2020 Election Results

The White House. Former Vice President Joe Biden (D) has been named the projected winner in the 2020 Presidential election with 306 electoral votes to 232 electoral votes for President Donald Trump (R).

Senate. Coming into this election, Republicans held a 53-47 majority in the Senate. After the election, the Senate stands at 48 Democrats and 50 Republicans—a net gain so far of +1 for Democrats—with two races in Georgia to be decided in a run-off election on January 5th. These two Senate elections in January will determine which party will be in the majority in the 117th Congress. If Democrats are successful in both races, the chamber would be 50-50 with Vice President Kamala Harris as the tie-breaking vote. Additionally, with the upcoming resignation of Senator Harris from the Senate, California Governor Gavin Newsom will appoint a successor to fill the seat she will be vacating.

House of Representatives. Coming into this election, Democrats hold a 232-197 majority in the House. After the election, the House stands at 218 Democrats and 204 Republicans with 13 races yet to be called (2 of which are in California). The Water Authority will have two new Members in the House: former Rep. Darrell Issa (who will hold the seat that was vacated by Duncan Hunter) and Sara Jacobs (who won the election for retiring Rep. Susan Davis’ seat).

Leadership Elections. In the Senate, there will be no changes to top positions on either side of the aisle, with Sens. Mitch McConnell and Chuck Schumer retaining their current leadership positions. In the House, both the Democrats and Republicans will be holding their leadership elections, and at the time of this memo, there are no significant changes expected either.

Biden Administration Transition

President-elect Biden has begun moving forward with the transition process despite his team’s inability to formally communicate with federal agencies until the General Services Administration grants approval. They have launched an official transition website (buildbackbetter.com), named individuals to agency review teams, established initial priorities for the incoming Administration (COVID-19, economic relief, racial equity, and climate change), and are beginning to name senior staff (Ron Klain has been named as...
incoming White House Chief of Staff). President-elect Biden has also begun the process of vetting candidates for cabinet positions. Here are some names that are currently under consideration for the Secretary of the Department of the Interior and the Administrator of the Environmental Protection Agency:

**Department of the Interior**
- Senator Tom Udall (D-NM) – serves as the Vice Chair of the Senate Indian Affairs Committee
- Senator Martin Heinrich (D-NM) – serves on the Senate Energy and Natural Resources Committee
- Rep. Deb Haaland (D-NM) – serves on the House Natural Resources Committee

**Environmental Protection Agency**
- Mary Nichols – Chair of California Air Resources Board, former Secretary of California Natural Resources, and former Assistant Administrator for EPA’s Office of Air and Radiation
- Governor Jay Inslee (D-WA)
- Heather McTeer Toney – Senior Director of Moms Clean Air Force and former regional Administrator for EPA’s Southeast Region

**FY21 Appropriations Update**

Earlier this month, the Senate Appropriations Committee released all twelve of their FY21 Appropriations bills to begin negotiations with the House and working to move towards a final appropriations package. The federal government is still being funded by a Continuing Resolution (CR) that runs until December 11th. Prior to the December 11th deadline, Congress must do one of the following: 1) pass all twelve FY21 appropriations bills in an omnibus package, 2) pass some of the bills in a minibus package and pass another CR for the remaining bills, or 3) pass another CR for all twelve bills. While leadership in both the House and the Senate have indicated that their goal is to pass an omnibus appropriations package before the end of the year, with less than a month before the December 11th deadline, it is looking increasingly likely that Congress will need to pass another short-term CR to carry over into the first quarter of 2021 to allow more time to finish the bills.

**Negotiations on COVID-19 Relief Bill Stall**

Since returning to Washington, D.C. after the elections, negotiations on an additional COVID-19 relief package have stalled. Both sides still appear to be far apart on an overall price tag of the package, as well as many aspects of a package, including funding for state and local governments and extending unemployment insurance. In an effort to restart negotiations this week, Speaker Pelosi and Minority Leader Schumer sent a joint letter to Majority Leader McConnell asking him to meet with them and begin discussions on an additional COVID-19 relief package.
Infrastructure Package Likely on Deck for Early 2021

Members of Congress on both sides of the aisle, as well as President-elect Biden, have both been sending signals that an infrastructure package will be a high priority in the new year. Speaker Pelosi has indicated that this is her top priority in the new Congress, as a means to help stimulate the economy while addressing the nation's infrastructure needs. Chairman of the House Transportation and Infrastructure Committee, Rep. Peter DeFazio (D-OR), has indicated that he expects the starting point for discussions on an infrastructure package to begin with the bill passed earlier this year by the House, H.R. 2, which included several water-related provisions that were included in Rep. Jared Huffman’s (D-CA) drought legislation.

Rep. Peters’ Point Loma Treatment Bill Up for House Vote

This week, Rep. Scott Peters’ bill the “Ocean Pollution Reduction Act II” (H.R. 4611) will be considered on the House floor. This bill would simplify the City of San Diego’s required permitting process to operate the Point Loma Wastewater Treatment Plant. The bill is cosponsored by San Diego Congressional Members Reps. Mike Levin, Juan Vargas, and Susan Davis. H.R. 4611 is expected to pass the House upon consideration.
November 18, 2020

Attention: Legislation and Public Outreach Committee

Amendment to extend the federal advocacy services contract with Carpi & Clay. (Action)

Staff recommendation
Staff recommends the Board of Directors take the following actions with regard to federal advocacy services:

- Extend an agreement with Carpi & Clay for federal advocacy services for a period of six months, from January 1, 2021 through June 30, 2021.
- Increase compensation under the Carpi & Clay contract by a 3 percent cost-of-living adjustment factor from $11,696/month to $12,047/month effective January 1, 2021, for a total compensable contract amount not to exceed $75,782 (inclusive of reimbursable expense allowance) over the contract term.

Alternative
1. Do not enter into the recommended contract.
2. Modify the terms of the recommended contract.

Fiscal Impact
If the Water Authority staff’s federal advocacy services recommendation is approved, the amount of the contract for the next six months of service would total a not to exceed amount of $75,782, inclusive of reimbursable expense allowance. There are sufficient funds budgeted in the current FY 2021 budget to cover the remaining six months of the fiscal year (through June 30, 2021). The 2021-22 two-year budget will contain sufficient funding to address any newly-proposed federal advocacy contract approved by the Board of Directors beyond July 1, 2021.

