conservation & Local Resources) Committee
11:30 a.m.	Break
12:00 p.m.	Executive Committee

### Monday, May 30

***Observance of Memorial Day Holiday – District Offices Closed***

***\*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  
B. Dennstedt  
L. Dick  
S. Faessel  
S. Goldberg  
P. Hawkins  
F. Jung  
A. Ortega  
T. Quinn  
M. Ramos  
T. Smith  
S. Tamaribuchi

#### **Finance and Insurance Committee - Draft**

Meeting with Board of Directors \*

**May 9, 2022**

**9:30 a.m.**

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#### **Monday, May 9, 2022 Meeting Schedule**

09:30 am - F&I  
11:00 am - OP&T  
12:00 pm - Break  
12:30 pm - RP&AM  
01:30 pm - C&L  
02:30 pm - WP&S

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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 ITEMS -- ACTION \*\***

#### **2. CONSENT CALENDAR OTHER ITEMS - ACTION**

- A. Approval of the Minutes of the Finance and Insurance Committee held April 11, 2022 [21-1117](#)

#### **3. CONSENT CALENDAR ITEMS - ACTION**

- 7-1 Adopt Resolution to continue Metropolitan's Water Standby Charge for fiscal year 2022/23; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-1103](#)

#### **\*\* END OF CONSENT CALENDAR ITEMS \*\***

#### **4. OTHER BOARD ITEMS - ACTION**

NONE

## 5. BOARD INFORMATION ITEMS

- 9-2 Renewal Status of Metropolitan's Property and Casualty Insurance Program [21-1102](#)

## 6. COMMITTEE ITEMS

- a. Quarterly Financial Report 21-1118
- b. Quarterly Investment Activities Report 21-1151
- c. Bond Disclosure: Appendix A Training 21-1119

## 7. MANAGEMENT REPORTS

- a. Chief Financial Officer's Report 21-1120

## 8. FOLLOW-UP ITEMS

NONE

## 9. FUTURE AGENDA ITEMS

## 10. ADJOURNMENT

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**OP&T Committee**

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

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

Meeting with Board of Directors \*

**May 9, 2022**

**11:00 a.m.**

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

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

- A. Approval of the Minutes of the Meeting of the Organization, [21-1121](#)  
Personnel and Technology Committee held April 11, 2022, and the  
Special Meeting held April 26, 2022

**3. CONSENT CALENDAR ITEMS - ACTION**

- 7-11 Approve entering into 2022-2024 Memorandum of Understanding [21-1122](#)  
between The Metropolitan Water District of Southern California and  
The American Federation of State, County and Municipal  
Employees, Local 1902; the General Manager has determined that  
the proposed action is exempt or otherwise not subject to CEQA

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

**4. OTHER BOARD ITEMS - ACTION**

NONE

**5. BOARD INFORMATION ITEMS**

NONE

**6. COMMITTEE ITEMS**

- a. Update on Status of Recommendation from Independent Review of Workplace Concerns [21-1045](#)

**7. MANAGEMENT REPORTS**

- a. Human Resources Manager's Report [21-1123](#)
- b. Information Technology Manager's Report 21-1152

**8. FOLLOW-UP ITEMS**

NONE

**9. FUTURE AGENDA ITEMS**

**10. ADJOURNMENT**

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**RP&AM Committee**

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M. Camacho  
L. Dick  
D. Erdman  
A. Kassakhian  
C. Kurtz  
R. Record  
T. Smith  
N. Sutley

**Real Property and Asset Management  
Committee - Draft**

Meeting with Board of Directors \*

**May 9, 2022**

**12:30 p.m.**

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**\*\* CONSENT CALENDAR 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 April 11, 2022 **21-1125**

**3. CONSENT CALENDAR ITEMS - ACTION**

- 7-9 Authorize granting a new five-year license agreement to West Air Gases and Equipment, Inc., for vehicle parking on Metropolitan fee-owned property in the city of Anaheim, identified as Orange County Assessor Parcel No. 344-221-01; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **[21-1115](#)**

