Following Congressional hearings in the House Natural Resources Committee and the Senate Energy and Natural Resources Committee, Congress passed the “Colorado River Drought Contingency Plan Authorization Act.” This legislation was signed into law by President Trump on April 16th.

Upon passage of the legislation, Bureau of Reclamation Commissioner Brenda Burman said the following: “The Colorado River is the single most important water resource in the southwestern United States and northwestern Mexico. All levels of government stepped up to address the Basin’s worst drought in recorded history. We’ve seen collaborative efforts among the seven Basin states, local water agencies, Tribes, Mexico and the Department of the Interior. Congress took prompt action on implementing legislation for the Drought Contingency Plans, and the President acted swiftly to sign that legislation into law. Adopting consensus-based DCPs is the best path toward safeguarding this critical water supply.”

When Congress returns to Washington, DC next week following the conclusion on the current two-week Congressional recess, Members of the Appropriations Committees are expected to begin work on the Fiscal Year (FY) 2020 appropriations bills. While the committees have yet to formally release their schedules for the coming weeks, we are expecting the House Energy and Water appropriations subcommittee to being working on their bill in the middle of May. The Energy and Water appropriations bill provides federal funding for the Bureau of Reclamation and the Army Corps of Engineers.
Federal Agency Nominations Update

David Bernhardt, nominated by President Trump to be the Secretary of the Department of the Interior (DOI) was confirmed by the Senate by a vote of 56-41. Three Democratic Senators, Heinrich (NM), Manchin (WV), and Sinema (AZ), joined with Republican Senators to vote in favor of his nomination.

EPA Releases Water Reuse Action Plan Discussion Draft

Earlier this year, the Environmental Protection Agency (EPA) announced that it would be working to put together a National Water Reuse Action Plan (Plan). The Plan would aim to better integrate federal policy and leverage the expertise of both industry and government to ensure the effective use of the Nation's water resources, as well as seek to foster water reuse as an important component of integrated water resources management.

Last week, EPA released a discussion framework for their Plan for public review. Additionally, EPA is seeking public input on the Plan. Comments are to be submitted by July 1st. EPA has expressed a goal of announcing the Plan at a conference later this fall.

EPA Announces New WIFIA Funding

EPA announced a new round of funding for the Water Infrastructure Finance and Innovation Act (WIFIA) loans. WIFIA loans are available to public and private borrowers for a wide range of drinking water, wastewater, drought mitigation, and alternative water supply projects. The funding availability outlines the following priorities for projects seeking financing: reducing exposure to lead and addressing emerging contaminants in drinking water systems, updating aging infrastructure, and implementing water reuse and recycling. The WIFIA program was established in 2014 as a federal loan and guarantee program at EPA that aims to accelerate investment in the nation’s water infrastructure by providing long-term, low-cost supplemental loans for regionally and nationally significant projects.
April 24, 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 (Delegates). This report includes MWD Board activities for April 2019. The MWD committees and Board met on April 8, 9, and 23, 2019, and meet next on May 13, 14, and 28.

Discussion
The Delegates supported 12 of 16 action items approved by the MWD Board at its April 2019 meeting.1 MWD Board actions of interest to the Water Authority include:

- Altering provisions included in MWD’s demand management agreements;
- Approving resolutions fixing and adopting the Readiness-to-Serve (RTS) and Capacity charges for calendar year 2020;
- Authorizing a discount to “offset costs associated with surplus deliveries to cyclic accounts;”
- Authorizing a water banking program with Antelope Valley-East Kern Water Agency;2
- Taking no position on SB 1 (Atkins, D-San Diego; Portantino, D-La Canada Flintridge; and Stern, D-Agoura Hills): California Environmental, Public Health, and Workers Defense Act of 2019;
- Expressing support, if amended, for AB 658 (Eduardo Garcia, D-Coachella): Water Rights: Water Management; and
- Unanimously electing Director Abdo (Santa Monica) as Board Secretary by acclamation.

At its April 23 meeting, the Special Committee on Bay-Delta received an update on Delta Levees Emergency Preparedness and Response, which among other things, described the efforts to create an “emergency pathway” to continue freshwater exports should the Bay-Delta be compromised by a major seismic event. An October 2018 analysis shows the new estimate for Bay-Delta export disruption has been reduced to less than six months from three years due to work to address potential levee failures that has been performed since 2007. MWD also introduced the newly hired Executive Director, Kathryn Mallon, of the Delta Conveyance Design and Construction Authority (DCA). In response to Director Dake (Los Angeles), staff reported that at its April meeting, the DCA approved a contract with Parsons Transportation Group Inc. (Parsons) for program management support services “to keep the lights on.” Noting that the $40 million, five-year contract is more than “just keeping the lights on,” Director Smith asked what activities Parsons would undertake in the near-term. Staff reported that before a conveyance project is defined, there would be “a lot of activities proceeding and working with the state of

1 Director Butkiewicz opposed an item to surplus 20 acres of land MWD owns in Ventura; he believed MWD should pursue retaining the associated environmental mitigation credits as a condition of sale.
2 For more information on this item see the Metropolitan Water District Program Report in the Water Authority’s April 2019 Board packet starting on page 81 here: https://www.sdcwa.org/meetings-and-documents
California and Department of Water Resources” that require having the “program management functions to keep track of all that.” For example, staff mentioned Parsons would ensure that “all the activities are clearly scheduled” and budgeted, and the “control systems are in place.”

The Delegates opposed fixing and adopting MWD’s calendar year 2020 RTS and Capacity charges. Although the Delegates were supportive of removing the illegal Rate Structure Integrity language from MWD’s demand management agreements, they opposed an item that would do so since it would also add in new concerning language. The Delegates opposed the item after failing to gain support to bifurcate the two issues.