Executive Summary
- Continue receiving federal advocacy services from the Carpi & Clay firm.
- The services received during the contract thus far has proven to be highly successful and valuable.
- An extension of the current contract is required, as the federal advocacy contract is scheduled to expire on December 31, 2020.
- Staff recommends increasing the Carpi & Clay monthly retainer by a cost-of-living adjustment factor of three percent on January 1, 2021.
- The contract would be extended from January 1, 2021 through June 30, 2021.

Background
The Water Authority utilizes consultants to assist in accomplishing Board-directed priorities and programs. The Water Authority entered into a federal advocacy professional services contract with
In addition, the Water Authority entered into state advocacy professional services contracts with Cruz Strategies beginning in 2014 and with Smith, Watts, and Hartmann (for regulatory advocacy services) beginning in 2017. Both of the state advocacy contracts are scheduled to terminate on December 31, 2020. The Board Officers have directed staff to issue a Request for Proposals for state legislative advocacy professional services, with a projected timeline to bring recommended state advocacy services contracts – to supplement the existing Water Authority staff advocacy efforts – to the Board at its January 28, 2021 meeting.

Discussion
For many years, water- and resources-related legislative and regulatory issues have gained high profile throughout the state and continue to have significant priority for state and federal officials, legislators, and stakeholders. Challenges facing the Water Authority include navigating the variety of legislative, administrative, and regulatory efforts to address the state’s water supply situation, continuing debates over addressing the affordability of water for consumers, ensuring the Water Authority is appropriately positioned to successfully compete for funding from federal sources, pursuing water supply storage opportunities in Lake Mead, and advancing opportunities to protect the region’s water supply reliability, drought resiliency, regional self-reliance, and water supply independence.

Maintaining a strong presence in Washington, D.C. for the Water Authority’s legislative and regulatory advocacy efforts will be necessary to overcome challenges and to capitalize on opportunities that may be presented. The Carpi & Clay firm has a strong track record of success on behalf of the Water Authority for many years. Managed and led by the Water Authority’s Director of Government Relations, the Carpi & Clay firm complements the efforts of the staff and others within the broader Water Authority team, providing strong relationships within Congress, the federal Administration, and key regulatory agencies that are important to the Water Authority’s activities.

Water Authority staff will work with the Board Officers and LPO Committee leadership to execute a plan for competitively re-bidding the federal advocacy contract during Spring 2021 in a manner that provides for an open and transparent process with full engagement and opportunity for all federal advocacy service providers that wish to compete. It is anticipated that staff will present a recommended federal advocacy services contract to the Board at its June 2021 meeting.

The staff recommendation for extension of the Carpi & Clay advocacy services contract, and the compensation proposed under the contract reflects the comprehensive nature of services provided by the firm, and is also reflective of the contemporaneous cost of securing a high level of experienced and expertise services from federal advocacy firms in Washington, D.C..

Ensuring a strong and consistent presence for the Water Authority within federal legislative and regulatory forums and venues will be necessary to advocate the Water Authority’s, the member agencies’, and the region’s priorities and to capitalize on opportunities that may be presented.
The Carpi & Clay firm has a meritorious track record of success, engagement, and strong relationships within the Congress and federal regulatory and administrative agencies.

Prepared by: Ivy Ridderbusch, Legislative Analyst
Glenn Farrel, Director of Government Relations
Approved by: Dan Denham, Deputy General Manager
November 18, 2020

Attention: Imported Water Committee

Metropolitan Water District Delegates’ Report. (Information)¹

Purpose
This report summarizes activities of interest at the Metropolitan Water District (MWD) committee and Board meetings on November 9 and 10, 2020. The MWD Board will meet next on December 7 and 8.

Discussion
The Water Authority Delegates (Delegates) supported all 16 action items approved by the MWD Board at its November 2020 meeting. MWD Board items of interest to the Water Authority include:

• Authorized funding to move forward with additional technical studies and environmental work for the Regional Recycled Water Program (RRWP), including technical workshops;
• Authorized an amendment to an existing agreement with Los Angeles County Sanitation District No. 2 (LACSD #2) related to the RRWP;
• Postponed entering into an agreement with Southern Nevada Water Authority related to the RRWP; and
• Authorized and directed the Ethics Officer to enter a contract with an external consultant to conduct an independent review of allegations of systemic workplace harassment and retaliation, MWD’s Equal Employment Opportunity (EEO) programs and practices, and related issues.

The Board authorized proceeding with $30.2 million of environmental documentation, technical studies, and outreach activities for the RRWP. The Board also authorized increasing its agreement with the National Water Research Institute by $200,000 to facilitate additional technical workshops associated with the RRWP’s demonstration plant. While the Delegates supported moving forward with the RRWP planning activities, they expressed concerns about the policy implications of changing MWD’s business model by directly developing a local resource; an incomplete 2020 Integrated Resources Plan to identify MWD’s future water demand and how the RRWP will fit within MWD’s resource mix, including how it may impact the existing local resources funding program; and the need for MWD to develop a financing plan for the program and detail how it will recover its costs.² Because MWD staff assured that this information, including a cost of service study for the program, is forthcoming and that the Board has an offramp following the environmental work to decide the future of RRWP; the Delegates supported proceeding with planning work.

The Board also amended MWD’s existing agreement with Los Angeles County Sanitation District No. 2 to “provide in-kind technical studies and up to $4.4 million in direct cost sharing

¹ This document provides a summary of certain discussions as summarized and understood by the Water Authority and is not intended to be any form of official transcript.
² Director Hogan’s November 8, 2020 letter to the MWD Board articulating these concerns is found here: https://mwdprograms.sdcwa.org/wp-content/uploads/2020-11-08-Hogan-ltr-to-MWD-re-RRWP.pdf
reimbursements to support” the RRWP’s planning effort. The Board postponed entering into an agreement with Southern Nevada Water Authority (SNWA) that would eventually allow SNWA to receive a portion of MWD’s Colorado River supplies in exchange for funding a like amount of the RRWP. Several directors asked for further analysis to better understand the implications of this exchange. Attachment 1 summarizes the Board’s discussions about the RRWP.

The Board also authorized the Ethics Officer to enter a contract with an external consultant for up to $200,000 to conduct an independent review of allegations of systemic workplace harassment and retaliation and EEO program at MWD. Attachment 2 summarizes the Organization, Personnel and Technology Committee’s discussion on the item.