**7-10** Authorize the General Manager to update the landlord termination provision for leases with Coxco, LLC and HayDay Farms Venture, LLC; the General Manager has previously determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with real property negotiators; properties identified as Property Group 1: Riverside County Assessor Parcel Nos. 821-100-018; 821-100-019; 821-150-018; 821-160-012; 821-160-013; 824-200-048; 863-140-002; 863-150-001; 863-170-005; 863-170-006; 863-180-003; 863-180-004; 863-180-005; 863-220-005; 866-040-004; 866-040-005; 866-040-007; 866-040-008; 866-080-001; 866-080-002; 866-080-003; 866-080-005; 866-080-012; 866-090-002; 866-090-009; 866-090-010; 866-090-013; 866-090-014; 872-150-005; 872-160-006; 872-160-007; 872-160-008; 872-160-009; 872-180-006; 872-180-009; 878-020-004; 878-020-005; 878-020-008; 878-030-009; 878-030-016; 878-091-001; 878-091-005; 878-091-006; 821-140-002; 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; Property Group 2: Riverside County Assessor Parcel Nos. 878-081-001; 878-081-002; 878-081-004; 878-081-005; 878-081-006; 878-081-012; 878-082-001; 878-082-007; 878-111-017; 878-112-014; 878-112-015; 878-120-013; 878-120-015; 878-130-010; 878-130-011; 878-161-014; 878-161-015; 878-162-002; 878-162-003; 878-191-004; 878-192-001; 878-192-002; 878-193-007; 878-193-011; 878-193-013; 878-201-001; 878-220-005; 878-220-014; 878-220-015; 878-230-006; 878-230-007; 878-230-008; 878-240-021; 879-210-026; 879-240-007; 879-240-029; 879-240-032; 879-240-033; 879-261-004; 879-262-005; 879-262-011; 879-262-014; 866-130-001; 866-130-002; 866-130-003; 866-130-004; 866-210-006; 866-210-010; 866-240-004; 866-240-009; 866-250-008; 866-250-009; 866-250-011; 869-130-001; 869-270-006; 869-270-010; 869-291-002; 869-291-003; 869-291-005; 869-291-009; 869-292-001; 869-292-002; 869-292-003; 872-080-006; 872-080-007; 872-080-008; 872-090-005; 872-090-006; 872-090-007; 872-090-008; 872-100-001; 872-340-014; 872-340-018; 872-352-003; 872-352-010; 872-352-017; 872-360-001; 872-360-003; 872-370-002; 872-370-008; 872-370-013; 872-370-014; 872-370-016; 872-370-018; 875-021-001; 875-021-002; 875-021-006; 875-021-007; 875-021-008; 875-021-013; 875-021-014; 875-022-003; 875-022-004; 875-022-005; 875-022-006; 875-022-012; 875-030-012; 875-030-014; 875-030-027; 875-030-028; 875-040-006;

[21-1113](#)

875-071-001; 875-071-002; 875-071-003; 875-071-004;  
 875-071-005; 875-071-006; 875-071-007; 875-071-012;  
 875-071-013; 875-071-014; 875-071-015; 875-131-005;  
 875-131-006; 875-131-009; 875-131-010; 875-171-001;  
 875-171-002; 875-250-010; 878-040-008; 878-050-003;  
 878-050-004; 878-050-005; 878-050-006; 878-050-010;  
 878-050-011; 878-050-012; 878-050-013; 878-060-002;  
 878-070-001; 878-092-003; 878-092-016; 878-092-017;  
 878-092-018; 878-101-004; 878-101-005; 878-151-004;  
 878-151-005; 878-152-003; 878-152-031; 878-202-003;  
 878-202-005; 878-240-009; 878-240-010; 878-240-011;  
 878-240-012; and Imperial County Assessor Parcel Nos.  
 006-090-003; 006-210-009; 006-210-021; 006-210-029;  
 006-220-010; 006-220-013; 006-220-019; 006-220-021;  
 006-220-022; 006-220-058; 006-090-008; 006-090-009;  
 006-090-010; 006-090-011; 006-090-012; 006-090-013;  
 006-090-029; 006-120-082; 006-120-089; 006-150-065;  
 006-220-057; agency negotiators: Anna Olvera and Kevin Webb;  
 negotiating parties: Coxco, LLC and HayDay Farms Venture, LLC;  
 under negotiations: 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**

NONE

**7. MANAGEMENT REPORTS**

- a. Real Property Group Manager's Report

**21-1127**

**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  
D. Erdman  
A. Kassakhian  
M. Luna  
J. Morris  
G. Peterson  
T. Quinn  
R. Record  
H. Repenning  
T. Smith

**Communications and Legislation  
Committee - Draft**

Meeting with Board of Directors \*

**May 9, 2022**

**1:30 p.m.**

Teleconference meetings will continue until further notice. Live streaming is available for all board and committee meetings on [mwdh2o.com](http://mwdh2o.com) ([Click Here](#))

A listen only phone line is also available at 1-800-603-9516; enter code: 2176868#. 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 enter Code: 9601962.

**Monday, May 9, 2022  
Meeting Schedule**

09:30 am - F&I  
11:00 am - OP&T  
12:00 pm - Break  
12:30 pm - RP&AM  
01:30 pm - C&L  
02:30 pm - WP&S

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

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\* 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 ITEMS -- ACTION \*\***

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

- A. Approval of the Minutes of the Meeting of the Communications and Legislation Committee held April 11, 2022 **21-1128**

**3. CONSENT CALENDAR ITEMS - ACTION**

- 7-8 Legislative Placeholder [21-1109](#)

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

**4. OTHER BOARD ITEMS - ACTION**

NONE

**5. BOARD INFORMATION ITEMS**

- 9-3 Legislative Placeholder Info Item [21-1111](#)

**6. COMMITTEE ITEMS**

- a. Report on activities from Washington, D.C. 21-1130
- b. Report on activities from Sacramento 21-1129

**7. MANAGEMENT REPORTS**

- a. External Affairs Management Report 21-1131

**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  
R. Lefevre  
M. Luna  
C. Miller  
J. Morris  
M. Petersen  
G. Peterson  
B. Pressman  
R. Record

**Water Planning and Stewardship  
Committee - Draft**

Meeting with Board of Directors \*

**May 9, 2022**

**2:30 p.m.**

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A listen only phone line is also available at 1-800-603-9516; enter code: 2176868#. 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 enter Code: 9601962.

