January 23, 2019

Attention: Imported Water Committee

Metropolitan Water District Delegates’ Report. (Discussion)

Purpose
This report summarizes key discussions held and actions taken at the Metropolitan Water District (MWD) committee and Board meetings, as reported by the Water Authority Delegates. This report includes MWD Board activities for both December 2018 and January 2019. The MWD committees and Board met on December 10 and 11, 2018, and January 7, 8 and 22, 2019, and meet next on February 11 and 12.

Discussion
The Water Authority Delegates (Delegates) supported 13 of 16 action items approved by the MWD Board at its December 2018 meeting and all 12 action items approved by the Board at its January 2019 meeting. MWD Board actions of interest to the Water Authority were:

- In December 2018, authorizing entering into seven agreements, without finalized exhibits, that would implement the Lower Basin Drought Contingency Plan (DCP);
- Approving the State Water Project (SWP) Contract Extension Amendment;¹
- Approving a program intended to increase conservation in “disadvantaged communities;”²
- Approving amendments to MWD’s Administrative Code; and
- Adopting state and federal legislative priorities and principles for 2019; and
- In January 2019, approving the appointment of Directors Butkiewicz, Kurtz (Pasadena), and Paskett (Los Angeles) to serve as Board Vice Chairs. Additionally, at a Special Meeting held on January 22, the MWD Board approved Gray’s committee chair and vice assignments, including appointing Director Smith as Chair of the Engineering and Operations Committee, Director Hogan as Chair of the Real Property and Asset Management Committee, and Director Steiner as Vice Chair of the Finance and Insurance Committee.

December 2018
Although supportive of the DCP, the Delegates were concerned that key exhibits were still being developed and not available for review. The Delegates offered a substitute motion to support the DCP framework, but defer the final approval pending receipt of the complete set of DCP exhibits to the agreement. Without the exhibits, the Delegates were concerned that water developed, or conserved, and paid for by the Water Authority would be used without the Water Authority’s approval to help meet MWD’s DCP contributions. Additionally, the Delegates were concerned


² For more information on this program, see the September 26, 2018 MWD Delegates’ Report found here: https://www.sdcwa.org/sites/default/files/2016-12/Board/2018_Supplemental/2018_09_26SupplementalMaterials.pdf
about the unmitigated environmental impacts to the Salton Sea. The key exhibits would potentially address these concerns. In support of their substitute motion, they noted that Coachella Valley Water District (CVWD) and Imperial Irrigation District (IID) Boards did not authorize “blind support” of the DCP agreements without the related exhibits. The substitute motion failed in the committee resulting in the Delegates opposing authorizing MWD to enter into the DCP agreements; Attachment 1 summarizes the Board’s discussion of the DCP.

Related to staff’s proposed 2019 state and federal legislative priorities and principles, the Delegates sent a letter to MWD that, among other things, raised concern that the added language in the legislative priorities will be used by staff to sponsor legislation without the Board’s review or providing any details on the proposed legislation. Responding to the Delegates’ concern, staff clarified that the added language is intended to sponsor legislation that would ensure water use efficiency rebates are tax-exempt and subsequently modified its recommendation to limit staff’s ability to sponsor legislation without Board approval to that type of legislation.

The Delegates opposed an item that authorized modifications to MWD’s Administrative Code. In their letter to MWD, the Delegates articulated their key concern of changing the Administrative Code to state MWD’s rates and charges are “charged” from they are “imposed” would not conform to California law, and is an attempt to support MWD’s contention that it is exempt from complying with Proposition 26. While agendized, during its Finance and Insurance (F&I) Committee meeting, MWD “pulled” the presentation on “California WaterFix Cost Allocation: State Water Facilities Overview.” At following day’s Board meeting, General Manager Kightlinger stated that MWD will “kickoff” its WaterFix cost allocation process, which MWD aims to complete “in the first quarter or so of 2019.”

In closed session, the Legal & Claims (L&C) Committee, without the Delegates in attendance, heard a report on the rate litigation, including the Water Authority’s settlement proposal. Later, at MWD’s Board meeting, Kightlinger said Chairwoman-Elect Gray (West Basin) requested that staff “schedule a full Board workshop” to discuss the Water Authority’s settlement proposal in January. (Subsequently, MWD scheduled a workshop for January 22).

The Engineering and Operations Committee received an update on MWD’s potential regional recycled water program. Construction of the program’s demonstration plant is scheduled to be completed by the end of 2018 with start-up and commissioning expected in early 2019. Staff reported that although MWD’s “feasibility report” found that the full-scale program of 168,000 acre-feet per year “is technically feasible,” MWD has yet to explore how to implement the full-scale program. In March 2019, staff anticipates providing a “conceptual report” on

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5 Chair Madaffer sent a letter to Chairwoman Gray regarding the Water Authority’s settlement proposal, which is found here: https://mwdprograms.sdcwa.org/wp-content/uploads/2019-01-22-WA-Chair-to-MWD-Chair-re-Settlement-Proposal.pdf. Director Butkiewicz read the letter during public comment at MWD’s workshop.
6 Subsequently, on January 15, 2019, MWD sent an email announcing that the “grand opening” of its “Regional Recycled Water Advanced Purification Center” will be on March 21, 2019.
implementation that would include program configuration and phasing options, updated cost estimates, and “an early assessment” of the potential for potable reuse. Directors Butkiewicz and Treviño (Upper San Gabriel) opposed awarding a $26.9 million contract with Michles Pipeline Construction.

January 2019
At its January 2019 Board meeting, MWD inaugurated Gloria Gray as its Board Chairwoman. Gray is the first African-American and second woman to lead MWD in its 90-plus year history. Several dignitaries, including San Diego Mayor Faulconer, Los Angeles Mayor Garcetti, and Delta Stewardship Council Chair Fiorini, spoke during the inauguration and congratulated Gray. In addition to appointing Board Vice Chairs and presenting Director Steiner with her 10-year service pin, Gray identified some of her priorities for her term as Chairwoman during her inauguration speech. Expressing her “goal” of ensuring that MWD “embraces the diversity of our region,” including “diversity of culture, of perspectives and objectives,” Gray said she is “open to new solutions and new ideas.” She focused on MWD’s potential regional recycled water program saying the project “will help supplement our investments in local projects and conservation to meet future demands” while noting that it “does not replace our imported water system.” To ensure “a more sustainable future” and water reliability, Gray said she “will work hard for our Board to come together” while acknowledging that “we will have differences and healthy debate,” which “must” be done “in a spirit of unity and common purpose.

The F&I Committee received a presentation on “California WaterFix Cost Allocation: State Water Facilities Overview” and the Water Planning and Stewardship (WP&S) Committee heard an oral report on “State Water Resources Control Board Bay-Delta Water Quality Control Plan Proceedings and Proposed Voluntary Settlement Agreement;” the Board’s discussion of these items is summarized in Attachments 2 and 3, respectively. The Conservation and Local Resources Committee received a report on “proposed action to increase activity in MWD’s Landscape Transformation Program” and an update on “approaches to encourage local resource development.” Attachment 4 summarizes the Board’s discussion of these two items.

In closed session, without the Delegates in attendance, the L&C Committee heard a report on the rate litigation including the Water Authority’s settlement proposal. The Board also authorized entering into five Future Supply Actions Funding Program (FSA Program) agreements, which exceeded the General Manager’s contracting authority. The Water Authority and its member agencies’ three FSA Program projects are within the General Manager’s contract authority. In response to Director Steiner’s question, General Manager Kightlinger said agreements for FSA Program projects that are under his authority “are done, executed and moving forward.” Assistant General Manager/Chief Operating Officer Upadhyay clarified that MWD is in the process of executing the agreements. The WP&S Committee received a report on a potential groundwater banking program with the Antelope Valley-East Kern Water Agency and a presentation by the Dr. Ellen Hanak on the Public Policy Institute of California’s report “Managing Drought in a Changing Climate: Four Essential Reforms.”

Prepared by: Liz Mendelson-Goossens, Senior Water Resources Specialist
Reviewed by: Communications and Legislation Committee by Jerry Butkiewicz
Conservation and Local Resources Committee by Fern Steiner
Engineering and Operations Committee by Tim Smith and Fern Steiner
Facilities Naming Ad Hoc Committee by the Delegates
Finance and Insurance Committee by Tim Smith
Legal and Claims Committee by Tim Smith and Fern Steiner
Organization, Personnel and Technology Committee by the Delegates
Real Property and Asset Management Committee by Tim Smith
Water Planning and Stewardship Committee by Jerry Butkiewicz and Fern Steiner

Attachments:

Attachment 1 – Discussion Summary of Colorado River Drought Contingency Plan
Attachment 2 – Discussion Summary of California WaterFix Cost Allocation
Attachment 3 – Discussion Summary of Bay-Delta Issues
Attachment 4 – Discussion Summary of Demand Management Related Items
Attachment 5 – MWD’s committee and Board meeting agendas dated December 10 and 11, 2018
Attachment 6 – MWD’s committee and Board meeting agendas dated January 7 and 8, 2019
Discussion Summary of Colorado River Drought Contingency Plan

During its December 2018 Water Planning and Stewardship (WP&S) Committee meeting, MWD received a report on the Colorado River Drought Contingency Plan (DCP) and staff’s recommendation to allow the General Manager to enter into various agreements to implement the DCP. Following staff’s presentation, General Manager Kightlinger added that DCP implementation would offer “a significantly lower risk level to Metropolitan” for a decade while providing “significant benefits” and getting “ahead” of “continued climate change, continued drought, and frankly overuse within the Lower Basin.” Suggesting that the other California parties – Imperial Irrigation District (IID), Coachella Valley Water District (CVWD), and Palo Verde Irrigation District (PVID) – would authorize their respective DCP agreements and that Arizona has “had breakthroughs,” Kightlinger expressed hope that the DCP would have final approvals by all parties in early 2019.