At the Water Planning and Stewardship Committee, the Board discussed offering a “cost-offset credit” of up to $225 per acre-foot (AF) for the delivery of “surplus” water into member agencies’ cyclic storage accounts. The “credit” intends to “offset” the costs member agencies would incur from accepting MWD’s pre-delivery of imported water instead of utilizing their local supplies. Director Hogan questioned staff’s proposal to limit the “credit” surface storage agencies could receive for evaporative losses to only two years, especially since under the program agencies have five years to pay for the pre-delivered water. He also noted staff’s proposal would credit evaporative losses (5 percent annually for two years, or a cap of about $75/AF) well-below the $225/AF ceiling. As such, Hogan requested the motion maker accept his “friendly amendment” to approve the program as proposed, except modify the “credit” for evaporative losses to 5 percent annually over five years rather than two years, so long as the cost to MWD is below the $225/AF ceiling. Hogan’s amendment was not accepted, and staff’s proposal was approved by the Committee. At the subsequent day’s Board meeting, Hogan made a substitute motion to allow surface storage deliveries to receive credits for evaporative losses over five years. Voicing support for Hogan’s substitute motion, Smith highlighted that the purpose of the “credit” is to store as much water in Southern California as possible during surplus conditions and that the San Diego region has about 700,000 acre-feet of potential storage that can play a role in this effort if the two-year evaporative losses cap is removed. Smith said setting the “credit” for evaporative losses over five years would put surface storage agencies at par with groundwater agencies and give surface storage agencies the “flexibility” needed to participate in the program. Gaining 29.06 percent support, Hogan’s substitute motion failed and ultimately the Board approved the committee’s recommendation with Director Butkiewicz opposing.

The Board did not approve staff’s recommendation to take an opposed, unless amended position to SB 1 and instead voted to take no position and direct staff to work with the bill’s authors on

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5 For more information on this item see the Metropolitan Water District Program Report in the Water Authority’s April 2019 Board packet starting on page 81 here: [https://www.sdcwa.org/meetings-and-documents](https://www.sdcwa.org/meetings-and-documents)

6 Along with the Delegates, the Fullerton, Inland Empire Utilities Agency, San Fernando, and Upper San Gabriel Municipal Water District delegations and Director Williams (West Basin) supported Hogan’s substitute motion.
amendments. The Communications and Legislation (C&L) Committee received a presentation on SB 332 (Hertzberg, D-Van Nuys; Weiner D–San Francisco) Wastewater treatment: recycled water. Attachment 1 summarizes the C&L Committee’s discussion of SB 1 and SB 332. The Conservation and Local Resources Committee received a presentation on MWD’s “approaches to encourage local resources development;” the subsequent discussion is described in Attachment 2.

In response to a request by Director Smith, the Finance and Insurance Committee received an overview related to prefunding MWD’s pension and other post-employment benefits (OPEB) liabilities. This presentation focused on MWD’s current pension and OPEB liabilities and was the first in a two-part series; the next presentation will offer potential paths towards paying down these liabilities. As of June 30, 2017, MWD’s pension is 72.7 percent funded and its OPEB is 47.4 percent funded. The Legal and Claims and Executive Committees went into closed session, without the Delegates in attendance, to review the Water Authority’s settlement proposal and hear a report on the rate litigation. Director Goldberg was assigned to the Finance and Insurance, Water Planning and Stewardship, and Legal and Claims committees.

Prepared by: Liz Mendelson-Goossens, Senior Water Resources Specialist
Reviewed by: Communications and Legislation Committee by Jerry Butkiewicz & Tim Smith
Conservation and Local Resources Committee by Michael Hogan
Engineering and Operations Committee by Tim Smith
Executive Committee by Jerry Butkiewicz, Michael Hogan, & Tim Smith
Finance and Insurance Committee by Gail Goldberg and Tim Smith
Legal and Claims Committee by Gail Goldberg and Tim Smith
Organization, Personnel and Technology Committee by Michael Hogan & Tim Smith
Real Property and Asset Management Committee by Tim Smith
Special Committee on Bay-Delta by Michael Hogan
Water Planning and Stewardship Committee by Gail Goldberg and Michael Hogan

Attachments:
Attachment 1 – Discussion Summary of Senate Bill 1 and Senate Bill 332
Attachment 2 – Discussion Summary of Local Resource Development
Attachment 3 – MWD’s committee and Board meeting agendas dated April 8, 9, and 23, 2019
Discussion Summary of Senate Bill 1 and Senate Bill 332

At the March 2019 Communications and Legislation (C&L) Committee, MWD agenized an item recommending the Board take an opposed unless amended position on Senate Bill 1 (Atkins, D-San Diego; Portantino, D-La Canada Flintridge; and Stern, D-Agoura Hills): California Environmental, Public Health, and Workers Defense Act of 2019 (SB 1). Although staff presented its concerns with the bill, it pulled the item from action because General Manager Kightlinger reported that Senate Pro Tempore Atkins’ (Pro Tem) office asked MWD to join its “discussion” with “a number of business groups, labor groups, chambers” and work on amendments before taking a position. At this month’s C&L Committee meeting, staff gave the same presentation and continued to recommend an opposed unless amended position on the bill.

SB 1 would authorize state agencies to immediately adopt baseline federal standards to keep intact federal environmental, safe drinking water, fair labor, and worker safety protections as they existed before the Trump Administration took office. Staff identified concerns with the bill related to:

- “Constraining” the coordinated operations of the Central Valley Project (CVP) and State Water Project (SWP);
- Exposing MWD to “civil and criminal penalties” related to incidental take permitting for species listed under state and federal engendered species acts;
- Limiting public review of the state’s adoption of baseline standards; and
- Increasing the potential for “litigation and regulatory uncertainty.”