**Monday, May 9, 2022  
Meeting Schedule**

09:30 am - F&I  
11:00 am - OP&T  
12:00 pm - Break  
12:30 pm - RP&AM  
01:30 pm - C&L  
02:30 pm - WP&S

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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))**

- a. Presentation on the Delta Conveyance Design and Construction Authority's role in the Delta Conveyance Project Environmental Impact Report: Graham Bradner, Executive Director **21-1134**

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

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

- A. Approval of the Minutes of the Meeting of the Water Planning and Stewardship Committee held April 12, 2022, and the Special Meeting held April 26, 2022 **21-1148**

**3. CONSENT CALENDAR ITEMS - ACTION**

NONE

**\*\* END OF CONSENT CALENDAR ITEMS \*\*****4. OTHER BOARD ITEMS - ACTION**

NONE

**5. BOARD INFORMATION ITEMS**

- 9-4** Review of Policy Principles Regarding the Sacramento-San Joaquin River Delta [21-1112](#)

**6. COMMITTEE ITEMS**

- a. Colorado River Tribal Partnerships 21-1135
- b. Bay-Delta Policies Workshop #1 21-1136
- c. Update on Water Surplus and Drought Management 21-1137
- d. Colorado River Tribal Partnerships 21-1141
- e. Update on the Antelope Valley East Kern Water Agency High Desert Water Bank 21-1146

**7. MANAGEMENT REPORTS**

- a. Colorado River Manager's Report 21-1133
- b. Bay-Delta Manager's Report 21-1132
- c. Water Resources Management Manager's Report 21-1138

**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  
T. Phan  
R. Record  
T. Smith  
N. Sutley  
S. Tamaribuchi

**Legal and Claims Committee - Draft**

Meeting with Board of Directors \*

**May 10, 2022**

**8:30 a.m.**

**Tuesday, May 10, 2022  
Meeting Schedule**

**08:30 a.m. L&C  
09:30 a.m. E&O  
11:30 a.m. Break  
12:00 p.m. BOD**

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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 **21-1142**

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

A. Approval of the Minutes of the Meeting of the Legal and Claims Committee held April 11, 2022 **21-1143**

**4. CONSENT CALENDAR ITEMS - ACTION**

NONE

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

**5. OTHER BOARD ITEMS - ACTION**

NONE

## **6. BOARD INFORMATION ITEMS**

NONE

## **7. COMMITTEE ITEMS**

- a.** Report on litigation in *The Navajo Nation v. United States Department of the Interior* (U.S. Court of Appeals for the Ninth Circuit, Case No. No. 19-17088, D.C. No. 3:03-cv-00507-PCT-GMS) [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)] **21-1144**
- b.** Report on litigation, including discussions regarding potential settlement, in *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, 2016, and 2018 actions. [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)] **21-1145**

## **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  
L. Fong-Sakai  
R. Lefevre  
J. Morris  
G. Peterson  
H. Repenning  
H. Williams

### **Engineering and Operations Committee - Draft**

Meeting with Board of Directors \*

**May 10, 2022**

**9:30 a.m.**

Teleconference meetings will continue until further notice. Live streaming is available for all board and committee meetings on [mwdh2o.com](http://mwdh2o.com) ([Click Here](#))

A listen only phone line is also available at 1-800-603-9516; enter code: 2176868#. 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 enter Code: 9601962.

### **Tuesday, May 10, 2022 Meeting Schedule**

08:30 a.m. L&C  
09:30 a.m. E&O  
11:30 a.m. Break  
12:00 p.m. BOD

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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 ITEMS -- ACTION \*\***

### **2. CONSENT CALENDAR OTHER ITEMS - ACTION**

- A. Approval of the Minutes of the Engineering and Operations Committee held April 11, 2022 **21-1139**

### **3. CONSENT CALENDAR ITEMS - ACTION**

- 7-2 Certify the Final Program Environmental Impact Report for the Climate Action Plan and take related CEQA actions; adopt the Climate Action Plan; and authorize an increase of \$1.2 million to an agreement with Rincon Consultants, Inc. for a new not-to-exceed total of \$2.2 million for Climate Action Plan implementation support [21-1101](#)

- 7-3 Adopt the CEQA determination that the proposed action was previously addressed in the certified Program Environmental Impact Report and related CEQA actions and (1) award a \$18,930,000 contract to Woodcliff Corporation for improvements to the La Verne Shops; and (2) authorize an agreement with Richard Brady & Associates for a not-to-exceed amount of \$650,000 [21-1104](#)
- 7-4 Award a \$3,143,592 contract to Blois Construction, Inc. for upgrades at three Sepulveda Feeder structures; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-1105](#)
- 7-5 Review and consider Addendum No. 1 to the certified 2015 Final Environmental Impact Report for the Weymouth Plant Improvements; award a \$93,840,000 contract to J. F. Shea Construction, Inc. for rehabilitation of Basins Nos. 5-8 and Filter Building No. 2 at the F. E. Weymouth Water Treatment Plant; and authorize an agreement with Carollo Engineers, Inc., for an amount not to exceed \$495,000 for engineering support during construction [21-1106](#)
- 7-6 Award \$2,654,000 contract to MMC Inc. for replacement of chillers at OC-88 Pump Station; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-1107](#)
- 7-7 Review and consider Addendum No. 5 to the certified 2017 Programmatic Environmental Impact Report; and award \$11,884,700 contract to J. F. Shea Construction, Inc. to rehabilitate a portion of the Second Lower Feeder [21-1108](#)