At the Finance and Insurance Committee meeting, the Board received a presentation on a proposed COVID-19 Member Agency Payment Deferment Program through which MWD would allow member agencies to defer a portion of their bills equal to the percentage of their customers’ delinquency rate (up to 10 percent of their MWD bill) over a six month time period (from January 1, 2021 through June 30, 2021). Late payments, penalties, and interest would be waived for the deferred amount for up to 12 months. Following the presentation, Director Goldberg asked for clarification on one of the program’s qualifying criteria: “the member agency does not have sufficient financial reserves that can be used to buffer the financial impacts of the increased delinquencies, suspension, or deferments.” Assistant General Manager/Chief Financial Officer Kasaine said the program will only be available to member agencies that have “no other resources to pay their bill.” Thus, if a member agency has reserves in an amount equal to the deferral request, it would not qualify for the program. In response to Director McKenney (Municipal Water District of Orange County (MWDOC)), Kasaine said member agencies would self-certify that they do not have reserves but authorize MWD to conduct an audit at MWD’s discretion. MWD staff plans to return in December to seek Board approval to implement the program. Director Ortega (Fullerton) requested that staff better clarify the program’s qualifying criteria while Director Pressman (Beverly Hills) suggested a funding cap for the program.

At the Water Planning and Stewardship Committee, Colorado River Resources Manager Hasencamp said that on November 8, 2020, the Paradox Valley Unit salinity control project experienced “aftershocks of the main earthquake that occurred a year and a half ago.” The U.S. Bureau of Reclamation planned to continue testing the existing Paradox Valley Unit, which removed approximately 95,000 tons of salt per year from the Colorado River, but may “reconsider” after the recent seismic activity. The well was originally shutdown due to seismic activity in March 2019.

At the Communications and Legislation Committee, the Board received a presentation on MWD’s proposed 2021 legislative priorities and principles. Director Smith thanked staff for explaining, during the presentation, how the 2021 priorities and principals were modified from the 2020 ones, and requested that moving forward, staff provide a redline version, or a summary of changes, in the memo itself for ease of comparison. He also recommended that MWD add a priority to secure funding to offer direct relief to disadvantaged and low-income communities
ratepayers to defray their arrear utility payments as a result of COVID-19. McKenney supported this modification. Later, via email, Smith provided additional recommendations.3

The Bay-Delta Committee received an update on the funding agreement with the Department of Water Resources for MWD’s potential share of the single tunnel’s planning and pre-construction costs and proposed amendment to the Joint Powers Agreement for the Delta Conveyance Design and Construction Authority. Attachment 3 summarizes the discussion of this item.

At its meeting, the Board unanimously, by acclamation, re-elected Director Abdo (Santa Monica), who ran unopposed, to serve as Board Secretary for a second two-year term. McKenney resigned from the Board since he accepted the position of General Manager for Amador Water Agency and will be moving to Northern California. Chairwoman Gray appointed Director Dick (MWDOC) to fill McKenney’s vacant seat as Chair of the Legal and Claims Committee. Also, Assistant General Manager/Strategic Water Initiatives Patterson announced that he was “leaving” at the end of December after working for MWD for 14 years. Attachment 4 is a copy of MWD’s November 2020 committee and Board meeting agendas and Board summary.

Prepared by:  Skylar Stephens, Management Analyst
Reviewed by:  Bay-Delta Committee by Michael Hogan
                           Communication and Legislation Committee by Tim Smith
                           Engineering and Operations Committee by Tim Smith
                           Finance and Insurance Committee by Gail Goldberg & Tim Smith
                           Legal and Claims Committee by Gail Goldberg & Tim Smith
                           Organization, Personnel and Technology Committee by Michael Hogan & Tim Smith
                           Real Property and Asset Management by Michael Hogan & Tim Smith
                           Water Planning and Stewardship Committee by Gail Goldberg & Michael Hogan

Attachments:

Attachment 1 – Discussion Summary of Actions Related to MWD’s Regional Recycled Water Program
Attachment 2 – Discussion Summary of the Independent Review of Organizational Culture Issues and Complaints
Attachment 3 – Discussion Summary of the Bay-Delta Project
Attachment 4 – MWD’s committee and Board meeting agendas dated November 9 and 10, 2020 and Board summary dated November 9, 2020

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3 Read the Water Authority Delegate’s recommended changes to MWD’s Legislative Priorities and Principals for 2021 here: https://mwdprograms.sdcwa.org/wp-content/uploads/Changes-to-Legislative-Priorities-1.pdf
Discussion Summary of Actions Related to MWD’s Regional Recycled Water Program

At its Engineering and Operations (E&O) Committee meeting, the Metropolitan Water District (MWD) Board discussed its potential Regional Recycled Water Program (RRWP). This program would treat wastewater from the Los Angeles County Sanitation Districts’ (LACSD) terminus plant in Carson to produce about 168,000 acre-feet per year (AFY) of recycled water for groundwater replenishment in four basins in Los Angeles and Orange Counties. The program’s product water is estimated to cost more than $1,800 per acre-foot (in 2018 dollars). During public comment, 18 speakers from agencies that may receive product water, various organizations, and the public voiced support for moving forward with the program’s planning effort. Staff recommended the Board:

1. Authorize $30 million to fund the RRWP’s planning work, including to prepare environmental documentation, carry out technical studies, and engage in public outreach activities over the next 36 months;
2. Amend an agreement with the National Water Research Institute (NWRI) to facilitate additional technical workshops related to the RRWP’s Demonstration Plant;
3. Amend an agreement with LACSD to provide in-kind technical studies and up to $4.4 million in funding towards the RRWP’s planning work; and
4. Authorize an agreement with Southern Nevada Water Authority (SNWA) to provide up to $6 million in funding for the planning work, which would potentially lead MWD to exchange its Colorado River water for SNWA funding a like amount of the RRWP.

Following the presentation, Hogan asked if staff could initiate a preliminary cost of service analysis, which would proportionately allocate the program’s benefits and costs, concurrently with the environmental work. Assistant General Manager/Chief Operating Officer Upadhyay indicated that the environmental and technical analyses over the next three years will “flesh out” more information on the program that will inform the detailed cost of service analysis. But General Manager Kightlinger said the cost of service study would be parallel with the environmental work so that the Board will have the needed financial analysis when it considers whether to implement the program, which is expected in 2024. Upadhyay added later that along with making a “go/no go” decision in 2024, the Board will also consider how the RRWP’s costs will be recovered along with agreements with participating agencies.

Director Peterson (Las Virgenes) reiterated his concern about the potential remediation costs associated with the program’s Advanced Water Treatment Plant planned location, which is a brownfield. Staff said the site will be evaluated during the environmental review process and additional information will be brought back to the Board in March 2021. Director Smith emphasized the importance of analyzing all potential options, including the program’s site and phasing, before the Board is asked to proceed with its implementation. Director Repenning (Los Angeles) acknowledged that it would be more ideal to make this decision after completing the

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1 This document provides a summary of certain discussions as summarized and understood by the Water Authority and is not intended to be any form of official transcript.
2 For more information on the RRWP, see the memo Metropolitan Water District’s Regional Recycled Water Program Update starting on page 104 of the Water Authority’s November 2020 Board packet found here: https://www.sdcwa.org/meetings-and-documents
2020 Integrated Resources Plan (IRP); she nonetheless expressed her delegation’s support for moving forward with further environmental and technical review now.