Following staff’s presentation this month, Director McKenney (Municipal Water District of Orange County (MWDOC)) moved staff’s recommendation. Instead, Director Butkiewicz suggested MWD work with the legislators on amendments and defer taking a position until next month. Staff responded that the Pro Tem’s office asked stakeholders to provide amendments, but “[i]f we don’t have a position on the bill, then Metropolitan would not have an opportunity to make some suggested amendments.” Replying to C&L Committee Chair Cordero (Long Beach), staff said the Board could take a “support if amended” position but if MWD’s amendments were not accepted then the Board would need to take action to change its position. Staff added that taking an opposed unless amended position would give MWD more “leverage.” Director Gold (Los Angeles) said none of the options discussed are the “perfect solution” despite each having “merit.” Considering “our working relationship” with the bill’s authors, Gold said opposing if amended is “politically tone-deaf” and suggested a support if amended position “makes just as clear a point, especially if Met is really aggressive on what those amendments should be and makes them very transparent and public.” Stating he is supportive of maintaining “good relationships with these authors,” McKenney said he doubted an oppose unless amended position “would surprise anybody” or be taken “personally.” He voiced concern that if MWD took a support if amended position then it would be locked into supporting the bill if its amendments are accepted. He also questioned if MWD supports the state adopting “stricter environmental regulations because they don’t like what’s going on in the White House.” Replying to Cordero, staff clarified SB 1 would set state regulations to the federal ones already in place rather than create new ones, “lock[ing] in the 2008-2009 biological opinions” as “baseline standards.”
Saying MWD is consider an environmental leader, Cordero suggested a support if amended position “with strong language” would give MWD the necessary “leverage” to achieve its amendments. Focusing on McKenney’s comments, Butkiewicz suggested MWD consider a watch position to see where the bill goes. McKenney replied that he wants MWD “at the table making substantive recommendations for amendments.” Butkiewicz asked if staff shared MWD’s amendments with the Pro Tem’s office. Staff responded that it did “not want to get out ahead of the Board in making specific recommendations” so it shared the same presentation it gave at the March 2019 C&L Committee meeting when it met with the Pro Tem’s office. Staff added that the authors asked if they accepted MWD’s amendments then would MWD support the bill; staff replied MWD’s position is the “Board’s decision.” Butkiewicz questioned MWD taking a position before the bill’s authors have a chance to “get back to us.” General Manager Kightlinger said the “normal practice” is for MWD to take a legislative position and then for staff to have “discussions” with bills’ authors. Kightlinger offered that although MWD thinks SB 1 “is very problematic,” the Board could “wait a month” to take a position and direct staff to seek amendments.

Director Abdo (Santa Monica) said a watch position is the “weakest” one MWD could take and urged MWD take a support if amended position or “not do anything.” Gold expressed support for Kightlinger’s “alternative” to “unleash staff” to “be aggressive” in seeking amendments over the next month. Director Blois (Calleguas) urged taking an oppose unless amended position since “we cannot support something that we do not know exactly what it is.” Agreeing with Abdo about not taking a watch position, Director Peterson (Las Virgenes) said “we need to be players in the bill” and urged MWD take an oppose unless amended position. Director Murray (Los Angeles) said MWD is a “player” and the authors will be “receptive” to MWD’s amendments. Saying MWD should “let staff do what staff does so well,” Murray made a substitute motion, which was seconded by Butkiewicz, to take no position this month, and direct staff to seek amendments and bring the bill back next month for the Board’s consideration. Director Morris (San Marino) asked for staff’s opinion on this approach. Staff said an oppose unless amended position would offer a “stronger position to negotiate, but regardless, the staff in Pro Tem Atkin’s office would like us to provide input” and that Atkins “is receptive to taking amendments.” Supporting Murray’s substitute motion, Director Kurtz (Pasadena) said it would send the message that MWD cannot support SB 1 without it including all MWD’s amendments.

McKenney suggested that it could be more damaging to relationships with the authors, if MWD ends up not supporting the bill should all its amendments not be accepted. Opining that the Board is not divided over the “amendments we want,” McKenney said the division is over if MWD “would go neutral or support the bill” should its amendments be incorporated. Pointing out that SB 1 is the result of the authors being “angry” at the federal government, Director Ackerman (MWDOC) asked if they understand how the bill would “affect” MWD. Kightlinger replied the bill’s impact to MWD is “not the driving consideration” and called SB 1 “a political statement bill,” which is “going to have some consequence” despite the authors’ “good faith belief” that it “is the simplest way” to “stay the course and have strong environmental protections.” Assuming the authors understand the implications of the bill on MWD, Ackerman urged the Board to take an oppose unless amended position. Director Record (Eastern) agreed with Ackerman, adding that MWD should take an oppose unless amended position since SB 1 “locks in biological opinions from ten years ago” and Atkins is “not going to be offended.”
Cordero called for the vote on Murray’s substitute motion, which passed with eight of the 15 committee members present supporting it.1 At its meeting the subsequent day, the Board approved the C&L Committee’s recommendation with Directors Barbre (MWDOC), Blois, Galleano, McKenney, Peterson, and Record opposing and Directors Butkiewicz and Solorio (Santa Ana) abstaining.

The C&L Committee also received a presentation on SB 332 (Hertzberg, D-Van Nuys; Weiner D–San Francisco) Wastewater treatment: recycled water (SB 332). This bill aims to promote water recycling by requiring National Pollutant Discharge Elimination System permit holders and affiliated water suppliers to reduce ocean discharges by 50 percent by 2030 and then by 95 percent by 2040. MWD identified several concerns with the bill including that it:
- Would set infeasible wastewater discharge reduction goals due to regulatory, technical, and other constraints;
- Would result in “substantial financial impacts;” and
- Is inconsistent with state recycled water policy.