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

**4. OTHER BOARD ITEMS - ACTION**

NONE

**5. BOARD INFORMATION ITEMS**

NONE

**6. COMMITTEE ITEMS**

- a. State Water Project Dependent Area Solutions: Drought Action Planning Update **21-1140**
- b. Overview of Arc Flash Safety Planning **21-1147**

**7. MANAGEMENT REPORTS**

- a. Water System Operations Manager's Report **21-1149**

- b. Engineering Services Manager's Report

21-1150

## **8. FOLLOW-UP ITEMS**

NONE

## **9. FUTURE AGENDA ITEMS**

## **10. ADJOURNMENT**

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**Regular Board of Directors Meeting - Draft**

**May 10, 2022**

**12:00 PM**

Tuesday, May 10, 2022 Meeting Schedule
08:30 a.m. L&C
09:30 a.m. E&O
11:30 a.m. Break
12:00 p.m. BOD

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

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**1. Call to Order**

1.1 Invocation: TBD

1.2 Pledge of Allegiance: Director Larry D. Dick, Municipal Water District of Orange County

**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))**

a. Member Agency Overview: Anthony Goff, General Manager, [21-1092](#)  
Calleguas Municipal Water District

**5. OTHER MATTERS AND REPORTS**

- |           |  |                |
|-----------|--|----------------|
| <b>A.</b> | Report on Directors' Events Attended at Metropolitan's Expense | <b>21-1093</b> |
| <b>B.</b> | Chairwoman's Monthly Activity Report                           | <b>21-1094</b> |
| <b>C.</b> | General Manager's Monthly Activity Report                      | <b>21-1095</b> |
| <b>D.</b> | General Counsel's summary of activities                        | <b>21-1096</b> |

- |    |   |         |
|----|---|---------|
| E. | General Auditor's summary of activities | 21-1097 |
| F. | Ethic's Officer's summary of activities | 21-1098 |

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

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

- |    |  |         |
|----|--|---------|
| A. | Approval of the Minutes of the Regular Meeting for April 12, 2022 and the Special Meeting for April 26, 2022 (Copies have been submitted to each Director) (Any additions, corrections, or omissions)  | 21-1099 |
| B. | 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; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA | 21-1100 |
| C. | Approve Committee Assignments  |         |

**7. CONSENT CALENDAR ITEMS - ACTION**

- |     |   |                                |
|-----|---|--------------------------------|
| 7-1 | Adopt Resolution to continue Metropolitan's Water Standby Charge for fiscal year 2022/23; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (FI)   | <a href="#"><u>21-1103</u></a> |
| 7-2 | Certify the Final Program Environmental Impact Report for the Climate Action Plan and take related CEQA actions; adopt the Climate Action Plan; and authorize an increase of \$1.2 million to an agreement with Rincon Consultants, Inc. for a new not-to-exceed total of \$2.2 million for Climate Action Plan implementation support (EO)                                     | <a href="#"><u>21-1101</u></a> |
| 7-3 | Adopt the CEQA determination that the proposed action was previously addressed in the certified Program Environmental Impact Report and related CEQA actions and (1) award a \$18,930,000 contract to Woodcliff Corporation for improvements to the La Verne Shops; and (2) authorize an agreement with Richard Brady & Associates for a not-to-exceed amount of \$650,000 (EO) | <a href="#"><u>21-1104</u></a> |
| 7-4 | Award a \$3,143,592 contract to Blois Construction, Inc. for upgrades at three Sepulveda Feeder structures; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO)   | <a href="#"><u>21-1105</u></a> |

- 7-5** Review and consider Addendum No. 1 to the certified 2015 Final Environmental Impact Report for the Weymouth Plant Improvements; award a \$93,840,000 contract to J. F. Shea Construction, Inc. for rehabilitation of Basins Nos. 5-8 and Filter Building No. 2 at the F. E. Weymouth Water Treatment Plant; and authorize an agreement with Carollo Engineers, Inc., for an amount not to exceed \$495,000 for engineering support during construction (EO) [21-1106](#)
- 7-6** Award \$2,654,000 contract to MMC Inc. for replacement of chillers at OC-88 Pump Station; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) [21-1107](#)
- 7-7** Review and consider Addendum No. 5 to the certified 2017 Programmatic Environmental Impact Report; and award \$11,884,700 contract to J. F. Shea Construction, Inc. to rehabilitate a portion of the Second Lower Feeder (EO) [21-1108](#)
- 7-8** Legislative Placeholder (CL) [21-1109](#)
- 7-9** Authorize granting a new five-year license agreement to West Air Gases and Equipment, Inc., for vehicle parking on Metropolitan fee-owned property in the city of Anaheim, identified as Orange County Assessor Parcel No. 344-221-01; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (RPAM) [21-1115](#)

