WORKSHOP MEETING OF THE BOARD OF DIRECTORS WITH MET DIRECTORS MUNICIPAL WATER DISTRICT OF ORANGE COUNTY 18700 Ward Street, Fountain Valley, California

18700 Ward Street, Fountain Valley, California July 7, 2021, 8:30 a.m.

Due to the spread of COVID-19 and as authorized by the Governor's Executive Order, MWDOC will be holding all upcoming Board and Committee meetings by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:

https://zoom.us/j/8828665300

Telephone Audio: (669) 900 9128 fees may apply

(877) 853 5247 Toll-free

Webinar ID: 882 866 5300#

AGENDA

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC PARTICIPATION/COMMENTS

At this time members of the public will be given an opportunity to address the Board concerning items within the subject matter jurisdiction of the Board. Members of the public may also address the Board about a particular Agenda item at the time it is considered by the Board and before action is taken.

The Board requests, but does not require, that members of the public who want to address the Board complete a voluntary "Request to be Heard" form available from the Board Secretary prior to the meeting.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize item(s), which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present or, if less than two-thirds of the Board members are present a unanimous vote.)

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at http://www.mwdoc.com.

NEXT RESOLUTION NO. 2115

ACTION ITEMS

1. H.R. 4099 (NAPOLITANO) – LARGE SCALE WATER RECYCLING PROJECT AND INVESTMENT ACT

Recommendation: Vote to adopt a Support position on H.R. 4099 (Napolitano).

PRESENTATION/DISCUSSION ITEMS

2. LEGISLATIVE ACTIVITIES

- a. Federal Legislative Report (NRR)
- b. State Legislative Report (BBK)
- c. MWDOC Legislative Matrix
- d. Metropolitan Legislative Matrix

Recommendation: Review and discuss the information presented.

3. INPUT OR QUESTIONS ON MET ISSUES FROM THE MEMBER AGENCIES/MET DIRECTOR REPORTS REGARDING MET COMMITTEE PARTICIPATION

Recommendation: Receive input and discuss the information presented.

4. REVIEW OF MET'S AND MWDOC'S WATER SUPPLY ALLOCATION PLANS

Recommendation: Review and discuss the information presented.

INFORMATION ITEMS

- 5. **MET ITEMS CRITICAL TO ORANGE COUNTY** (The following items are for informational purposes only a write up on each item is included in the packet. Discussion is not necessary unless requested by a Director)
 - a. MET's Finance and Rate Issues
 - b. MET's General Manager Recruitment Process
 - c. MET'S Review of Equal Employment Opportunity Policies and Practices
 - d. MET's Integrated Resources Plan Update
 - e. MET's Water Supply Conditions
 - f. Colorado River Issues
 - g. Delta Conveyance Activities and State Water Project Issues

Recommendation: Review and discuss the information presented.

6. METROPOLITAN (MET) BOARD AND COMMITTEE AGENDA DISCUSSION ITEMS

- a. Summary regarding June MET Board Meeting
- b. Review items of significance for MET Board and Committee Agendas

Recommendation: Review and discuss the information presented.

ADJOURNMENT

Note: Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodations should make the request with adequate time before the meeting for the District to provide the requested accommodations.





ACTION ITEM July 7, 2021

TO: Board of Directors

FROM: Robert Hunter Staff Contact: Heather Baez

General Manager

SUBJECT: H.R. 4099 (NAPOLITANO) - LARGE SCALE WATER RECYCLING

PROJECT AND INVESTMENT ACT

STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to adopt a Support position on H.R. 4099 (Napolitano).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BILL SUMMARY

H.R. 4099 establishes a competitive grant program within the Department of the Interior for large-scale water recycling projects that have a total estimated cost of at least \$500 million. The legislation authorizes \$750 million for the program through Fiscal Year 2027; projects must be within one of the Bureau of Reclamation's seventeen western states.

ARGUMENTS IN SUPPORT

The author states, ""The Title XVI grant program's successes have shown us how water recycling projects not only create jobs and boost our local economies, they can be brought online in as little as two years in contrast to dams which take 10 to 15 years to build and cost \$2 billion now. As we combat extreme drought and prepare for future water shortages in the arid west, Congress must provide additional funding opportunities now to help get large-scale recycling projects off the ground, and that's precisely what our critical legislation aims to do."

Budgeted (Y/N): n/a	Budgeted a	amount: n/a	Core X	Choice
Action item amount: No	ne	Line item:		
Fiscal Impact (explain if	unbudgete	d):		

"This new funding program would help transform how the Southwest gets its water. It will allow Metropolitan and other agencies to reuse water on a scale not yet realized. And it comes at a time when we're all looking for ways to reduce our reliance on the Colorado River as we face the realities of a changing climate," Metropolitan Water District of Southern California General Manager Jeffrey Kightlinger said.

ARGUMENTS IN OPPOSITION

None on file

BOARD OPTIONS

Option #1

• Adopt a support position on H.R. 4099.

Fiscal Impact: Potentially millions could be awarded to a project(s) in the region **Business Analysis:** This measure could help offset funding for a large-scale recycling project in Southern California, which would reduce reliance on imported water, increasing supply availability for other regions that do not have the capability or infrastructure for a large-scale recycling project.

Option #2

Take no action

Fiscal Impact: Same as above **Business Analysis:** Same as above

STAFF RECOMMENDATION

Option #1

ATTACHED:

H.R. 4099 Full Text

		(Original Signature of Member)
17тн CONGRESS	 D	

117TH CONGRESS 1ST SESSION

H.R.

To direct the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. Napolitano introduced	the	following	bill;	which	was	referred	to	the
Committee on								

A BILL

To direct the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Large Scale Water
- 5 Recycling Project Investment Act".
- 6 SEC. 2. DEFINITIONS.
- 7 In this Act:

1	(1) ELIGIBLE ENTITY.—The term "eligible enti-
2	ty'' means—
3	(A) a State, Indian Tribe, municipality, ir-
4	rigation district, water district, wastewater dis-
5	trict, or other organization with water or power
6	delivery authority;
7	(B) a State, regional, or local authority,
8	the members of which include 1 or more organi-
9	zations with water or power delivery authority;
10	or
11	(C) an agency established under State law
12	for the joint exercise of powers or a combina-
13	tion of entities described in subparagraph (A)
14	through (B).
15	(2) Indian Tribe.—The term "Indian Tribe"
16	has the meaning given the term in section 4 of the
17	Indian Self-Determination and Education Assistance
18	Act (25 U.S.C. 5304)).
19	(3) Reclamation state.—The term "Rec-
20	lamation State" means a State or territory described
21	in the first section of the Act of June 17, 1902 (32
22	Stat. 388, chapter 1093; 43 U.S.C. 391).
23	(4) Secretary.—The term "Secretary" means
24	the Secretary of the Interior.

1	SEC. 3. COMPETITIVE GRANT PROGRAM FOR LARGE-SCALE
2	WATER RECYCLING AND REUSE PROJECTS.
3	(a) In General.—The Secretary of the Interior shall
4	establish a grant program to provide grants on a competi-
5	tive basis to eligible entities for the planning, design, and
6	construction of large-scale water recycling and reclamation
7	projects that provide substantial water supply and other
8	benefits to drought stricken regions within the Reclama-
9	tion States.
10	(b) Eligible Project.—A project shall be consid-
11	ered eligible for consideration under this Act if—
12	(1) the project reclaims and reuses—
13	(A) municipal, industrial, domestic, or ag-
14	ricultural wastewater; or
15	(B) impaired ground or surface waters;
16	(2) the project has a total estimated cost of
17	\$500,000,000 or greater;
18	(3) the project is located within a Reclamation
19	State;
20	(4) the project is constructed, operated, and
21	maintained by an eligible entity; and
22	(5) the project provides a Federal benefit in ac-
23	cordance with the reclamation laws.
24	(c) Project Evaluation.—The Secretary may par-
25	ticipate in an eligible project under this Act if—

1	(1) an eligible entity determines through the
2	preparation of a feasibility or equivalent study, and
3	the Secretary concurs, that the eligible project—
4	(A) is technically and financially feasible;
5	(B) provides a Federal benefit in accord-
6	ance with the reclamation laws; and
7	(C) is consistent with applicable Federal
8	and State laws;
9	(2) the eligible entity has sufficient non-Federal
10	funding available to complete the eligible project;
11	(3) the eligible entity is financially solvent; and
12	(4) the Secretary submits to Congress a written
13	notification of the determinations under paragraph
14	(1) by not later than 30 days after the date of the
15	determinations.
16	(d) Priority.—When funding projects under this
17	Act, the Secretary shall give funding priority to projects
18	that meet one or more of the following criteria:
19	(1) Provide multiple benefits, including water
20	supply reliability benefits for drought-stricken States
21	and communities, fish and wildlife benefits, and
22	water quality improvements.
23	(2) Are likely to reduce impacts on environ-
24	mental resources from water projects owned or oper-
25	ated by Federal and State agencies, including

1	through measurable reductions in water diversions
2	from imperiled ecosystems.
3	(3) Help advance water management plans
4	across a multi-state area, such as drought contin-
5	gency plans in the Colorado River Basin.
6	(4) Regional in nature.
7	(5) Collaboratively developed or supported by
8	multiple stakeholders.
9	(e) Federal Assistance.—
10	(1) Federal cost share.—Except as pro-
11	vided in paragraph (2), the Federal share of the cost
12	of any eligible project shall not exceed 25 percent of
13	the total cost of the eligible project.
14	(2) Increased federal cost share for
15	PROJECTS WITH ADDITIONAL MEASURABLE BENE-
16	FITS.—The Federal share of the cost of an eligible
17	project may be increased to a maximum of 75 per-
18	cent of the total project costs, if the project ad-
19	vances at least a proportionate share of non-reim-
20	bursable benefits authorized under the reclamation
21	laws, including fish and wildlife benefits provided
22	through measurable reductions in water diversions
23	from imperiled ecosystems.
24	(3) TOTAL DOLLAR CAP.—The Secretary shall
25	not impose a total dollar cap on Federal contribu-

1	tions that applies to all individual projects under the
2	grant program established by this Act.
3	(4) Nonreimbursable funds.—Funds pro-
4	vided by the Secretary to an eligible entity under
5	this Act shall be considered nonreimbursable.
6	(5) Authorization of appropriations.—
7	There is authorized to be appropriated to carry out
8	this Act \$750,000,000 for the period of fiscal years
9	2023 through 2027.
10	(6) Funding eligibility.—An eligible project
11	shall not be considered ineligible for assistance
12	under this Act because the project has received as-
13	sistance authorized under title XVI of Public Law
14	102–575 or section 4009 of Public Law 114–322.
15	(f) Environmental Laws.—In providing a grant
16	for an eligible project under this Act, the Secretary shall
17	comply with all applicable environmental laws, including
18	the National Environmental Policy Act of 1969 (42 U.S.C.
19	4321 et seq.).
20	(g) GUIDANCE.—Not later than 12 months after the
21	date of the enactment of this Act, the Secretary shall issue
22	guidance on the implementation of this Act, including
23	guidelines for the preparation of feasibility or equivalent
24	studies by eligible entities.
25	(h) Congressional Approval.—

1	(1) In general.—Not less than 60 days before
2	making a grant for a project under this Act, the
3	Secretary shall notify the Committee on Natural Re-
4	sources of the House of Representatives and the
5	Committee on Energy and Natural Resources of the
6	Senate, in writing, of the proposed grant. The notifi-
7	cation shall include an evaluation and justification
8	for the project and the amount of the proposed
9	grant award.
10	(2) Congressional disapproval.—The Sec-
11	retary shall not make a grant or any other obliga-
12	tion or commitment to fund a project under this Act
13	that exceeds \$100,000,000 if a joint resolution is en-
14	acted disapproving such funding for the project be-
15	fore the last day of the 60-day period described in
16	paragraph (1).
17	(i) Reports.—
18	(1) ANNUAL REPORT.—At the end of each fis-
19	cal year, the Secretary shall make available on the
20	website of the Department of the Interior an annual
21	report that lists each project for which a grant has
22	been provided under this Act during that fiscal year.
23	(2) Comptroller general.—
24	(A) Assessment.—The Comptroller Gen-
25	eral of the United States shall conduct an as-

1	sessment of the administrative establishment,
2	solicitation, selection, and justification process
3	with respect to the funding of grants under this
4	Act.
5	(B) Report.—Not later than 1 year after
6	the initial awarding of grants under this Act,
7	the Comptroller General shall submit to the
8	Committee on Natural Resources of the House
9	of Representatives and the Committee on En-
10	ergy and Natural Resources of the Senate a re-
11	port that describes—
12	(i) the adequacy and effectiveness of
13	the process by which each project was se-
14	lected, if applicable; and
15	(ii) the justification and criteria used
16	for the selection of each project, if applica-
17	ble.
18	(j) Treatment of Conveyance.—The Secretary
19	shall consider the planning, design, and construction of
20	an eligible project's conveyance system to be eligible for
21	grant funding under this Act.



To: Board of Directors, Municipal Water District of Orange County

From: Natural Resource Results
RE: Monthly Board Report – July 2021

Nominations

The Senate voted unanimously to confirm Tanya Trujillo to be the Department of the Interior's Assistant Secretary for Water and Science, which oversees the Bureau of Reclamation and the U.S. Geological Survey. Tommy Beaudreau was also confirmed as the Deputy Secretary of the Interior along with Radhika Fox as the Assistant Administrator for Water at EPA.

On June 18th, the White House announced Camille Touton's nomination to be the Commissioner of the Bureau of Reclamation. Her confirmation hearing has not been scheduled.

Appropriations

The House has begun moving its appropriations bills through the legislative process. Markups of the 12 appropriations bills began on June 25th and will continue through mid-July. While the text of the Energy and Water bill, which provides funding for the Bureau of Reclamation, has not been released yet, we have seen some high-level funding numbers for the EPA.

The bill provides a total of \$11.34 billion in for EPA for FY 2021 – an increase of \$2.11 billion above the FY 2021 enacted level and \$110.8 million above the President's budget request.

It also provides \$61.8 million in funding for scientific and regulatory work on PFAS, needed to establish drinking water and cleanup standards. This funding builds on the \$49 million the EPA received in 2021.