Following discussion about the program, staff reviewed the upcoming environmental and technical review process and proposed amendment to the NWRI agreement. Hogan expressed support for “continuing a systematic process to determine if the proposed” RRWP is “viable” and “meets MWD’s long-term water supply needs.” He noted the letter he sent to the Board outlining the Water Authority Delegates’ concerns related to a change in MWD’s business model and role in local supply development, among other things.3 He emphasized the need for Board discussion on the business model shift from funding local resource projects via the existing Local Resources Program (LRP) to developing a local project, which would cause MWD to bear the development risks. Hogan suggested it would be “prudent” to delay the environmental review until completion of treatment train studies since staff’s memo stated that these studies “would have significant impacts on the planning and design of the full-scale” program. Related to the business model change, E&O Committee Chair Smith asked if the Board should have a separate discussion about the two different models to promoting local resources implementation—the LRP versus the RRWP approach. Kightlinger responded that the Board can have those long-term policy discussions alongside the RRWP’s environmental review and ongoing 2020 IRP update.

Director Goldberg expressed support for recycled water and the RRWP’s potential and commented about her fiduciary responsibility to understand how the program would meet the region’s supply and demand needs, which will be identified in MWD’s 2020 IRP that is ongoing. She questioned MWD’s practice of approving large supply projects “on an ad hoc basis” based on outdated demand projections (from the 2015 IRP) and without considering the impacts of continued reduced demands on MWD’s fiscal sustainability. Goldberg conveyed her concern that staff has not provided any reason why the Board needs to authorize initiating environmental planning prior to having answers to “basic” and “essential questions” about future supply gaps, the implications of the RRWP on the LRP program, term sheets with program participations, and the RRWP’s institutional feasibility. Kightlinger reiterated that these policy discussions and the RRWP’s environmental review can be “on a parallel track.”

Related to the funding source of the RRWP’s planning costs, Smith asked how the $30 million budget amount is allocated to MWD’s rates and charges; Upadhyay said staff will follow-up with a response.

After staff concluded its presentation on the potential agreement with SNWA, Hogan asked how SNWA’s potential participation in the program and planning costs were set at 24 percent. Upadhyay responded that this share was determined by SNWA’s potential desired level of participation in the full-scale program ranging from 20,000 to 30,000 AFY. Kightlinger added that SNWA determined through its own IRP process that it has “sufficient supplies and programs under development until the mid-2030s,” but there is a shortfall of about 25,000 AFY in subsequent years which equates to about a “25 percent engagement on this project.” (Twenty-four percent of the 168,000 AFY RRWP is about 40,000 AFY.) Hogan suggested entering into

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an agreement with SNWA may be putting the needs of SNWA before the needs of the region and that further “due diligence” is necessary, including “responding” to Director Peterson’s point from the prior month about how the RRWP can benefit MWD’s member agencies “before looking out of state.” (Later, Director Quinn (Los Angeles) agreed entering into the SNWA agreement was “premature” given that MWD has yet to complete its 2020 IRP update, which will allow MWD to better understand its “regional needs” including those related to the “potential risks” with MWD’s State Water Project (SWP) supplies. She suggested MWD could “revisit” the SNWA agreement once the 2020 IRP is complete.)

Kightlinger responded that staff is balancing the Board’s concerns “about lower demands” and “committing any of our water resources in case our demands do become high in the future.” Director Kurtz (Pasadena) supported moving forward with the program. Referring to earlier comments related to “equity,” she said staff has come a long way in getting the LACSD to provide funding since at one point, LACSD “wanted us to pay them for the water out of their plant.” Director Treviño (Upper San Gabriel) said the RRWP “makes perfect sense in terms of long-term resiliency” and that “it makes sense” for MWD to work with out-of-state entities.

Changing gears, Director Ortega (Fullerton) supported moving forward, but urged MWD to take measures to “increase our competitiveness for state and federal funding” in light of “declining water sales, declining reliability of our Delta supplies,” and cautioned about unanticipated impacts on low-income residents. He encouraged stakeholder involvement to ensure the RRWP does not have “any unwarranted impacts, especially on low-income residents.”

Returning to the SNWA agreement, Smith noted that if the SNWA “partnership” were to go forward, MWD should not limit its funding recovery to capital costs but should also include operations and maintenance costs. Upadhyay said the proposed SNWA agreement allows MWD “to further develop that partnership,” but also, has an “offramp.”

Wrapping up the E&O Committee’s discussion, Director Dick (Municipal Water District of Orange County (MWDOC)) said the RRWP would provide a new source of water sales for MWD, whereas the LRP model involves replacing MWD sales with local supplies. He also said the RRWP would provide high-quality water blend with Colorado River supplies, which is especially “valuable” given the “stress on getting State Water Project water.” Harkening to Ortega’s comment, Dick said having out-of-state partnerships may assist in securing federal funding and that MWD should “embrace” this “regionalism” approach.

Ultimately, the Committee approved all staff’s recommendations related to the RRWP with Smith abstaining.

At the subsequent day’s Board meeting, ten public speakers expressed support for the program. Before the Board took action on the items related to the program, Director Hogan referenced the concerns articulated in his November 8 letter and said the Delegates nonetheless support moving forward with the RRWP’s planning effort because “we believe in the promise of recycled water and local water supply production to reduce demand on the Bay-Delta.” He stressed that the Delegates expect MWD to “follow through on the promise” to begin a cost of service analysis and have a meaningful financing plan for the RRWP “parallel” to the environmental planning.
The Board unanimously authorized proceeding with planning effort and the NRWI agreement amendment.

During discussion of the item on the LACSD and SNWA agreements, Hogan emphasized that MWD should find partners within California to help reduce demand on the Bay-Delta before looking for out-of-state partners, and for this reason, he supported postponing entering into an agreement with SNWA until further details are provided. He made a motion to act on the LACSD and SNWA agreements separately, which Director Ballin (San Fernando) seconded. After discussion about the merits of bifurcating the actions, Hogan amended his motion to approve the amendment to the agreement with LACSD, which the Board unanimously approved. Quinn agreed with Hogan, adding the SNWA agreement should be discussed after the 2020 IRP is complete, when MWD has “a full understanding of Southern California’s water needs.” Repenning echoed these statements, saying she does not “see a reason to rush.” Smith asked whether MWD could look for partners in Northern California or other areas, and Kightlinger said MWD has had “preliminary conversations” with SWP contractors like Coachella Valley Water District (CVWD) and Desert Water Agency (DWA). He added that staff will “explore” those potential collaborations and bring more information to the Board if it “makes sense.”