- 7-10** Authorize the General Manager to update the landlord termination provision for leases with Coxco, LLC and HayDay Farms Venture, LLC; the General Manager has previously determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with real property negotiators; properties identified as Property Group 1: Riverside County Assessor Parcel Nos. [21-1113](#)
- |                                       |                             |                             |                   |
|---------------------------------------|-----------------------------|-----------------------------|-------------------|
| 821-100-018;                          | 821-100-019;                | 821-150-018;                | 821-160-012;      |
| 821-160-013;                          | 824-200-048;                | 863-140-002;                | 863-150-001;      |
| 863-170-005;                          | 863-170-006;                | 863-180-003;                | 863-180-004;      |
| 863-180-005;                          | 863-220-005;                | 866-040-004;                | 866-040-005;      |
| 866-040-007;                          | 866-040-008;                | 866-080-001;                | 866-080-002;      |
| 866-080-003;                          | 866-080-005;                | 866-080-012;                | 866-090-002;      |
| 866-090-009;                          | 866-090-010;                | 866-090-013;                | 866-090-014;      |
| 872-150-005;                          | 872-160-006;                | 872-160-007;                | 872-160-008;      |
| 872-160-009;                          | 872-180-006;                | 872-180-009;                | 878-020-004;      |
| 878-020-005;                          | 878-020-008;                | 878-030-009;                | 878-030-016;      |
| 878-091-001;                          | 878-091-005;                | 878-091-006;                | 821-140-002;      |
| 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;                | Property Group 2: |
| Riverside County Assessor Parcel Nos. |                             |                             | 878-081-001;      |
| 878-081-002;                          | 878-081-004;                | 878-081-005;                | 878-081-006;      |
| 878-081-012;                          | 878-082-001;                | 878-082-007;                | 878-111-017;      |
| 878-112-014;                          | 878-112-015;                | 878-120-013;                | 878-120-015;      |
| 878-130-010;                          | 878-130-011;                | 878-161-014;                | 878-161-015;      |
| 878-162-002;                          | 878-162-003;                | 878-191-004;                | 878-192-001;      |
| 878-192-002;                          | 878-193-007;                | 878-193-011;                | 878-193-013;      |
| 878-201-001;                          | 878-220-005;                | 878-220-014;                | 878-220-015;      |
| 878-230-006;                          | 878-230-007;                | 878-230-008;                | 878-240-021;      |
| 879-210-026;                          | 879-240-007;                | 879-240-029;                | 879-240-032;      |
| 879-240-033;                          | 879-261-004;                | 879-262-005;                | 879-262-011;      |
| 879-262-014;                          | 866-130-001;                | 866-130-002;                | 866-130-003;      |
| 866-130-004;                          | 866-210-006;                | 866-210-010;                | 866-240-004;      |
| 866-240-009;                          | 866-250-008;                | 866-250-009;                | 866-250-011;      |
| 869-130-001;                          | 869-270-006;                | 869-270-010;                | 869-291-002;      |
| 869-291-003;                          | 869-291-005;                | 869-291-009;                | 869-292-001;      |
| 869-292-002;                          | 869-292-003;                | 872-080-006;                | 872-080-007;      |
| 872-080-008;                          | 872-090-005;                | 872-090-006;                | 872-090-007;      |
| 872-090-008;                          | 872-100-001;                | 872-340-014;                | 872-340-018;      |
| 872-352-003;                          | 872-352-010;                | 872-352-017;                | 872-360-001;      |
| 872-360-003;                          | 872-370-002;                | 872-370-008;                | 872-370-013;      |
| 872-370-014;                          | 872-370-016;                | 872-370-018;                | 875-021-001;      |
| 875-021-002;                          | 875-021-006;                | 875-021-007;                | 875-021-008;      |
| 875-021-013;                          | 875-021-014;                | 875-022-003;                | 875-022-004;      |
| 875-022-005;                          | 875-022-006;                | 875-022-012;                | 875-030-012;      |
| 875-030-014;                          | 875-030-027;                | 875-030-028;                | 875-040-006;      |

875-071-001; 875-071-002; 875-071-003; 875-071-004;  
 875-071-005; 875-071-006; 875-071-007; 875-071-012;  
 875-071-013; 875-071-014; 875-071-015; 875-131-005;  
 875-131-006; 875-131-009; 875-131-010; 875-171-001;  
 875-171-002; 875-250-010; 878-040-008; 878-050-003;  
 878-050-004; 878-050-005; 878-050-006; 878-050-010;  
 878-050-011; 878-050-012; 878-050-013; 878-060-002;  
 878-070-001; 878-092-003; 878-092-016; 878-092-017;  
 878-092-018; 878-101-004; 878-101-005; 878-151-004;  
 878-151-005; 878-152-003; 878-152-031; 878-202-003;  
 878-202-005; 878-240-009; 878-240-010; 878-240-011;  
 878-240-012; and Imperial County Assessor Parcel Nos.  
 006-090-003; 006-210-009; 006-210-021; 006-210-029;  
 006-220-010; 006-220-013; 006-220-019; 006-220-021;  
 006-220-022; 006-220-058; 006-090-008; 006-090-009;  
 006-090-010; 006-090-011; 006-090-012; 006-090-013;  
 006-090-029; 006-120-082; 006-120-089; 006-150-065;  
 006-220-057; agency negotiators: Anna Olvera and Kevin Webb;  
 negotiating parties: Coxco, LLC and HayDay Farms Venture, LLC;  
 under negotiations: price and terms; to be heard in closed session  
 pursuant to Gov. Code Section 54956.8] (RPAM)