House Transportation Bill

Last week, the House passed the INVEST Act, which reauthorizes the nation's surface transportation funding programs (roads, bridges, airports, etc). The bill also includes drinking and wastewater provisions.

<u>H.R. 1915</u> – The INVEST Act includes H.R. 1915, the Water Quality Protection and Job Creation Act of 2021 which authorizes:

- \$40 billion for the Clean Water State Revolving Fund
- \$2 billion for grants to municipalities to capture, treat, or reuse sewer overflows or stormwater
- \$2.5 billion in grants for States to implement State water pollution control programs

- \$1 billion for Clean Water pilot programs for watershed-based efforts to address wet weather discharges, to promote stormwater best practices, to undertake integrated water resource management, and to increase climate resiliency
- \$1 billion in grants for alternative water source projects, such as wastewater or stormwater reuse, to augment the existing water supplies
- \$1 billion in Clean Water Act grants to municipalities to implement treatment standards for PFAS and other emerging contaminants
- \$2.5 billion in wastewater infrastructure assistance to address the backlog of critical needs for Indian Tribes

<u>H.R. 3291</u> – The INVEST Act also includes the text of H.R. 3291, the Assistance, Quality and Affordability Act of 2021 which authorizes \$45 billion in grants for the removal of lead services lines across the country. It would also provide \$5 billion in grants to schools and water systems to remove lead and PFAS. EPA would have jurisdiction over the type of technology that can be used for removal.

H.R. 3293 – The INVEST Act includes the text of H.R. 3293, the Low-Income Water Customer Assistance Programs Act of 2021. This legislation creates at \$8 billion fund at EPA to help households that are unable to pay their water and wastewater bills. Under the bill, funding is prioritized for water utilities that:

- Are subject to a Clean Water Act Consent Decree
- Have customers that have cost increases of 30% or more during the last three years
- Develop programs for low-income ratepayers
- Provide matching funds for the grant

The \$715 billion INVEST Act has little chance of passage in the Senate.

White House Infrastructure Negotiations

The White House recently reached agreement with a bipartisan group of 20 Senators on the framework of an infrastructure proposal. There have been very few details released about the framework except for the topline funding levels seen below. Legislative text for this framework has not been written.

	Amount (billions)
Total	\$579
Transportation	\$312
Roads, bridges, major projects	\$109
Safety	\$11
Public transit	\$49

Passenger and Freight Rail	\$66
EV infrastructure	\$7.5
Electric buses / transit	\$7.5
Reconnecting communities	\$1
Airports	\$25
Ports & Waterways	\$16
Infrastructure Financing	\$20
Other Infrastructure	\$266
Other Infrastructure Water infrastructure	\$266 \$55
Water infrastructure	\$55
Water infrastructure Broadband infrastructure	\$55 \$65
Water infrastructure Broadband infrastructure Environmental remediation	\$55 \$65 \$21

Following President Biden's announcement of an agreement, he commented that he would not sign a bipartisan infrastructure bill into law unless Congress also passed a "social infrastructure" bill along with it. This would essentially be the legislative equivalent of Biden's \$2 trillion "American Families Plan".

This comment drew immediate criticism from the GOP, who claimed that Biden is holding the bipartisan bill hostage to enact more sweeping Democratic policies. As a result, the White House has been in damage control mode over Biden's comments and has tried to clarify that Biden will sign a bipartisan bill regardless of what happens on social infrastructure, much to the chagrin of progressive Democrats.

The bipartisan group of 20 Senators is now tasked with selling the proposal to their colleagues in Congress.

Western Water Legislation

Recently, there have been several bills introduced in Congress to address the ongoing western drought crisis.

<u>Senator Feinstein</u> – Feinstein continues to circulate a discussion draft of her legislation, the STREAM Act. We expect Feinstein to introduce the legislation sometime in July. The bill would authorize:

• \$750 million for grandfathered storage projects (storage projects funded under the WIIN Act) and non-federal storage projects

- \$250 million for water recycling projects
- \$250 million for ecosystem restoration
- \$100 million for desalination projects
- \$100 million for drinking water assistance to disadvantaged communities
- \$50 million for natural water retention and release projects

<u>Senator Manchin</u> – Manchin introduced a discussion draft of a bill that is seemingly intended to be the Senate Energy and Natural Resources Committee's piece of an infrastructure package (potentially folded into the infrastructure framework outlined above). The bill includes quite a few energy provisions, forest management and ecosystem resilience provisions and a section on western water. The western water section is a placeholder, meaning that the language is in the bill to show that Manchin intends to address water issues but needs to do more work on the specifics. Currently, the bill provides \$5 billion for "eligible programs and projects" which are defined as:

- Water storage projects that have been authorized by Congress
- Rural water projects that have been authorized by Congress
- WaterSMART
- Title XVI
- Desalination projects

It is our understanding that Senator Feinstein is currently working with Senator Manchin to include some of the provisions from her STREAM Act in this broader package.

<u>Senator Barrasso</u> – Barrasso introduced S. 2158, the Western Water Infrastructure Act which would reauthorize the WIIN Act storage provisions and provide:

- \$300 million for WaterSMART
- \$5 billion to eliminate the Bureau of Reclamation's deferred maintenance backlog
- \$1.6 billion for surface and groundwater storage
- \$500 million for water recycling and desalination

This legislation is intended to be the Republican counter to Senator Feinstein's STREAM Act.

<u>Congresswoman Napolitano</u> – Napolitano, along with Representatives Grijalva, Huffman, and Lee, introduced H.R. 4099, the Large-Scale Water Recycling Investment Act. The bill would establish a fund within the Department of the Interior for large scale water recycling projects that have an estimated total project cost of over \$500 million. The bill authorizes \$750 million through fiscal year 2027.

Congressman Valadao – Valadao introduced the NEED Water Act which would extend the WIIN Act in its entirety and:

- Mandates that Reclamation operate the delta pumps at -5,000 OMR unless doing so would harm listed species
- Allows CVP North of Delta Ag Service contractors to reschedule water in Lake Shasta
- If the SWP ITP prevents the SWP from exporting as much water as the CVP, then the CVP shall provide the difference to the SWP

This legislation has little chance of passage in the House given the Democratic majority.



To:	Municipal Water District of Orange County				
From:	Syrus Devers, Best Best & Krieger				
Date:	July 7th, 2021				
Re:	State Legislative Report				

Last month's report began with, "2021 is on track to be a good year for the water industry as far as legislation goes." BB&K staff will try to avoid that mistake in the future. Shortly after the June meeting new opposition developed to SB 323 (Caballero) from the California Realtors Association, one of the largest political contributors in California. SB 323 is the bill to protect water agencies when they adopt new rates by imposing a 120-day statute of limitations on lawsuits to challenge the rates, which MWDOC supports. After several rushed meetings and a lot of work by ACWA and the Irvine Ranch Water District, and well-intended efforts by BB&K staff, the issues were worked out and the bill is back on track to receive bipartisan support.

Now that SB 323 has passed the policy committee stage it has until August 27th to clear the Appropriations Committee. Any bill that is still in a policy committee must be voted out by July 14th, which is just before the start of the legislative recess on July 16th.

The main news over the last month is the budget. After months of work supporting the Senate's drought relief package by the water industry, what was agreed to so far in the budget was a disappointment to some. To recap, the Senate came out early with a robust proposal to use over \$2B of the budget surplus to prepare California for the coming drought. Part of the proposal was \$300M for water recycling and groundwater projects.

The first minor letdown came when the Legislature decided to punt on the substance and just put a dollar amount in the Budget of \$3.475B with no details. More unfortunate, once the Legislature finally got to some of the details in SB 129 (Skinner: the "Jr. Budget Bill"), the promised funds for recycling were not included. A paltry \$85M was divided between recycling and groundwater cleanup, and of that \$50M goes to San Diego. But it is not over yet. A different section of the bill created a placeholder of \$730M that can be used for recycling, but it requires further legislation to appropriate the funds. This will be the focus of the next round of advocacy. In addition, according to WateReuse, Assembly leadership supports another round of water project funding later in the process. Ultimately, it is the Assembly that is in the way of progress, but BB&K staff would prefer to provide the details during the presentation.

The other major budget issue relates to delinquent accounts. No doubt everyone is aware that the prohibitions on utility shut offs and evictions were extended. The idea is to time relief funds to lifting



the moratoriums. AWCA and CMUA members have lobbied hard to make the point that COVID-19 impacts are not limited to low-income households, but so far those arguments have not been heard. The majority of the arrearages are owed by middle-income households and businesses. Assembly leadership has floated the concept of prioritizing low-income households but no one can come up with a way to make that work logistically, at least not yet.

MWDOC

Bill Matrix

Prepared by BB&K, June 30, 2021

Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
AB 339	Lee D	Local government: open and public meetings.	6/25/2021- From committee chair, with author's	The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the public of information that the member knows the public is entitled to, is guilty of a crime. This bill would require local agencies to conduct meetings subject to the act consistent with applicable state and federal civil rights laws, as specified.	Support	A. Priority Support	Support position adopted April 7th.
AB 361	Rivas, Robert D	Open meetings: local agencies: teleconferences.	5/27/2021- Referred to Coms. on GOV. & F. and JUD.	Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state of emergency or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body determines, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees.	Support	A. Priority Support /Oppose	Support adopted on March 3rd
AB 377	Rivas, Robert D	Water quality: impaired waters.	(May be	Would require, by January 1, 2023, the State Water Resources Control Board and regional boards to prioritize enforcement of all water quality standard violations that are causing or contributing to an exceedance of a water quality standard in a surface water of the state. The bill would require the state board and regional boards, by January 1, 2025, to evaluate impaired state surface waters and report to the Legislature a plan to bring all water segments into attainment by January 1, 2050. The bill would require the state board and regional boards to update the report with a progress summary to the	Opposition	Priority Support	Oppose position adopted April 7th.

			Jan 2022)	Legislature every 5 years. The bill would create the Waterway Recovery Account in the Waste Discharge Permit Fund and would make moneys in the Waterway Recovery Account available for the state board to expend, upon appropriation by the Legislature, to bring impaired water segments into attainment in accordance with the plan.			
AB 442	Mayes I	Surface Mining and Reclamation Act of 1975: exemption: Metropolitan Water District of Southern California: single master reclamation plan.	6/9/2021- Referred to Com. on N.R. & W.	The Surface Mining and Reclamation Act of 1975 exempts certain activities from the provisions of the act, including, among others, emergency excavations or grading conducted by the Department of Water Resources or the Central Valley Flood Protection Board for the specified purposes; surface mining operations conducted on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Department of Water Resources for the purpose of the State Water Resources Development System or flood control; and surface mining operations on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Central Valley Flood Protection Board for the purpose of flood control. This bill would additionally exempt from the provisions of the act emergency excavations or grading conducted by the Metropolitan Water District of Southern California (MWD) for its own operations and infrastructure for specified purposes.	Support	A. Priority Support /Oppose	Support adopted on March 3rd.
AB 703	Rubio, Blanca D	Open meetings: local agencies: teleconferences.	5/7/2021-F ailed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 2/25/2021) (May be acted upon Jan 2021)	Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction.	Support	A. Priority Support /Oppose	Support adopted on March 3rd.
AB 1195	Garcia, Cristina D	Drinking water.	6/17/2021- In	Current law establishes the Safe and Affordable Drinking Water Fund in the	Oppose unless	A. Priority	Position adopted
			committee:	State Treasury to help water systems	amended		May 5th.

			Set, first hearing. Hearing canceled at the request of author.	provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would prohibit a public water system from transferring or abandoning a water right held by the public water system except upon approval of the state board, as prescribed.		/Oppose	
AB 1434	Friedman D	Urban water use objectives: indoor residential water use.	5/25/2021- Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 4/27/2021) (May be acted upon Jan 2022)	Would establish, beginning January 1, 2023, until January 1, 2025, the standard for indoor residential water use as 48 gallons per capita daily. The bill would establish, beginning January 1, 2025, the standard as 44 gallons per capita daily and, beginning January 1, 2030, 40 gallons per capita daily.	Opposition	Priority Support	Opposed position adopted April 7th.
AB 1500	Garcia, Eduardo D	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.	5/20/2021- Joint Rule 62(a), file notice suspended. From committee: Do pass and re-refer to Com. on RLS. (Ayes 12. Noes 3.) (May 20). Re-referre d to Com. on RLS.		Out for Analysis	A. Priority Support /Oppose	Bond intended for Nov. '22 ballot. Will remain "out for analysis" for the near future.
SB 45	Portantino D	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.	6/1/2021- Ordered to inactive file on request of Senator Portantino.	Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,595,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	Out for Analysis	A. Priority Support /Oppose	Bond intended for the Nov. '22 ballot.
SB 222	Dodd D	Water Rate Assistance Program.	6/17/2021- From committee with author's amendmen ts. Read	This bill would establish the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income ratepayers and ratepayers experiencing economic hardship in California. The bill	Watch	A. Priority Support /Oppose	Position adopted 2/3/2021

SB 223	Dodd D	Discontinuation of	second time and amended. Re-referre d to Com. on U. & E. 5/25/2021-	would require the Department of Community Services and Development to develop and administer the Water Rate Assistance Program established by the bill. Current law requires an urban and	Opposition	Δ	Oppose
	D D	residential water service.	Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENS E FILE on 5/17/2021) (May be acted upon Jan 2022)	community water system to have a written policy on discontinuation of residential service for nonpayment, including, among other things, specified options for addressing the nonpayment. Current law requires an urban and community water system to provide notice of that policy to customers, as provided. This bill would apply those provisions, on and after July 1, 2022, to a very small community water system, defined as a public water system that supplies water to 200 or fewer service connections used by year long residents.	Shhoamon	Priority Support	position taken on 2/3/2021
SB 230	Portantino D	State Water Resources Control Board: Constituents of Emerging Concern Program.	5/25/2021- Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 3/15/2021) (May be acted upon Jan 2022)	unspecified date, the Science Advisory	Support		Support position adopted April 7th.
SB 323	Caballero D	Local government: water or sewer service: legal actions.	6/24/2021- Read second time. Ordered to third reading. Re-referre d to Com. on APPR. pursuant to Joint Rule 10.5.	Current law prohibits a local agency from imposing fees for specified purposes, including fees for water or sewer connections, as defined, that exceed the estimated reasonable cost of providing the service for which the fee is charged, unless voter approval is obtained. Existing law provides that a local agency levying a new water or sewer connection fee or increasing a fee must do so by ordinance or resolution. Current law requires, for specified fees, including water or sewer connection fees, any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge or modifying an existing fee or service charge to be commenced within 120 days of the effective date of the ordinance, resolution, or motion according to specified procedures for validation proceedings. This bill would require any	Support	A. Priority Support /Oppose	Support adopted on March 3rd.