McKenney moved to approve the SNWA agreement and Kurtz seconded his motion. Ortega made a substitute motion to table the item “until the next meeting” or until staff is able to provide more information. In response to Kurtz, Ortega said the Board has not had the chance to “creatively discuss” the proposed arrangement between MWD and SNWA or other opportunities. Despite his earlier comment about the interest by CVWD and DWA, Kightlinger said he “would have no new information” to report next month and SNWA would “have to postpone any action they were planning on taking.”

Directors Record (Eastern), Kurtz, Atwater (MWDOC), McKenney (MWDOC), Pressman (Beverly Hills), Peterson (Las Virgenes), and Dick expressed support for the SNWA agreement and the funding it would provide for the RRWP’s planning costs. While Ortega acknowledged the value of funding, he also suggested that without a plan for how the SNWA agreement would work and a clear sense of what MWD aims to gain through the agreement, it would be “giving up leverage in the negotiation” for an agreement related to the full-scale program should it accept SNWA’s funding now. He suggested this would be similar to MWD’s approach in the Bay-Delta where it provides funding for interim deals and ends up with “nothing.” Ultimately, the Board postponed the SNWA agreement with 57.64 percent in support, including from the Delegates.4

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4 The Compton, Fullerton, Glendale, Inland Empire, Long Beach, Los Angeles, San Fernando, Santa Ana, Santa Monica, and Upper San Gabriel delegations, Director Apodaca (one of Central Basin’s two representatives), and Chairwoman Gray (one of West Basin’s two representatives) also supported the action.
Discussion Summary of the Independent Review of Organizational Culture Issues and Complaints

Since June 2020, Metropolitan Water District (MWD) employees and union representatives have provided public comment during the Board and Organization, Personnel and Technology (OP&T) Committee meetings to express their concerns with MWD’s work environment, including issues related to favoritism/nepotism, harassment, sexual assault, and retaliation. The comments continued this month; seven speakers—both MWD employees and members of the public—voiced their concerns about MWD management response to the allegations of workplace harassment and retaliation and urged the committee to hire an outside independent investigator to evaluate these issues. Another employee focused on the need to increase diversity at MWD. Four other MWD employees, including three MWD managers, spoke positively about their experiences at MWD. Two of the managers shared how MWD’s processes worked successfully for them after reporting harassment.

Following the public comments, Ethics Officer Salinas presented a proposed independent review of allegations of systemic discrimination, harassment, retaliation, and related concerns and MWD’s Equal Employment Opportunity program through the hiring of an external legal counsel. This item responded to OP&T Committee Vice Chair Ballin’s (San Fernando) motion, which was unanimously approved by the OP&T Committee at its special October 27, 2020 meeting.

Following Salinas’ presentation, several directors, including Chairwoman Gray (West Basin), voiced their support for the Ethics Office to contract with an external legal consultant to conduct the independent review. Both Directors Peterson (Las Virgenes) and Ortega (Fullerton) asked if the Ethics Office would hire the same firm previously contracted by the General Counsel’s office, Van Dermyden Maddux Law Corporation (VDM), to conduct a “climate” assessment to evaluate “allegations of EEO-based systemic discrimination, harassment, and retaliation brought forward by Metropolitan employees regarding but not limited to: (a) Metropolitan’s Desert operations; and (b) Metropolitan’s apprenticeship program.”

At the previous OP&T Committee meeting, several directors expressed a desire for the Board to be directly involved in investigating workplace harassment with support from Ethics Office staff. They were surprised to learn that the General Counsel’s Office was investigating workplace harassment and retaliation because of the potential conflict of that office. General Counsel Scully said if the Board approved the Ethics Officer’s plan, then MWD would “terminate the existing contract” with VDM. Director Hogan voiced his support for the action and encouraged OP&T Committee Chair Murray (Los Angeles) to continue to work on these issues with former MWD employees Directors Ballin, Ortega, and Treviño (Upper San Gabriel) in collaboration with Gray. Both the Committee and Board unanimously authorized hiring external legal counsel to carry out an independent review of MWD’s workplace issues and complaints.

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1 This document provides a summary of certain discussions as summarized and understood by the Water Authority and is not intended to be any form of official transcript.

2 Directors Ballin, Ortega, and Treviño also expressed their concerns about workplace harassment and retaliation in their October 26, 2020 letter found here: https://mwdprograms.sdcwa.org/wp-content/uploads/2020-10-26-MWD-board-members-former-ee-to-Murray-re-DEI_InquiryReview.pdf
Discussion Summary of the Bay-Delta Project

At its Bay-Delta Committee meeting, the Metropolitan Water District (MWD) Board discussed proposed funding for the single-tunnel Bay-Delta project (tunnel). In December, the Board will consider whether to approve a funding agreement that would allocate MWD’s share of the planning costs for the State’s environmental review of the tunnel. Staff estimates MWD’s share may be about 65 percent of the $340.7 million planning costs, if MWD picks up a portion of Kern County Water Agency’s unsubscribed share. Under that scenario, MWD would be responsible for about $81 million in fiscal years 2021 and 2022, which exceeds $50 million biennial budget. Staff said that in 2019, the Department of Water Resources returned $34 million in advanced California WaterFix (WaterFix) funding to MWD, which MWD can use to bridge the funding gap. (Director Smith asked staff where he could find accounting of the $34 million in returned WaterFix funds and how it was set aside for this purpose in MWD’s financial documents; MWD staff said they would follow up with him later.) In December, the Board will also consider proposed amendments to the Joint Powers Agreement for the Delta Conveyance Design and Construction Authority (DCA), which conducts the tunnel’s engineering and design work. While the DCA currently has five Board seats, two of which are held by MWD, the proposed amendments would increase the total number of seats to seven, with one seat designated for MWD.