- 7-11** Approve entering into 2022-2024 Memorandum of Understanding between The Metropolitan Water District of Southern California and The American Federation of State, County and Municipal Employees, Local 1902; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OPT)

[21-1122](#)

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

**8. OTHER BOARD ITEMS - ACTION**

NONE

**9. BOARD INFORMATION ITEMS**

- |            |  |                                |
|------------|--|--------------------------------|
| <b>9-1</b> | Report on Conservation   | <b>21-1116</b>                 |
| <b>9-2</b> | Renewal Status of Metropolitan's Property and Casualty Insurance Program (FI)      | <a href="#"><u>21-1102</u></a> |
| <b>9-3</b> | Legislative Placeholder Info Item (CL)   | <a href="#"><u>21-1111</u></a> |
| <b>9-4</b> | Review of Policy Principles Regarding the Sacramento-San Joaquin River Delta (WPS) | <a href="#"><u>21-1112</u></a> |

**10. OTHER MATTERS**

NONE

**11. FOLLOW-UP ITEMS**

NONE

**12. FUTURE AGENDA ITEMS**

**13. ADJOURNMENT**

**NOTE:**

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.

## **Division II**

### **PROCEDURES PERTAINING TO THE BOARD, COMMITTEE AND DIRECTORS**

#### **Chapter 1**

#### **BOARD OF DIRECTORS**

#### **Article 3**

#### **BOARD CONDUCT RULES**

Sec.

2130. Avoiding Personal Bias

2131. Nondiscrimination, Harassment, and Retaliation by Directors

#### **§ 2130. Avoiding Personal Bias.**

In any matter involving a contract, permit, license, or other entitlement for use, a Board member shall not make, participate in or attempt to influence any decision, if he or she is incapable of providing fair treatment to a matter before the Board due to bias, prejudice or because he or she has prejudged a matter.

#### **§ 2131. Nondiscrimination, Harassment, and Retaliation by Directors.**

Directors shall not, in the performance of their official functions, discriminate against any person on the basis of race, religion, color, creed, age, marital status, national origin, ancestry, sex (gender or pregnancy), sexual orientation, medical condition, genetic information, disability (physical or mental), protected veteran status, or other characteristic protected by law and they shall cooperate in achieving the equal opportunity and affirmative action goals and objectives of Metropolitan. Metropolitan directors, officers, employees, and guests have the right to participate in official Metropolitan functions in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive. Harassment based on any characteristic protected by law will not be sanctioned nor tolerated. Directors also shall not retaliate against any person for reporting discrimination or harassment prohibited by this section. Reports of discrimination or harassment based on a characteristic protected by law, or related retaliation, are taken seriously, and appropriate action will be taken against individuals found to have engaged in such conduct. The prohibition against discrimination, harassment, and retaliation applies to all transactions of Metropolitan's business, whether at a Metropolitan-operated facility or an external site. Allegations regarding director conduct in violation of this section shall be reported to the Board Chair, except allegations regarding conduct by the Board Chair in violation of this section shall be reported to the Chair and Vice Chair of the Audit and

Ethics Committee. An employee also has the option of submitting allegations regarding director conduct in violation of this section to Metropolitan's Equal Employment Opportunity Investigations staff for that staff's transmission to the Board Chair, or to the Chair and Vice Chair of the Audit and Ethics Committee, as applicable.

#### **§ 2410. Membership.**

The Executive Committee shall have a maximum of 16 members and shall consist of the Chair, Vice Chairs, Secretary, all past Chairs of the Board who are directors of the District, and the Chairs of the standing committees in addition to the Executive Committee, and two additional directors as nonofficer members.

#### **§ 2416. Duties and Functions. [Executive Committee]**

(a) The Executive Committee shall study, advise, and make recommendations with regard to:

- (1) Public information for governmental and other entities and officials, and for the citizens of California regarding matters affecting the District's interests;
- (2) Official dealings with the United States Government, the State of California or other states, member public agencies or their sub-agencies, foreign governments and other entities or persons in matters of public policy or other activities as deemed appropriate;
- (3) Policies and procedures to be considered by the Board or committees thereof, except for policy matters within the jurisdiction of a specific standing committee;
- (4) Matters relating to the Colorado River Board of California;
- (5) Major policy issues to be considered by the Board, including proposed amendments to the Metropolitan Water District Act;
- (6) Questions raised by the officers and staff in intervals between meetings of the Board and in unexpected situations and emergencies.
- (7) The terms and conditions of employment of all consultants and advisors not within the jurisdiction of other committees;
- (8) Resolution of conflicting committee recommendations pursuant to §2314;
- (9) The progress of, and propose modifications to, the Board's goals in light of then existing and projected future conditions; and
- (10) Such other matters as may be required by Division II of this Code.