Following staff’s presentation, Director Steiner noted that DCP exhibits related to Intentionally Created Surplus (ICS) agreements are not available for the MWD Board’s consideration and asked what would happen if the DCP agreements are approved but the exhibits are not. (The Water Authority is concerned that its independent Colorado River supplies may be used without its approval to meet MWD’s DCP contributions and the exhibits would clarify this possibility). Staff replied that “nothing happens,” and Kightlinger further clarified that the “agreements would be executed and entered into” and said that the exhibits are “technical work” that deal with the types of conservation that meet extraordinary conservation requirements such as “what is the right percentage allotted to the conservation.” In response to Steiner’s question of whether agreement would need to be reached on the exhibits at some point, Kightlinger said “there are current exhibits” and that the new exhibits “would be refinements to those.” Steiner requested that staff provide the Board with copies of the new exhibits prior to its vote to authorize entering to the DCP. At first Kightlinger said the exhibits “have not been drafted” and then that “they are in the process of being drafted.” Steiner voiced strong support for the DCP but expressed concern that without being able to review the exhibits, she lacked the “clarity and certainty” to authorize the General Manager to enter into the DCP agreements. Noting that CVWD’s support was limited to DCP’s “framework,” Steiner made a substitute motion to express support for DCP’s “framework,” but “defer approval pending receipt of the completed documentation including the exhibits.” To allow the Board to move swiftly, Steiner’s motion included that the Board would “convene a special Board meeting within three business days of complete documentation being available.” Related to CVWD’s position, staff said that later in December, the CVWD Board is “going to approve the agreements… regardless of the status of the ICS exhibits.”

Director Lefevre (Torrance) asked about why is MWD allowing Arizona to utilize 50,000 acre-foot of California’s ICS capacity. Kightlinger replied that California has 1.5 million acre-feet of ICS capacity (MWD holds 1,450,000 acre-feet of this capacity) and there is no scenario in which

1 More background on DCP found in the “Colorado River issues update – Part 3” memo starting on page 115 of the Water Authority October 2018 Board Packet here: https://www.sdcwa.org/meetings-and-documents
2 At its December 11, 2018 meeting, the CVWD Board approved a resolution “in support for the Basin States Drought Contingency Plan (DCP) process; and authorized the General Manager to continue working towards agreement with other DCP parties.”
MWD utilizes all its capacity. Conversely, Arizona only has 300,000 acre-feet of ICS capacity and with the implementation of DCP, “could use a little more space.” Nevada also does not project needing all its ICS capacity, so both Nevada and California would each “dedicate” 50,000 acre-feet of ICS capacity to “grow” Arizona’s capacity by 100,000 acre-feet.3 Responding to Lefevre’s next question, Kightlinger said the Lower Basin states have “a very detailed set of proposals,” while the Upper Basin states have a more “generic proposal.” Kightlinger indicated the Upper Basin’s DCP would plan to develop the banking and ICS programs that the Lower Basin established under the 2007 Interim Shortage Guidelines but is “about a decade” behind the Lower Basin. Lefevre asked if the Upper Basin states “are going to save Lake Powell,” to which Kightlinger said “they are going to work on it.”

Returning to the implementation of the DCP, Director Smith questioned the Salton Sea impacts and the need for environmental review of MWD borrowing water from IID to make its DCP contributions. Staff replied that IID is “proposing to generate new ICS [water] under their existing ICS exhibits,” so IID already has the needed “environmental compliance.” In relation to the water MWD would borrow, Kightlinger said “any Salton Sea impacts have been mitigated.” Kightlinger added that the DCP agreements are structured so that IID’s contributions will “avoid potential Salton Sea complications.” Seeking to understand the impacts of MWD’s participation in DCP, Smith noted that staff presented information indicating that MWD’s water might get “trapped” in Lake Mead and staff’s analysis suggests that water has about an $80 million value. Noting that to complete its analysis staff relied on many assumptions and the estimate is intended to provide the Board with “a ballpark feel,” Kightlinger said, without DCP, there is “an unknown situation where the Secretary of the Interior has enormous discretion and Congress gets involved” and that DCP offers “careful planning” and less expensive ways to prevent an “emergency.”

Director McKenney (Municipal Water District of Orange County) noted that he is not a WP&S committee member but expressed opposition to Steiner’s substitute motion and asked if staff had any concerns with it. Kightlinger responded that the “staff recommendation would be to not support the substitute motion” because, coupled with “the complications and the political difficulties with” IID, it may cause “significant issues with the entire process moving forward.” Chairman Record (Eastern) called the substitute motion “misguided,” saying it would “just throw it to the federal government” and he would “rather take my chances on an exhibit” than the federal government. Agreeing with Record, Director Peterson (Las Virgenes) said the Board needs “to act as adults and move forward with this.”

Wrapping up the WP&S Committee’s discussion, Director Butkiewicz reflected that MWD “appears” to be “offering to pay for everything,” including others’ DCP contributions. Surmising that this approach is not “fiscally sustainable” and that staff is asking for a “blank check,” Butkiewicz supported Steiner’s substitute motion. Ultimately, the substitute motion failed to gain enough support with only four of the 12 committee members supporting it – Directors Abdo (Santa Monica), Butkiewicz, Quinonez (Los Angeles), and Steiner. The motion to approve staff’s recommendation passed in the Committee with only Butkiewicz and Steiner opposing.

3 As of January 7, 2019, MWD reported that is storing 330,000 acre-feet of Southern Nevada Water Authority’s water – all of which MWD is required to payback. SNWA may request up to 20,000 acre-feet annually of its water starting in 2020 under certain conditions and up to 30,000 acre-feet starting in 2022.
At the following day’s Board meeting, Butkiewicz provided written and oral remarks to express the Water Authority’s concern with approving MWD’s DCP participation without being able to review all the exhibits and the plan’s impacts on the Salton Sea (see Attachment A). In his remarks Butkiewicz pointed out that both IID and CVWD did not approve “blind support for the DCP,” but required that once the DCP “package” is complete that it be brought back for final approval. Record expressed his understanding that the IID Board approved entering into a DCP agreement with MWD but had “questions about other parts of the whole package,” and if those questions are unanswered then IID “may not be involved with that.” Kightlinger indicated that four out of seven of the basin states “have already approved the documents and are prepared to go forward,” noting that Colorado will consider DCP later in December and “Arizona is still working on their schedule.” Turning to California, Kightlinger said the Boards of PVID and CVWD will consider “full approval in the following week” while the IID Board approved “entering into all of the intra-California documents.” Kightlinger described IID has having “placed caveats and conditions on entering into agreements with the United States related to the Salton Sea,” which “do not concern us.” Additionally, Kightlinger pointed out that without IID and Arizona “in agreement,” then DCP will not move forward. Indicating concern that DCP might end up like California WaterFix “financing” with which MWD “got stuck holding the bag,” Director Paskett (Los Angeles) requested that Kightlinger provide an update in his January 2019 report to the Board. Kightlinger promised “to keep the Board informed” and that if “final agreement [is] reached either in Arizona, Imperial, or in Palo Verde, or Coachella, we’ll send a memo out to the Board.” Ultimately, the MWD Board approved participating in DCP with the Delegates opposing the action.

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4 The January 2019 written and oral General Manager’s Report did not include an update on DCP and the MWD Board has not received any memos related to DCP since its December 2018 meeting.
From Director Butkiewicz re Item 8-11 (DCP)

- We have serious concerns about being asked as board members to vote on a significant agreement without knowing all the terms.

- We now know that the IID board didn't vote blind support for the DCP yesterday and neither did Coachella today. Both boards asked for the complete package to come back and IID also had a lot of other conditions.

- In addition we share IID's concerns over impacts on the Salton Sea and how those impacts will be addressed.

- Having said this, our delegation and the Water Authority are very supportive of the concept of a fair and workable DCP.

- But we don't support any action by any party under the new exhibits to pledge or utilize in any manner water developed or conserved for or by the Water Authority without the approval of the Water Authority's board of directors.

- We asked the GM this morning to confirm this condition so that our delegates could vote on the matter with a fair understanding of what is being proposed as related to impacts on our agency under the 2007 agreements. While we appreciate his response, it leaves a number of significant questions and issues to be addressed.

- Accordingly, although we are strongly supportive of the Administration's efforts to complete the DCP, we must vote NO on today's motion, until such time as all agreements are available for review. This is consistent with actions that have already been taken by other California parties.
Discussion Summary of California WaterFix Cost Allocation

During its January 2019 Finance and Insurance (F&I) Committee meeting, MWD received a presentation on “California WaterFix Cost Allocation: State Water Facilities Overview.” Following Senior Deputy General Counsel Schlotterbeck’s presentation, Interim Assistant General Manager/Chief Financial Officer Skillman described this presentation as the first of a series, which will culminate in a recommendation of how MWD should recover the capital costs of California WaterFix (WaterFix) through the “functionalization of costs.”

Kicking off the Board’s discussion, Director McKenney (Municipal Water District of Orange County) asked which State Water Project (SWP) contractors “care” how SWP costs are allocated “between transportation and supply” on the Statement of Charges issued by the Department of Water Resources (DWR). Schlotterbeck responded that how costs are allocation “makes a difference to those who are using the conveyance facilities” because contractors do not use “the transportation facilities in the same way or to the same degree.” Noting that supply costs are “spread on a per unit basis,” General Manager Kightlinger said in contrast “transportation costs are often assigned stretch by stretch,” so contractors are not paying for “stretches” south of them.

In response to Director Smith’s questions about whether DWR has the financing authority for WaterFix without another public vote, Kightlinger said the voter-approved Burns Porter Act granted the state its ability to issue bonds and that the contracts between the state and SWP contractors are “binding.” Director Butkiewicz asked if there is another reason why MWD would pay for WaterFix other than to secure water supply. Kightlinger replied that MWD “exists” to “deliver water.”

Turning to MWD’s process to allocate WaterFix costs to its rates, Steiner asked about the timeline. Although staff has not “committed to a schedule,” Skillman anticipated that discussion of cost functionalization would occur in April and May. Replying to Steiner, Skillman said MWD’s practice is to perform the cost of service study in-house and use consultants to “help” on “specific issues.” Skillman indicated MWD is not sure if it will use a consultant to assist in the WaterFix cost of service study and agreed to report back on how this study will be done. F&I Committee Chair Dake (Los Angeles) expressed his eagerness for MWD to have “an open discussion” on the cost of service study.

Dake asked how “habitat improvements” are allocated to DWR’s supply or transportation rates since WaterFix will include many of those projects. Expressing uncertainty on how DWR allocates those costs, Schlotterbeck highlighted that it takes “a lot of work” to allocate SWP costs. Adding that habitat improvement projects “come out of regulatory requirements” such as the Biological Opinions and operating permits, Kightlinger said that how those projects’ costs “trace” back to DWR’s charges is different from “being for the project itself like WaterFix.”