Following staff’s presentation, Director Goldberg asked why MWD would fund 65 percent of the tunnel planning costs, despite having less than 50 percent of State Water Project (SWP) Table A supplies. She said MWD’s share of WaterFix went up to 65 percent because it was paying for the entire Central Valley Project’s stake of the twin-tunnel project, but there is no Central Valley Project participation this time around. She asked for the “business case” for MWD to fund more than its contracted share of the tunnel cost. Bay-Delta Initiatives Manager Arakawa said staff is assuming it will participate at 65 percent because it wants to use a “conservative estimate” until Kern County Water Agency clarifies its participation level. He said it is important to complete the tunnel’s planning process so MWD can have the information it needs to make a final decision on whether to participate in it (projected to be in 2024). He added that he does not “look at [the tunnel] as adding more supply,” but rather as “protecting the infrastructure” from sea-level rise and seismic risk while supporting environmental needs in the South Bay-Delta.

Goldberg asked if MWD “sent a message that we intend to pick up the cost for” that amount, and “to what extent” that is “a bad strategy” for negotiations. General Manager Kightlinger said MWD’s business case for funding a larger share is to complete the planning document “in a timely way,” because as the largest SWP contractor, MWD has “the most to gain and the most to lose” from “ensuring reliability of the” SWP. He added that MWD would receive additional benefits in accordance with its share of tunnel capacity. Kightlinger also said the Board would be able to reevaluate its participation level once the planning and environmental work is complete, and at that time, could be reimbursed for some of MWD’s planning investment if it chooses to fund a smaller share of the total project and other participants picked up that share of the tunnel.

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1 This document provides a summary of certain discussions as summarized and understood by the Water Authority and is not intended to be any form of official transcript.
(MWD has not provided draft key terms or a draft agreement to verify that it would be reimbursed for planning costs should it decide to participate in the tunnel at a smaller level.)

Director Cordero (Long Beach) suggested MWD use the influence it gains from funding a larger portion of the tunnel to encourage the state to address the lack of access to clean water in other parts of California. Director Smith asked whether MWD should gain more seats or representation on the DCA Board if the MWD Board committed to funding 65 percent of planning costs. Kightlinger said while MWD would drop a seat on the DCA Board, MWD would still have greater proportional influence in certain DCA financial decisions. (This can only occur if decisions are contested, and MWD would need other DCA members to support its effort to overturn decisions.) At the close of the committee meeting, Smith asked staff to provide estimates of the unit cost of tunnel water based on updated costs and benefits in December. Director Record (Eastern) suggested staff should also provide unit cost estimates of other sources of supply, including desalination and recycled water, to put tunnel costs “in perspective.”
Finance and Insurance Committee

Meeting with Board of Directors*

November 9, 2020
9:00 a.m.

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

CONSENT CALENDAR ITEMS — ACTION

2. CONSENT CALENDAR OTHER ITEMS — ACTION
   A. Approval of the Minutes of the meeting of the Finance and Insurance Committee held October 12, 2020

3. CONSENT CALENDAR ITEMS – ACTION
   None

END OF CONSENT CALENDAR ITEMS
4. OTHER BOARD ITEMS — ACTION

None

5. BOARD INFORMATION ITEMS

9-2 Review of the proposed COVID-19 Member Agency Payment Deferment Program and proposed amendment to the Administrative Code to add Section 4519 delegating authority to the General Manager to administer the Program

6. COMMITTEE ITEMS

a. Quarterly Investment Activities Report

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

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

CONSENT CALENDAR ITEMS — ACTION

2. CONSENT CALENDAR OTHER ITEMS – ACTION

A. Approval of the Minutes of the meeting of the Engineering and
Operations Committee held October 12, 2020

Date of Notice: October 29, 2020
3. CONSENT CALENDAR ITEMS – ACTION

7-1 Authorize an increase of $150,000 in change order authority to a procurement contract to furnish valves for the F. E. Weymouth Water Treatment Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.

7-2 Award $2,435,000 contract to J.F. Shea Construction, Inc. for relining of Prestressed Concrete Cylinder Pipe (PCCP) within a portion of the Allen-McColloch Pipeline (AMP); the General Manager has determined that the AMP PCCP rehabilitation project is exempt or otherwise not subject to CEQA; authorize an increase of $2.1 million to an agreement with HDR Engineering, Inc. for a not-to-exceed amount of $6.5 million for engineering design services for the Sepulveda Feeder PCCP rehabilitation; authorize an increase of $150,000 to an agreement with Helix Environmental Planning, Inc. for a not-to-exceed amount of $2.25 million to prepare environmental documentation for the Sepulveda Feeder PCCP rehabilitation; and adopt CEQA determination that the Sepulveda Feeder rehabilitation project was previously addressed in the certified 2017 Prestressed Concrete Cylinder Pipe Rehabilitation Program Final Programmatic Environmental Impact Report.

7-3 Authorize preparation of environmental documentation and technical studies, and public outreach activities for the Regional Recycled Water Program; and amend agreement with National Water Research Institute to facilitate additional technical workshops related to the Program’s Demonstration Plant; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA.

7-4 Authorize an amendment to an existing agreement with County Sanitation District No. 2 of Los Angeles County and a new agreement with Southern Nevada Water Authority to support continued evaluation and development of the Regional Recycled Water Program; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA.

7-5 Authorize an increase of $600,000 in change order authority for the contract to rehabilitate the Greg Avenue Pump Station; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.
7-6 Authorize an agreement with Securitas to provide security guard services for a maximum period of five years at a total cost not to exceed $55 million; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

END OF CONSENT CALENDAR ITEMS

4. OTHER BOARD ITEMS – ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

None

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

None
10. ADJOURNMENT

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Water Planning and Stewardship Committee
Meeting with Board of Directors*

November 9, 2020
12:00 p.m.

* 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))

## CONSENT CALENDAR ITEMS — ACTION

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

   A. Approval of the Minutes of the Water Planning and Stewardship Committee held October 12, 2020

3. **CONSENT CALENDAR ITEMS – ACTION**

   None

END OF CONSENT CALENDAR ITEMS
4. OTHER BOARD ITEMS — ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS


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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Communications and Legislation Committee

Meeting with Board of Directors*

November 9, 2020

1:00 p.m.

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(Click to Access Board Meetings Page)

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

CONSENT CALENDAR ITEMS — ACTION

2. CONSENT CALENDAR OTHER ITEMS — ACTION

   A. Approval of the Minutes of the meeting of the Adjourned Communications and Legislation Committee held September 14, 2020

3. CONSENT CALENDAR ITEMS — ACTION

   None
4. OTHER BOARD ITEMS — ACTION

5. BOARD INFORMATION ITEMS
   None

6. COMMITTEE ITEMS
   a. Legislative Priorities and Principles for 2021
   b. Update on the California Resilience Challenge
   c. Report on activities from Washington, D.C.
   d. 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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Organization, Personnel and Technology Committee

Meeting with Board of Directors*

November 9, 2020
2:00 p.m.

