

**MINUTES OF THE FORMAL BOARD OF DIRECTORS' MEETING
SEPTEMBER 27, 2012**

IMPORTED WATER COMMITTEE

CALL TO ORDER / ROLL CALL

Chair Watton called the Imported Water Committee meeting to order at 9:04 a.m. Committee members present were Vice Chair Arant and Tu*, Directors Barnum, Bond, Brady*, Knutson, Linden, Steiner, Weston*, and Wilson. Directors Lewinger, Morrison, and Wight were absent. Also present were Directors Boyle, Dailey, Dion, Douglas, Hogan, Lamb, Miller, Price, Saunders, Saxod, Smith, Topolovac, Williams, and Wornham. At that time, there was a quorum of the full Board, and the meeting was conducted as a meeting of the Board, however, only committee members participated in the vote.

Staff present included General Manager Stapleton, General Counsel Hentschke, Deputy General Managers Belock and Kerl, Assistant General Manager Cushman, Director of MWD Program Chen, Colorado River Program Director Razak, Government Relations Manager Volberg, and others.

*Vice Chair Tu and Directors Weston and Brady arrived at 9:15 a.m., 9:25 a.m., and 9:45 a.m., respectively.

ADDITIONS TO AGENDA

There were no additions to the agenda.

PUBLIC COMMENT

There were no public comments.

DIRECTORS' COMMENTS

There were no comments by Directors.

CHAIR'S REPORT

Chair Watton announced that presentations on the information items Colorado River tamarisk management and salinity control update (Agenda Item III.1) and Bay-Delta update (Agenda Item III.2) would be continued to the October 25, 2012 Board Meeting. Chair Watton also reported that MWD plan to provide a series of Bay Delta Conservation Plan (BDCP) board presentations in support of its Delta efforts.

I. CONSENT CALENDAR

There were no items on the consent calendar.

II. ACTION/DISCUSSION

1. Metropolitan Water District Issues and Activities update.
 - 1-A Metropolitan Water District Delegates report.

The delegates reported on the discussions and actions taken at the recent MWD board meetings.

1-B Metropolitan Water District's Rate Refinement Discussion.

Ms. Chen made a presentation on MWD's Rate Refinement process and discussions. Following the presentation, Directors asked questions and made comments.

2. Colorado River Programs.
2-A Colorado River Board representative's report.

There was no Colorado River Board representative's report.

III. INFORMATION

The following information items were continued to the October 25, 2012 Board meeting:

2. Colorado River tamarisk management and salinity control update.
3. Bay-Delta update.

The following information item was noted and filed:

4. Metropolitan Water District Program report.

Mr. Hentschke took the Committee into closed session at 9:50 a.m.

IV. CLOSED SESSION

1. CLOSED SESSION:
Conference with Legal Counsel – Existing Litigation
Government Code §54956.9(a)
Name of Case: QSA Judicial Council Coordination Proceeding No. 4353

Conference with Legal Counsel – Existing Litigation
Government Code §54956.9(a)
Name of Case: State Water Resources Control Board (SWRCB) Imperial Irrigation District and San Diego County Water Authority Joint Petition for Modification of Revised Order WRO 2002-0013 (Permit 7643, Application 7482)
2. CLOSED SESSION:
Conference with Legal Counsel
Initiation of Litigation; Anticipated Litigation
Government Code §54956.9(b)(1), (c) – One Case
Exchange Agreement Default
3. CLOSED SESSION:
Conference with Legal Counsel – Existing Litigation
Government Code §54956.9(a) – SDCWA v Metropolitan Water District of Southern California; Case Nos. CPF-10-510830 and CPF-12-512466

4. CLOSED SESSION:
Conference with Legal Counsel – Initiation of Litigation
Government Code §54956.9(c)
Multiple Cases – Public Record Act Enforcement

5. CLOSED SESSION:
Conference with Legal Counsel – Existing Litigation
Government Code §54956.9(a)
SDCWA v City of Los Angeles Department of Water and Power; Case No.
BS136663

Mr. Hentschke brought the Committee out of Closed Session at 11:38 a.m. and stated the Committee authorized special counsel to initiate appropriate litigation as may become necessary to enforce public records act.