Following staff’s presentation, Kightlinger added that one of the bill’s authors, Senator Hertzberg “is a friend” and “somebody we’ve worked very closely with.” Although “almost the entire wastewater community and water community has come out opposed” to SB 332 and there are “significant problems with the bill,” Kightlinger said Hertzberg “has invited us to come and work with him, try to come up with some amendments,” and MWD “intend[s] to do that.” Therefore, Kightlinger said MWD will push off taking a position on the bill for a month. Gold agreed that “the author is very, very willing to try to hash this out in the months ahead” and that SB 332 is technically infeasible, suggesting a new version of the bill will be released in the next few weeks. Highlighting concerns related to the technical feasibility of the bill, McKenney expressed skepticism that the authors would amend the bill. Blois echoed McKenney, thus concluding the discussion.

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1 Directors Abdo, Butkiewicz, Cordero, Gold, Kurtz, Murray, Smith, and Trevino (Upper San Gabriel) supported the motion while Directors Ackerman, Emrani (San Fernando), Galleano (Western), McKenney, Morris, Peterson, and Record opposed it. Director Barbre (MWDOC) was absent.
Discussion Summary of Local Resource Development

During the Conservation and Local Resources (C&LR) Committee, staff presented an update on MWD’s “approaches to encourage local resource development.” MWD is pursuing a three-pronged strategy to promote local resource development: 1) “improve” MWD’s database of potential local projects; 2) explore the water supply benefits of stormwater through two pilot programs; and 3) develop “alternative approaches” beyond the Local Resources Program (LRP). While developing these alternatives, staff suggested the Board consider the following impacts and benefits of local projects related to:

- Supply, system, and emergency reliability;
- MWD’s “distribution and treatment capacity that’s already been built and invested in;”
- System redundancy; and
- Water quality.

Kicking off the committee’s discussion, Director McKenney (Municipal Water District of Orange County) urged MWD to consider projects’ locations and suggested there should be “a factor that would give more weight” to local projects in “areas that are more reliant on imported water.” Also, McKenney suggested MWD look at strategies to “invest in local projects” outside of the LRP or without being the project proponent.

Switching gears, Director Dake (Los Angeles) noted that MWD’s local resource development strategy intends to address the “gap” between actual local supply production and the target adopted in MWD’s Integrated Water Resources Plan (IRP); he asked how large that gap is. Water Resources Management Group Manager Coffey said that when the Board increased the LRP target to 170,000 acre-feet per year, it partially “addressed” the local supply “needs” identified in the 2015 IRP. Coffey further noted that these “needs” would be reevaluated during MWD’s 2020 IRP update. Dake encouraged staff “to be candid with the Board about the [LRP’s] performance” to gain Board support for a “more robust program” and avoid allocating water.

On a different note, Director Ortega (Fullerton) surmised that new approaches to local resource development will provide “system resiliency” and “be more expensive” since they will address “the older parts of the service area that also overlap with many disadvantaged communities.” Additionally, Ortega said MWD is “only as good as our weakest link,” suggesting MWD focus on improving reliability to weather droughts and emergencies in “systems that can’t get the benefit of everything else that’s been done before.” Agreeing that MWD should consider “where the vulnerabilities are,” C&LR Committee Chair Gold (Los Angeles) suggested agencies should also be frank about their reliability, recalling that through the state’s “stress test,” all member agencies reported “we’re fine, worst drought in history, no problem; we’ve got enough water.”

Ortega also raised “the issue of equity,” saying that most of the “beneficiaries” of MWD’s past conservation programs and the LRP “have been the newer, more wealthier parts of the district.” Replying that “anecdotally we always hear that,” General Manager Kightlinger said that through its “surveys” of where these programs’ funds have been expended, MWD saw “good distribution regional-wide” even in its Turf Removal Program. Referring to the data MWD provided on its conservation programs that shows “Santa Ana, San Fernando, [and] Central Basin” receiving
lower per capita funding compared to other MWD agencies. Gold suggested MWD provide a similar analysis for the LRP.

Noting MWD is taking on a “local” project – the Regional Recycled Water Program with the Los Angeles County Sanitation Districts – Director Kurtz (Pasadena) asked MWD to define what constitutes a “Met project” and a “member agency project.” She suggested that a project may be considered an MWD one based on its costs, “complexity,” yield, or a combination of factors. Director Morris (San Marino) suggested MWD identify “impediments” to local project implementation and develop “ways” other than through subsidies for MWD to “mitigate” them. Staff suggested that “institutional arrangements” may be one hurdle and said by gathering more information in its local supply database, MWD hopes to identify reasons and “then define the appropriate Metropolitan role for overcoming those barriers.”

Referring to Kurtz’s comments, Assistant General Manager/Chief Operating Officer Upadhyay called the Regional Recycled Water Program “unique” in terms of “the size, the scope, and the opportunity.” Upadhyay also observed MWD’s policy to provide “reimbursable services” to assist agencies in implementing local projects has not “taken flight,” noting only one agency has utilized it. Related to Dake’s LRP production comments, Upadhyay offered his “observation” that agencies’ plans are “very rosy” and local supply projects get “kicked down the road” and are “very hard” to implement, which results in agencies “producing about 70 percent” of what their plans forecast. Upadhyay indicated there are opportunities for MWD to encourage local resource development beyond the LRP like directly investing in “smaller projects,” which he was doubtful would be well-received by local agencies who he believed would prefer to take “the lead.” Additionally, Upadhyay suggested MWD should invest in studies needed “to get raw water augmentation regulations in place” to remove local supply implementation barriers, which would benefit multiple agencies.