SB 351 SB 559	Caballero D Hurtado D	Department of Water Resources: water conveyance systems: Canal Conveyance Capacity Restoration Fund.	5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENS E FILE on 5/10/2021) (May be acted upon Jan 2022) 6/14/2021-From committee with author's amendmen ts. Read second time and amended. Re-referre d to Com. on W.,P., & W.	review, set aside, void, validate, or annul an ordinance, resolution, or motion adopting, modifying, or amending water or sewer service fees or charges adopted after January 1, 2022, to be commenced within 120 days of the date of final passage, adoption, or approval of the ordinance, resolution, or motion, except as provided. Current law establishes the State Water Resources Control Board for the purposes of providing for the orderly and efficient administration of the water resources of the state. This bill, the Water Innovation Act of 2021, would create the Office of Water Innovation at the California Water Commission for the furtherance of new technologies and other innovative approaches in the water sector. The bill would require the office, by December 31, 2023, to take specified measures to advance innovation in the water sector. The bill would make findings and declarations regarding the need for water innovation. Would establish the Canal Conveyance Capacity Restoration Fund in the State Treasury to be administered by the Department of Water Resources. The bill would require all moneys deposited in the fund to be expended, upon appropriation by the Legislature, in support of subsidence repair costs, including environmental planning, permitting, design, and construction and necessary road and bridge upgrades required to accommodate capacity improvements. The bill would require the department to expend from the fund, upon appropriation	Support	A. Priority Support /Oppose A. Priority Support /Oppose	Support adopted on March 3rd. Position adopted May 5th.
				by the Legislature, specified monetary amounts to restore the capacity of 4 specified water conveyance systems, as prescribed, with 2 of those 4 expenditures being in the form of a grant to the Friant Water Authority and to the San Luis and Delta-Mendota Water Authority. The bill would make operation of these provisions contingent on specified conditions being met. The bill would make these provisions inoperative on July 1, 2030, and would repeal the provisions as of January 1, 2031.			
B. W	/atch						
Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
AB 11	Ward D	Climate change: regional climate change authorities.	4/30/2021- Failed Deadline pursuant to Rule 61(a)(2).	Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other	Watch	B. Watch	of 86

			(Last location was NAT. RES. on 1/11/2021) (May be acted upon Jan 2022)	regional climate adaptation autorities, state agencies, and other relevant stakeholders.		
AB 50	Boerner Horvath D	Climate change: Climate Adaptation Center and Regional Support Network: sea level rise.	4/30/2021- Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021) (May be acted upon Jan 2022)	Current law requires the Natural Resources Agency, in collaboration with the Ocean Protection Council, to create, and update biannually, a Planning for Sea Level Rise Database describing steps being taken throughout the state to prepare for, and adapt to, sea level rise. This bill would establish the Climate Adaptation Center and Regional Support Network in the Ocean Protection Council to provide local governments facing sea level rise challenges with information and scientific expertise necessary to proceed with sea level rise mitigation.	Watch	B. Watch
AB 51	Quirk D	Climate change: adaptation: regional climate adaptation planning groups: regional climate adaptation plans.	4/30/2021- Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021) (May be acted upon Jan 2022)	Would require the Strategic Growth Council, by July 1, 2022, to establish guidelines for the formation of regional climate adaptation planning groups. The bill would require the council, by July 1, 2023, and in consultation with certain state entities, to develop criteria for the development of regional climate adaptation plans.	Watch	B. Watch
AB 59	Gabriel D	Mitigation Fee Act: fees: notice and timelines.	4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 1/11/2021) (May be acted upon Jan 2022)	Current law authorizes any party to protest the imposition of a fee, dedication, reservation, or other exactions imposed on a development project within 90 or 120 days of the imposition of the fee, as applicable, and specifies procedures for those protests and actions. The Mitigation Fee Act imposes the same requirements on a local agency for a new or increased fee for public facilities. Current law, for specified fees, requires any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge or modifying an existing fee or service charge to be commenced within 120 days of the effective date of the ordinance, resolution, or motion. Current law also provides that, if an ordinance, resolution, or motion provides for an automatic adjustment in a fee or service charge and the adjustment results in an increase in the fee or service charge, that any action to attack, review, set aside, void, or annul the increase to be commenced within 120 days of the increase. This bill would increase, for fees	Watch	B. Watch

				and service charges and for fees for specified public facilities, the time for mailing the notice of the time and place of the meeting to at least 45 days before the meeting.		
AB 100	Holden D	Drinking water: endpoint devices: lead content.	6/24/2021- From committee chair, with author's amendmen ts: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.	to protect public health. Current law prohibits, with certain exceptions, the use of any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption. Current law defines "lead free" for purposes of conveying or dispensing water for human consumption to mean not more than 0.2% lead when used with	Watch	B. Watch
SB 1	Atkins D	Coastal resources: sea level rise.	6/24/2021- Read second time and amended. Re-referre d to Com. on APPR.	Thee California Coastal Act of 1976 establishes the California Coastal Commission and provides for planning and regulation of development in the coastal zone, as defined. The act requires the commission, within 90 days after January 1, 1977, to adopt, after public hearing, procedures for the preparation, submission, approval, appeal, certification, and amendment of a local coastal program, including a common methodology for the preparation of, and the determination of the scope of, the local coastal programs, as provided. This bill would also include, as part of the procedures the commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program, as provided. The bill would delete the timeframe specified above by which the commission is required to adopt these procedures.	Watch	B. Watch
SB 273	Hertzberg D	Water quality: municipal wastewater agencies.	6/21/2021- From committee with	Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose	Watch	B. Watch

			author's amendmen ts. Read second time and amended. Re-referre d to Com. on E.S. & T.M.	of managing stormwater and dry weather runoff, as defined, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The bill would require a municipal wastewater agency that enters into or amends one of these agreements after January 1, 2022, to file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located, but would exempt those agreements and amendments from local agency formation commission approval except as required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.			
SB 274	Wieckows ki D	Local government meetings: agenda and documents.	6/24/2021- From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (June 23). Re-referre d to Com. on APPR.	The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by email or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.	Watch	B. Watch	
SB 403	Gonzalez D	Drinking water: consolidation.	6/16/2021- From committee: Do pass and re-refer to Com. on L. GOV.	The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water	Watch	B. Watch	of 86

			(Ayes 6. Noes 3.) (June 16). Re-referre d to Com. on L. GOV.	or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would authorize the state board to also order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined.		
SB 480	Stern D	Metropolitan Water District of Southern California: rules: inappropriate conduct.	6/24/2021- From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (June 23). Re-referre d to Com. on APPR.	The Metropolitan Water District Act provides for the creation of metropolitan water districts and specifies the powers and purposes of a district. The act requires the Metropolitan Water District of Southern California to establish and operate an Office of Ethics and adopt rules relating to internal disclosure, lobbying, conflicts of interest, contracts, campaign contributions, and ethics for application to its board members, officers, and employees. This bill would require the Metropolitan Water District of Southern California to adopt rules relating to inappropriate conduct, as defined, by board members, officers, and employees.	Watch	B. Watch
SB 526	Min D	Community water systems: lead user service lines.	(May be acted upon Jan 2022)	Current law requires, by July 1, 2020, a community water system with known lead user service lines in use in its distribution system to provide a timeline for replacement of those lines to the State Water Resources Control Board. Current law requires the state board to review and approve an established timeline, and requires, if the state board fails to act within 30 days of the submission of the timeline, the timeline to be deemed approved. Current law authorizes the state board to enforce these requirements, as specified, and a violation is considered a violation of the California Safe Drinking Water Act, subjecting the violator to specified civil and criminal penalties. This bill would, until January 1, 2025, require a community water system to remove or replace the full lead user service line, if the community water system disturbs, removes, or replaces a portion thereof. The bill would apply the above-described enforcement provisions to a violation of the requirements of the bill, thereby creating a state-mandated local program by expanding the scope of crimes under the California Safe Drinking Water Act.	Watch	B. Watch
SB 552	Hertzberg D	Drought planning: small water suppliers: nontransient noncommunity water systems.	6/21/2021- Read second time and amended. Re-referre d to Com. on L.	Would require small water suppliers, as defined, and nontransient noncommunity water systems that are schools, no later than December 31, 2022, to develop and maintain an abridged Water Shortage Contingency Plan that includes specified drought-planning elements. The bill would require these water systems to	Watch	B. Watch

GOV.	report annually specified water supply condition information to the state board through the state board's Electronic Annual Reporting System or other reporting tool, as directed by the state board, and to include water system risk and water shortage information in the water systems' consumer confidence reports, as provided.
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Total Measures: 27

Total Tracking Forms: 27

Item No. 2d

Metropolitan Water District of Southern California State Legislative Matrix June 7, 2021 – First Year of Legislative Session

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Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
Metropolitan- sponsored bills	AB 442 Mayes (I)	Amended 5/19/2021	Surface Mining and Reclamation Act of 1975: exemption:	SPONSOR	Maintaining critical water infrastructure requires coordinated regulatory
	Sponsor:	Senate Desk	Metropolitan Water District of Southern California: single master		compliance. Metropolitan is proposing legislation to allow it to develop a single
			reclamation plan	Based on October	reclamation plan to consistently
	Metropontan		Amends the Surface Mining and	2019 Board Action	administer and enforce SMAKA compliance for responding to emergencies
			Reclamation Act of 1975 (SMARA)		and repairing, maintaining or replacing
			for emergency excavations or		transmission systems used to distribute
			grading on lands owned, leased, or		water in Southern California. The May 19
			with easements for repairs and		amendments clarify that the State Mining
			maintenance of pipelines,		and Geology Board, who will act as lead
			infrastructure, or related		agency and approve the master
			distribute motor in Metrocolites?		for an Method liter to moore the
			distribute water in Metropolitan's service area		ree on Metropontan to recover the Board's costs
			of the mean		Come o costo.
Metropolitan-	SB 230	Introduced	State Water Resources Control	CO-SPONSOR	Metropolitan and CMUA are co-
sponsored bills	Portantino (D)	1/19/2021	Board: Constituents of Emerging		sponsoring legislation in response to
	į		Concern Program		growing public concern about CECs in
	Sponsors:	ł		Based on October	drinking water. The bill would establish
	Mexico 2011	Senate	Seeks to create a statewide program	2019 Board	a CEC Drinking Water Program at the
	Menopontan and	Appropriations	of Emorging Conoun (CECs) in	Action	The program would get up a condition
		Communee	or Emerging Concern (CECs) in		The program would set up a consistent
Р	Utilities	Two-year bill	difficility water sources.		and science-based approach for assessing the public health and drinking
age	Association	•			water consequences of CECs, with the
÷ 31	(CMUA)				intent to improve knowledge and future
of 8			7		regulatory determinations.
36			7		

Drinking Water	AB 588	Amended	California Safe Drinking Water	SUPPORT	The bill would create flexibility for water
)	Garcia, E. (D)	3/30/2021	Act: compliance		agencies to comply with new primary
			1	Based upon	drinking water standards. Metropolitan
	Sponsors:	Assembly	Would allow the State Water	Board-adopted	supports granting more time to comply if
		Environmental	Resources Control Board to approve	2021 State	a contaminant requires extensive
	Association of	Safety & Toxic	a compliance period of not less than	Legislative	treatment and capital investments. Large
	California Water	Materials	30 days and no more than 6 months	Priorities and	water agencies with adequate resources
	Agencies		for new primary drinking water	Principles	may be able to comply sooner with new
		Two-year bill	standards and would allow an	Soldrount	MCLs, but smaller systems may need
	California		additional 12 months on a case-by-		longer lead times to invest in routine
	Association of		case basis.		monitoring and treatment. Water agencies
	Mutual Water				granted longer compliance periods would
	Companies				have to report on progress.
Water Quality	AB 377	Amended	Water quality: impaired waters	WATCH	The April 13 amendment substantively
and Treatment	Rivas, R. (D)	4/13/2021			revised the bill. The blanket prohibitions
			Would require the State Water	Based upon	on the issuance of new, renewed, or
	Sponsor:		Resources Control Board and	Board-adopted	remodified NPDES waivers, waste
		Two-year bill	Regional Water Quality Control	2021 State	discharge requirements, and permits with
	California		Boards to evaluate impaired surface	Legislative	best management practices have been
	Coastkeeper		waters and report to the Legislature a	Priorities and	removed. There is still language with
	Alliance		plan to bring them in to attainment	Principles	provisions pertaining to new enforcement
			by January 1, 2050. Requires by		procedures for discharges that are
			January 1, 2023 the State Water		"causing or contributing to an exceedance
			Board and Regional Boards		of water quality standard in a surface
			prioritize enforcement of surface		water of the state." However, it is too
			water quality standards and creates		early to assess how, or if, the State and
			the Waterway Recovery Account to		Regional boards will take enforcement
			provide funding to bring impaired		action on low-threat drinking water
Pa			surface water segments into		discharges to bring "all water segments"
age			compliance		into attainment by the 2050 target date.