Stating that often a tunnel or aqueduct is associated with transportation but based on the definition of MWD presented for “conservation (supply) facilities,”1 Smith asked if WaterFix’s tunnels would be considered a supply component since they will transfer water “across” the Bay-Delta. Kightlinger replied that Smith was “partially” correct and “partially not,” explaining that

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1 These facilities “[i]nclude master levees, control structures and channel improvements to the extent they serve the purposes of water conservation in the Delta, water supply in the Delta and transfer of water across the Delta.”
Oroville water releases plus rainfall and “other water not collected behind Oroville” are “the supply part of those other facilities north-of-the-Delta.” Conversely, “once you get south-of-the-Delta there is very little supply coming into the system” so “everything at that point is pure transportation.” Kightlinger went on to state that, in the “Delta there’s a little bit of a mix” and a “larger share of it typically is transportation but there is some runoff that comes in and that is that supply component.” Since “a tunnel, pipeline versus a surface delivery would have less surface water coming into it, in fact, essentially zero,” Kightlinger said MWD would have to consider that. Smith expressed his understanding that some of WaterFix costs would be attributed to supply since it’s been reported that WaterFix has an annual supply benefit of 1.3 million acre-feet. In response to Smith’s request for staff’s reasons for allocating some WaterFix costs to supply, Kightlinger said MWD is not “there yet” and will be completing a cost of service study. Stating that he does not wish to “presuppose anything,” Kightlinger added that the Board should consider factors such as carriage losses that occur as water is transported through the Bay-Delta and noted that a tunnel “would not have those same losses and so that is an increment of added benefit in the terms of more supply.” Additionally, Kightlinger suggested that MWD will “look at” the “added benefit to the system” from the projects increase in reliability of 1.3 million acre-feet. Schlotterbeck added that in relation to moving water across the Bay-Delta, there are levees and channel improvements that improve water quality and control salinity, suggesting that it’s unclear how those factors will be considered in the project’s cost allocation.

Director Atwater (Foothill) stated that “one of the great challenges” for the Central Valley Project (CVP) is its “limited pumping capacity and the ability to move water across the Delta,” noting the Coordinated Operating Agreement (COA) between the two projects. Atwater said the projects’ “integrate operations” add “another layer of complication to this definition between transportation and conservation” (supply) for WaterFix. Saying Atwater made “a really good point,” Kightlinger noted that the COA was amended in December 2018 to help “balance” the differences between the two projects, which is that the CVP is “storage-rich, pumping-poor” while the SWP is “storage-poor, pumping-rich.”

Wrapping up the discussion, Dake asked if WaterFix costs will “be on their own line item” on DWR’s Statement of Charges. Schlotterbeck answered affirmatively, clarifying that the amended SWP contract language has yet to be drafted but that is what is reflected in the Agreement In Principle approved by the DWR and the contractors.
Discussion Summary of Bay-Delta Issues

In December 2018, there were several actions taken related to the Sacramento-San Joaquin Bay-Delta (Bay-Delta), including:

- The Department of Water Resources (DWR) withdrew its Delta Plan consistency filing with the Delta Stewardship Council for California WaterFix (WaterFix);¹
- Governor Brown, Senator Feinstein, and Representative McCarthy proposed extending the “operational flexibility” granted under the 2016 Water Infrastructure for Improvements for the Nation Act (subsequently, Senator Feinstein rescinded her support on January 20, 2019);
- The State Water Resources Control Plan (State Board) approved updated flow requirements for the San Joaquin River tributaries as part of its update to the Bay-Delta Water Quality Control Plan (Bay Delta Plan);
- DWR and the California Department of Fish and Wildlife (CDFW) presented a framework proposal for voluntary agreements to update and implement the Bay Delta Plan; although the State Board’s action did not include this proposal, it did indicate that it would make “allowances for reduced river flows on tributaries where stakeholders have reached voluntary agreements to pursue a combination of flow and ‘non-flow’ measures that improve conditions for fish and wildlife, such as habitat restoration and reducing predation;”
- DWR and the U.S. Bureau of Reclamation (Bureau) reached agreement on an addendum to the Coordinated Operating Agreement (COA) that governs how to jointly operate the State Water Project (SWP) and Central Valley Project (CVP);²
- DWR and the Bureau executed a “no harm” agreement, which among other things stated that DWR “shall avoid, mitigate, or offset, through forms agreed to by Reclamation, any CVP water supply reduction resulting from CWF [California WaterFix] operations;”³ and
- DWR and the Bureau also signed a cost sharing agreement to meet the 2008 and 2009 Biological Opinions governing SWP and CVP operations.

During its January 2019 Water Planning and Stewardship (WP&S) Committee meeting, MWD received a presentation that covered the State Board’s Bay Delta Plan proceedings and the voluntary settlement agreement proposed by DWR and the CDFW, and the COA addendum. Additionally, staff reported that the Bureau is updating the Biological Opinions for the Bay-Delta fish species protected by the Endangered Species Act in response to an October 2018 Presidential Memorandum that among other things called for the “streamlining Western water infrastructure regulatory processes and removing unnecessary burdens.”⁴

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² More background information on the various actions taken in December 2018 related to the management of the Bay-Delta and State Water Project see Sacramento Bee article “Newsom inherits a ‘whole bunch of headaches’ despite last-minute water deals by Brown” published January 9, 2019 and found here: https://www.sacbee.com/news/state/california/water-and-drought/article223570390.html
⁴ Complete memorandum found here: https://www.whitehouse.gov/presidential-actions/presidential-memorandum-promoting-reliable-supply-delivery-water-west/
Noting that staff did not report on the “no harm” agreement, Director Steiner asked “can DWR unilaterally decide how much state water is going to be turned over to meet this commitment.” General Manager Kightlinger replied that WaterFix was intended to be a joint project but since “the CVP backed out, it became necessary to say that to the extent there are impacts associated with their water supply/water quality that the State Water Project would mitigate for that.” Kightlinger said that the SWP would only mitigate impacts from WaterFix and not from the Biological Opinions or climate change and that “it’s hard to imagine how operations of the project really would cause impacts to south-of-Delta operations, but it is just unknown.” Kightlinger said it was more likely there would be “some salinity impacts,” which modeling indicates would “be extremely slight.” Responding to Steiner, Kightlinger stated that MWD did not make a commitment to “cover some for this loss” during negotiations, but said MWD would be indirectly impacted by “anything” that occurs on the SWP.

Turning to the COA addendum, Steiner questioned the impact to the SWP. Staff clarified that, on average, annually 100,000 acre-feet of water supply is shifted from the SWP to the CVP and in dry-years this amount can be “as high as” 200,000 acre-feet. Kightlinger equated this shift to a “2 percent swing or something on average.” Pointing out that some news reports quoted Kightlinger as saying that “horse trading” occurred, Steiner asked if MWD had “actually made some commitments.” Kightlinger said MWD was “involved in all those discussions” and that as party to the agreements, MWD will be “impacted negatively or positively” by their implementation. Although the agreements are “independent,” Kightlinger pointed out everything in the Bay-Delta is “intertwined.” Later, Director Butkiewicz noted that the Board’s action to participate in WaterFix gave the General Manager “a lot of discretion” and asked if Kightlinger has made “any verbal or written agreements” and if he plans to “use that discretion.” Kightlinger replied that “every agreement that we have entered into gets back to the Board” and that the only agreements MWD has entered into related to WaterFix are for the Delta Conveyance Design and Construction Authority and the Delta Conveyance Finance Authority.

Butkiewicz said he was “surprised” that at last month’s meetings staff did not provide a more robust report on the various agreements, since news broke on them being executed the day after MWD’s December 2018 Board meeting and questioned “what role MWD staff has been playing in these negotiations.” Stating that staff has been “updating” the Board on the voluntary settlement agreements and “the rest of the pieces,” Kightlinger said this month, staff presented “actual specifics and numbers.” Although MWD “certainly had input” and was “part of the conversation,” Kightlinger pointed out that “these were agreements entered into by DWR.”

Returning to the COA, Director Blois (Calleguas) expressed his understanding that the two projects will be operated based on “year type” and asked how and when year type is determined. Staff clarified that the updated COA uses the same criteria to determine the year type but that the projects’ “obligation sharing percentage” has changed based on hydrology, which gets “refined as the year goes on.” Expressing appreciation for staff’s analysis of the impact of the COA addendum on the SWP, Director Gold (Los Angeles) requested that MWD provide something similar to compare, “side-by-side,” the impacts to the SWP of the State Board’s Bay Delta Plan update and the proposed voluntary settlement agreement. Additionally, Gold asked staff to present the “new” habitat improvement projects included in the agreement and how they compare to the “existing projects.”
Director McKenney (Municipal Water District of Orange County) asked if the updated portion of the Bay Delta Plan will impact MWD “in the next year.” Noting that the State Board is moving forward with implementation, staff suggested that the State Board will “make room” in “implementation for the settlement agreement.” However, the “main way” the State Board update will impact the SWP is “how the south-of-Delta salinity standards are met,” but staff said the State Board is “moving in a good direction” with regard to the salinity standards.
Discussion Summary of Demand Management Related Items

During its January 2019 Conservation and Local Resources (C&LR) Committee meeting, MWD received two presentations related to demand management. The first presentation was on how to increase participation in MWD’s revamped turf replacement program – the Landscape Transformation Program (LTP). The other presentation was an update on “Approaches to Encourage Local Resource Development.”

The LTP presentation focused on potential modifications that may increase program participation to help achieve the conservation target set in MWD’s 2015 Integrated Water Resources Plan. In addition to considering increasing the area eligible for conversion and relaxing landscape requirements, MWD focused on two main program changes: 1) increasing the subsidy from $1 to $2 per square-foot; and 2) changing the program’s name to improve its marketability.

Staff responded to Director Steiner that they were not sure how many member agencies were adding supplemental funding but acknowledged that the level of funding was “a mix.” Adding that the “hope” is for member agencies to continue providing supplemental funding even if MWD increased its subsidy, staff noted that Southern Nevada Water Authority increased its subsidy from $2 per square-foot to $3 and “saw a huge jump” in program participation. Steiner requested that MWD compile a list of the supplemental funding provided by the member agencies and monitor if member agencies adjust their funding levels in response to MWD’s increased subsidy.

In response to Steiner’s question related to the number of plants program participants are required to plant, staff confirmed that three plants would be the minimum and participants could put in more. Later, C&LR Committee Chair Gold (Los Angeles) noted that under the program’s current requirements participants could plant “three, four-inch succulents” and suggested that MWD consider setting a minimum plant coverage percentage of 50 percent.