Cordero highlighted the importance on identifying local projects that have a regional benefit and suggested MWD facilitate connecting member agency staff and other stakeholders, so they work together and realize this regional benefit. Later, staff said that although “all local projects have a regional benefit,” MWD is gathering more information on projects to help “identify where greater regional benefits might be realized.” In response to Cordero’s question about MWD’s experience with public private partnerships, Kightlinger said they “don’t really work well with our model” due to many “legal issues” and MWD’s “funding capability” that allows it to secure “cheaper” financing. Stating the same is “true with most of our member agencies,” Kightlinger said the partnerships haven’t “really worked well in the water sector.”

Indicating that due to time constraints, Gold allowed one more speaker and called on Director Abdo (Santa Monica). In a similar vein to Cordero, Abdo asked if MWD’s “process” connects “people and agencies that are doing similar projects” to help “them learn from each other” and share their “expertise.” Kightlinger said MWD’s monthly member agency manager meetings are “a way to bring our members together so they can coordinate and share.”

1 In addition to the amount of subsides member agencies receive per capita, MWD should provide analysis comparing how much funding each member agency provides to MWD’s conservation and local resources programs through its payments to MWD to how much subsidy funding it receives back.

2 Gold suggested the actual production is even lower, which Upadhyay agreed could be true.
agencies “are often better at local projects than Metropolitan,” Kightlinger said MWD’s expertise relates to implementing large-scale projects, environmental compliance, water quality, and legislative advocacy.

Gold asked if MWD’s local project database will only “consider” projects based on anticipated implementation date. Staff said the database will include “a broad spectrum” of projects and MWD is aiming to better understand how the projects relate and “fit into the planning process.” Upadhyay clarified that MWD did not “limit the time horizon for the data.”

Wrapping up the discussion, Gold encouraged MWD to consider the structure of Los Angeles’ Measure W\(^3\) in developing criteria for local resource development and alluded to the importance of groundwater modeling in assessing water supply benefits of replenishment projects.

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\(^3\) Passed in November 2018, the measure placed a parcel tax on impermeable surface areas to fund stormwater capture projects. Among other things, the measure intends to increase local water supplies via stormwater capture.
Finance and Insurance Committee

Meeting with Board of Directors*

April 8, 2019

9:30 a.m. -- Room 2-456

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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 March 11, 2019

3. CONSENT CALENDAR ITEMS — ACTION

None

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* 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.
4. OTHER BOARD ITEMS — ACTION

8-1 Approve resolutions fixing and adopting a Readiness-to-Serve Charge and a Capacity Charge for calendar year 2020; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA.

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. Prefunding PERS and OPEB: Overview
b. Debt Management Update
c. Quarterly Financial Report

7. MANAGEMENT REPORT

a. Interim Chief Financial Officer’s report

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

Date of Notice: March 28, 2019
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.
E&O Committee
T. Smith, Chair
D. De Jesus, Vice Chair
B. Barbre
S. Blois
L. Dick
Y. Emrani
S. Faessel
D. Galleano
R. Lefevre
J. Morris
J. Murray Jr.
A. Ortega
G. Peterson
H. Williams

Engineering and Operations Committee
Meeting with Board of Directors*
April 8, 2019
10:30 a.m. – Room 2-145

Monday, April 08, 2019
Meeting Schedule
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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 March 11, 2019

3. CONSENT CALENDAR ITEMS — ACTION

7-1 Authorize replacement of filter valve gearboxes at the Robert A. Skinner Water Treatment Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (Appropriation No. 15509)
4. OTHER BOARD ITEMS — ACTION

8-2 Award a contract to Elite Earthworks & Engineering in an amount not to exceed $3.7 million for repair of erosion control features along the Colorado River Aqueduct; authorize design activities to rehabilitate the Whitewater erosion protection structure; and amend an existing agreement with HELIX Environmental Planning, Inc.; 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. Asset Management Program Overview

b. Security Update

[Conference with Metropolitan Security Unit Manager Greg Staar, or designated agents on threats to public services or facilities; to be heard in closed session pursuant to Gov. Code Section 54957(a)]

7. MANAGEMENT REPORTS

a. Water System Operations Manager’s report

b. Engineering Services Manager’s report

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

Date of Notice: March 28, 2019
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.
Water Planning and Stewardship Committee

Meeting with Board of Directors*

April 8, 2019

12:00 p.m. – Room 2-456

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 March 11, 2019

3. CONSENT CALENDAR ITEMS — ACTION

7-3 Adopt a resolution to support Metropolitan's application for United States Bureau of Reclamation grant funding of $1.5 million for Disadvantaged Communities Direct Install Program; authorize the General Manager to accept grant funds, if awarded; and authorize the General Manager to enter into a contract with United States Bureau of Reclamation for the grant funds, if awarded; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA

* 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.
4. OTHER BOARD ITEMS — ACTION

8-3 Authorize: (1) renewal of the Municipal Water Quality Investigations Agreement between the Department of Water Resources, the State Water Contractors and participating urban State Water Project Contractors, and (2) renewal of the Municipal Water Quality Investigations Program Specific Project Agreement between the State Water Contractors and participating urban State Water Project Contractors; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA

8-4 Authorize the General Manager to provide a credit to offset increased costs associated with surplus deliveries to cyclic accounts; the General Manager has determined that this action is exempt or otherwise not subject to CEQA

8-5 Review and consider the Antelope Valley-East Kern Water Agency’s approved Mitigated Negative Declaration and authorize the General Manager to enter into the High Desert Water Bank Program agreement with the Antelope Valley-East Kern Water Agency