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Water	AB 1195	Amended	Drinking water.	OPPOSE	Seeks to address the needs of public water
Governance and	C. Garcia (D)	5/24/2021		UNLESS	systems in Southern Los Angeles County
Funding			Requires the State Water Resources	AMENDED	struggling to provide safe and affordable
	Sponsor:	Senate Rules	Control Board (State Water Board)		retail water. The May 24 amendments
			to appoint a commissioner to	Based upon May	limit the role of the commissioner to
	Author		implement the Safe and Affordable	2021 Board	focus on implementation of the SAFER
			Fund for Equity and Resilience	Action	Program and create a pilot program with
			Program (SAFER Program) in		Los Angeles County LAFCO to extend
			Southern Los Angeles County.		service or consolidate struggling systems.
					Metropolitan is seeking additional
					amendments to further clarify the role of
					the commissioner; strike a provision that
					grants the commissioner the authority to
					audit public water systems and bypass the
					public process created by the Legislature;
					and strike a section that would grant the
					State Water Board jurisdiction over
					decisions to transfer or abandon
					groundwater rights.
Delta/State	69E 3 S	Amended	Flood control: Yolo Bypass Cache	SUPPORT	The 2020 Water Resources Development
Water Project	Pan (D)	5/24/2021	Slough Partnership Multi-Benefit		Act authorized a comprehensive study of
			Program	Based upon	the Yolo Bypass and its future role in
	Sponsor:			Board-adopted	regional flood control. A state master plan
		Assembly Water,	Codifies State recognition and	2021 State	for the Yolo Bypass-Cache Slough would
	Sacramento Area	Parks and Wildlife	support for the Yolo Bypass	Legislative	similarly advance multi-benefit
	Flood Control	Committee	Partnership and its efforts to advance	Priorities and	restoration projects and encourage state
	Agency		coordinated master planning and	Principles	and federal agencies to coordinate
			accelerate restoration activities for	•	regulatory compliance and funding for
Pa			the Yolo Bypass-Cache Slough		flood control, water supply, habitat and
nge			region.		recreation.

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AB 1161 E. Garcia (D) Sponsor: Author	Amended 4/13/2021 Two-year bill	rise (SLR) on the project. Electricity: eligible renewable energy and zero-carbon resources: state agencies: procurement Requires the Department of Water Resources (DWR) to procure newly eligible renewable energy resources or zero-carbon resources, and associated energy storage, for state agencies to satisfy their 100% renewable energy goals by December 31, 2030.	Based upon Board-adopted 2021 State Legislative Priorities and Principles	under the Delta Reform Plan. Any updates to the plan already require the Delta Stewardship Council to consider sea level rise. SB 100 (DeLeon, 2018) set a state goal for 100% carbon-free resources for all state agencies by 2045. Staff have concerns that this bill misplaces the burden of procuring renewable and carbon-free resources and associated storage onto DWR. Procuring energy for other state agencies is outside DWR's purpose and core expertise. Moreover, accelerating the state's goal of 100% renewable and carbon-free energy resources for all state agencies by 2045 to 2030 could dramatically increase Metropolitan's retail electricity rates above what is mandated by SB 100. Would provide funding for safe drinking
Garcia, E. (D) and Mullin (D) Sponsor: Author	5/18/2021 Two-year bill	Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022 Places a \$6.995 billion wildfire and water bond on the 2022 ballot for voter approval.	AND SEEK AMENDMENTS Based upon Board adopted 2021 State Legislative Priorities and Principles and	water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs. Metropolitan is seeking amendments to ensure adequate funding for recycled water projects, water quality monitoring and treatment, and subsidence repairs to conveyance infrastructure projects.

Water Bond Infrastructure Funding	SB 45 Portantino (D) Sponsor: Author	Amended 4/8/2021 Two-year Bill	Wildfire, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022 Places a \$5.595 billion wildfire and water bond on the 2022 ballot for voter approval.	Board action on AB 3256 (Garcia, 2020) 06/09/2020 SUPPORT AND SEEK AMENDMENTS Based upon Board adopted 2021 State Legislative Priorities and Principles and Board action on	Would provide funding to restore areas damaged by wildfires, mitigate future wildfires, create healthy forests and watersheds, protect water supplies and water quality, and protect and restore rivers, streams and lakes. Metropolitan is seeking amendments to ensure adequate funding for recycled water projects, water quality monitoring	
Water Bond Infrastructure Funding	SB 559 Hurtado (D) Sponsors: Friant Water Authority, San Luis & Delta Mendota Water Authority, and State Water Contractors	Amended 5/20/2021 Assembly Desk	Department of Water Resources: water conveyance systems: Canal Conveyance Capacity Restoration Fund Establishes the Canal Conveyance Capacity Restoration Fund that would upon appropriation provide up to \$785 million in funding for the Department of Water Resources (DWR) to help pay for subsidence repairs to the State Water Project and Central Valley Project water	2018) 6/11/19 SUPPORT Based upon Board adopted 2021 State Legislative Priorities and Principles	conveyance infrastructure projects. Portions of the California Aqueduct, the Friant Kern Canal and the Delta Mendota Canal have lost capacity due to subsidence. The Fund would upon appropriation provide funding to DWR to support a 10-year program to restore the capacity of the canals and ensure a more secure water supply. Funds could be used to cover one-third of the cost to restore the capacity of the canals. A federal companion bill is envisioned that would provide one-third the cost and local partners would contribute the remaining	

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Metropolitan Water District of Southern California State Legislative Matrix June 7, 2021 – First Year of Legislative Session

			conveyance systems and for necessary road and bridge upgrades.		one-third of the cost. The May 20 amendments add that the creation of the Fund is contingent upon all of the following: an appropriation of funds; an agreement is executed to provide for local cost share; and the provision of adequate cost share as determined by the DWR Director.
Innovation	Sponsor: California Municipal Utilities Association	Amended 4/20/2021 Two-year bill	Water Innovation Act of 2021 Would create the Office of Water Innovation at the California Water Commission to foster the adoption of new technologies and other innovative approaches in the water sector. Creates the Water Innovation Fund, with monies available upon appropriation, to the Department of Water Resources and State Water Resources Control Board to support water innovation.	Based upon Board adopted 2021 State Legislative Priorities and Principles	The water sector is facing a myriad of challenges from climate change, aging infrastructure, groundwater contamination, subsidence and freshwater ecosystems vulnerable to climate change. Innovative technologies and approaches are needed to ensure a reliable water supply while trying to address the challenges. An Office of Water Innovation could increase collaboration among state agencies on innovative approaches, engage stakeholders, and review regulations that may inhibit innovation in order to recommend regulatory reforms.
Governance	AB 361 R. Rivas (D)	Amended 5/10/2021	Open meetings: local agencies: teleconferences Authorizes local agencies to use	SUPPORT Based upon Board Action	Codifies Executive Order N-29-20 that allows for teleconferenced public meetings during state or local emergencies. Metropolitan currently hosts
Page 37 of	Sponsor: California Special Districts Association	Senate Desk	teleconferencing during state or local emergencies or when social distancing guidelines have been imposed without complying with physical noticing or quorum	on 3/9/2021	teleconferencing public meetings in accordance with the Executive Order. AB 361 provides statutory clarity allowing Metropolitan to maintain transparency and public participation in public

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Metropolitan Water District of Southern California State Legislative Matrix June 7, 2021 – First Year of Legislative Session

			requirements under the Ralph M.		meetings during future declared
			Brown Act.		emergencies.
Governance	AB 703	Amended	Open meetings: local agencies:	SUPPORT	Metropolitan currently hosts
	B. Rubio (D)	04/29/2021	teleconferences		teleconferencing public meetings in
				Based upon	accordance with Executive Order, N-29-
			Amends the Ralph M. Brown Act to	Board Action	20. AB 703 allows the option to hold
	Sponsor:		allow a local agency to use	on 3/9/2021	teleconferenced meetings into the future
			teleconferencing and removes certain		after the COVID-19 public health
	Three Valleys	Two-year bill	noticing provisions for each		emergency is over and the Executive
	Municipal Water		teleconferencing location, requires		Order is lifted as long as a quorum of the
	District		the local agency to allow all		Board's directors participate in person,
			members of the public to observe the		give notice and post agendas as
			meeting and address the legislative		prescribed, and the public can address the
			body in person and remotely by		Board in person or by teleconference.
			teleconference or internet option, and		
			requires a quorum of members		
			participate in person from a location		
			noticed in the meeting agenda		



July 7, 2021

TO: Board of Directors

FROM: Robert Hunter, General Manager

Staff Contact: Harvey De La Torre Melissa Baum-Haley

SUBJECT: REVIEW OF MET'S AND MWDOC'S WATER SUPPLY ALLOCATION

PLANS

STAFF RECOMMENDATION

Staff recommends the Board of Directors discuss and file this information.

REPORT

This year is one of the driest years on record. The California Department of Water Resources (DWR) this spring lowered its State Water Project's (SWP) "Table A" allocation from 10% to 5% for State Contractors, which will provide Metropolitan with only 96,575 AF of SWP deliveries this year. The 5% "Table A" is tied for the lowest allocation in the System's operation (last 5% allocation was in 2014). Normally, Metropolitan receives over 1 million AF in a normal hydrologic year. Lake Oroville and San Luis Reservoir are 40% and 52% of normal, respectfully. As a result, Governor Newsom has declared a drought emergency for 41 counties in the central and northern part of the State.

Along the Colorado River, conditions are also dry. Lake Mead levels are at a historic low, causing the US Bureau of Reclamation to call for the first time a shortage on the River. This will require reductions in Colorado River deliveries for both Arizona and Nevada in 2022. Moreover, if dry conditions continue next year, and Lake Mead drops below 1,045 feet, California could be required to reduces its deliveries in 2023.

Fortunately, due to the significant investments in local supplies, water use efficiency, dryyear storage, and water awareness, Southern California is prepared for this year's drought. In fact, Southern California water use (per capita) has remained relatively consistent since the last drought of 2014-15. Moreover, Metropolitan started the year with a record amount

Budgeted (Y/N): N/A	Budgeted a	Budgeted amount: None		Choice
Action item amount: N/	A	Line item:		
Fiscal Impact (explain if unbudgeted):				

of dry-year storage of 3.2 million AF. Both of these circumstances of low water use and a healthy amount of dry-year storage has prevented the need to call for a region-wide water use restrictions or implementation of MET's Water Supply Allocation Plan for the current year.

Although we can manage through this dry year, water agencies and cities have recently asked questions regarding MET's and MWDOC's Water Supply Allocation Plans, such as: How exactly does MET and MWDOC allocate imported water during a severe drought? Under what conditions do the Boards call for allocations? And how are the different credits applied?

MWDOC will provide a refresher of MET's and MWDOC's Water Supply Allocation Plans, where staff will cover:

- Brief Overview of Today's Water Supply Conditions & MET Storage Levels
- When Do Water Supply Allocations Occur?
- Key Elements of Metropolitan's WSAP
- Key Elements of MWDOC's WSAP
- Local Supply & Extraordinary Supply Agency Examples

The purpose of this presentation is to provide an overview of Water Supply Allocation Plans: How allocations are calculated, its components, and its purpose. It's important to note that at this time we are not currently engaged in any discussions of implementing allocations this year for 2021. However, we are working with MET and our member agencies on educating the public on the current dry conditions and the importance of conserving water.

Attachments: 1) Presentation on Review of MET's and MWDOC's Water Supply Allocation Plans



Review of MET's & MWDOC's Water Supply Allocation Plan



MWDOC & MET Joint Board Workshop July 7, 2021

Agenda

- Brief Overview of Today's Water Supply Conditions & MET Storage Levels
- When Do Water Supply Allocation Occur?
- Water Supply Allocation Plans (WSAP)
 - Key Elements of Metropolitan's WSAP
 - Key Elements of MWDOC's WSAP
- Agency Examples
 - Local Supply
 - Extraordinary Supply



baseline



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Purpose of this Presentation

Purpose of this Presentation is to provide an overview of Metropolitan's & MWDOC's Water Supply Allocation Plan (WSAP). How allocations are calculated, its components and purpose. We are currently not engaged in any discussions of implementing the WSAP this year for 2021.



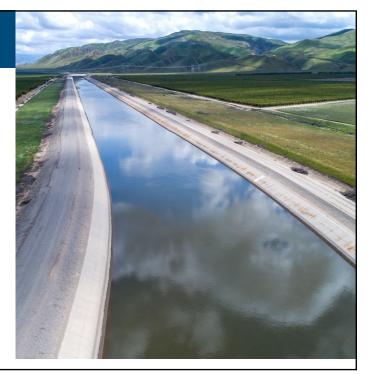
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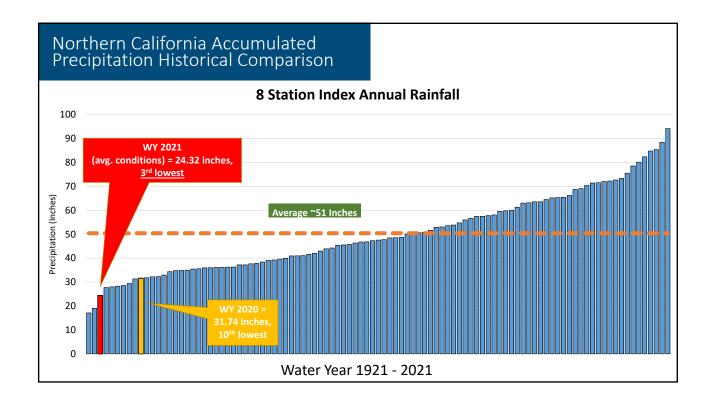


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State Water Project (SWP) "Table A" Allocation

- Earlier this year, DWR decreased the "Table A" Allocation from 10% to 5%
 - This has happened only one other time in SWP's history (in 2014)
- Due to key reservoirs significantly below their historic averages
- This low SWP Allocation is requiring MET to meet most of its 2021 demands from Colorado River Supplies and Dry-Year Storage





Colorado River Issues





- Lake Mead is projected to reach its lowest level 1,065 ft. by end of the year
 10 ft. below its level 1 shortage
- Both Arizona & Nevada are required to reduce their deliveries, per Drought Contingency Plan (DCP)
- California would need to reduce when Lake Mead is below 1,045 ft. (level 2 shortage)
 - ♦ This is likely to occur in early 2023
- In preparation for 2026, USBR is reviewing the 2007 Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead

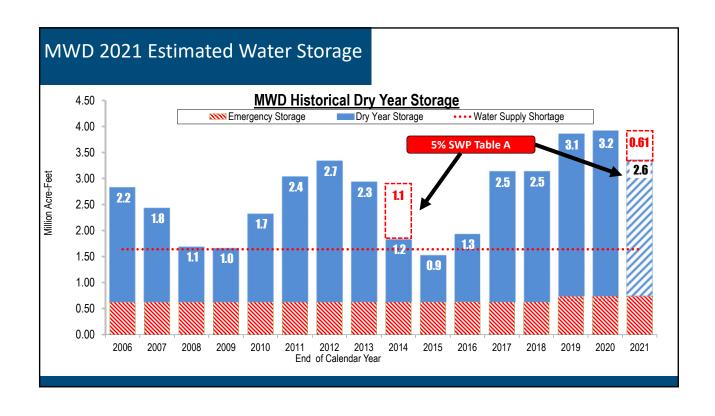
2021 Water Supply & Demand Balance



Water Supply and Demand Balance for 2021

MET Water Supplies	
State Water Project "Table A" Supplies (5%)	96,000 AF
Colorado River Aqueduct Supplies	1,015,000 AF
Water Transfers*	29,000 AF
Total Water Supplies for 2021	1,140,000 AF
Total Demands, Obligations, and Losses	1,750,000 AF
Net Water Supply and Demand Balance	-610,000 AF

^{*}Estimate; Final amount depends on buyer/seller participation & losses. North of Delta Transfers depend on SWRCB approval.