Steiner expressed her “concern” with changing the LTP’s name “back to turf removal” because for “many people” the term turf removal “means artificial turf,”1 which she surmised would result in MWD receiving “a whole bunch of applications looking for artificial turf” and not accomplishing the program’s goals. Expressing support for most of the program modifications staff presented, Director McKenney (Municipal Water District of Orange County) questioned if MWD has “a lot of confidence that increasing the dollar value is going to change behavior.” Suggesting that other factors, such as the Governor’s drought declaration, might influence participation more than subsidy levels, McKenney voiced concern that MWD would be “paying double for something that we’re going to achieve anyway.” Picking up on Steiner’s comments, McKenney suggested that before increasing the subsidy level, MWD examine how the LTP is performing in different member agencies’ service areas and the level of supplemental funding and outreach in those areas to better understand what program refinements might increase participation. (Later, Assistant General Manager/Chief Operating Officer Upadhyay said MWD would present this type of information next month.) Lastly, McKenney said the program’s “sustainability requirement has been a hinderance” for “some” residential participation in Orange County and asked staff to remind him of that requirement’s “purpose.” Noting that the “sustainability feature” sets the LTP “apart from the

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1 The LTP does not allow artificial turf.
previous Turf Removal Program,” staff said there is a “trend” throughout the state and nation “towards drought tolerant gardening that is not just for water savings, but also for an environmental impact” such as management of stormwater.

Responding to some of Director McKenney’s comments, General Manager Kightlinger agreed that the Governor’s drought declaration “helped drive” MWD’s last turf removal program but said MWD “can’t recreate that” and instead it will “work with the tools” it has control over: outreach and subsidy amount. Director Kurtz (Pasadena) agreed that MWD’s last program “benefitted from the timing” and said that even though she liked the program’s name, changing it might help drive people to it when they “are googling.” Additionally, Kurtz suggested that MWD look at how to better advertise the program, such as creating a tagline as part of MWD’s current water awareness campaign. Noting that the Board gave “good direction” on “branding the program as landscape transformation,” Upadhyay said part of the intention of staff’s presentation was to elicit Board feedback on the next steps staff should take, such as working with MWD’s external affairs team on program marketing. Gold said the program’s messaging doesn’t need to be “perfect” if the program is achieving landscape transformation. Director Blois (Calleguas) suggested that a possible marketing tool would be to advertise how much water customers could save by participating in the program and asked if staff had that information available. Gold suggested Blois’ question might be answered through MWD’s study on its last turf removal program’s “efficacy” and asked when to expect those “results.” Promising the study will be “forthcoming,” Water Resource Management Group Manager Coffey said it’s being peer-reviewed. Related to outreach, Director Atwater (Foothill) urged MWD to continue its work on its “broader educational program” and expressed support for taking measures, including changing the program’s name, to spark participation.

Focusing on another component of MWD’s conservation program, Director Smith asked if MWD considered “adding funds and incentives for devices” to achieve the biggest “bang for the buck.” Coffey said MWD’s device subsidies, except for the toilet rebates offered under the “disadvantaged community program,” are based on water saved having a value of $195 per acre-foot. Responding to Smith’s question if MWD would need to increase its annual $17 million LTP budget if the subsidy was increased, Coffey said the Board should focus on program “activity.” Coffey added that if participation continued at its current rate, then MWD would expect annual expenditures of $3 million to $5 million.

Noting that there have been questions on the “efficacy of the program,” Gold suggested that staff provide more information before the Board considers making program changes. Specifically, he requested “data on the percentage of applicants in the various square footage categories in both residential and commercial” and information on how MWD’s “$350 million” turf removal program got participation “in record time.”

Staff’s last presentation to the C&LR Committee was on ways to develop data and criteria for MWD to “encourage” local resource development. Staff focused three main actions: 1) creating “a comprehensive local projects database;” 2) conducting two pilot programs to examine the local resource potential of stormwater; and 3) identifying criteria for “developing alternative approaches” to promote local resources development. The last action focuses on how to promote implementation of local projects that “don’t necessarily fit” into the Local Resource Program (LRP). MWD would use the database developed through the first action to identify those types of projects and if they
offer a “regional benefit” then MWD would “assess” the best way for it to participate so to get the projects implemented. Staff noted that MWD would consider projects’ supply reliability and “impact on [MWD’s] distribution and treatment capacity.” Additionally, MWD’s system reliability, redundancy, “water quality aspects,” and “emergency response aspects” would also be considered. Due to time constraints, Upadhyay suggested that the Board spend “some time” at a future committee meeting discussing this topic. Agreeing to continue the discussion at the next meeting, Gold allowed directors to ask questions, so staff can make “progress” in between the meetings.

Kurtz asked if there are criteria for when a local project, such as the potential regional recycled water program with the Los Angeles County Sanitation Districts (LACSD), would be “a Met project” or if Board action is needed. Staff responded that the LACSD project would not have been undertaken by a member agency though MWD’s existing LRP and that MWD is “moving towards” identifying those types of projects and then “participating” in them “to attain that regional benefit” in “a way that is cost-effective and beneficial to Met.” Adding that several member agencies urged MWD to participate in the LACSD project due to its complexities and the “need” for a “multijurisdictional regional agency,” like MWD, to step in, Kightlinger noted that MWD is still working through the “internal governance issues” with taking “the lead” on the project. Gold suggested that some member agencies would like to have similar “discussions” on the criteria needed for MWD to participate in regional stormwater projects. Gold offered that a good starting point for discussion may be the criteria established through Los Angeles County’s Measure W – the “Safe Clean Water Parcel Tax” that passed in November 2018.

Expressing support for MWD developing a local projects database, Steiner asked if “all the agencies and the directors” would have access to it. Stating that MWD “would be refreshing” the database and could provide “a summary of findings” to the Board “on a regular basis,” staff did not commit to having a web-based, active database that others could query. On a different note, Steiner encouraged MWD to continue to assist its member agencies with “regulatory matters.” Returning to the database, Director Smith requested that it include two pieces of information on projects: 1) their benefits to the region such as identifying which water, Colorado River and State Water Project water, the project is “offloading;” and 2) their local benefits, such as “is there new flexibility or reliability from member agency to member agency.”

Wrapping up the discussion, Atwater returned to stormwater and said that the Southern California Water Coalition is working on a white paper related to “implementation and funding.” He pointed out that Measure W provided funding for stormwater projects in one of the counties in MWD’s service area (Los Angeles) but the other five lack funding. He highlighted the “institutional complexity” of stormwater projects and that each groundwater basin agency is “unique,” encouraging MWD to host a workshop and engage different stakeholders, including nongovernmental organizations and other “institutions.” (Atwater did not discuss the potential for stormwater projects to be implemented in areas that lack a groundwater basin.)
Finance and Insurance Committee

Meeting with Board of Directors*

December 10, 2018

9:30 a.m. -- Room 2-145

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

* The Metropolitan Water District’s Finance and Insurance 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 Finance and Insurance 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 Finance and Insurance Committee will not vote on matters before the Finance and Insurance 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. Approval of the Minutes of the adjourned meeting of the Finance and Insurance Committee held November 5, 2018

3. CONSENT CALENDAR ITEMS — ACTION

   None

4. OTHER BOARD ITEMS — ACTION

   None
5. BOARD INFORMATION ITEMS
   None

6. COMMITTEE ITEMS
   a. California WaterFix Cost Allocation: State Water Facilities Overview
   b. SB 450 Compliance for Bond Issuances
   c. Annual Business Continuity Update
   d. Investment Activities for November 2018

7. MANAGEMENT REPORT
   a. Chief Financial Officer’s report

8. FOLLOW-UP ITEMS
   None

9. FUTURE AGENDA ITEMS

10. 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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Date of Notice: November 28, 2018
Water Planning and Stewardship Committee

Meeting with Board of Directors*

December 10, 2018

10:30 a.m. – Room 2-456

* The Metropolitan Water District’s Water Planning and Stewardship 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 the Water Planning and Stewardship 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 committees as advisory to the Board, members of the Board who are not assigned to the Water Planning and Stewardship Committee will not vote on matters before the Water Planning and Stewardship 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. **PUBLIC HEARING**

   a. Review of Metropolitan’s achievements in conservation, recycling, and groundwater recharge

3. **Approval of the Minutes of the adjourned Water Planning and Stewardship Committee held November 6, 2018**
4. CONSENT CALENDAR ITEMS — ACTION

None

5. OTHER BOARD ITEMS — ACTION

8-8 Review and consider the Department of Water Resource’s certified Final Environmental Impact Report and approve the State Water Project Contract Extension Amendment

8-9 Approve Program for Increasing Conservation in Disadvantaged Communities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Withdrawn 8-10 Authorize staff to enter into funding agreements for Future Supply Actions Funding Program proposals; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

8-11 Authorize entering into seven agreements that would implement the Lower Basin Drought Contingency Plan (Lower Basin DCP); the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA

6. BOARD INFORMATION ITEMS

Added 9-2 Report on Recommended Funding of Proposals for Future Supply Actions Funding Program

7. COMMITTEE ITEMS

None

8. MANAGEMENT REPORTS

a. Bay-Delta Matters

b. Colorado River Matters
c. Water Resource Management Manager's report

9. FOLLOW-UP ITEMS

None

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

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Date of Notice: December 5, 2018
Engineering and Operations Committee

Meeting with Board of Directors*

December 10, 2018

12:30 p.m. – Room 2-145

* The Metropolitan Water District’s Engineering and Operations 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 Engineering and Operations 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 Engineering and Operations Committee will not vote on matters before the Engineering and Operations 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. Approval of the Minutes of the adjourned meeting of the Engineering and Operations Committee held November 5, 2018

3. CONSENT CALENDAR ITEMS — ACTION

7-1 Award $1,200,000 contract to J.F. Shea Construction, Inc. for urgent relining of prestressed concrete cylinder pipe on the Sepulveda Feeder; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Date of Notice: November 28, 2018
4. OTHER BOARD ITEMS — ACTION

8-4 Adopt CEQA determination that the proposed action was previously addressed in the certified Programmatic Environmental Impact Report and related CEQA actions, and award a $23,750,060 procurement contract to Ebara Corporation to provide conical plug isolation valves for the Second Lower Feeder. [Posting separately]

8-5 Adopt CEQA determination that the proposed action was previously addressed in the certified 2015 Environmental Impact Report, and award $8,487,170 contract to J. F. Shea Construction, Inc. for chlorination system upgrades at the F. E. Weymouth Water Treatment Plant. Authorize an increase of $520,000 to agreement with La Cañada Design Group, Inc., for a new not-to-exceed total of $1.47 million for design services; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