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CONSENT CALENDAR ITEMS — ACTION

2. CONSENT CALENDAR OTHER ITEMS – ACTION

A. Approval of the Minutes of the meeting of the Special Organization, Personnel and Technology Committee held October 27, 2020
3. **CONSENT CALENDAR ITEMS – ACTION**

7-10 Approve The Metropolitan Water District of Southern California's salary schedules pursuant to CalPERS regulations; the General Manager has determined that the proposed action is exempt or otherwise no subject to CEQA

**END OF CONSENT CALENDAR ITEMS**

4. **OTHER BOARD ITEMS – ACTION**

Subject Updated 8-2 Authorize and direct the Ethics Officer to enter into a contract with an external consultant, outside legal counsel in an amount not-to-exceed $150,000 to $200,000 to conduct an independent review of allegations of systemic Equal Employment Opportunity related discrimination, workplace harassment, and retaliation, and related concerns; 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. Follow-up on Equal Employment Opportunity Issues

7. **MANAGEMENT REPORT**

a. Human Resources Manager’s report

b. Information Technology Manager’s report

**REVISED:** Date of Notice: November 6, 2020
8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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REVISED: Date of Notice: November 6, 2020
Legal and Claims Committee
Meeting with Board of Directors*

November 10, 2020
9:30 a.m.

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(Click to Access Board Meetings Page)
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Board on matters within their jurisdiction as listed on the agenda via teleconference only. To participate
call (404) 400-0335 and use Code: 9601962.

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

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

CONSENT CALENDAR ITEMS — ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION
   A. Approval of the Minutes of the Legal and Claims Committee meeting held October 13, 2020

4. CONSENT CALENDAR ITEMS – ACTION
   None

END OF CONSENT CALENDAR ITEMS

REVISED: Date of Notice: November 3, 2020
5. OTHER BOARD ITEMS — ACTION

8-1 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

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

Added

a. Oral report on American Federation of State, County & Municipal Employees Local 1902 v. Metropolitan Water District of Southern California, Public Employment Relations Board Case No. LA-CE-1435-M; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

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

ab. Discussion of Department Head Performance and Goal Setting

[Public employees' performance evaluations – General Counsel; to be heard in closed session pursuant to Gov. Code Section 54957]

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT
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REVISED: Date of Notice: November 3, 2020
Real Property and Asset Management Committee
Meeting with Board of Directors*

November 10, 2020
10:30 a.m.

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

CONSENT CALENDAR ITEMS — ACTION

2. CONSENT CALENDAR OTHER ITEMS – ACTION

   A. Approval of the Minutes of the meeting of the Real Property and Asset Management Committee held October 12, 2020

3. CONSENT CALENDAR ITEMS – ACTION

   7-7 Review and consider the city of Hemet’s adopted Mitigated Negative Declaration and take related CEQA actions, and authorize the General Manager to grant a permanent easement for public road widening and utility purposes to the city of Hemet on Metropolitan-owned property in the county of Riverside

REVISED: Date of Notice: November 5, 2020
7-8 Authorize the General Manager to grant a permanent easement for public road purposes to the city of Fontana on Metropolitan-owned property in the county of San Bernardino; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.

7-9 Authorize an amendment to increase of $500,000 to an agreement with Roesling Nakamura Terada Architects for a not-to-exceed amount of $2,000,000 for master planning activities in support of the District Housing and Property Improvement Program and the consolidation of certain projects into the District Housing and Property Improvement Program; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.

END OF CONSENT CALENDAR ITEMS

4. OTHER BOARD ITEMS – ACTION
None

5. BOARD INFORMATION ITEMS
None

6. COMMITTEE ITEMS
a. None

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

8. FOLLOW-UP ITEMS
9.  FUTURE AGENDA ITEMS

10. ADJOURNMENT

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Regular Board Meeting
November 10, 2020
12:00 p.m.

Live streaming is available for all board and committee meetings on our mwdh2o.com website (Click to Access Board Meetings Page)

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

1. Call to Order
   (a) Invocation: Mary Sue Jackinsky, Eastern Capital Technologies
   (b) Pledge of Allegiance: Director Camacho, Inland Empire Utilities Agency

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 Government Code Section 54954.3(a))

5. OTHER MATTERS AND REPORTS
   A. Report on Directors’ events attended at Metropolitan expense for month of October 2020
   B. Chairwoman’s Monthly Activity Report
   C. Report from Executive Committee on nominations for Board Secretary
   D. Nomination and Election for Board Secretary for two-year term effective January 1, 2021

REVISED: Date of Notice: November 6, 2020
E. General Manager’s summary of activities for the month of October 2020

F. General Counsel’s summary of activities for the month of October 2020

G. General Auditor’s summary of activities for the month of October 2020

H. Ethics Officer’s summary of activities for the month of October 2020

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**CONSENT CALENDAR ITEMS — ACTION**

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

A. Approval of the Minutes of the Meeting for October 13, 2020
   (Copies have been submitted to each Director)
   Any additions, corrections, or omissions

B. Approve committee assignments

7. **CONSENT CALENDAR ITEMS — ACTION**

   7-1 Authorize an increase of $150,000 in change order authority to a procurement contract to furnish valves for the F. E. Weymouth Water Treatment Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (E&O)
7-2 Award $2,435,000 contract to J.F. Shea Construction, Inc. for relining of Prestressed Concrete Cylinder Pipe (PCCP) within a portion of the Allen-McColloch Pipeline (AMP); the General Manager has determined that the AMP PCCP rehabilitation project is exempt or otherwise not subject to CEQA; authorize an increase of $2.1 million to an agreement with HDR Engineering, Inc. for a not-to-exceed amount of $6.5 million for engineering design services for the Sepulveda Feeder PCCP rehabilitation; authorize an increase of $150,000 to an agreement with Helix Environmental Planning, Inc. for a not-to-exceed amount of $2.25 million to prepare environmental documentation for the Sepulveda Feeder PCCP rehabilitation; and adopt CEQA determination that the Sepulveda Feeder rehabilitation project was previously addressed in the certified 2017 Prestressed Concrete Cylinder Pipe Rehabilitation Program Final Programmatic Environmental Impact Report. (E&O)

7-3 Authorize preparation of environmental documentation and technical studies, and public outreach activities for the Regional Recycled Water Program; and amend agreement with National Water Research Institute to facilitate additional technical workshops related to the Program’s Demonstration Plant; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (E&O)

7-4 Authorize an amendment to an existing agreement with County Sanitation District No. 2 of Los Angeles County and a new agreement with Southern Nevada Water Authority to support continued evaluation and development of the Regional Recycled Water Program; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. (E&O)