MET's Water Supply Allocation



- When do Water Supply Allocations occur?
 - Water Supply Allocations generally go into effect when MET's dryyear storage is reaching or projecting to fall <u>below 1 million AF</u>
 - It is the last WSDM action MET utilizes during a shortage

What is the purpose of Water Supply Allocations?

- Purpose of implementing Water Supply Allocations is to preserve dry-year storage in order to minimize the impact of another dry year
- It does not prevent MET deliveries; rather it is a financial mechanism to reduce imported purchases
- Seeks to "minimize the impacts of water shortages on the region's retail consumers and economy during periods of shortage"
- "Needs based" Allocation that seeks to provide equity among the member agencies







Water Supply Allocation **Declaration**

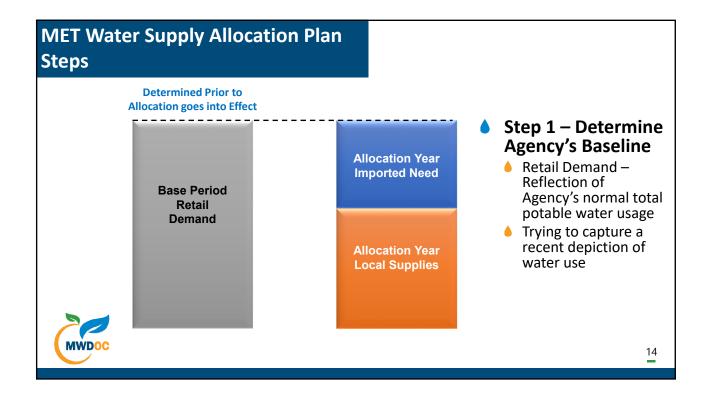
- Depending on conditions & storage levels, call for allocation usually in March/April
 - MWDOC would follow MWD's action
- Duration: 12-month period (starting in July)
- Penalties assessed at the end of the 12-month period
- Can be lifted by the MET Board prior to the end of the period
- MET Declared WSAP in
 - ♦ FY 2009/10 at Stage Level 2 10% reduction level
 - ♦ FY 2010/11 at Stage Level 2 10% reduction level
 - ♦ FY 2015/16 at Stage Level 3 15% reduction level

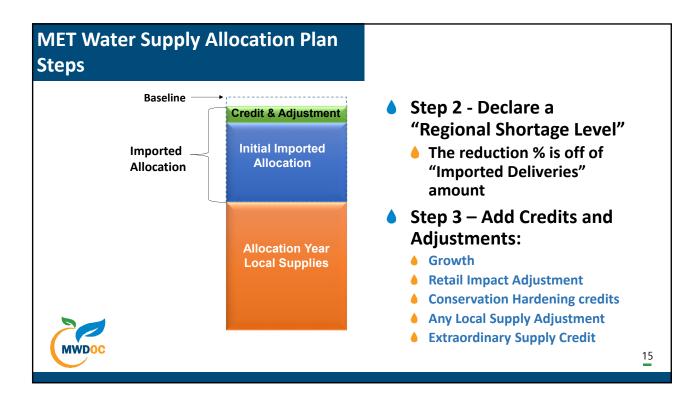


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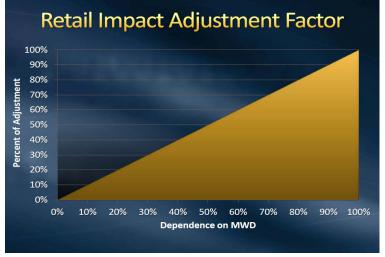




WSAP Calculation Factors Wholesale Minimum Regional Max. Retail Impact Shortage Level **Percentage Adjustment Percentage** 1 92.5% 2.5% 2 3 77.5% 7.5% 4 5 62.5% 12.5% 6 15.0% 47.5% 17.5% 8 32.5% 22.5% 9 **MWDOC** 10 25.0% 16

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Retail Impact Adjustment



Example

Agency's Dependence on MET Water = 50%

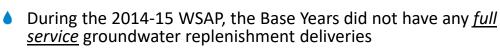
Retail Impact Adjustment under Stage $4 = .50 \times 10\% = 5\%$



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Groundwater Replenishment

How is Groundwater Replenishment Provided for in the MET Allocation Plan?



- MET developed a separate allocation for GW basins to receive imported replenishment water based on the need of the Basin
 - Process demonstrating a "need" according to the Basin overdraft conditions
- Once new Base Years are set, the WSAP will capture the recent full service purchases OCWD has made, thus an allocation for GW Replenishment



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MET's Allocation Surcharge

- Put in place a cost-of-service based charge
 - Based on Turf Removal Program costs
- Apply the charge to water purchases in excess of WSAP Allocation
- Consider two tiers of charge based on overuse levels

Water Use	Allocation Surcharge
100% of Allocation	0
Between 100% & 115%	\$1,480
Greater than 115%	\$2,960



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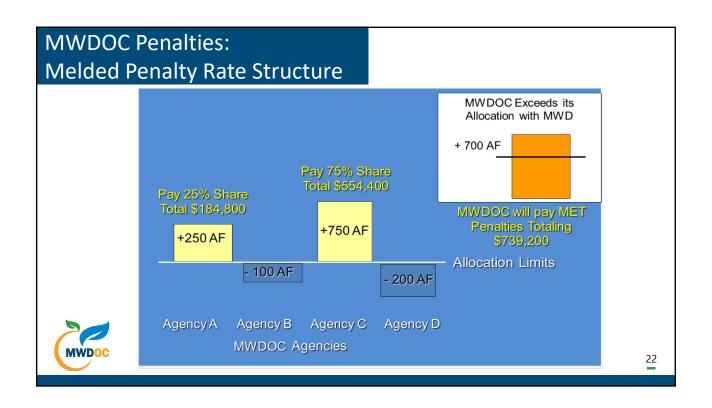


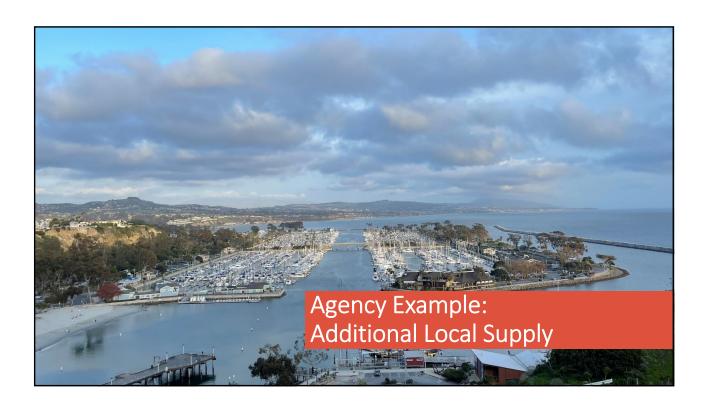
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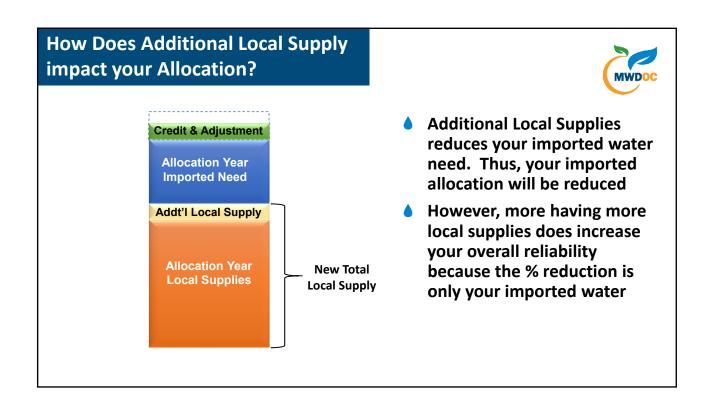
Background on MWDOC's WSAP

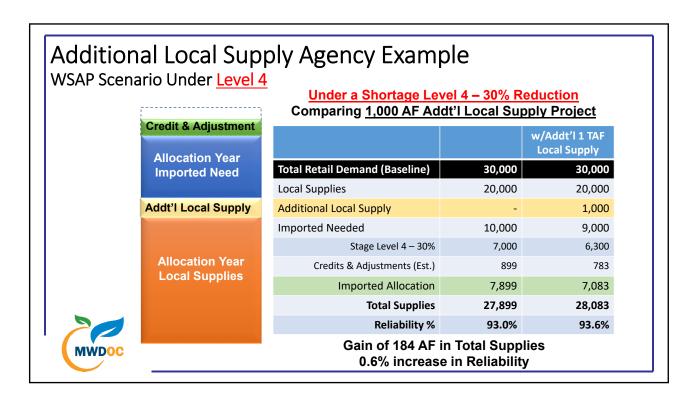


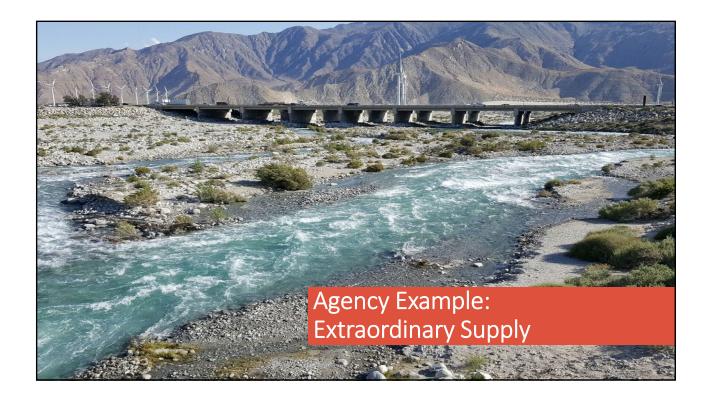
- When reasonable, we use similar method/approach as MET
- MWDOC's plan is also a "Needs-based" Plan
 - Equity among the MWDOC member agencies
 - Develop accurate data on local supply, water use efficiency, population growth, imported dependence %, and other relevant adjustment factors
 - In certain areas we prorate credits, MWDOC receives from MET, among the MWDOC member agency to ensure all water is properly distributed
 - Seek opportunities within MWDOC service area to provide mutually beneficial shortage mitigation











Extraordinary Supply Policy Principles



- In 2010, MET Board Adopted the Following Policy Principles to determine what is a Extraordinary Supply:
 - No Negative Impacts to Other Member Agencies
 - Provides Supply in Addition to Existing Regional Supplies
 - Specifically Designed Program or Supply Action
 - Intended for Consumptive Use in WSAP
 - Fully Documented Resource Management Actions
- These supplies are intentionally created to be used only during a Water Supply Allocation period
- Programs that "operate on an on-going basis" do not qualify as Extraordinary Supply
- Examples: IRWD Strand Ranch (received 1,000 AF in 2015/16)

How Does Extraordinary Supply Work?



Extraordinary Credit

Allocation Year Imported Need

Allocation Year Local Supplies

- If you use a Extraordinary Supply during an Allocation it is applied as an "add-on" credit to your imported allocation
- It keeps your local supply the same and does not reduce your imported allocation
 - Separate credit that is added on top of your imported water allocation

Extraordinary Supply Agency Example

WSAP Scenario Under Level 4

Extraordinary Credit

Allocation Year
Imported Need

Allocation Year
Local Supplies

<u>Under a Shortage Level 4 – 30% Reduction</u> Comparing <u>1,000 AF Extraordinary Supply</u>

		w/1,000 AF Extraordinary Supply
Total Retail Demand (Baseline)	30,000	30,000
Local Supplies	20,000	20,000
Imported Needed	10,000	10,000
Stage Level 4 – 30%	7,000	7,000
Extraordinary Credit	-	1,000
Credits & Adjustments (Est.)	899	808
Imported Allocation	7,899	8,808
Total Supplies	27,899	28,808
Reliability %	93.0%	96.0%

Gain of 909 AF in Total Supplies 3.0% increase in Reliability

Looking Forward

- No plans that the WSAP will be implemented during 2021
- It is anticipated that the 2022 initial SWP Allocation will start off very low
- ▲ The following conditions will continue to be assessed:
 - Service Area Demands
 - Expected SWP and Colorado River Deliveries
 - ▲ End-of-year Storage Levels
- If WSAP become needed, a review of the Plan's components will occur prior:
 - Such as updating the baseline, credits, and penalty rates



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DISCUSSION ITEM

July 7, 2021

TO: Board of Directors

FROM: Robert Hunter,

General Manager

Staff Contact: Melissa Baum-Haley

SUBJECT: METROPOLITAN WATER DISTRICT (MET) ITEMS CRITICAL TO ORANGE

COUNTY

STAFF RECOMMENDATION

Staff recommends the Board of Directors to review and discuss this information.

DETAILED REPORT

This report provides a brief update on the current status of the following key MET issues that may affect Orange County:

- a) MET Finance and Rate Issues
- b) MET General Manager Recruitment Process
- c) MET Review of Equal Employment Opportunity Policies and Practices
- d) MET Integrated Resources Plan Update
- e) MET Water Supply Conditions
- f) Colorado River Issues
- g) Delta Conveyance Activities and State Water Project Issues

ISSUE BRIEF #A

SUBJECT: MET Finance and Rate Issues

RECENT ACTIVITY

Current Update

Water Transactions for April 2021 totaled 134.4 thousand acre-feet (TAF), which was 0.1 TAF lower than the budget of 134.5 TAF. This translates to \$119.2 million in revenues for April 2021, which were \$2.5 million lower than the budget of \$121.7 million.