8-6 Award $26,900,000 contract to Michels Pipeline Construction to rehabilitate the circulating water and sump discharge piping systems at each Colorado River Aqueduct pumping plant; and authorize agreement with Marrs Services, Inc. for a not-to-exceed amount of $5.4 million for specialized construction management and inspection support; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. Regional Recycled Water Update
b. Emergency Response Program Update
c. Business Outreach Annual Report for 2017/2018
7. MANAGEMENT REPORTS

   a. Water System Operations Manager's report

   b. Engineering Services Manager’s report

8. FOLLOW-UP ITEMS

   None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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Communications and Legislation Committee

Meeting with Board of Directors*

December 10, 2018

1:30 p.m. -- Room 2-456

* The Metropolitan Water District’s Communications and Legislation 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 Communications and Legislation 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 Communications and Legislation Committee will not vote on matters before the Communications and Legislation 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. Approval of the Minutes of the meeting of the Communications and Legislation Committee held October 8, 2018

3. CONSENT CALENDAR ITEMS — ACTION

None

4. OTHER BOARD ITEMS — ACTION

8-1 Adopt State Legislative Priorities and Principles for 2019; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Date of Notice: November 28, 2018
8-2  Adopt Federal Legislative Priorities and Principles for 2019; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

5.  BOARD INFORMATION ITEMS

None

6.  COMMITTEE ITEMS

a.  Update on Federal and State November 2018 Election Results
b.  Report on activities from Washington, D.C.
c.  Report on activities from Sacramento

7.  MANAGEMENT REPORT

a.  External Affairs Management report

8.  FOLLOW-UP ITEMS

None

9.  FUTURE AGENDA ITEMS

10.  ADJOURNMENT
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Facilities Naming Ad Hoc Committee

Meeting with Board of Directors*

December 10, 2018

2: 00 p.m. – Room 2-145

* The Metropolitan Water District’s Facilities Naming Ad Hoc 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 Facilities Naming Ad Hoc 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 Facilities Naming Ad Hoc Committee will not vote on matters before the Facilities Naming Ad Hoc 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. Approval of the Minutes of the meeting of the Facilities Naming Ad Hoc Committee held June 26, 2018

3. CONSENT CALENDAR ITEMS – ACTION

   None

4. OTHER BOARD ITEMS – ACTION

   8-3 Consider nominations to name Metropolitan facilities after Carl Boronkay and Lois B. Krieger; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA
5. **BOARD INFORMATION ITEMS**

   None

6. **COMMITTEE ITEMS**

   None

7. **FUTURE AGENDA ITEMS**

8. **ADJOURNMENT**

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Legal and Claims Committee
Meeting with Board of Directors*

December 11, 2018
9:00 a.m. -- Room 2-145

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. Approval of the Minutes of the Adjourned Legal and Claims Committee meeting held November 6, 2018

3. MANAGEMENT REPORT
   a. General Counsel’s report of monthly activities

4. CONSENT CALENDAR ITEMS — ACTION
   7-3 Approve amendments to the Metropolitan Water District Administrative Code to conform to current law, practices and regulations; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Date of Notice: December 5, 2018

* The Metropolitan Water District’s Legal and Claims 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 Legal and Claims 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 the Legal and Claims Committee will not vote on matters before the Legal and Claims Committee.
5. OTHER BOARD ITEMS — ACTION

8-12 Authorize increase of $100,000, to an amount not-to-exceed $200,000, for existing General Counsel contract with Olson Hagel & Fishburn LLP to make recommendations to modify the Ethics Office policies, procedures, guidelines and applicable provisions of Metropolitan’s Administrative Code; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

a. Review Settlement Proposal received from SDCWA and 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 appeal of the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case Nos. A146901 and A148266 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; and 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.

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

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS
10. ADJOURNMENT

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Organization, Personnel and Technology Committee

Meeting with Board of Directors*

December 11, 2018

10:00 a.m. -- Room 2-456

*M The Metropolitan Water District’s meeting of the Organization, Personnel and Technology 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 the Organization, Personnel and Technology 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 the Organization, Personnel and Technology Committee will not vote on matters before the meeting of the Organization, Personnel and Technology 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. Approval of the Minutes of the meeting of the Organization, Personnel and Technology Committee held September 10, 2018

3. CONSENT CALENDAR ITEMS – ACTION

7-2 Adopt and rename the Metropolitan Water District 457(b) and 401(k) employee deferred compensation and savings plans and approve amendments to the Metropolitan Water District Administrative Code Section 6780-6792 and 6800-6831 to facilitate administrative compliance of these plans; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA
4. OTHER BOARD ITEMS – ACTION

8-7 Approve Resolution to hire retired annuitant and waive 180-day waiting period; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS


7. MANAGEMENT REPORT

a. Human Resources Manager’s report

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. 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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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 Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.
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. **Approval of the Minutes of the meeting of the Real Property and Asset Management Committee held September 11, 2018**

3. **CONSENT CALENDAR ITEMS — ACTION**
   
   None

4. **OTHER BOARD ITEMS – ACTION**
   
   None

5. **BOARD INFORMATION ITEMS**
   
   None

Date of Notice: November 28, 2018
6. COMMITTEE ITEMS
   a. Lower Colorado River Multi Species Conservation Plan – Dennis Underwood Conservation Area
   b. District housing update

7. MANAGEMENT REPORT
   a. Real Property Management Manager's Report

8. FOLLOW-UP ITEMS

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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Date of Notice: November 28, 2018
Regular Board Meeting
December 11, 2018
12:00 p.m. – Boardroom

1. Call to Order
   (a) Invocation: Geraldine J. Walters, Senior Board Specialist, Office of the Chief Administrative Officer
   (b) Pledge of Allegiance: Director Leticia Vasquez-Wilson

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
   A. Approval of the Minutes of the Adjourned Meeting for November 6, 2018 (A copy has been mailed to each Director) Any additions, corrections, or omissions
   B. Report on Directors’ events attended at Metropolitan expense for month of November 2018
   C. Chair and Vice Chair of standing committee appointments for the term commencing on January 1, 2019
   Deferred
   C. Approve waiver of Administrative Code to extend the term of Committee Chairs and Vice Chairs for one month through the end of January 2019
   Added

Date of Notice: December 5, 2018
D. Approve committee assignments

E. Chairman's Monthly Activity Report

6. DEPARTMENT HEADS' REPORTS

A. General Manager's summary of activities for the month of November 2018

B. General Counsel's summary of activities for the month of November 2018

C. General Auditor's summary of activities for the month of November 2018

D. Interim Ethics Officer's summary of activities for the month of November 2018

7. CONSENT CALENDAR ITEMS — ACTION

7-1 Award $1,200,000 contract to J.F. Shea Construction, Inc. for urgent relining of prestressed concrete cylinder pipe on the Sepulveda Feeder; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (E&O)

7-2 Adopt and rename the Metropolitan Water District 457(b) and 401(k) employee deferred compensation and savings plans and approve amendments to the Metropolitan Water District Administrative Code Section 6780-6792 and 6800-6831 to facilitate administrative compliance of these plans; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (OP&T)

7-3 Approve amendments to the Metropolitan Water District Administrative Code to conform to current law, practices and regulations; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (L&C)

END OF CONSENT CALENDAR

Date of Notice: December 5, 2018
8. OTHER BOARD ITEMS — ACTION

8-1 Adopt State Legislative Priorities and Principles for 2019; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (C&L)

8-2 Adopt Federal Legislative Priorities and Principles for 2019; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (C&L)

8-3 Consider nominations to name Metropolitan facilities after Carl Boronkay and Lois B. Krieger; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (FNA)

8-4 Adopt CEQA determination that the proposed action was previously addressed in the certified Programmatic Environmental Impact Report and related CEQA actions, and award a $23,750,060 procurement contract to Ebara Corporation to provide conical plug isolation valves for the Second Lower Feeder. (E&O)

8-5 Adopt CEQA determination that the proposed action was previously addressed in the certified 2015 Environmental Impact Report, and award $8,487,170 contract to J. F. Shea Construction, Inc. for chlorination system upgrades at the F. E. Weymouth Water Treatment Plant. Authorize an increase of $520,000 to agreement with La Cañada Design Group, Inc., for a new not-to-exceed total of $1.47 million for design services; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (E&O)

8-6 Award $26,900,000 contract to Michels Pipeline Construction to rehabilitate the circulating water and sump discharge piping systems at each Colorado River Aqueduct pumping plant; and authorize agreement with Marrs Services, Inc. for a not-to-exceed amount of $5.4 million for specialized construction management and inspection support; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (E&O)

8-7 Approve Resolution to hire retired annuitant and waive 180-day waiting period; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (OP&T)
8-8 Review and consider the Department of Water Resource’s certified Final Environmental Impact Report and approve the State Water Project Contract Extension Amendment. (WP&S)

8-9 Approve Program for Increasing Conservation in Disadvantaged Communities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (WP&S)

Withdrawn

8-10 Authorize staff to enter into funding agreements for Future Supply Actions Funding Program proposals; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (WP&S)

8-11 Authorize entering into seven agreements that would implement the Lower Basin Drought Contingency Plan (Lower Basin DCP); the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (WP&S)

8-12 Authorize increase of $100,000, to an amount not-to-exceed $200,000, for existing General Counsel contract with Olson Hagel & Fishburn LLP to make recommendations to modify the Ethics Office policies, procedures, guidelines and applicable provisions of Metropolitan’s Administrative Code; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (L&C)

9. BOARD INFORMATION ITEMS

9-1 Update on Conservation Program

Added

9-2 Report on Recommended Funding of Proposals for Future Supply Actions Funding Program. (WP&S)

10. FOLLOW-UP ITEMS
11. FUTURE AGENDA ITEMS

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 parentheses at the end of the description of the agenda item e.g., (E&O, F&I). Committee agendas may be obtained from the Board Executive Secretary.