V. ADJOURNMENT

There being no further business to come before the Imported Water Committee, Chair Watton adjourned the meeting at 11:38 a.m.

ADMINISTRATIVE AND FINANCE COMMITTEE

CALL TO ORDER / ROLL CALL

Vice Chair Bond called the Administrative and Finance Committee meeting to order at 11:43 a.m. Committee members present were Vice Chair Bond, Directors Arant, Bailey, Brady, Dion, Douglas, Hilliker, Price, Saunders, Smith, Topolovac and Wornham. Committee members absent were Chair Wight and Vice Chair Croucher. Also present were Directors Barnum, Dailey, Hogan, Knutson, Lamb, Linden, Miller, Saxod, Steiner, Tu, Watton, Weston, Williams, and Wilson. At that time, there was a quorum of the full Board, and the meeting was conducted as a meeting of the Board, however, only committee members participated in the vote.

Staff present was General Manager Stapleton, General Counsel Hentschke, Deputy General Managers Belock and Kerl, Assistant General Manager Cushman, Director of Finance McCraner, Director of Administrative Services Young, Director of Human Resources Leone, Director of Water Resources Weinberg, Controller Greek, Purchasing Manager Stewart, Financial Planning Manager Shank and Financial Resources Manager Celaya.

ADDITIONS TO AGENDA

There were no additions to the agenda.

PUBLIC COMMENT

There were no public speakers.

CHAIR'S REPORT

There was no Chair's report.

DIRECTORS' COMMENTS

There were no Director's comments.

I. CONSENT CALENDAR

1. Treasurer's Report.
Staff recommendation: Note and file the monthly Treasurer's report.

Director Wornham moved, Director Smith seconded and the motion passed unanimously.

II. ACTION/DISCUSSION

1. Alternative structures for incorporation of Carlsbad Desalination into Water Authority rates and charges.

Vice Chair Bond announced the item would be continued to the October 11, 2012 Special Board meeting.

III. INFORMATION

1. Presentation on the 2012-2017 Business Plan.

Vice Chair Bond announced the presentation would be continued to the October 25, 2012 Board meeting.

2. Report on purchase orders and contracts for goods and services above \$10,000 awarded between July 1, 2011 and June 30, 2012.
3. Controller's Report.
4. Board Calendar.

IV. CLOSED SESSION

There were no closed session items.

V. ADJOURNMENT

There being no further business to come before the Administrative and Finance Committee, Vice Chair Bond adjourned the meeting at 11:50 a.m.

ENGINEERING AND OPERATIONS COMMITTEE **CALL TO ORDER / ROLL CALL**

Chair Knutson called the Engineering and Operations Committee meeting to order at 11:52 a.m. Committee members present were Chair Knutson, Vice Chair Dailey, Directors Barnum, Hogan, Lamb, Miller, Saxod, Smith, and Wilson, and Directors Bailey and Williams arrived at approximately 11:54 a.m. Committee members absent were Vice Chair Pocklington, and Directors Lewinger, Mudd, and Morrison. Also present were Directors Arant, Brady, Dion, Douglas, Hilliker, Linden, Price, Saunders, Topolovac, Tu, Watton, Weston, and Wornham. At that time, there was a quorum of the full Board, and the meeting was conducted as a meeting of the Board, however only committee members participated in the vote.

Staff present was General Manager Stapleton, General Counsel Hentschke, Deputy General Counsel Gallien, Deputy General Managers Belock and Kerl, Assistant General Manager Cushman, Director of Engineering Rose, Director of Operations and Maintenance Eaton, Engineering Manager Reed, Engineering Manager Bousquet, and Engineer PE Fountain.

ADDITIONS TO AGENDA

There were no additions to the agenda.

PUBLIC COMMENT

There were no members of the public who wished to speak.

CHAIR'S REPORT

Chair Knutson announced the annual Engineering and Operations Tour took place on Friday, September 21, 2012 and Vice Chair Dailey gave a brief overview. She stated they had toured the Lake Hodges Pump Station and visited the control room and two pump turbines. Then they went to San Vicente and saw the progress there. The group arrived a few hours after the last of the roller compacted concrete had been placed and were allowed to walk out onto the top of the dam. She thanked all the staff who participated and coordinated the tour. Chair Knutson also reported that the Engineering and Operations Committee held a workshop on September 25, 2012 and discussed the litigation on the Lake Hodges project and the potential for claims at the San Vicente Dam Raise project.