Year-to-date water transactions through April 2021 were 1,278.5 TAF, which was 38.0 TAF lower than the budget of 1,316.5 TAF. Year-to-date water revenues through April 2021 were \$1,127.4 million, which were \$42.2 million lower than the budget of \$1,169.6 million.

On April 2, 2021, Metropolitan executed an extension of the term of the \$271,815,000 Special Variable Rate Water Revenue Refunding Bonds, 2020 Series B, to April 2, 2024, at a rate of 0.46 percent. The bonds were purchased by Wells Fargo Municipal Capital Strategies, LLC, for a one-year term, in April 2020, at a rate of 1.04 percent. Compared with last year's financing, Metropolitan's treasury staff locked in a 0.58 percent lower rate for an additional three-year term. The proceeds of that financing refunded all of Metropolitan's outstanding self-liquidity variable rate debt.

Metropolitan staff prudently manages the investment of Metropolitan's funds in accordance with policy guidelines and liquidity considerations. As of April 30, 2021, Metropolitan's investment portfolio balance was \$1,341.1 million.

ISSUE BRIEF #B

SUBJECT: MET General Manager Recruitment Process

RECENT ACTIVITY

On June 8, the Metropolitan Board approved the contract for the new general manager, Adel Hagekhalil. This will make him the 14th general manager of the district's 93-year history.

A registered civil engineer and board-certified environmental engineer, Mr. Hagekhalil was appointed by Los Angeles Mayor Eric Garcetti in 2018 to lead StreetsLA, the department that manages and maintains Los Angeles' vast network of streets and urban forests, including climate adaptation and multi-benefit integrated active transportation corridors. Previously, he served for nearly 10 years as assistant director of Los Angeles' Bureau of Sanitation, leading the city's wastewater collection system, stormwater and watershed protection program, water quality compliance, and facilities and advanced planning. Additionally, he helped develop the city's 2040 One Water LA Plan, which takes a regional watershed approach to integrate water supply, water reuse, water conservation, stormwater management, and wastewater facilities planning.

Mr. Hagekhalil has also served for more than a decade as a board member on the National Association of Clean Water Agencies, including a term as president, and was named a Water Environment Federation fellow in 2019.

Mr. Hagekhalil has been invited to speak at MWDOC's August 4th Joint Board Workshop.

ISSUE BRIEF # C

SUBJECT: MET Review of Equal Employment Opportunity Policies and Practices

RECENT ACTIVITY

Metropolitan's Board of Directors and executive management are taking steps to foster and ensure a workplace that values equity, inclusion and diversity – both in policy and in practice.

The Metropolitan Board responded to employee comments alleging systemic harassment by authorizing Metropolitan's Ethics Officer in November 2020 to enter into a contract with Shaw Law Group, a certified women-owned business enterprise with extensive expertise in Equal Employment Opportunity issues. The firm is currently conducting an independent and thorough review of allegations of systemic Equal Employment Opportunity-related discrimination, harassment, retaliation and related concerns.

To help ensure greater transparency and accountability, a <u>microsite</u> has also been created on Metropolitan's website that include information about the Board's actions, policies, correspondence, and related matters. Additional information can be found in the attached statement.

Tentatively scheduled for July 22, there will be an update on the Diversity, Equity, and Inclusion Council and the Independent Review of Workplace Concerns with outside firm Shaw Law Group (SLG) at a Special Organization, Personnel and Technology Committee meeting. Due to Board availability this meeting date may be modified.

ISSUE BRIEF # D

SUBJECT: MET Integrated Resources Plan Update

RECENT ACTIVITY

At the June 22 Integrated Water Resources Plan (IRP) Committee meeting, the Metropolitan staff presentation focused on the refined gap analysis for each of the four scenarios. Metropolitan staff also highlighted that the analysis, at this point, can be considered sufficient to allow resource portfolios (e.g. actions). The next steps will include the adaptive management approach, and consideration of no-regrets actions.

MWDOC's delegates touched on the importance of storage with respect to clime change impacts. Noting that, experience has taught us that dry-year storage reserves can diminish quickly, and there are portions of the Metropolitan system that specifically depend on State Water Project storage supplies.

Metropolitan staff also highlighted in response that following the completion of the IRP, they will embark on a system overview study to address operational constraints.

Below is a link to the full meeting broadcast http://mwdh2o.granicus.com/MediaPlayer.php?view_id=12&clip_id=9089

More information and background on Metropolitan's IRP can be found at: http://www.mwdwatertomorrow.com/IRP/index.html

ISSUE BRIEF # E

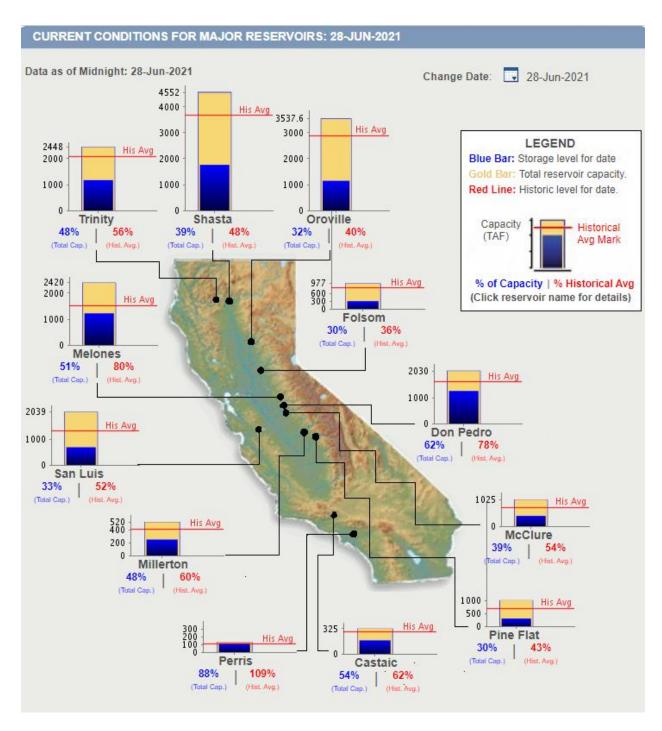
SUBJECT: MET's Water Supply Conditions

RECENT ACTIVITY

The 2020-21 Water Year (2020-21 WY) officially started on October 1, 2020. Thus far, the Northern California accumulated precipitation (8-Station Index) is reporting **23.11 inches or 47% of normal** as of June 28th. For 2020-21 WY, the Northern Sierra Snow Water Equivalent peaked at **20.2 inches on March 24th**, which is **71% of normal** for that day. Due to the below average precipitation/snowfall in 2020-21 WY, the Department of Water Resources (DWR) has set the State Water Project (SWP) "Table A" allocation at 5%. This allocation provides Metropolitan with approximately **96,575 AF in SWP deliveries this water year.** DWR's SWP Allocation considers several factors including existing storage in SWP, conservation reservoirs, SWP operational regulatory constraints, and the 2021 contractor demands. A Table A allocation of 5% is tied for the lowest allocation dating back to 1968. The last time DWR had a Table A Allocation of 5% was in 2014.

The Upper Colorado River Basin accumulated precipitation is reporting 18 inches or 72% of normal as of June 28th. On the Colorado River system, snowpack is measured across four states in the Upper Colorado River Basin. The Upper Colorado River Basin Snow Water Equivalent was reporting 16.4 inches as of April 1st, which is 86% of normal for that day. Due to the below average precipitation/snowfall in 2020-21 WY, there is now a 97% chance of a shortage at Lake Mead in 2022 and a 94% chance of shortage in 2023.

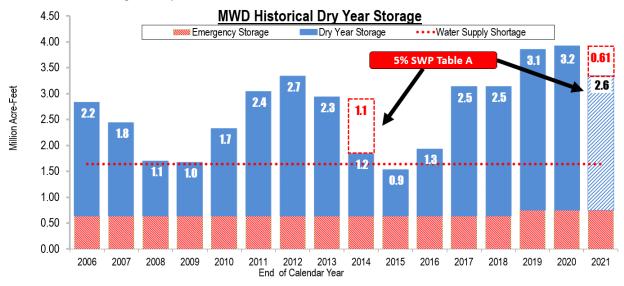
As of June 28th Lake Oroville storage is at **32% of total capacity and 40% of normal.** As of June 28th San Luis Reservoir has a current volume of **33% of the reservoir's total capacity and is 52% of normal.**

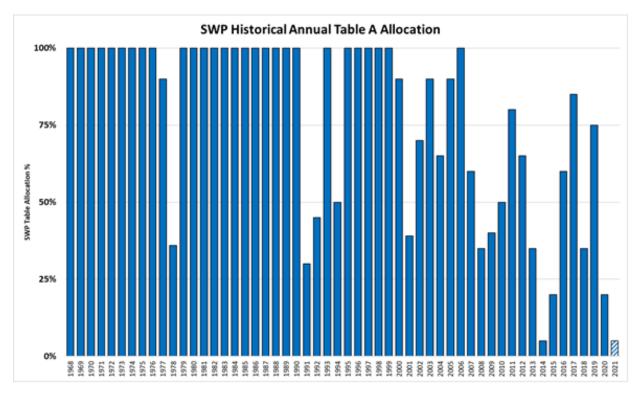


With estimated total demands and losses of 1.75 million acre-feet (MAF) and with a 5% SWP Table A Allocation, Metropolitan is projecting that demands will exceed supply levels in Calendar Year (CY) 2021. Based on this, estimated total dry-year storage for Metropolitan at the end of **CY 2021 will go down to approximately 2.6 MAF.**

A projected dry-year storage supply of 2.6 MAF will be the fourth highest amount for Metropolitan, a very impressive accomplishment given that the last two years have been exceptionally dry in Northern California. A large factor in maintaining a high water

storage level are lower than expected water demands. We are seeing regional water demands reaching a 38-year low.