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12. ADJOURNMENT
STANDING COMMITTEE APPOINTMENTS

Approved waiver of Administrative Code to extend the term of Committee Chairs and Vice Chairs for one month through the end of 2019.  (Agenda Item 5C)

COMMITTEE ASSIGNMENTS

Deferred to January 2019 Board meeting.  (Agenda Item 5D)

COMMUNICATIONS AND LEGISLATION COMMITTEE

Adopted the State Legislative Priorities and Principles for 2019, as amended to (1) limit staff’s right to sponsor legislation without Board approval to legislation seeking tax exemptions for water conservation; and (2) add source water protection to the list of public benefits of watershed management.  (Agenda Item 8-1)

Adopted the Federal Legislative Priorities and Principles for 2019, as amended to (1) limit staff’s right to sponsor legislation without Board approval to legislation seeking tax exemptions for water conservation; and (2) add source water protection to the list of public benefits of watershed management.  (Agenda Item 8-2)

FACILITIES NAMING COMMITTEE

Committee approved nominations to name Metropolitan facilities after Carl Boronkay and Lois B. Krieger, Board action deferred until January.  (Agenda Item 8-3)

ENGINEERING AND OPERATIONS COMMITTEE

Adopted CEQA determination that the proposed action was previously addressed in the certified Programmatic Environmental Impact Report and related CEQA actions, and awarded $23,750,060 procurement contract to Ebara Corporation to furnish conical plug isolation valves for the Second Lower Feeder.  (Agenda Item 8-4)

Adopted the CEQA determination that the proposed action was previously addressed in the certified 2015 Final EIR and related documentation, and that no further environmental analysis or documentation is required, and awarded $8,487,170 contract to J. F. Shea Construction, Inc. for chlorination system upgrades at the Weymouth plant; and authorized an increase of $520,000 to an agreement with La Cañada Design Group, Inc. for a new not-to-exceed total of $1,470,000 for design services.  (Agenda Item 8-5)
Awarded $26,900,000 contract to Michels Pipeline Construction to rehabilitate the circulating water and sump discharge piping systems at all five CRA pumping plants; and authorized agreement with Marrs Services, Inc. with a not-to-exceed amount of $5.4 million, for specialized inspection support. (Agenda Item 8-6)

**ORGANIZATION, PERSONNEL and TECHNOLOGY COMMITTEE**

Approved the Resolution for 180-Day Wait Period Exception. (Agenda Item 8-7)

**WATER PLANNING AND STEWARDSHIP COMMITTEE**

Reviewed and considered the certified Final EIR, and authorized the General Manager to sign the proposed amendment to Metropolitan’s State Water Project contract with the California Department of Water Resources extending the contract term an additional 50 years to terminate December 31, 2085; and making adjustments to the methodology used to calculate the charges for service. (Agenda Item 8-8)

Approved implementation of Regional Pilot Program; authorized use of Member Agency Administered Funds subject to staff approval of programs; and authorized the use of up to $4.5 million from the Water Stewardship Fund for both the Regional Pilot Program and the Member Agency Administered Program specifically for the disadvantaged communities projects. (Agenda Item 8-9)

Authorized the General Manager to enter into a Lower Basin Drought Contingency Plan Agreement, DCP Contributions and ICS Accumulation Limits Sharing Agreement, Companion Agreement, agreements with PVID, CVWD, and IID, an amendment to the California ICS Agreement on the terms described in the board letter and in a form approved by the General Counsel. (Agenda Item 8-11)

**LEGAL AND CLAIMS COMMITTEE**

Authorized the General Counsel to increase the amount payable under its agreement with Olson Hagel & Fishburn LLP by $100,000 to a maximum amount payable not-to-exceed $200,000. (Agenda Item 8-12)

**CONSENT CALENDAR**

In other actions, the Board:

Awarded $1,200,000 contract to J.F. Shea Construction, Inc. for PCCP repairs on the Sepulveda Feeder. (Agenda Item 7-1)
Adopted and renamed the Metropolitan Water District Employee Deferred Compensation and Savings Plans as the “The Metropolitan Water District of Southern California 457(b) Deferred Compensation Plan” and “The Metropolitan Water District of Southern California 401(k) Savings Plan”; and repeal Chapter 7 of Division VI of the Administrative Code Article 6 Sections 6780-6792 (the 401(k) provisions) and Article 7 Sections 6800-6831 (the 457(b) provisions) and replaced with Sections 6810-6819 (consolidating the governing provisions for both plans) in new Article 1 of Chapter 8 of Division VI as reflected in Attachment 1 of the Board letter, and maintain separate stand-alone written documents with the detailed plan terms outside of the Administrative Code as reflected in Attachment 2 and Attachment 3 of the Board letter, effective August 1, 2018. *(Agenda Item 7-2)*

Approved amendments to the Administrative Code set forth in Attachment 2 of the Board letter to reflect all changes recommended by the Board letter. *(Agenda Item 7-3)*

**THIS INFORMATION SHOULD NOT BE CONSIDERED THE OFFICIAL MINUTES OF THE MEETING.**

Board letters related to the items in this summary are generally posted in the Board Letter Archive approximately one week after the board meeting. In order to view them and their attachments, please copy and paste the following into your browser:

http://edmsidm.mwdh2o.com/idmweb/home.asp

All current month materials, before they are moved to the Board Letter Archive, are available on the public website here:  http://mwdh2o.com/WhoWeAre/archived-board-meetings
Finance and Insurance Committee

Meeting with Board of Directors*

January 7, 2019

9:30 a.m. -- Room 2-145

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

* The Metropolitan Water District’s Finance and Insurance 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 Finance and Insurance 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 Finance and Insurance Committee will not vote on matters before the Finance and Insurance Committee.

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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. Approval of the Minutes of the meeting of the Finance and Insurance Committee held December 10, 2018

3. CONSENT CALENDAR ITEMS — ACTION

   None

4. OTHER BOARD ITEMS — ACTION

   None

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Date of Notice: December 21, 2018
5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. California WaterFix Cost Allocation: State Water Facilities Overview

7. MANAGEMENT REPORT

a. Chief Financial Officer’s report

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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Date of Notice: December 21, 2018
Water Planning and Stewardship Committee

Meeting with Board of Directors*

January 7, 2019

10:30 a.m. – Room 2-456

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

* The Metropolitan Water District’s Water Planning and Stewardship 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 the Water Planning and Stewardship 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 committees as advisory to the Board, members of the Board who are not assigned to the Water Planning and Stewardship Committee will not vote on matters before the Water Planning and Stewardship 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. Approval of the Minutes of the Water Planning and Stewardship Committee held December 10, 2018

3. CONSENT CALENDAR ITEMS — ACTION

   7-2 Authorize entering into a not-to-exceed $292,800 funding agreement with the Calleguas Municipal Water District under the Future Supply Actions Funding Program for the Los Robles Golf Course Groundwater Utilization Pilot Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA
7-3 Authorize entering into a not-to-exceed $339,500 funding agreement with Las Virgenes Municipal Water District under the Future Supply Actions Funding Program for the Phase 2 White Paper: Tapping into Available Capacity in Existing Infrastructure to Create Water Supply and Water Quality Solutions; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

7-4 Authorize entering into a not-to-exceed $350,000 funding agreement with The City of Long Beach under the Future Supply Actions Funding Program for the Los Angeles River Demonstration Treatment Plant – Phase 2A study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

7-5 Authorize entering into a not-to-exceed $500,000 funding agreement with Los Angeles Department of Water and Power under the Future Supply Actions Funding Program for the Pilot Study of Nitrification-Denitrification Membrane Bioreactor Treatment at Hyperion Water Reclamation Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

7-6 Authorize entering into a not-to-exceed $500,000 funding agreement with Eastern Municipal Water District under the Future Supply Actions Funding Program for the Purified Water Replenishment Brine Concentration Pilot Project; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

4. OTHER BOARD ITEMS — ACTION

None

5. BOARD INFORMATION ITEMS

9-2 Review of the Antelope Valley-East Kern Water Agency High Desert Water Bank Program
6. COMMITTEE ITEMS
   a. Update on State Water Resources Control Board Bay-Delta Water Quality Control Plan Proceedings and Proposed Voluntary Settlement Agreement
   b. Update on Sites Reservoir
   c. Oral report on Water Surplus Drought Management

7. MANAGEMENT REPORTS
   a. Bay-Delta Matters
   b. Colorado River Matters
   c. Water Resource Management Manager's report

8. FOLLOW-UP ITEMS
   None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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Date of Notice: December 21, 2018
Engineering and Operations Committee

Meeting with Board of Directors*

January 7, 2019

12:30 p.m. – Room 2-145

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* The Metropolitan Water District’s Engineering and Operations 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 Engineering and Operations 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 Engineering and Operations Committee will not vote on matters before the Engineering and Operations 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. **Approval of the Minutes of the meeting of the Engineering and Operations Committee held December 10, 2018**

3. **CONSENT CALENDAR ITEMS — ACTION**

   None

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Date of Notice: December 21, 2018
4. OTHER BOARD ITEMS — ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. Update on Assessments of Spillways and Dam Structures at Lake Mathews and Lake Skinner
b. Update on Greg Avenue Pump Station Project
c. Update on Apprenticeship Program
d. Update on Santa Monica Feeder Repairs

7. MANAGEMENT REPORTS

a. Water System Operations Manager’s report
b. Engineering Services Manager’s report

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS


10. ADJOURNMENT

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Real Property and Asset Management Committee

Meeting with Board of Directors*

January 7, 2019

1:30 p.m. -- Room 2-456

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

* The Metropolitan Water District’s Real Property and Asset Management Committee meeting is noticed as a joint 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 Real Property and Asset Management 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 Real Property and Asset Management Committee will not vote on matters before the Real Property and Asset Management 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. Approval of the Minutes of the meeting of the Real Property and Asset Management Committee held December 11, 2018

3. CONSENT CALENDAR ITEMS — ACTION

None
4. OTHER BOARD ITEMS – ACTION

8-2 Adopt the Negative Declaration and related CEQA actions, and authorize granting an easement to the United States Bureau of Reclamation to establish a habitat restoration site for the Lower Colorado River Multi-Species Conservation Program.