DIRECTORS' COMMENTS

There were no Director's comments.

I. CONSENT CALENDAR

1. Approve settlement agreement with The Ohio Casualty Insurance Company relating to Native Landscape, Inc.

Staff recommendation:

1. Authorize the General Manager to execute the settlement agreement, and
2. Accept settlement reimbursement from surety in the amount of \$114,411.74, and Award a contract to Habitat Restoration Sciences, Inc. to complete the Lake Hodges Pumped Storage Facility Landscaping in the amount of \$146,514.

Director Smith moved, Director Lamb seconded, and the motion to approve staff's recommendation passed unanimously.

II. ACTION/DISCUSSION

1. Notice of Completion for the Pipelines 3 and 4 Miramar Hill to Scripps Ranch Relining project, Specification 606.

Staff recommendation: Authorize the General Manager to accept the Pipelines 3 and 4 Miramar Hill to Scripps Ranch Relining project as complete, record the Notice of Completion, and release funds held in retention to J. Fletcher Creamer & Son, Inc. and Spiniello Companies, a Joint Venture, following the expiration of the notice of completion period.

The presentation for this item was continued until October 25, 2012 Board Meeting, however the committee still voted on the staff recommendation. Director Dailey moved, Director Miller seconded, and the motion to approve staff's recommendation passed unanimously.

2. Professional services contract with Navigant Consulting, Inc for technical and economic consulting services for the Master Power Purchase and Sale Agreement for Lake Hodges project.

Staff recommendation: Accept professional services contract with Navigant Consulting, Inc. for \$145,000, accept Amendments 1 and 2 for \$5,000, and approve Amendment 3 for \$98,263, for technical and economic consulting services in support of amending the Master Power Purchase and Sale Agreement for the Lake Hodges projects, increasing the total contract funding to an amount not-to-exceed \$248,263.

Director Smith moved, Director Wilson seconded, and the motion to approve staff's recommendation passed unanimously

III. INFORMATION

1. Presentation on Twin Oaks Water Treatment Plant utilization.

This item was continued until the October 25, 2012 Board Meeting.

IV. CLOSED SESSION

Mr. Hentschke took the committee into Closed Session at 11:55 a.m.

1. CLOSED SESSION:
Conference with Legal Counsel – Existing Litigation
Government Code §54956.9(a)
SDCWA v MWH Americas, Inc. et al
Case No. 37-2011-00090504-CU-BC-CTL

2. **CLOSED SESSION:**
Conference with Legal Counsel – Initiation of Litigation;
Anticipated Litigation
Government Code §54956.9(b)(1), (c) – One Case
Lake Hodges Pump Storage Project

3. **CLOSED SESSION:**
Conference with Legal Counsel – Anticipated Litigation
Government Code §54956.9(b)(1) – One Case
San Vicente Dam Raise Claims

Mr. Hentschke brought the committee out of Closed Session at 12:20 p.m. and announced that there were no reportable actions.

V. ADJOURNMENT

There being no further business to come before the Engineering and Operations Committee, Chair Knutson adjourned the meeting at 12:20 p.m.

WATER PLANNING COMMITTEE **CALL TO ORDER/ROLL CALL**

Chair Dion called the Water Planning Committee Meeting to order at 1:05 p.m. Committee members present were Chair Dion, Vice Chair Price, Vice Chair Saunders, Directors Hogan, Lamb, Linden, Pocklington, Sanford, Steiner, Watton and Williams. Director Boyle was absent. Also present were Directors Arant, Bailey, Barnum, Bond, Brady, Dailey, Douglas, Hilliker, Knutson, Miller, Saxod, Smith, Topolovac, Weston, Wilson and Wornham. At that time, there was a quorum of the Board and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was General Manager Stapleton, General Counsel Hentschke, Deputy General Managers Belock and Kerl, Assistant General Manager Cushman, Director of Water Resources Weinberg and Water Resources Manager Robert Yamada. David Moore, Managing Director of Clean Energy Capital, was also present.