Attachment: Water Supply Conditions Presentation



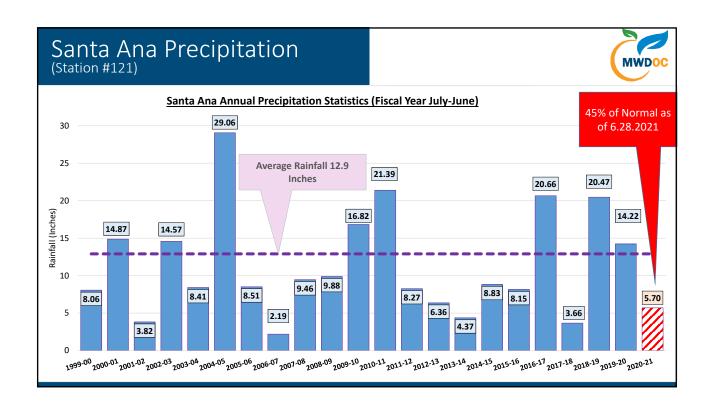
Water Supply Conditions

Kevin Hostert, Water Resources Analyst Municipal Water District of Orange County

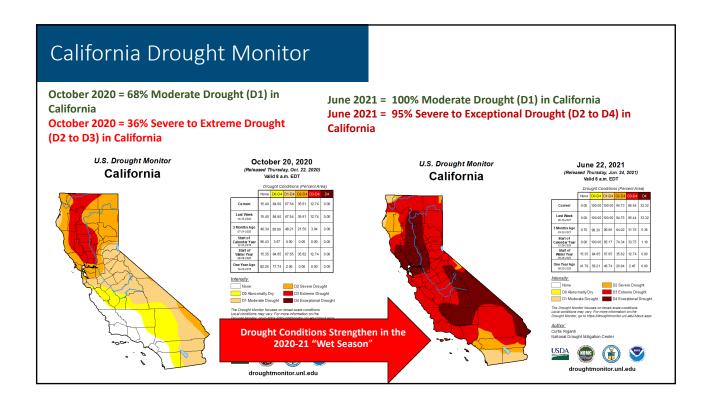
July 7th 2021

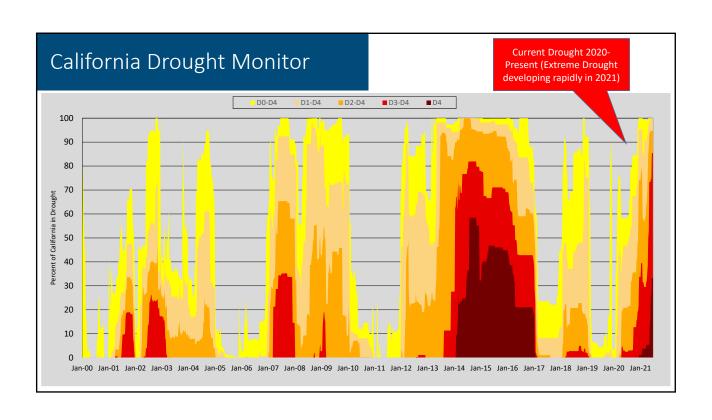


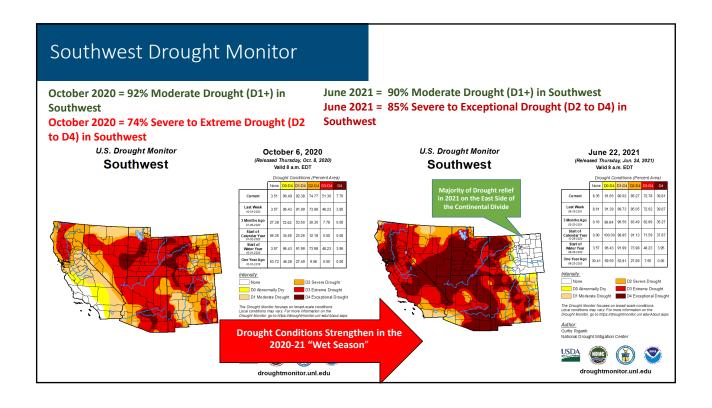


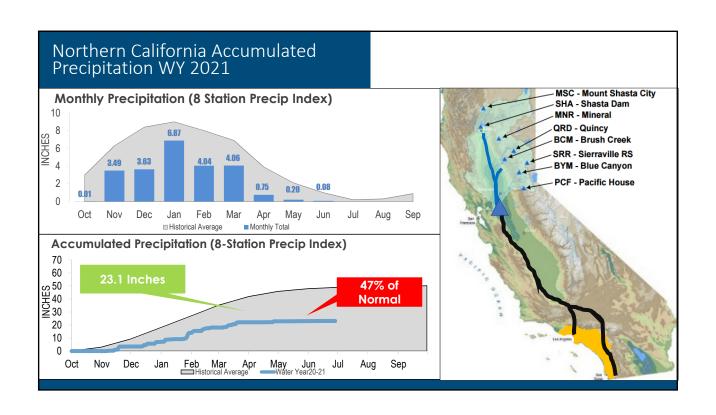


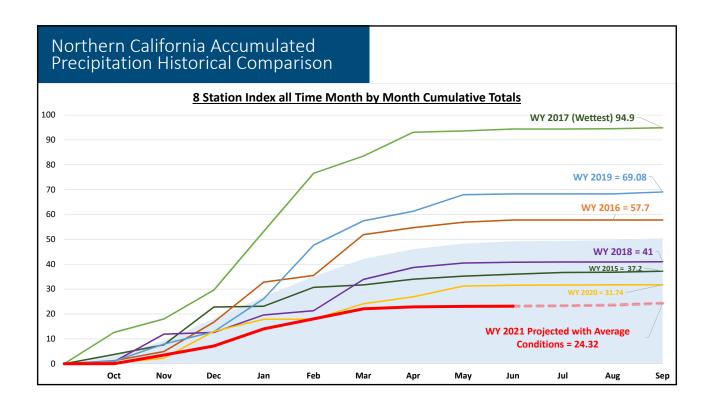


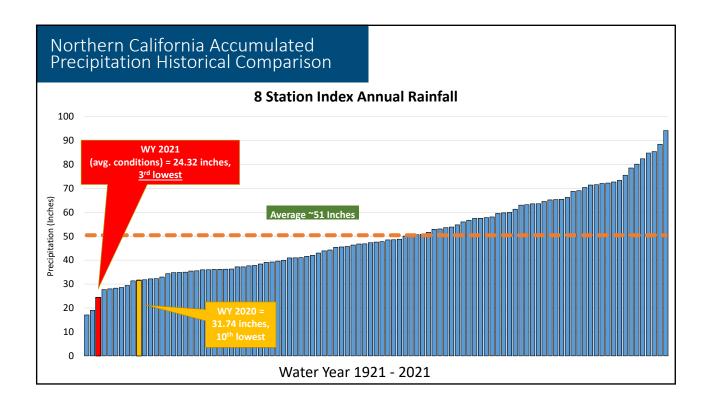


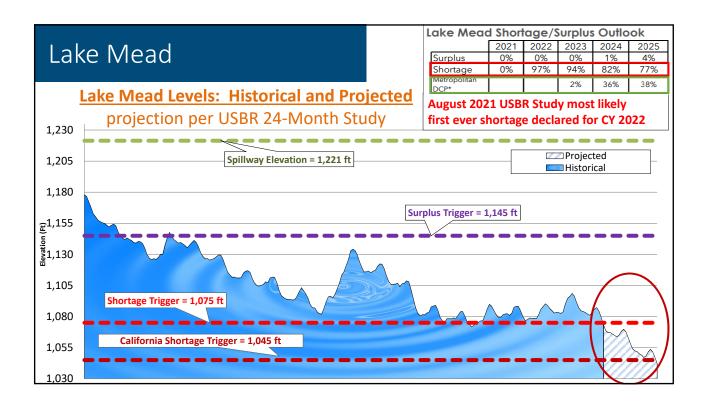


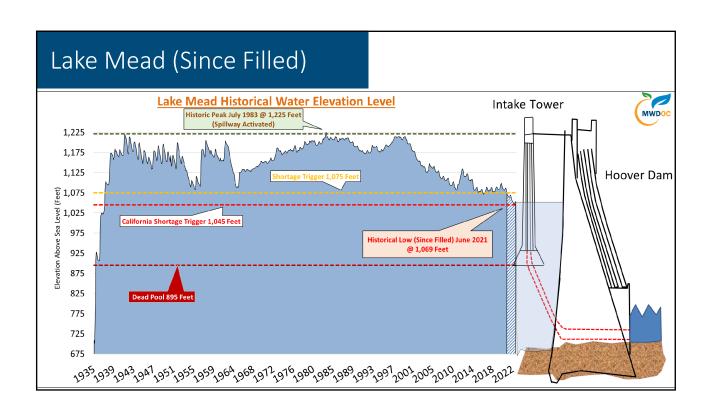


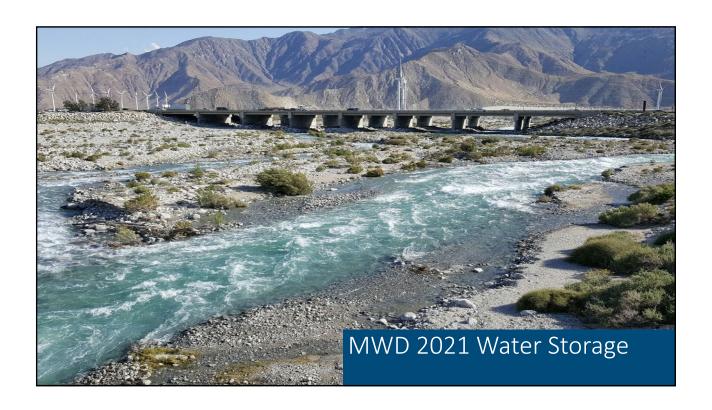


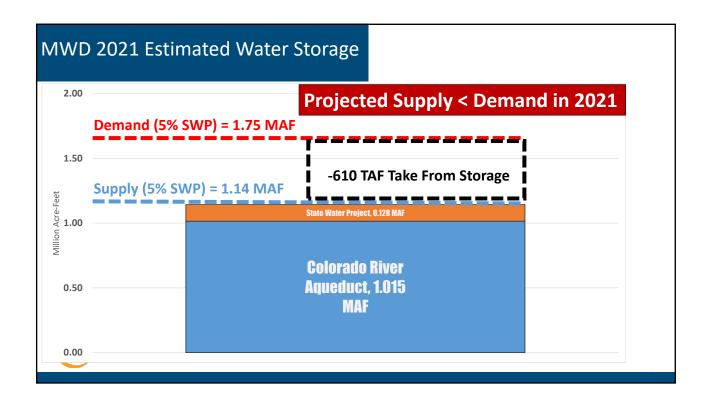


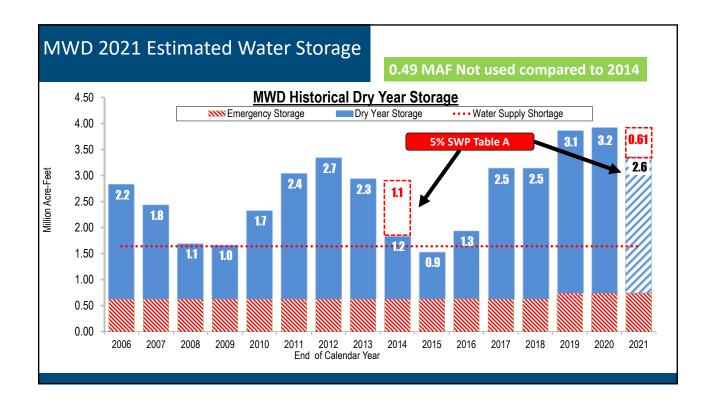


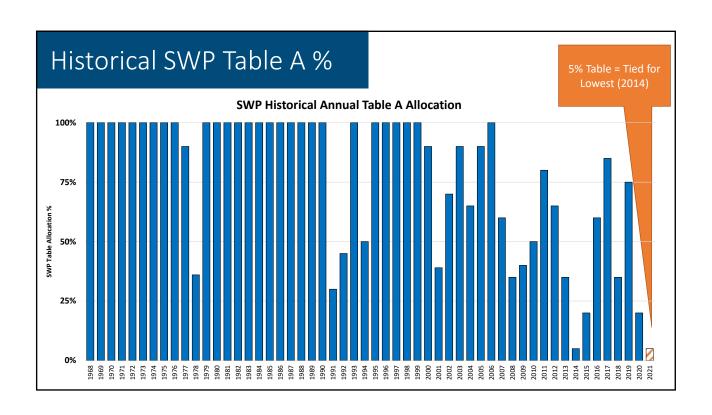














ISSUE BRIEF # F

SUBJECT: Colorado River Issues

RECENT ACTIVITY

Agreement to Share Lake Mead Intentionally Created Surplus Storage Space

Metropolitan is working with the Arizona Department of Water Resources (Arizona), Southern Nevada Water Authority (SNWA) and the Colorado River Commission of Nevada to develop an agreement that would allow the parties to share Intentionally Created Surplus (ISC) accumulation space in Lake Mead through 2026. Currently, Lake Mead elevations are declining while at the same time, Arizona and SNWA are close to running out of ICS accumulation space. Based on the U.S. Bureau of Reclamation's (Reclamation) May 2021, 24-Month Study the first ever shortage declaration is projected to happen in 2022. This agreement will encourage Arizona and SNWA to conserve and store ICS in Lake Mead, which will help to reduce the decline of Lake Mead elevations. This agreement protects Metropolitan's ability to store the full amount of ICS that it may create, as provided in the Lower Basin Drought Contingency Plan and enhances flexibility for the parties to store ICS through the end of the Interim Period in 2026.

Metropolitan and PVID Agree on Voluntary Fallowing Program

In anticipation of implementing an agreement with Reclamation, SNWA, and Central Arizona Water Conservation District (CAWCD) to fund additional fallowing in the Palo Verde Valley this year, Metropolitan and Palo Verde Irrigation District (PVID) agreed on terms to implement a voluntary short-term fallowing program. Currently, due to Metropolitan's significant storage balance in Lake Mead, the fallowing call in PVID is set to be at the minimum level starting in August of this year. At the same time, Lake Mead's total storage is dropping, and is anticipated to reach the lowest level on record this June. To augment Lake Mead storage, Reclamation, SNWA, CAWCD, and Metropolitan are considering a system conservation agreement to fund additional land fallowing in PVID, with the conserved water remaining in Lake Mead as system water. If approved, those parties would begin funding additional fallowing this August.

In Metropolitan's fallowing agreement with PVID, Metropolitan makes a fallowing call one year in advance, and the fallowing level this August was made in July of 2020. In order to increase fallowing for a system conservation agreement this August, a new agreement is needed with PVID. Under the terms of the agreement, participating farmers would voluntarily fallow additional lands to meet the new fallowing call and have the option of beginning the additional fallowing the first of any month from August through December of 2021. Payments to the farmers would be prorated based on the number of months the land was fallowed. Lands that Metropolitan owns would also be included in the program at the same fallowing level The new agreement would only be implemented if the agencies considering the system conservation agreement execute a funding agreement.

ISSUE BRIEF # G

SUBJECT: Delta Conveyance Activities and State Water Project Issues

RECENT ACTIVITY

Delta Regulatory Activities

Metropolitan staff participates in the collaborative groups called for in the 2019 Biological Opinions (BiOp) for the State Water Project (SWP) and Central Valley Project, and in the 2020 Incidental Take Permit (ITP) for Long-term Operation of the SWP, to address science needs and inform management and operation of the water projects. In May, Metropolitan staff coordinated with state and federal agencies' staff to develop a Juvenile Production Estimate (JPE) for Spring-run Chinook salmon as a condition required by the ITP. The JPE is needed to provide the scientific basis for the "take" level at the export pumps. Metropolitan staff also participated in the Delta Coordination Group as part of the BiOp implementation and provided written comments on the summer/fall habitat action science and monitoring plans. These science planning and monitoring documents are being developed to guide collection of data that are needed to assess the outcomes of BiOp and ITP actions.

Delta Conveyance

The California Department of Water Resources (DWR) is continuing to develop an Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA). DWR is continuing discussions with the local communities in the Delta to develop a Community Benefits Program as part of the Delta Conveyance Project to help protect and enhance the cultural, recreational, natural resource, and agricultural values of the Delta. DWR conducted interviews, one tribal workshop, and three public workshops to have discussions and obtain feedback.

Field activities, including cone penetration tests, soil borings, and geophysical surveys, under the Initial Study/Mitigated Negative Declaration for Soil Investigations in the Delta are underway. DWR added a link¹ to their public website to help provide information to interested members of the public and will update a map weekly showing the near-term planned explorations.

Additionally, DWR and the Delta Conveyance Design and Construction Authority (DCA) are continuing work to obtain temporary entry for these soil surveys on private lands. DWR is continuing to pursue permits for soil survey sites that fall under the jurisdiction of the Rivers and Harbors Act (Section 408). Investigations at any given site will not occur until property owners are notified and required permits and approvals for that site are obtained.

Joint Powers Authorities

During the May 20, DCA Board of Directors Meeting, the board continued to discuss the draft budget for fiscal year 2021/22 in the amount of \$21.5 million. The approval of the final budget is scheduled for the June DCA meeting, which will reflect any refinements or modifications requested by the board or DWR, as well as results from renegotiations of current contracts.

¹ https://water.ca.gov/Programs/State-Water-Project/DeltaConveyance/Public-Information

There is currently an underspend of approximately \$1.5 million for this fiscal year, which could roll over to be available for next fiscal year if the DCA Board approves. Planned technical work in the upcoming year will largely focus on studies to support preparation of the Draft CEQA documents, continued execution of the geotechnical program, and consideration of a range of refinements to be further evaluated during final design.

The DCA Board approved a resolution modifying the size of the DCA Stakeholder Engagement Committee (SEC) to reduce the SEC from twenty members to its current size of seventeen, which includes the 15 SEC committee members, the Chair and the Vice Chair. This action was taken in response to three SEC members recent resignations for various reasons, to address a potential quorum issue, and recognizing that the DCA has received SEC input and submitted most of its engineering work to DWR in support of its environmental analysis.

There were no DCA SEC meetings scheduled in May. Possible topics for the next SEC meeting scheduled for June 23, 2021 include the Community Benefits Framework and an update to design changes.

The Delta Conveyance Finance Authority regularly scheduled May meeting was cancelled.