8-6 Authorize the General Manager: (1) to include in all future demand management agreements the provision regarding legality already used in Future Supply Actions/Foundational Actions Funding agreements; and (2) to no longer include or enforce in Local Resources Program, Seawater Desalination Program, and similar agreements the termination provision directed by the Board in 2009; 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. Update on Water Surplus and Drought Management Plan
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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Real Property and Asset Management Committee

Meeting with Board of Directors*

April 8, 2019

2:00 p.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 meeting of the Real Property and Asset Management Committee held February 11, 2019

3. CONSENT CALENDAR ITEMS — ACTION

None

* 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.
4. OTHER BOARD ITEMS – ACTION

8-9 Affirm the General Manager’s determination that 20 acres of vacant land in the City of Oxnard, in the County of Ventura, California, identified as Metropolitan Water District of Southern California’s parcel number ORMOND 1-01-100c and ORMOND 1-01-100PEA1 and ORMOND 1-101-100PEA2 are surplus to Metropolitan’s needs and authorize staff to dispose of the property and to quitclaim any associated interests; the General Manager has determined this action is exempt or otherwise not subject to CEQA.

8-10 Appropriate funds for and authorize acquisition of real property located at 4725 Via Corona, Yorba Linda, California, APN 350-071-19 in settlement of anticipated litigation; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.

[Conference with real property agency negotiators: Stephen Vollucci, Heriberto Diaz, and Mark Easter; negotiating party: Dominick Vitelli and Brenda Vitelli; under negotiation: price and/or terms of payment; conference with legal counsel—anticipated litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.8 and 54956.9(d)(2)]

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. None

7. MANAGEMENT REPORT

a. Real Property Management Manager’s Report
8. FOLLOW-UP ITEMS

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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Communications and Legislation Committee

Meeting with Board of Directors*

April 8, 2019

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

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 March 12, 2019

3. CONSENT CALENDAR ITEMS — ACTION

7-2 Authorize a professional services agreement with Sensis, Inc. not to exceed $1,500,000 to design, develop and deploy the new mwdh2o.com website; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA
4. OTHER BOARD ITEMS — ACTION

8-7 Express opposition, unless amended, to SB 1 (Atkins, D-San Diego; Portantino, D-La Canada Flintridge; and Stern, D-Agoura Hills): California Environmental, Public Health, and Workers Defense Act of 2019; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

8-8 Express Support, if amended, for AB 658 (Eduardo Garcia, D-Coachella): Water Rights: Water Management; 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

Revised

a. Report on SB 322 332 (Hertzberg, D-Van Nuys; Weiner D–San Francisco)
   Wastewater treatment: recycled water

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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Legal and Claims Committee

Meeting with Board of Directors*

April 9, 2019

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 Legal and Claims Committee meeting held March 12, 2019

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: March 28, 2019
6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

a. Report on Existing Bay Delta and State Water Project Litigation

b. 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

Date of Notice: March 28, 2019
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Conservation and Local Resources Committee

Meeting with Board of Directors*

April 9, 2019

10:00 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 March 12, 2019

3. CHAIRMAN’S REPORT

4. COMMITTEE ITEMS
   a. Update on Approaches to Encourage Local Resource Development
   b. Conservation Update
   c. Update on Model Water Efficient Landscape Ordinance Workshops in Partnership with California Landscape Contractors Association

Date of Notice: March 28, 2019
5. FOLLOW-UP ITEMS

None

6. FUTURE AGENDA ITEMS

7. ADJOURNMENT

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Organization, Personnel and Technology Committee

Meeting with Board of Directors*

April 9, 2019

11:00 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 meeting of the Organization, Personnel and Technology Committee held February 12, 2019**

3. **CONSENT CALENDAR ITEMS – ACTION**

   None

4. **OTHER BOARD ITEMS – ACTION**

   None

* 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.
5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. Succession Plan Overview

b. Human Resources Discrimination Complaint Procedures

c. Cyberspace Update

[Conference with Metropolitan Cyber Unit Manager of Information Technology, Jacob Margolis, or designated agents on threats to public services or facilities; to be heard in closed session pursuant to Gov. Code Section 54957(a)]

7. MANAGEMENT REPORT

a. Human Resources Manager’s report

b. Information Technology Manager’s report

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT
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Regular Board Meeting
April 9, 2019
12:00 p.m. – Boardroom

1. Call to Order
   (a) Invocation: Mitch Lahouti, General Design Team Manager, Engineering Services Group
   (b) Pledge of Allegiance: Director Barbre, Municipal Water District of Orange County

2. Roll Call

3. Determination of a Quorum

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

5. OTHER MATTERS
   A. Approval of the Minutes of the Meeting for March 12, 2019; and Board Workshop on Delta Water Conveyance of March 26, 2019 (Copies have been mailed to each Director)
      Any additions, corrections, or omissions
   B. Report from Executive Committee on Nominations for Board Secretary
   C. Nomination and Election for Board Secretary for remaining two-year term effective April 9, 2019 through December 31, 2020
   D. Presentation of Commendatory Resolution for Director Peter Beard representing the City of Fullerton

Date of Notice: March 29, 2019
E. Presentation of Commendatory Resolution for Director Michael Camacho representing Inland Empire Utilities Agency

F. Presentation of Commendatory Resolution for Director Phillip D. Hawkins representing Central Basin Municipal Water District

G. Presentation of Commendatory Resolution for Director Leticia Vasquez Wilson representing Central Basin Municipal Water District