PUBLIC COMMENT

Chair Dion advised there would be public comment related to a specific item on the agenda.

DIRECTORS' COMMENTS

There were no Directors' comments.

CHAIR'S REPORT

Chair Dion remarked there would be two public meetings on the proposed Water Purchase Agreement for the Carlsbad Desalination Project, with the first being Tuesday, October 2, 2012, at the Water Authority's Kearny Mesa offices at 6:30 p.m.

I. CONSENT CALENDAR

There were no items for the Consent Calendar.

II. ACTION/DISCUSSION

1. Carlsbad Desalination Project

1-A Carlsbad Desalination Project Status update.

Chair Dion called for public comment. David Taylor, IBEW Local #569, spoke in support of the project and the jobs it would provide. Cliff Williams, resident of San Diego, spoke in support of the project and urged the Board to move forward to diversify regional water supply.

Ms. Stapleton announced that staff would distribute copies of the Water Purchase Agreement to the Board at this time, in addition to compact discs that contain the agreement and its technical appendices.

Mr. Weinberg provided an overview of the Water Purchase Agreement and a general outline of its key terms and articles. He advised more detail would be provided at the October 11, 2012 Special Board Meeting. He then provided information on Water Purchase Agreement Articles 1 through 6. Mr. Yamada addressed Articles 7 through 16, which govern the start up, operation and maintenance of the project plant. Mr. Weinberg resumed with an overview of Articles 17 through 26.

Chair Dion called for questions and comments. Mr. Weinberg responded to questions by Director Williams, who asked about costs which may exceed the cap, and Director Wilson, who asked about the 75% threshold for deliveries. Director Dion directed staff to develop scenarios that would demonstrate how that would be addressed. Mr. Weinberg responded to Director Bond, who asked about seawater intake requirements. Chairman Hogan remarked that the release of the agreement is a significant milestone, and he expressed appreciation for a great job to staff, consultants, and the Board's Carlsbad Desalination Project Advisory Group. Mr. Moore responded to Director Topolovac, who asked about financing costs and why a pre-established escalation rate was used, and Director Arant asked about avoided costs.

Mr. Moore presented information on costs, and responded to questions posed by Director Watton about financing cost reserve. Mr. Weinberg concluded with information about the Water Authority's costs associated with accepting and distributing the project water, remaining tasks leading to Board consideration of the Water Purchase Agreement, and upcoming meetings.

Chair Dion called for comments by Carlos Riva, Chief Executive Officer of Poseidon Water LLC. Mr. Riva expressed appreciation for the distribution of the Water Purchase Agreement and the work done to achieve its development.

Chair Dion called for public comment. John Mendez, resident of San Diego County, spoke in support of the project and a diversified water supply portfolio. Julia Chunn-Heer provided comments on two documents she brought for distribution to the Board.

Chair Dion called for Directors comments. Mr. Weinberg responded to Director Price, who asked about costs. Mr. Moore and Ms. Stapleton responded to Director Williams, who asked about incremental price and variable cost. Ms. Stapleton advised the agreement and its appendices, and the public meeting dates and times, would be posted on the Water Authority internet website. Chair Dion invited member agencies to contact staff if they would want a Board presentation about the project, and advised that the distribution of the Water Purchase Agreement begins the 60-day time frame within which agencies would need to respond.

III. INFORMATION

1. Presentation by Marsi Steirer on the city of San Diego Recycled Water Study.

Ms. Steirer, Interim Assistant Public Utilities Director for the city of San Diego, presented information on the city of San Diego's Recycled Water Study. Director Wornham complimented Ms. Steirer and her team for their dedication to Indirect Potable Reuse (IPR). Director Watton remarked on cost avoidance and environmental mitigation benefits. Ms. Steirer responded to Chairman Hogan, who asked about costs and treatment requirements of the process, and to Director Weston, who commented on the need for the state legislature to recognize IPR as equal to or better than raw water supplies. Director Arant asked about how IPR would benefit Valley Center customers, and what impact 98,000 acre-feet in reduced sales would have on water rates. Ms. Steirer responded to Director Price, who asked about the legislative status of IPR (AB2398) and potential partners on, and necessary financing of, the construction of the proposed IPR plants, and financing. Director Watton commented on the necessity of differentiating between water supply and water treatment.