[Conference with real property agency negotiator: Laura Simonek; negotiating parties: United States Bureau of Reclamation; for an easement for conservation purposes encumbering approximately 635 acres of land on the west side of the Colorado River in northeast Imperial County, California, 17 miles southwest of the city of Blythe, also known as a portion of Imperial County Assessor’s Parcel No. 006-150-065; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. Palo Verde Property Update

7. MANAGEMENT REPORT

a. Real Property Management Manager’s Report

8. FOLLOW-UP ITEMS

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

Date of Notice: December 21, 2018
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Facilities Naming Ad Hoc Committee

Meeting with Board of Directors*

January 7, 2019

2:30 p.m. – Room 2-145

* The Metropolitan Water District’s Facilities Naming Ad Hoc 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 Facilities Naming Ad Hoc 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 Facilities Naming Ad Hoc Committee will not vote on matters before the Facilities Naming Ad Hoc 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. Approval of the Minutes of the meeting of the Facilities Naming Ad Hoc Committee held December 10, 2018

3. CONSENT CALENDAR ITEMS — ACTION

   None

4. OTHER BOARD ITEMS — ACTION

   8-1 Approve nominations to name Metropolitan facilities after Carl Boronkay and Lois B. Krieger; and select and name specified Metropolitan facilities after each nominee; the General Manager has determined that this action is exempt or otherwise not subject to CEQA
5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

None

7. FUTURE AGENDA ITEMS

8. ADJOURNMENT

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Communications and Legislation Committee

Meeting with Board of Directors*

January 7, 2019

3:00 p.m. -- Room 2-456

January 7, 2019

Meeting Schedule

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<th>Room</th>
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<tbody>
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<td>F&amp;I</td>
<td>2-145</td>
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<td>10:30 a.m.</td>
<td>WP&amp;S</td>
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<td>12:30 p.m.</td>
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<td>1:30 p.m.</td>
<td>RP&amp;AM</td>
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<td>3:00 p.m.</td>
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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. Approval of the Minutes of the meeting of the Communications and Legislation Committee held December 10, 2018

3. CONSENT CALENDAR ITEMS — ACTION

   None

4. OTHER BOARD ITEMS — ACTION

   None
5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. Report on activities from Washington, D.C.

b. Report on activities from Sacramento

7. MANAGEMENT REPORT

a. External Affairs Management report

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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Legal and Claims Committee

Meeting with Board of Directors*

January 8, 2019

9:00 a.m. -- Room 2-145

L&C Committee
J. Quiñonez, Chair
L. McKenney, V. Chair
R. Atwater
M. Camacho
G. Cordero
L. Dick
P. Hawkins
J. Murray, Jr.
L. Paskett
Z. Sinanyan
T. Smith
F. Steiner

Meeting Schedule

<table>
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<tr>
<th>Time</th>
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<tr>
<td>9:00 a.m.</td>
<td>L&amp;C</td>
<td>Rm. 2-145</td>
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<td>9:30 a.m.</td>
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<tr>
<td>10:30 a.m.</td>
<td>OP&amp;T</td>
<td>Rm. 2-145</td>
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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. Approval of the Minutes of the Legal and Claims Committee meeting held December 11, 2018

3. MANAGEMENT REPORT
   a. General Counsel’s report of monthly activities

4. CONSENT CALENDAR ITEMS — ACTION
   None

5. OTHER BOARD ITEMS — ACTION
   None

Date of Notice: January 3, 2019
6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

Revised

a. Review Settlement Proposal received from SDCWA and 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 appeal of the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case Nos. A146901 and A148266 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; and 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.

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

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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Date of Notice: January 3, 2019
Conservation and Local Resources Committee

Meeting with Board of Directors*

January 8, 2019

9:30 a.m. – Room 2-456

* The Metropolitan Water District’s Conservation and Local Resources 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 Conservation and Local Resources 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 Conservation and Local Resources Committee will not vote on matters before the Conservation and Local Resources Committee.

1. Opportunity for members of the public to address the committee on matters within the committee’s jurisdiction (As required by Gov. Code 54954.3(a))

2. Approval of the Minutes of the meeting of the Conservation and Local Resources Committee held November 5, 2018

3. CHAIRMAN’S REPORT

4. CONSENT CALENDAR ITEMS — ACTION

None

5. OTHER BOARD ITEMS — ACTION

None

Date of Notice: December 21, 2018
6. BOARD INFORMATION ITEMS

   9-3 Information on proposed action to increase activity in the Landscape Transformation Program

7. COMMITTEE ITEMS

   a. Conservation Update
   b. Update on Approaches to Encourage Local Resource Development

8. FOLLOW-UP ITEMS

   None

9. FUTURE AGENDA ITEMS

10. 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.

   Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site http://www.mwdh2o.com.

   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 Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

Date of Notice: December 21, 2018
Organization, Personnel and Technology Committee

Meeting with Board of Directors*

January 8, 2019

10:30 a.m. -- Room 2-145

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

* The Metropolitan Water District’s meeting of the Organization, Personnel and Technology 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 the Organization, Personnel and Technology 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 the Organization, Personnel and Technology Committee will not vote on matters before the meeting of the Organization, Personnel and Technology 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. Approval of the Minutes of the meeting of the Organization, Personnel and Technology Committee held December 11, 2018

3. CONSENT CALENDAR ITEMS – ACTION

7-1 Authorize an agreement with Hatfield & Dawson Consulting Engineers, LLC, with a not-to-exceed amount of $480,000 for professional technical services to upgrade the Metropolitan’s microwave radio wide-area-network system at 24 sites within the Desert operating region; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA
4. OTHER BOARD ITEMS – ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. None

7. MANAGEMENT REPORT

a. Human Resources Manager’s report
   b. Information Technology Manager’s report

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. 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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1. **Call to Order**


   (b) Pledge of Allegiance: Director Richard Atwater, Foothill Municipal Water District

   (c) Administer Oath of Office for Chairwoman Gloria Gray for a two-year term beginning January 1, 2019

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. Remarks from Dignitaries and Special Guests
   b. Public comments

5. **OTHER MATTERS**

   A. Approval of the Minutes of the Meeting for December 11, 2018
      (A copy has been mailed to each Director)
      Any additions, corrections, or omissions

   B. Nomination and Election of nonofficer members of the Executive Committee for two-year term effective January 8, 2019

Date of Notice: January 3, 2019
B. Approve waiver of Administrative Code Section 2411 to defer nominations and elections of nonofficer members of the Executive Committee for a two-year term to February

Deferred
C. Chair and Vice Chair of standing committee appointments for the term commencing on February 1, 2019

Added
C. Approve appointment of Board Vice Chairs

D. Approve committee assignments

E. Authorize preparation of Commendatory Resolution honoring Randy A. Record for his leadership during his term as Chairman of Metropolitan’s Board of Directors

F. Presentation of 10-year Service Pin to Director Fern Steiner

G. Presentation of Commendatory Resolution to past Director Sylvia Ballin, representing the City of San Fernando

H. Report on Directors’ events attended at Metropolitan expense for month of December

I. Chairman Record’s December Activity Report

6. DEPARTMENT HEADS’ REPORTS

A. General Manager's summary of activities for the month of December

B. General Counsel’s summary of activities for the month of December

C. General Auditor’s summary of activities for the month of December

D. Interim Ethics Officer’s summary of activities for the month of December

Date of Notice: January 3, 2019
7. CONSENT CALENDAR ITEMS — ACTION

7-1 Authorize an agreement with Hatfield & Dawson Consulting Engineers, LLC, with a not-to-exceed amount of $480,000 for professional technical services to upgrade the Metropolitan’s microwave radio wide-area-network system at 24 sites within the Desert operating region; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (OP&T)

7-2 Authorize entering into a not-to-exceed $292,800 funding agreement with the Calleguas Municipal Water District under the Future Supply Actions Funding Program for the Los Robles Golf Course Groundwater Utilization Pilot Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (WP&S)

7-3 Authorize entering into a not-to-exceed $339,500 funding agreement with Las Virgenes Municipal Water District under the Future Supply Actions Funding Program for the Phase 2 White Paper: Tapping into Available Capacity in Existing Infrastructure to Create Water Supply and Water Quality Solutions; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (WP&S)

7-4 Authorize entering into a not-to-exceed $350,000 funding agreement with The City of Long Beach under the Future Supply Actions Funding Program for the Los Angeles River Demonstration Treatment Plant – Phase 2A study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (WP&S)

7-5 Authorize entering into a not-to-exceed $500,000 funding agreement with Los Angeles Department of Water and Power under the Future Supply Actions Funding Program for the Pilot Study of Nitrification-Denitrification Membrane Bioreactor Treatment at Hyperion Water Reclamation Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (WP&S)
7-6 Authorize entering into a not-to-exceed $500,000 funding agreement with Eastern Municipal Water District under the Future Supply Actions Funding Program for the Purified Water Replenishment Brine Concentration Pilot Project; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (WP&S)

END OF CONSENT CALENDAR

8. OTHER BOARD ITEMS — ACTION

8-1 Approve nominations to name Metropolitan facilities after Carl Boronkay and Lois B. Krieger; and select and name specified Metropolitan facilities after each nominee; the General Manager has determined that this action is exempt or otherwise not subject to CEQA. (FNA)

8-2 Adopt the Negative Declaration and related CEQA actions, and authorize granting an easement to the United States Bureau of Reclamation to establish a habitat restoration site for the Lower Colorado River Multi-Species Conservation Program. (RP&AM)

[Conference with real property agency negotiator: Laura Simonek; negotiating parties: United States Bureau of Reclamation; for an easement for conservation purposes encumbering approximately 635 acres of land on the west side of the Colorado River in northeast Imperial County, California, 17 miles southwest of the city of Blythe, also known as a portion of Imperial County Assessor’s Parcel No. 006-150-065; under negotiation: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8]

9. BOARD INFORMATION ITEMS

9-1 Update on Conservation Program

9-2 Review of the Antelope Valley-East Kern Water Agency High Desert Water Bank Program. (WP&S)
9-3 Information on proposed action to increase activity in the Landscape Transformation Program. (CL&R)

10. FOLLOW-UP ITEMS

11. FUTURE AGENDA ITEMS

12. 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 parentheses at the end of the description of the agenda item e.g., (E&O, F&I). Committee agendas may be obtained from the Board Executive Secretary.