H. Presentation of Commendatory Resolution for Director Fern Steiner representing San Diego County Water Authority

I. Presentation of 5-year Service Pin to Director Richard W. Atwater

J. Presentation of 10-year Service Pin to Chairwoman Gloria D. Gray

K. Report on Directors’ events attended at Metropolitan expense for month of March 2019

L. Approve committee assignments

M. Chairwoman’s Monthly Activity Report

6. DEPARTMENT HEADS’ REPORTS

A. General Manager’s summary of activities for the month of March 2019

B. General Counsel’s summary of activities for the month of March 2019

C. General Auditor’s summary of activities for the month of March 2019

D. Interim Ethics Officer’s summary of activities for the month of March 2019
7. CONSENT CALENDAR ITEMS — ACTION

7-1 Authorize replacement of filter valve gearboxes at the Robert A. Skinner Water Treatment Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (Appropriation No. 15509). (E&O)

7-2 Authorize a professional services agreement with Sensis, Inc. not to exceed $1,500,000 to design, develop and deploy the new mwdh2o.com website; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (C&L)

7-3 Adopt a resolution to support Metropolitan's application for United States Bureau of Reclamation grant funding of $1.5 million for Disadvantaged Communities Direct Install Program; authorize the General Manager to accept grant funds, if awarded; and authorize the General Manager to enter into a contract with United States Bureau of Reclamation for the grant funds, if awarded; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (WP&S)

END OF CONSENT CALENDAR

8. OTHER BOARD ITEMS — ACTION

8-1 Approve resolutions fixing and adopting a Readiness-to-Serve Charge and a Capacity Charge for calendar year 2020; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA. (F&I)
8-2 Award a contract to Elite Earthworks & Engineering in an amount not to exceed $3.7 million for repair of erosion control features along the Colorado River Aqueduct; authorize design activities to rehabilitate the Whitewater erosion protection structure; and amend an existing agreement with HELIX Environmental Planning, Inc.; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (E&O)

8-3 Authorize: (1) renewal of the Municipal Water Quality Investigations Agreement between the Department of Water Resources, the State Water Contractors and participating urban State Water Project Contractors, and (2) renewal of the Municipal Water Quality Investigations Program Specific Project Agreement between the State Water Contractors and participating urban State Water Project Contractors; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (WP&S)

8-4 Authorize the General Manager to provide a credit to offset increased costs associated with surplus deliveries to cyclic accounts; the General Manager has determined that this action is exempt or otherwise not subject to CEQA. (WP&S)

8-5 Review and consider the Antelope Valley-East Kern Water Agency’s approved Mitigated Negative Declaration and authorize the General Manager to enter into the High Desert Water Bank Program agreement with the Antelope Valley-East Kern Water Agency. (WP&S)

8-6 Authorize the General Manager: (1) to include in all future demand management agreements the provision regarding legality already used in Future Supply Actions/Foundational Actions Funding agreements; and (2) to no longer include or enforce in Local Resources Program, Seawater Desalination Program, and similar agreements the termination provision directed by the Board in 2009; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (WP&S)
8-7 Express opposition, unless amended, to SB 1 (Atkins, D-San Diego; Portantino, D-La Canada Flintridge; and Stern, D-Agoura Hills): California Environmental, Public Health, and Workers Defense Act of 2019; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (C&L)

8-8 Express Support, if amended, for AB 658 (Eduardo Garcia, D-Coachella): Water Rights: Water Management; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (C&L)

8-9 Affirm the General Manager’s determination that 20 acres of vacant land in the City of Oxnard, in the County of Ventura, California, identified as Metropolitan Water District of Southern California’s parcel number ORMOND 1-01-100c and ORMOND 1-01-100PEA1 and ORMOND 1-101-100PEA2 are surplus to Metropolitan’s needs and authorize staff to dispose of the property and to quitclaim any associated interests; the General Manager has determined this action is exempt or otherwise not subject to CEQA. (RP&AM)

8-10 Appropriate funds for and authorize acquisition of real property located at 4725 Via Corona, Yorba Linda, California, APN 350-071-19 in settlement of anticipated litigation; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (RP&AM)

[Conference with real property agency negotiators: Stephen Vollucci, Heriberto Diaz, and Mark Easter; negotiating party: Dominick Vitelli and Brenda Vitelli; under negotiation: price and/or terms of payment; conference with legal counsel—anticipated litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.8 and 54956.9(d)(2)]

9. BOARD INFORMATION ITEMS

9-1 Update on Conservation Program
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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Special Committee on Bay-Delta

Meeting with Board of Directors*

April 23, 2019

9:15 a.m. -- Room 2-456

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

* The Metropolitan Water District’s Special Committee on Bay-Delta 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 Special Committee on Bay-Delta 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 Special Committee on Bay-Delta will not vote on matters before the Special Committee on Bay-Delta.

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 Special Committee on Bay-Delta held February 26, 2019

3. COMMITTEE ITEMS

   a. Science Update: Collaborative Science and Adaptive Management Program

   b. Update on Delta Levees Emergency Preparedness and Response

   c. Update on Delta Conveyance

   d. Bay-Delta Manager's Report

Date of Notice: April 16, 2019
4. FOLLOW-UP ITEMS

None

5. FUTURE AGENDA ITEMS

6. ADJOURNMENT

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Executive Committee

Meeting with Board of Directors*

April 23, 2019

12:00 p.m. -- Boardroom

* The Metropolitan Water District’s Executive Committee meeting is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to the Executive Committee may attend and participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to the Executive Committee will not vote on matters before the Executive Committee.