Chair Dion called for public comment. Julia Chunn-Heer spoke about IPR as a multi-benefit solution.

The following item was received and filed:

2. Water Resources Report

IV. CLOSED SESSION

There were no items under Closed Session.

V. ADJOURNMENT

Chair Dion adjourned the meeting at 2:52 p.m.

LEGISLATION, CONSERVATION AND OUTREACH COMMITTEE **CALL TO ORDER/ROLL CALL**

Chair Saxod called the Legislation, Conservation and Outreach Committee to order at 2:54 p.m. Committee members present were Chair Saxod, Vice Chairs Hilliker and Weston, Directors Dailey, Douglas, Miller, Sanford, Topolovac and Wornham. Committee members absent were Directors Boyle, Croucher, Mudd, and Tu. Other Board members present were Directors Arant, Barnum, Bond, Brady, Dion, Hogan, Knutson, Lamb, Pocklington, Price, Saunders, Smith, Watton, Williams and Wilson. At that time, there was a quorum of the Board

and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present were General Manager Stapleton, General Counsel Hentschke, Deputy General Manager Belock, Assistant General Manager Cushman, Director of Public Outreach and Conservation Foster, Government Relations Manager Volberg and SCOOP Manager Yanushka.

ADDITIONS TO AGENDA

There were no additions to the agenda.

PUBLIC COMMENT

There were no members of the public who wished to address the Committee.

CHAIR'S REPORT

Chair Saxod welcomed Vice Chair Weston to the Legislation, Conservation and Outreach Committee. She then announced that the Water Authority would be participating at Politifest, an annual community festival focused on civic issues. The event would be held on September 29, 2012 at Liberty Station.

DIRECTORS' COMMENTS

There were no Directors' comments.

I. CONSENT CALENDAR

There were no items on the Consent Calendar.

II. ACTION/DISCUSSION

1. Legislative Issues.

1-A Report by Carpi and Clay.

Mr. Clay reported on legislative issues including upcoming elections, budget and CEQA reform. Mr. Clay also reported on Ben Hueso being named Chair of the Water, Parks and Wildlife Committee.

1-B Adopt positions of Support on Water Infrastructure Finance and Innovation Act.

Staff recommendation: Adopt a position of Support on Water Infrastructure Finance and Innovation Act.

Mr. Volberg reported on the bill. Director Wornham moved, Director Weston seconded, to adopt staff recommendation and the motion passed unanimously to adopt a position of Support on Water Infrastructure Finance and Innovation Act.

III. INFORMATION

1. Presentation on Small Contractors Outreach and Opportunities Program annual report.

SCOOP Manager Yanushka presented a summary of the SCOOP program and highlights for Fiscal Year 2012.

2. Quarterly Water Conservation Garden Report

Director Hilliker reported on behalf of Director Tu. He reported that the Water Conservation Garden premiered the Redford Center documentary "Watershed" on July 28, 2012. He also reported on upcoming events including Ms. Smarty Plants presentations and the Fall Garden Festival.

3. Government Relations Update.

Mr. Volberg reported on the Public Employees Pension Reform Act of 2013.

The committee received and filed the following items:

1. Quarterly report on Public Outreach and Conservation activities.
2. Status report on legislation and legislative positions.

IV. ADJOURNMENT

There being no further business to come before the Legislation, Conservation and Outreach Committee, Chair Saxod adjourned the meeting at 3:25 p.m.

FORMAL BOARD OF DIRECTORS' MEETING OF SEPTEMBER 27, 2012

1. **CALL TO ORDER** Chair Hogan called the Formal Board of Directors' meeting to order at 3:36 p.m.
2. **SALUTE TO THE FLAG** Director Lamb led the salute to the flag.
3. **ROLL CALL, DETERMINATION OF QUORUM**
Secretary Smith called the roll. Directors present were Arant, Bailey, Barnum, Bond, Brady, Dailey, Dion, Douglas, Hilliker, Hogan, Knutson, Lamb, Miller, Mudd, Pocklington, Sanford, Saunders, Saxod, Smith, Steiner, Topolovac, Watton, Williams, Wilson, Weston, and Wornham. Directors absent were Boyle, Croucher, Lewinger, Linden, Morrison, Price, Tu, Wight, and Representative Slater-Price.