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Summary Report for
The Metropolitan Water District of Southern California
Board Meeting
January 8, 2019

OATH OF OFFICE

Administered Oath of Office for Chairwoman Gloria D. Gray for a two-year term beginning January 1, 2019. (Agenda Item 1C)

NOMINATIONS AND ELECTIONS OF NONOFFICER MEMBERS

Approved waiver of Administrative Code Section 2411 to defer nominations and elections of nonofficer members of the Executive Committee for a two-year term to February. (Agenda Item 5B)

BOARD VICE CHAIR APPOINTMENTS

Approved appointment of Board Vice Chairs. Directors Lorraine Paskett, Jerry Butkiewicz, and Cynthia Kurtz were appointed as Board Vice Chairs. (Agenda Item 5C)

FACILITIES NAMING COMMITTEE

Approved to name the East Dam of Diamond Valley Lake the Carl Boronkay Dam and deferred consideration of the nomination of Lois B. Krieger with directions to staff to return to the committee with recommendations to name Metropolitan facilities located within the Western Municipal Water District service area. (Agenda Item 8-1)

REAL PROPERTY AND ASSET MANAGEMENT COMMITTEE

Adopted the Negative Declaration and related CEQA actions, and authorized granting an easement to the United States Bureau of Reclamation to establish a habitat restoration site for the Lower Colorado River Multi-Species Conservation Program. (Agenda Item 8-2)

CONSENT CALENDAR

In other actions, the Board:

Authorized an agreement with Hatfield & Dawson Consulting Engineers, LLC for a not-to-exceed amount of $480,000 for professional technical services to upgrade Metropolitan’s Desert region microwave radio wide-area-network. (Agenda Item 7-1)

Authorized staff to enter into a not-to-exceed $292,800 funding agreement with the Calleguas MWD under the FSA Program for the Los Robles Golf Course Groundwater Utilization Pilot Study. (Agenda Item 7-2)
Authorized staff to enter into a not-to-exceed $339,500 funding agreement with the Las Virgenes MWD under the FSA Program for the Phase 2 White Paper: Tapping into Available Capacity in Existing Infrastructure to Create Water Supply and Water Quality Solutions. *(Agenda Item 7-3)*

Authorized staff to enter into a not-to-exceed $350,000 funding agreement with The City of Long Beach under the FSA Program for the Los Angeles River Demonstration Treatment Plant – Phase 2A study. *(Agenda Item 7-4)*

Authorized staff to enter into a not-to-exceed $500,000 funding agreement with the LADWP under the FSA Program for the Pilot Study of Nitrification-Denitrification Membrane Bioreactor Treatment at Hyperion Water Reclamation Plant. *(Agenda Item 7-5)*

Authorized staff to enter into a not-to-exceed $500,000 funding agreement with the Eastern MWD under the FSA Program for the Purified Water Replenishment Brine Concentration Pilot Project. *(Agenda Item 7-6)*

**OTHER MATTERS**

Authorized preparation of Commendatory Resolution honoring Randy A. Record for his leadership during his term as Chairman of Metropolitan’s Board of Directors. *(Agenda Item 5E)*

Presented 10-year Service Pin to Director Fern Steiner. *(Agenda Item 5F)*

Presented Commendatory Resolution to past Director Sylvia Ballin, representing the City of San Fernando. *(Agenda Item 5G)*

**THIS INFORMATION SHOULD NOT BE CONSIDERED THE OFFICIAL MINUTES OF THE MEETING.**

Board letters related to the items in this summary are generally posted in the Board Letter Archive approximately one week after the board meeting. In order to view them and their attachments, please copy and paste the following into your browser

http://edmsidm.mwdh2o.com/idmweb/home.asp

All current month materials, before they are moved to the Board Letter Archive, are available on the public website here: http://mwdh2o.com/WhoWeAre/archived-board-meetings
Federal Update
For the San Diego County Water Authority
Board of Directors

January 22, 2019

FY19 Appropriations Update

Prior to the holidays, five of the twelve FY2019 appropriations bills had been signed into law. There was a Continuing Resolution (CR) in place to fund the remaining seven bills. The CR expired on Friday, December 21st. Unfortunately, Congress and the White House were unable to come to a deal on the remaining seven FY2019 appropriations bills (Agriculture; Commerce, Justice Science; Financial Services; Homeland Security; Interior and the Environment; State/Foreign Ops; Transportation, Housing, and Urban Development) or pass another CR by the end of the day on the 21st. As a result, we are now 32 days into a partial government shutdown.

The current fiscal standoff is centered around funding for a wall at the southern border. The President wants $5.7 billion to be included in the final spending package for the wall. Congressional Democrats have expressed strong opposition to the President’s request.

Over the weekend, the President announced that he would be sending a package to Congress that would include $5.7 billion for the wall, as well as three years of legislative relief for DACA recipients. Congressional Democrats have indicated that the proposal is dead on arrival. Senate Majority Leader Mitch McConnell will be putting the proposal on the floor of the Senate for a vote this week and believes he will be able to get the votes to pass the bill in the Senate, and then put pressure on the Democratically-controlled House.

Democrats Announce Leadership for the 116th Congress

The House Democrats announced their list of Committee chairs for the 116th Congress:

- Appropriations: Rep. Nita Lowey (NY-17)
- Energy and Commerce: Rep. Frank Pallone (NJ-06)
- Financial Services: Rep. Maxine Waters (CA-43)
- Natural Resources: Rep. Raul Grijalva (AZ-03)
- Transportation and Infrastructure: Rep. Peter DeFazio (OR-04)
- Ways and Means: Rep. Richie Neal (MA-01)
The Senate Democrats announced their list of Committee ranking members for the 116th Congress:

- Appropriations: Sen. Patrick Leahy (VT)
- Budget: Sen. Bernie Sanders (VT)
- Energy and Natural Resources: Sen. Joe Manchin (WV)
- Finance: Sen. Ron Wyden (OR)

EPA/Army Corps of Engineers Release New WOTUS Proposed Rule

In mid-December, the Environmental Protection Agency (EPA) and the Army Corps of Engineers released a new Waters of the United States (WOTUS) rule. President Trump issued an Executive Order in 2017 to rescind the 2015 Obama Administration WOTUS rule. Trump also directed the EPA and the Army Corps of Engineers to draft a new rule. The Executive Order directed that the agencies use Supreme Court Justice Antonin Scalia opinion’s in the Rapanos v. United States case in 2006 as a basis for rewriting the rule, in which Scalia argued that federal jurisdiction extends only to water bodies with a permanent flow or non-navigable waterways that connect via surface water with areas with permanent flow. As a result, the new proposed rule is much narrower in scope. According to the EPA and the Army Corps of Engineers, the new rule would pull back federal oversight of 51 percent of wetlands and 18 percent of streams. The proposed rule has a 60-day public comment period.

Zinke Leaves Interior

In mid-December, Department of the Interior Secretary Ryan Zinke announced that he would be leaving Interior at the end of the year. Zinke has had a difficult few months at Interior, as he was under investigation for the possible misuse of his office for personal gain. Secretary Zinke’s deputy, David Bernhardt, is now the acting secretary. President Trump has yet to nominate a replacement for Zinke, but two names that have been floated as possibilities are former Nevada Senator Dean Heller and former California Congressman Jeff Denham. Once the President officially nominates a candidate, he or she will have a hearing before the Senate Energy and Natural Resources Committee and will have to be confirmed by the full Senate.
January 23, 2019

Attention: Board of Directors

From: Jim Madaffer, Chair

Notice of Appointment of S. Gail Goldberg to the Metropolitan Water District of Southern California Board of Directors and Defer to the February 28, 2019 Board Meeting Board Approval of the Appointment and of the Biennial Review and Confirmation of Representatives to the Metropolitan Water District. (Action)

Background
Under Section 9.00.060 of the Administrative Code, all Metropolitan Water District delegates are to be reviewed in October of even-numbered years. On October 25, 2018, the Board approved my request to defer confirmation of the MWD delegates to the December 6, 2018 Board meeting to afford the opportunity for Board members to provide input on filling of the vacancy created by the pending resignation of Director Fern Steiner from MWD’s Board. On December 6, the Board approved my subsequent request to defer action on this matter to the January 24, 2019 meeting.

As previously reported, Director Steiner is stepping down from the Metropolitan Water District Board of Directors. This creates a vacancy in our Metropolitan Water District delegation. In my October 18, 2019 memo, Board members were asked for recommendation to fill the vacancy. I appreciate the feedback from Board members with their suggestions.

I have taken all of the Board and Officers’ feedback under consideration and, in conformance with the Water Authority’s Administrative Code, this is notice to the Board of my intention to appoint S. Gail Goldberg as a Metropolitan Delegate to fill the board seat being vacated by Director Steiner.

Ms. Goldberg has spent her professional career in the land planning field. She worked for 17 years in the City of San Diego’s Planning Department, including six years as Planning Director (2000-2005). She later served as Planning Director for the City of Los Angeles (2006-2010). She has held many positions with the Urban Land Institute, including as Executive Director of ULI-Los Angeles from 2011-2018. Throughout this period, Ms. Goldberg has maintained her home in the City of San Diego.

Ms. Goldberg is a native Californian and holds a degree in Urban Studies and Planning from UC San Diego. She serves on the Board of Advisors for the USC Center for Sustainable Cities and the USC Price School Master’s of Planning Program. She was appointed to the California Strategic Growth Council by then-Assembly Speaker Toni Atkins. She is a past President of the San Diego Chapter of the Lambda Alpha Honorary Land Economics Society. Attached, for your information, is Ms. Goldberg’s bio.
I believe that it is important to afford board members the opportunity to meet with Ms. Goldberg prior to being asked to confirm her. Because of personal commitments, Ms. Goldberg was not available to do so prior to the January 24 board meeting. Accordingly, I am requesting the board approve deferral of the vote whether to approve Ms. Goldberg's appointment and confirmation of our MWD Delegates to the February 28, 2019 board meeting. In the interim, we will make arrangements for Board members to meet with Ms. Goldberg. I will send a follow-up memo to the board with information on scheduling the meetings.

Accordingly, I respectfully request that the Board defer the vote on Ms. Goldberg's appointment and the biennial review and confirmation of the Water Authority's delegates to the Metropolitan Water District to the board’s February 28, 2019 meeting. Thank you for your consideration of this request.

JM

Attachment
S. Gail Goldberg, FAICP, served as Executive Director of the Urban Land Institute - Los Angeles from June of 2011 until February of 2018. Ms. Goldberg brought to the table not only her many years leading the planning departments of two of the world’s most significant cities, but also many years of service to ULI.

Goldberg was Director of Los Angeles City Planning Department from February 2006 through August 2010. She was responsible for organizing and directing the policies and activities of the City’s Planning Department, including the development, maintenance and implementation of all elements of the City’s General Plan as well as a range of other special zoning plans.

Prior to joining the Los Angeles Planning Department, Goldberg worked for 17 years in the City of San Diego Planning Department, serving as Planning Director from 2000 through 2005. She oversaw a planning process to update the city’s 20-year-old General Plan. The result – which became an international model for urban revitalization – was a 20-year vision for the San Diego and a long-term strategy for achieving that vision known as the “City of Villages.”

Goldberg is a native Californian and holds a degree in Urban Studies and Planning from the University of California San Diego. Goldberg currently serves on the Board of Advisors for the USC Center for Sustainable Cities and the USC Price School Masters of Planning Program. She also serves on the Advisory Board for the University of California’s District 9 Transportation Center.

Goldberg has formerly served as an Urban Land Institute Trustee, Chair of the San Diego/Tijuana ULI District Council and on the Statewide Coordinating Committee for the Urban Land Institute’s California Smart Growth Initiative. Goldberg has served on the Board of Directors for Abode Communities and Abode Community Housing and was appointed by Assembly Speaker Toni Atkins to the California Strategic Growth Council where she served for three years. She is a past President of the San Diego Chapter of the Lambda Alpha Honorary Land Economics Society.