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

2. Approval of the Minutes of the meeting of the Executive Committee held March 26, 2019

3. CHAIRWOMAN’S REPORT

4. OTHER MATTERS

None
5. CONSENT CALENDAR ITEMS – ACTION

None

6. OTHER BOARD ITEMS – ACTION

None

7. DEPARTMENT HEAD’S REPORTS

a. General Manager's report of Metropolitan's activities
b. General Counsel's report of Legal Department activities
c. General Auditor’s report of Audit Department activities
d. Interim Ethics Officer's report of Ethics Department activities

8. COMMITTEE REPORTS AND ITEMS

a. Finance and Insurance Committee
b. Water Planning and Stewardship Committee
c. Engineering and Operations Committee
d. Communications and Legislation Committee
e. Organization, Personnel and Technology Committee
f. Legal and Claims Committee
g. Real Property and Asset Management Committee
h. Audit and Ethics Committee
i. Approve draft committee and Board meeting agendas, and schedule for May 2019
9. BOARD INFORMATION ITEMS

Added

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)]

10. FOLLOW-UP ITEMS

None

11. FUTURE AGENDA ITEMS

12. ADJOURNMENT

NOTE: The Executive Committee may consider matters brought before other committees. The Agendas of other committees are available from the Board Executive Secretary.

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Date of Notice: April 18, 2019
FINANCE AND INSURANCE COMMITTEE

Approved resolutions fixing and adopting a Readiness-to-Serve Charge and a Capacity Charge for calendar year 2020. (Agenda Item 8-1)

ENGINEERING AND OPERATIONS COMMITTEE

Awarded contract to Elite Earthworks & Engineering in an amount not to exceed $3.7 million; amended current CIP to include the rehabilitation of the Whitewater erosion protection structure; authorized design activities to rehabilitate the Whitewater erosion protection structure; and authorized an increase of $150,000 to an agreement with HELIX Environmental Planning Inc., for a new not-to-exceed amount of $465,000. (Agenda Item 8-2)

WATER PLANNING AND STEWARDSHIP COMMITTEE

Authorized the General Manager to execute a renewal of the Municipal Water Quality Investigations Program Agreement between the Department of Water Resources, the State Water Contractors and participating urban State Water Project Contractors and continue the MWQI Program for an additional three-year term of January 1, 2020, to December 31, 2022; and execute a renewal of the Municipal Water Quality Investigations Program Specific Project Agreement between the State Water Contractors and participating urban State Water Project Contractors and continue the MWQI Program for an additional three-year term of January 1, 2020, to December 31, 2022. (Agenda Item 8-3)

Authorized the General Manager to enter into agreements to provide a cost-offset credit of up to $225 per acre-foot for surplus deliveries under limited conditions, consistent with the terms in Attachment 2 of the Board letter. (Agenda Item 8-4)

Reviewed and considered the Lead Agency’s adopted Mitigated Negative Declaration to take related CEQA actions, and authorized the General Manager to enter into the High Desert Water Bank Program agreement with the Antelope Valley-East Kern Water Agency consistent with the terms outlined herein and in a form approved by the General Counsel; approved capital payments of up to $131 million for funding High Desert Water Bank facilities; and approved payments of recovery fees, operation and maintenance costs, and energy costs related to the High Desert Water Bank. (Agenda Item 8-5)

Authorized the General Manager to include in all future demand management agreements the provision regarding legality already used in Future Supply Actions/Foundational Actions Funding agreements; and to no longer include or enforce in Local Resources Program, Seawater Desalination Program, and similar agreements the termination provision directed by the Board in 2009. (Agenda Item 8-6)
COMMUNICATIONS AND LEGISLATION COMMITTEE

Take no position on SB 1: California Environmental, Public Health, and Workers Defense Act of 2019, direct staff to negotiate the amendments identified in the board letter, and to return to the board next month.  (Agenda Item 8-7)

Authorized the General Manager to express support, if amended, for AB 658: Water Rights: Water Management.  (Agenda Item 8-8)

REAL PROPERTY AND ASSET MANAGEMENT COMMITTEE

Authorized staff to provide a written offer to sell to statutorily-listed entities and public agencies under the state Surplus Land Act at the fair market value as determined by the General Manager.  If no offer is accepted to market and sell the property in its current condition at fair market value as determined by the General Manager through public auction, real estate broker listing or other means and procedures allowed by the Metropolitan Administrative Code and authorized staff to quitclaim or dispose of easements and other rights associated with the 20-acre parcel if deemed necessary by the General Manager to complete the sale of the surplus property.  (Agenda Item 8-9)

Appropriated funds and authorized acquisition of real property located at 4725 Via Corona, Yorba Linda, California, APN 350-071-19 in settlement of anticipated litigation.  
(Agenda Item 8-10)  (no closed session)

CONSENT CALENDAR

In other actions, the Board:

Amended the current CIP to include the new project and authorized replacement of gearboxes for the filter inlet valves in Module 7 at the Skinner plant.  (Appropriation No. 15509)  (Agenda Item 7-1)

Authorized a $1,500,000 agreement with Sensis, Inc. to redesign mwdh2o.com website and implement a Content Management System.  (Agenda Item 7-2)

Adopted the resolution to support Metropolitan's application for United States Bureau of Reclamation grant funding of $1.5 million for Disadvantaged Communities Direct Install Program; authorized the General Manager to accept grant funds, if awarded; and authorized the General Manager to enter into a contract with United States Bureau of Reclamation for the grant funds, if awarded.  
(Agenda Item 7-3)
OTHER MATTERS

Report from Executive Committee on Nominations for Board Secretary. (Agenda Item 5B)

Accepted nomination and elected Director Judy Abdo for Board Secretary for remaining two year term effective April 9, 2019 through December 31, 2020. (Agenda Item 5C)

Presentation of Commendatory Resolution for Director Michael Camacho representing Inland Empire Utilities. (Agenda Item 5E)

Deferred presentation of Commendatory Resolution for Director Leticia Vasquez Wilson representing Central Basin Municipal Water District. (Agenda Item 5G)

Presentation of 5-year Service Pin to Director Richard W. Atwater. (Agenda Item 5I)

Presentation of 10-year Service Pin to Chairwoman Gloria D. Gray. (Agenda Item 5J)

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

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