3-A **Report on proxies received.** Director Smith was the proxy for Director Linden.
4. **ADDITIONS TO AGENDA** There were no additions to the agenda.
5. **APPROVAL OF MINUTES** Director Knutson moved, Director Douglas seconded, and the motion carried at 89.57% of the vote to approve the minutes of the Special Board of Directors' meeting of August 9, 2012 and the Formal Board of Directors' meeting of August 23, 2012.

6. **OPPORTUNITY FOR MEMBERS OF THE PUBLIC WHO WISH TO ADDRESS THE BOARD ON MATTERS WITHIN THE BOARD'S JURISDICTION**

There were no members of the public that wished to speak.

7. **PRESENTATIONS AND PUBLIC HEARINGS**

7-A Presentation of Directors' service certificates.

Chair Hogan introduced the Board members who received service certificates.

8. **REPORTS BY CHAIRS**

8-A Chair Hogan advised the Board surveys had been distributed regarding upcoming Committee assignments and leadership positions for 2013, including Special Committee assignments. He announced incoming Chair Wornham and the Officers would review all requests and announce the appointments that would take effect January, 2013.

Chair Hogan announced he had appointed a Project Delivery work group that would review and report back to the Engineering and Operations Committee by early 2013. The work group would be chaired by Director Knutson and had been tasked with examining current contracting practices.

Chair Hogan announced the retirement of Director Heidel and reported that a vacancy was therefore available on the MWD Board of Directors. He reminded the Board that an email was distributed regarding individual interest in serving and announced that Chair Wornham would report back at the October 25, 2012 Board meeting regarding his recommendation for the MWD Delegate appointment.

Chair Hogan reminded the Board of the upcoming public meetings regarding desalination projects planned for October 2, and October 10, 2012.

8-B Report by Committee Chairs.

Imported Water Committee. Director Watton reviewed the meeting and stated no action was taken.

Administrative and Finance Committee. Director Bond reviewed the meeting and the actions taken.

Engineering and Operations Committee. Director Knutson reviewed the meeting and the actions taken.

Water Planning Committee. Director Dion reviewed the meeting and stated no action was taken.

Legislation, Conservation and Outreach Committee. Director Saxod reviewed the meeting and the action taken.

9. **CONSENT CALENDAR**

Director Knutson moved, Director Bond seconded, and the motion carried at 89.57% of the vote to approve the consent calendar. Directors voting no or abstaining are listed under the item number.

9- 1. Treasurer's report.

The Board noted and filed the monthly Treasurer's report.

9- 2. Approve settlement agreement with The Ohio Casualty Insurance Company relating to Native Landscape, Inc.

The Board authorized the General Manager to execute the settlement agreement, and Accepted settlement reimbursement from surety in the amount of \$114,411.74, and Awarded a contract to Habitat Restoration Sciences, Inc. to complete the Lake Hodges Pumped Storage Facility Landscaping in the amount of \$146,514.

9- 3. Notice of Completion for the Pipelines 3 and 4 Miramar Hill to Scripps Ranch Relining project, Specification 606.

The Board authorized the General Manager to accept the Pipelines 3 and 4 Miramar Hill to Scripps Ranch Relining project as complete, record the Notice of Completion, and release funds held in retention to J. Fletcher Creamer & Son, Inc. and Spiniello Companies, a Joint Venture, following the expiration of the notice of completion period.

9- 4. Professional services contract with Navigant Consulting, Inc for technical and economic consulting services for the Master Power Purchase and Sale Agreement for Lake Hodges project.

The Board accepted professional services contract with Navigant Consulting, Inc. for \$145,000, accepted Amendments 1 and 2 for \$5,000, and approved Amendment 3 for \$98,263, for technical and economic consulting services in support of amending the Master Power Purchase and Sale Agreement for the Lake Hodges projects, increasing the total contract funding to an amount not-to-exceed \$248,263.