7-5 Authorize an increase of $600,000 in change order authority for the contract to rehabilitate the Greg Avenue Pump Station; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (E&O)

7-6 Authorize an agreement with Securitas to provide security guard services for a maximum period of five years at a total cost not to exceed $55 million; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (E&O)
7-7 Review and consider the city of Hemet’s adopted Mitigated Negative Declaration and take related CEQA actions, and authorize the General Manager to grant a permanent easement for public road widening and utility purposes to the city of Hemet on Metropolitan-owned property in the county of Riverside. (RP&AM)

7-8 Authorize the General Manager to grant a permanent easement for public road purposes to the city of Fontana on Metropolitan-owned property in the county of San Bernardino; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (RP&AM)

7-9 Authorize an increase of $500,000 to an agreement with Roesling Nakamura Terada Architects for a not-to-exceed amount of $2,000,000 for master planning activities in support of the District Housing and Property Improvement Program and the consolidation of certain projects into the District Housing and Property Improvement Program; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (RP&AM)

7-10 Approve The Metropolitan Water District of Southern California’s salary schedules pursuant to CalPERS regulations; the General Manager has determined that the proposed action is exempt or otherwise no subject to CEQA. (OP&T)

END OF CONSENT CALENDAR ITEMS

8. OTHER BOARD ITEMS — ACTION

8-1 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. (L&C)
Subject Updated

8-2 Authorize and direct the Ethics Officer to enter into a contract with an external consultant outside legal counsel in an amount not-to-exceed $150,000 to $200,000 to conduct an independent review of allegations of systemic Equal Employment Opportunity related discrimination, workplace harassment, and retaliation, and related concerns; Metropolitan’s Equal Employment Opportunity programs and practices, and related issues and concerns; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (OP&T)

9. BOARD INFORMATION ITEMS

9-1 Update on Conservation Program

9-2 Review of the proposed COVID-19 Member Agency Payment Deferment Program and proposed amendment to the Administrative Code to add Section 4519 delegating authority to the General Manager to administer the Program. (F&I)

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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REVISED: Date of Notice: November 6, 2020
Bay-Delta Committee

Meeting with Board of Directors*

November 10, 2020
12:30 p.m.

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

CONSENT CALENDAR ITEMS — ACTION

2. CONSENT CALENDAR OTHER ITEMS — ACTION

A. Approval of the Minutes of the meeting of the Bay-Delta Committee held on October 27, 2020

3. CONSENT CALENDAR ITEMS — ACTION

None

END OF CONSENT CALENDAR ITEMS
4. OTHER BOARD ITEMS — ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. Update on Funding Agreement with the California Department of Water Resources for Metropolitan's proportionate share of the Delta Conveyance Project planning and pre-construction costs and amendment to the Joint Powers Agreement for the Delta Conveyance Design and Construction Authority

7. MANAGEMENT REPORTS

a. Bay-Delta Manager’s Report

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT
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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.
CONSENT CALENDAR ITEMS – ACTION

The Board:

Authorized an increase of $150,000 in change order authority for Contract No. 1867 with Crispin Valve, LLC to furnish rubber-lined butterfly valves. (Agenda Item 7-1)

Awarded $2,435,000 contract to J.F. Shea Construction, Inc. for PCCP relining of approximately 1,200 feet of the Allen-McColloch Pipeline; authorized a $2.1 million increase to an agreement with HDR Engineering, Inc., for a new not-to-exceed amount of $6.5 million; authorized a $150,000 increase to an agreement with Helix Environmental Planning Inc., for a new not-to-exceed amount of $2.25 million; and adopted CEQA determination that the Sepulveda Feeder rehabilitation project was previously addressed in the Prestressed Concrete Cylinder Pipe Rehabilitation Program Final Programmatic Environmental Impact Report certified in 2017. (Agenda Item 7-2)

Authorized preparation of environmental documentation and technical studies, and public outreach activities for the Regional Recycled Water Program; and authorized an increase of $200,000 to an existing agreement with National Water Research Institute, for a not-to-exceed amount of $445,000 for specialized services. (Agenda Item 7-3)

Authorized an amendment to agreement with County Sanitation District No. 2 of Los Angeles County; (Amended Agenda Item 7-4A) and tabled authorizing an agreement with Southern Nevada Water Authority to support the development of the Regional Recycled Water Program. (Amended Agenda Item 7-4B)

Authorized increase of $600,000 in change order authority for rehabilitation of the Greg Avenue Pump Station, up to an aggregate amount not to exceed $1,648,750. (Agenda Item 7-5)

Authorized entering into an agreement with Securitas to provide security services for a five-year contract for a maximum payable total of $55 million. (Agenda Item 7-6)

Reviewed and considered the city of Hemet’s adopted Mitigated Negative Declaration and take related CEQA actions and authorized the General Manager to grant a permanent easement for public road and utility purposes to the city of Hemet. (Agenda Item 7-7)

Authorized the General Manager to grant a permanent easement for public road purposes to the city of Fontana. (Agenda Item 7-8)
Authorized an increase of $500,000 to the agreement with Roesling, Nakamura, Terada Architects for a new not-to-exceed amount of $2,000,000; and authorized the consolidation of identified projects into the District Housing and Property Improvement program.  
(Agenda Item 7-9)

Approved The Metropolitan Water District of Southern California’s salary schedules pursuant to CalPERS regulations.  (Agenda Item 7-10)

OTHER BOARD ITEMS – ACTION

Approved Resolution to hire retired Annuitant and waive 180-day waiting period.  
(Agenda Item 8-1)

Authorized and directed the Ethics Officer to enter into a contract with outside legal counsel in an amount not-to-exceed $200,000 to conduct an independent review of allegations of systemic Equal Employment Opportunity related discrimination, harassment, and retaliation and related concerns.  (Agenda Item 8-2)

CONSENT CALENDAR OTHER ITEMS – ACTION

Approved committee assignment for Director Larry Dick to serve as Chair of the Legal and Claims Committee.  (Agenda Item 6B)

OTHER MATTERS AND REPORTS

Judy Abdo was elected to serve a second term as Board Secretary, effective January 1, 2021.  
(Agenda Item 5D)

Distributed to the Board for review the proposed COVID-19 Member Agency Payment Deferral Program and proposed amendment to the Administrative Code to add Section 4519 delegating authority to the General Manager to administer the Program.  (Agenda Item 9-2)

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://mwdh2o.com/WhoWeAre/Board/Board-Meeting/Pages/search.aspx

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