(b) The Executive Committee shall:



(1) Review and approve board and committee agendas and, notwithstanding the jurisdiction of the other standing committees in the Code, have the authority to direct which committee shall consider an item;

(2) Review and approve the scheduling of board and committee meetings;

(3) Be responsible for the oversight and management of the organization including, but not limited to, the form of the District's organization and the flow of the authority and responsibility. This includes monitoring and overseeing the duties and responsibilities of management; and

(4) Consider the effectiveness of the District's internal control system, including information technology security and control.

(c) The Executive Committee shall retain ultimate responsibility for those duties as are specifically assigned to the subcommittees of the Executive Committee.

(d) The Executive Committee shall be responsible for reviewing and approving the annual business plan containing the General Manager's key priorities for the coming year.

(e) As part of the Department Head annual evaluation process, the Executive Committee shall be responsible for engaging in periodic performance expectations discussions, including progress checks, with the General Manager.

(f) The Executive Committee shall also:

(1) Act on behalf of the Board in unexpected situations and emergencies, subject to subsequent approval or ratification of the actions taken whenever such approval or ratification is required by law.

(2) Provide policy guidance where appropriate to those directors and District staff members who are associated with organizations in which the District has membership.

(3) Conduct hearings on vendors' protests:

(i) Hearings requested pursuant to Section 8142(d), and other hearings granted on the Executive Committee's own motion, unless delegated pursuant to Section 8148 shall be held by the committee at its next regular meeting to be held at least 72 hours after filing of the notice of protest. The hearing shall be conducted in accordance with such rules as the Chair of the committee shall announce. The committee shall make a decision on the bidder's or applicant's protest, shall set forth its reasons therefor, and shall cause the Board Executive Secretary to serve a copy of the decision on the bidder or applicant. The decision of the committee shall be final unless the committee chooses to refer the notice of protest to the Board.

(ii) The Chair of the Executive Committee may re-delegate hearings provided for under subparagraph (i) above to a minimum of three members of the Executive Committee who shall act in place of the committee in the conduct of the hearing and who shall at the conclusion thereof make their recommendations to the full committee. Such recommendations shall be accompanied by copies of any materials submitted in evidence. Any hearing held and recommendations made pursuant to such delegated authority shall be completed in advance of the time set for the next regular meeting of the full committee following the meeting at which the matter would otherwise have been heard by the committee.

(4) Resolve disputes over inspection dates and monitor conduct of inspection trips to assure maximum effectiveness.

(5) Investigate allegations of discrimination, harassment, and retaliation against directors, the General Manager, General Counsel, General Auditor, and Ethics Officer:

(i) The Executive Committee shall create an ad hoc subcommittee of three members to investigate any allegations of discrimination, harassment, or retaliation in violation of Section 2131 made against a director or allegations in violation of Section 6305 made against the General Manager, General Counsel, General Auditor, or Ethics Officer. No director who is the subject of an allegation of discrimination, harassment, or retaliation shall be appointed to the subcommittee.

(ii) The ad hoc subcommittee shall hire an outside counsel or investigator who shall report findings to the ad hoc subcommittee. At its discretion, the ad hoc subcommittee may consult with the General Counsel, Ethics Officer, and/or Equal Employment Opportunity Officer in the course of an investigation into allegations of discrimination, harassment, or retaliation involving a director.

(iii) The ad hoc subcommittee shall report its findings for appropriate action as follows:

a. To the Executive Committee for allegations involving a director or the General Manager.

b. To the Legal and Claims Committee for allegations involving the General Counsel.

c. To the Audit and Ethics Committee for allegations involving the General Auditor or Ethics Officer.

## **§ 2496. Duties and Functions**

(a) Duties and Functions with respect to General Auditor

- (1) The Audit and Ethics Committee shall study, advise and make recommendations with regard to:
  - (i) All reports of the General Auditor and external auditors, including the audited financial statements of the District;
  - (ii) The Audit Department's annual business plan and biennial budget;
  - (iii) Requests from other committees of the Board for audits and reviews not included in the Audit Department's annual business plan;
- (2) The Audit and Ethics Committee shall be responsible for monitoring and overseeing the duties and responsibilities of the Audit Department and the external auditors as those duties and responsibilities relate to the effectiveness of the District's internal control system. It shall review and approve the business plan containing the key priorities for the coming year of the General Auditor and the Audit Department in advance of the July Board meeting.
- (3) As part of the Department Head annual evaluation process, the Audit and Ethics Committee shall be responsible for engaging in periodic performance expectations discussions, including progress checks, with the General Auditor.

(b) Duties and Functions with respect to Ethics Officer

- (1) The Audit and Ethics Committee shall be responsible for recommending to the Board of Directors employment and termination of the Ethics Officer. The Committee shall further conduct periodic performance reviews of the Ethics Officer and provide a written report to the Board of Directors regarding that review.
- (2) The Audit and Ethics Committee shall be responsible for monitoring and overseeing the duties and responsibilities of the Ethics Officer to ensure the independence of the Ethics Officer and to ensure the Ethics Officer is working in a collaborative manner with the Board of Directors, General Manager, General Counsel and General Auditor. Such review and monitoring shall include resolution of any issues between the Ethics Officer and the General Manager, General Counsel and General Auditor regarding requests for access to documents and information maintained by those Department Heads.
- (3) The Audit and Ethics Committee shall review and receive quarterly status reports of pending investigations by the Ethics Officer. The reports shall include the general nature and status of the investigation, how long the investigation has been pending, when the investigation is expected to be completed and, when completed, the resolution of the investigation.