9- 5. Adopt position of Support on Water Infrastructure Finance and Innovation Act.

The Board adopted a position of Support on Water Infrastructure Finance and Innovation Act.

10. **ACTION/DISCUSSION**

10-A Election of Board Officers for October 1, 2012 – September 30, 2014.

The following Board members were nominated:

Chair: Tom Wornham

Vice Chair: Richard Smith

Secretary: Michael Hogan

Director Dion moved, Director Saunders seconded and the motion carried at 80.95% of the vote to elect the nominated Board Officers for the October 1, 2010 – September 30, 2012 term. Directors Hogan, Smith, and Wornham abstained.

10-B Presentation to outgoing Chair Hogan.

Director Wornham expressed his gratitude to Chair Hogan for two years of service as Chair of the Board and presented him with a gift on behalf of the Board. Chair Hogan commended the Board and staff for their hard work and expressed his excitement to continue his work on the Board.

11. **CLOSED SESSION(S)**

11-A **CLOSED SESSIONS:**

Conference with Legal Counsel – Existing Litigation
Government Code §54956.9(a)

Name of Case: QSA Judicial Council Coordination - Proceeding No. 4353

Conference with Legal Counsel - Existing Litigation
Government Code §54956.9(a)

Name of Case: State Water Resources Control Board (SWRCB)
Imperial Irrigation District and San Diego County Water Authority
Joint Petition for Modification of Revised Order WRO 2002-0013
(Permit 7643, Application 7482)

11-B **CLOSED SESSION:**

Conference with Legal Counsel

Initiation of Litigation; Anticipated Litigation

Government Code §54956.9(b)(1), (c) – One Case - Exchange Agreement Default

11-C **CLOSED SESSION:**

Conference with Legal Counsel - Existing Litigation –
Government Code §54956.9(a)

SDCWA v Metropolitan Water District of Southern California;
Case Nos. CPF-10-510830 and CPF-12-512466

11-D **CLOSED SESSION:**

Conference with Legal Counsel

Initiation of Litigation Government Code §54956.9(c)

Multiple Cases - Public Record Act Enforcement

- 11-E CLOSED SESSION:
Conference with Legal Counsel - Existing Litigation
Government Code §54956.9(a)
SDCWA v City of Los Angeles Department of Water and Power;
Case No. BS136663
- 11-F CLOSED SESSION:
Conference with Legal Counsel – Existing Litigation
Government Code §54956.9(a) - SDCWA v MWH Americas, Inc. et al
Case No. 37-2011-00090504-CU-BC-CTL
- 11-G CLOSED SESSION:
Conference with Legal Counsel – Initiation of Litigation; Anticipated Litigation
Government Code §54956.9(b)(1), (c) – One Case
Lake Hodges Pump Storage Project
- 11-H CLOSED SESSION:
Conference with Legal Counsel – Anticipated Litigation
Government Code §54956.9(b)(1) – One Case
San Vicente Dam Raise Claims

Mr. Hentschke announced there was no need for a Closed Session, however the Board needed to vote on the Imported Water Committee recommendation.

The Imported Water Committee recommended authorizing special counsel to initiate appropriate litigation as may become necessary to enforce public records act.

Director Steiner moved, Director Bond seconded and the motion carried at 89.57% of the vote.

12. **ACTION FOLLOWING CLOSED SESSION**

13. **SPECIAL REPORTS**

- 13-A GENERAL MANAGER'S REPORT – No report was given.
13-B GENERAL COUNSEL'S REPORT – No report was given.
13-C SANDAG REPORT – Director Saunders – No report was given.
SANDAG BORDERS/REGIONAL PLANNING COMMITTEE – Director Saxod announced there was nothing to report.
13-D AB 1234 COMPLIANCE REPORTS – No reports were given.

14. **OTHER COMMUNICATIONS** - None.

15. **ADJOURNMENT**

There being no further business to come before the Board, Chair Hogan adjourned the meeting at 3:54 p.m.

Michael T. Hogan, Chair

Richard K. Smith, Secretary

Doria F. Lore, Clerk of the Board