- (4) The Audit and Ethics Committee shall review and receive quarterly reports from the Ethics Officer on any engagement of professional and technical consultants.
- (5) The Audit and Ethics Committee shall review and approve the business plan containing the key priorities for the coming year for the Ethics Office. It shall review and approve the business plan in advance of the July Board meeting.

## **Division VI**

### **PERSONNEL MATTERS**

#### **Chapter 3**

#### **GENERAL EMPLOYEE MATTERS**

##### **Article 1**

#### **EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION**

Sec.

6300. Statement of Equal Employment Opportunity Policy

6301. Good Faith Efforts Required

6302. General Manager's Responsibility to Implement Affirmative Action Program

6303. Objectives of Affirmative Action Program

6304. General Manager's Report on Equal Employment Opportunity Policy and Affirmative Action Program

6305. Nondiscrimination, Harassment, and Retaliation by Officers and Employees

6306. Definitions

#### **§ 6305. Nondiscrimination, Harassment, and Retaliation by Officers and Employees**

Officers and employees shall not, in the performance of their official functions, discriminate against any person on the basis of race, religion, color, creed, age, marital status, national origin, ancestry, sex (gender or pregnancy), sexual orientation, medical condition, genetic information, disability (physical or mental), protected veteran status, or other characteristic protected by law and they shall cooperate in achieving the equal opportunity and affirmative action goals and objectives of Metropolitan. Metropolitan directors, officers, employees, and guests have the right to participate in official Metropolitan functions in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive. Harassment based on any characteristic protected by law will not be sanctioned nor tolerated. Officers and employees also shall not retaliate against any person for reporting discrimination or harassment prohibited by this section. Reports of

discrimination or harassment based on a characteristic protected by law, or related retaliation, are taken seriously, and appropriate action will be taken against individuals found to have engaged in such conduct. The prohibition against discrimination, harassment, and retaliation applies to all transactions of Metropolitan's business, whether at a Metropolitan-operated facility or an external site. Allegations regarding officer or employee conduct in violation of this section shall be reported to Metropolitan's Equal Employment Opportunity Investigations staff.

#### **§ 6306. Definitions.**

Terms, whenever used in this Article, shall have the meaning provided for in applicable law. In conformance with applicable law, the following terms shall have the meanings indicated herein:

(a) Protected veteran - a disabled veteran, a special disabled veteran, a Vietnam era veteran, a recently separated veteran, an armed forces service medal veteran, or any other protected veteran as defined by law.

(b) Age - 40 and above.

(c) Medical condition - Any health impairment related to or associated with a diagnosis of cancer or a record or history of cancer, or genetic characteristics.

#### **§6470. Powers and Duties.**

The powers and duties of the Ethics Officer shall be as follows:

(a) The Ethics Officer shall report to the Board, through the Audit and Ethics Committee.

(b) The Ethics Officer shall oversee an Ethics Office staffed with professional, qualified persons.

(c) The Ethics Officer shall be free from political interference in fulfilling his/her responsibilities detailed in this article.

(d) The Ethics Officer shall maintain a collaborative relationship with the Board, General Manager, General Counsel, and General Auditor.

(e) The Ethics Officer shall propose amendments to the Administrative Code to the Audit and Ethics Committee for approval and adoption by the Board, relating to:

- (1) Regulation of lobbying activities;
- (2) Conflicts of interest and financial disclosure;
- (3) Public notice and approval procedures for contracts of \$50,000 or more;
- (4) Disclosure of campaign contributions related to potential conflicts of interest;
- (5) Such other ethics rules for application to board members, officers, employees, lobbyists, lobbying firms, and contractors as deemed appropriate.

(f) The Ethics Officer shall educate, train, provide advice and seek compliance from board members, officers, applicable employees, lobbyists, lobbying firms, and Metropolitan contractors and subcontractors concerning:

- (1) The rules prescribed in Division VII;
- (2) The Political Reform Act of 1974, as amended, and applicable regulations;
- (3) The conflict of interest rules of Government Code section 1090.

(g) The Ethics Officer shall investigate potential violations of ethics rules in Division VII by board members, officers, applicable staff, lobbyists, lobbying firms, and contractors consistent with the rules specified in Division VII. The Ethics Officer shall prepare status reports of pending investigations on a quarterly basis. The reports shall include the general nature and status of the investigation, how long the investigation has been pending, when the investigation is expected to be completed and, when completed, the resolution of the investigation.

(h) The Ethics Officer shall be the filing officer on behalf of the District to receive and file Statements of Economic Interest pursuant to the California Government Code and Section 7501 of this Administrative Code.

(i) The Ethics Officer shall have the authority to confer with the Chair of the Board and the Chair and Vice Chair of the Audit and Ethics Committee for the purpose of seeking advice and feedback on any policy, operational, or investigative matters, subject to the confidentiality requirements in section 7412 of the Administrative Code.