Sites Reservoir

In their May meetings, the Sites Project Authority Board (Authority Board) and the Sites Reservoir Committee (Reservoir Committee) authorized the Executive Director to execute an amended Federal Financial Assistance Agreement with the U.S. Bureau of Reclamation (Reclamation). The 2020 federal budget appropriated \$13.7 million in Water Infrastructure Improvement for the Nation Act funds toward the Sites Reservoir Project (Project). Approximately \$10.4 million of the total appropriation is expected to be directly reimbursable to the Authority Board. The remaining \$3.3 million is retained for Reclamation staff.

The Authority Board and Reservoir Committee also provided input on the fundamental elements of the water rights application being prepared for eventual submittal to the State Water Resources Control Board. These elements include the purpose of use and the points of rediversion. A survey was sent to Reservoir Committee members to assess if any other additional points of rediversion will be needed to ensure water can be delivered to Project participants.

The Authority Board and Reservoir Committee heard an update on the Revised Draft EIR/Supplemental Draft Environmental Impact Statement on the approach for Project commitments, key outcomes of the construction related chapters and, local issues and challenges. They also heard an update regarding the California Water Commission Proposition 1 Water Storage Investment Program Feasibility Report development.

Science Activities

Metropolitan staff continued participating in the Collaborative Science and Adaptive Management Program (CSAMP), including participation on the Collaborative Adaptive Management Team (CAMT). At the May 18 meeting, CAMT focused on Delta smelt science activities. CAMT reviewed a draft presentation on Delta smelt management and science

activities, discussed the findings and recommendations of a report prepared for CAMT that assessed the pilot implementation of the Delta Smelt Science Plan completed in 2019, and provided input on the draft CSAMP Organizational Framework for Delta Smelt.

Metropolitan staff is helping to lead a CSAMP effort to collaboratively develop a scientific definition of salmon recovery, expressed as a suite of clear, measurable objectives and landscape level quantitative targets. A series of technical workshops to develop this definition are being planned for the next year.

The California Department of Fish and Wildlife and Reclamation are working with other state and federal agencies to conduct a Biological Monitoring Survey Design Review, focused on five pelagic Bay-Delta surveys of fish and their prey. The objective of the review is to improve utility, increase efficiency and reduce redundancy among the aquatic species surveys and improve designs to better meet management needs. Metropolitan staff participated in meetings and coordinated with other water agencies to provide written comments on the review. Initial recommendations from the review are expected this summer.

Delta Flood Emergency Management Plan

DWR utilizes a real-time earthquake intensity notification system that sends alerts of ground motions at important locations throughout the Delta, providing essential information to emergency operations managers regarding potential impacts to Delta levees. This automated system, called the U.S. Geological Survey Earthquake Notification Service, is used by DWR and Delta emergency response partners. DWR has interest in Metropolitan's ShakeCast notification system, which provides both earthquake intensity and damage assessments at identified Metropolitan infrastructure locations. Metropolitan staff collaborates with DWR on these efforts.

In addition to major centralized stockpile sites currently in place to support flood fighting and emergency freshwater pathway actions at Rio Vista and Stockton in the Delta, DWR is planning to place flood fight supplies in the Delta at locations providing more localized access during future flood emergencies. A regional emergency material storage depot Memorandum of Agreement (MOA) has been approved by the Sacramento County Office of Emergency Services (grant administrator on behalf of DWR) and Reclamation District 756 for approximately \$1 million to place materials on Bouldin Island (Metropolitan owned), which is near potential channel closure locations that facilitate freshwater pathway flows along Middle and Old Rivers in response to large seismic emergencies.

DWR hosts a Delta Working Group on Delta Emergency Preparedness on a quarterly basis at locations throughout the Delta region with the five Delta counties, California Office of Emergency Services (CalOES), DWR, and Metropolitan as participants to coordinate emergency planning activities and to understand the different roles and responsibilities during a catastrophic flood event in the Delta. A Delta Working Group table top flood emergency exercise was conducted through a series of four meetings throughout 2019-2021, focusing on the roles and responsibilities of levee maintaining agencies, operational area emergency responders, DWR, CalOES, and other state and federal agencies, in response to a multihazard, multi-jurisdictional event in the Delta region.

A DWR interdivisional flood emergency exercise was also conducted in May addressing the implementation of the Delta Flood Emergency Management Plan (DFEMP) and will include a subsequent after-action report. Information gathered from these exercises and from other comments received on the DFEMP will be incorporated in supplements and revisions to the DFEMP.

Summary Report for The Metropolitan Water District of Southern California Board Meeting June 8, 2021

CONSENT CALENDAR ITEMS – ACTION

The Board:

Approved up to \$1.594 million to purchase insurance coverage for Metropolitan's Property and Casualty Insurance Program to renew or replace all the expiring excess liability and specialty insurance policies for fiscal year 2021/22. (Agenda Item 7-1)

Approved the Statement of Investment Policy for fiscal year 2021/22; and delegated authority to the Treasurer to invest Metropolitan's funds for fiscal year 2021/22. (Agenda Item 7-2)

Authorized an agreement with Black & Veatch Corporation, Inc., in an amount not to exceed \$8 million for engineering and technical studies to support environmental planning activities of the Regional Recycled Water Program. (**Agenda Item 7-3**)

Adopted the Board Resolution supporting the grant application, and authorized the General Manager to accept potential grant funding up to \$6,250,000; delegated authority to the General Manager to enter into a grant contract with Reclamation, subject to the approval of the General Counsel, if awarded; agreed to fulfill the grant contract, including providing matching funds up to \$18.75 million with existing funding; and stated that Metropolitan, if awarded a grant, will work with Reclamation to meet the established deadlines upon entering the cooperative agreement. (**Agenda Item 7-4**)

Reviewed and considered the Santa Margarita Water District's approved Final Mitigated Negative Declaration and Addendum, adopted the Lead Agency's findings and Mitigation Monitoring and Reporting Program related to the proposed action; and authorized the General Manager to enter into a Local Resources Program Agreement with the Municipal Water District of Orange County and Santa Margarita Water District for the Las Flores Recycled Water Expansion Project for up to 209 acre-feet per year. (Agenda Item 7-5)

By a two-thirds vote, authorized the General Manager to make payment of up to \$780,800 for support of the Colorado River Board and Six Agency Committee for FY 2021/22. (Agenda Item 7-6)

Adopted the CEQA determination that the previous environmental documentation acted on by the Board in conjunction with these LRP projects fully complies with CEQA and the State CEQA Guidelines, and that no further CEQA review is required; and reviewed and approved changes to the start-of-operation timing for four LRP projects included in Attachment 2 of the Board letter; and formally adopt the policy described in the board letter for evaluation for future LRP extension requests. Future requests will require board approval. (Agenda Item 7-7)

Reviewed and considered the Lead Agency's approved Final EIR and Addendum and take related CEQA actions; and authorized the General Manager to enter into a Stormwater for Recharge Pilot Program Agreement with Inland Empire Utilities Agency for the construction and monitoring of the Montclair Basins Improvement Project. (Agenda Item 7-8)

Adopted the CEQA determination that the previous environmental documentation acted on by the Board in conjunction with these fallowing programs fully complies with CEQA and the State CEQA Guidelines, and that no further CEQA review is required, and authorized General Manager to enter into an agreement with Reclamation, CAWCD, and SNWA to generate up to 246,600 acre-feet of conserved Colorado River system water through 2024. (Agenda Item 7-9)

(Agenda Item 7-10) Deferred to July meeting

Adopt amendment to the Administrative Code establishing Metropolitan-specific parliamentary procedures.

Authorized an increase in maximum amount payable in contract with Andrade Gonzalez LLP by \$150,000 to an amount not to exceed \$250,000 in the matter of CDWR Water Operations Cases. (Agenda Item 7-11) (Heard in closed session at committee)

(**Agenda Item 7-12**) - Withdrawn

Authorized an increase in the maximum amount payable under contract with Shaw Law Group by \$150,000 to an amount not-to-exceed \$550,000 to complete the independent review of allegations of systemic Equal Employment Opportunity related discrimination, harassment, and retaliation and related concerns. (**Agenda Item 7-13**)

OTHER BOARD ITEMS – ACTION

None.

OTHER MATTERS AND REPORTS

Presented 25-year Service Pin to Director Judy Abdo, representing the city of Santa Monica. (**Agenda Item 5G**)

Inducted Director Brenda Dennstedt representing the Western Municipal Water District of Riverside County. (**Agenda Item 5H**)

OTHER BOARD MATTERS

Approved an employment contract with Mr. Adel Hagekhalil as General Manager, containing the terms and conditions set forth in the Board letter. (**Agenda Item 10-3**)

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

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





Regular Board Meeting - Draft

July 13, 2021

12:00 PM

Tuesday, July 13, 2021 Meeting Schedule			
09:00 a.m.	L&C		
10:00 a.m.	RP&AM		
11:30 a.m.	Break		
12:00 p.m.	Board		

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.

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

1. **Call to Order**

- 1.1 Invocation: Albert Malave, Lodging Assistant II, Water System Operations Group
- Pledge of Allegiance: Director Quinn, City of Los Angeles 1.2

2. Roll Call

Α.

3. **Determination of a Quorum**

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

Report on Directors' events attended at Metropolitan expense

5. OTHER MATTERS AND REPORTS

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	Attachments: 07132021 BOD 5A Report.	<u>odf</u>		
В.	Chairwoman's Monthly Activity Report			<u>21-247</u>
C.	General Manager's summary of activities			<u>21-242</u>
D.	General Counsel's summary of activities			21-243
E.	General Auditor's summary of activities			<u>21-244</u>

21-241

F.	Ethics	Officer's	summary	of	activities
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21-245

** CONSENT CALENDAR OTHER ITEMS -- ACTION **

6. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting for June 8, 2021 (Copies have been submitted to each Director) Any additions, corrections, or omissions
- B. Approve Committee Assignments

7. CONSENT CALENDAR ITEMS - ACTION

7-1 Authorize extending Agreement No. 177666 for one year with KPMG LLP to continue engagement for external audit services for fiscal year 2021/22, for an amount not to exceed \$465,500; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (AE)

Attachments: 07132021 BOD 7-1 B-L.pdf

7-2 Item Withdrawn

21-300

21-248

<u>21-214</u>

7-3 Authorize four actions for the Desert region communication system including: (1) an agreement with Nokia of America Corporation in an amount not to exceed \$5,297,000 for equipment procurement and design support to upgrade the wide area network; (2) an amendment to an agreement with Hatfield & Dawson Consulting Engineers, LLC for a new not-to-exceed amount of \$730,000 to provide specialized technical support for the upgrade; (3) an amendment to the Capital Investment Plan for fiscal years 2020/2021 and 2021/2022 to include additional communication system improvements at the Colorado River Aqueduct's Gene Pumping Plant; and (4) an agreement in an amount not to exceed \$275,000 with HDR Engineering, Inc. for design services related to the construction of a communication line; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EO)

Attachments: <u>07132021 BOD 7-3 B-L.pdf</u>

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7-4	Adopt amendments to Metropolitan's Administrative Code to move certain responsibilities for annexations from the Finance and Insurance Committee to Real Property and Asset Management Committee; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (RPAM)	<u>21-265</u>
	Attachments: 07132021 BOD 7-4 B-L.pdf	
7-5	Authorize the General Manager to grant a permanent easement to the State of California Department of Transportation (Caltrans) on Metropolitan fee-owned property in the City of Los Angeles; Metropolitan previously reviewed and considered Caltrans' Environmental Impact Report/Environmental Impact Statement and took related CEQA actions (RPAM)	<u>21-266</u>
	Attachments: 07132021 BOD 7-5 B-L.pdf	
7-6	Authorize an increase of \$3 million to an agreement with Roesling Nakamura Terada Architects for a new not-to-exceed amount of \$5 million for preliminary design and architectural services in support of the District Housing and Property Improvement Program; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (RPAM)	<u>21-267</u>
	Attachments: 07132021 BOD 7-6 B-L.pdf	
7-7	Authorize agreement with Inland Empire Utilities Agency, West Valley Water District, and San Bernardino Valley Water District to provide assistance on water deliveries; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (WPS)	<u>21-269</u>
	Attachments: 07132021 BOD 7-7 B-L.pdf	
7-8	Authorize payments, by a two-thirds vote, of up to \$3.56 million for participation in the State Water Contractors for fiscal year 2021/22;	<u>21-270</u>

the General Manager has determined that the proposed action is

Attachments: 07132021 BOD 7-8 B-L.pdf

exempt or otherwise not subject to CEQA (WPS)

7-9 Adopt amendment to the Administrative Code establishing Metropolitan-specific parliamentary procedures; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (LC)

Attachments: 07132021 BOD 7-9 B-L.pdf

7-10 Authorize increase of \$100,000, to a maximum amount payable of \$300,000, for existing General Counsel contract with Olson Remcho LLP to provide general government law advice related to the Political Reform Act, the Fair Political Practices Commission regulations, conflict of interest law and other legislative and ethics matters; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (LC)

Attachments: 07132021 BOD 7-10 B-L.pdf

- 7-11 Report on existing litigation OHL USA, Inc. v. The Metropolitan Water District of Southern California, Los Angeles Superior Court Case No. 19STCV27689; and authorize increase of maximum amount payable under contract with Theodora Oringher PC for legal services by \$200,000 to an amount not to exceed \$900,000 (Approp. 154170); 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)] (LC)
- 7-12 Report on Baker Electric, Inc. v. Metropolitan Water District of Southern California, et al., (Los Angeles Superior Court Case No. 21STCV15612) regarding Metropolitan's CRA 6.9 kV Power Cables Replacement Project, Contract No. 1915; authorize filing cross-complaints; and authorize an increase in the maximum amount payable under contract with Musick, Peeler & Garrett LLP, for legal services by \$200,000 to an amount not-to-exceed \$300,000; the General Manager has determined 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)] (LC)

** END OF CONSENT CALENDAR ITEMS **

8. OTHER BOARD ITEMS - ACTION

None

21-263

21-278

21-261

Board of Directors July 13, 2021

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9. BOARD INFORMATION ITEMS

9-1 Update on Conservation Program [Posting Separately] <u>21-276</u>

10. OTHER BOARD MATTERS

10-1 Discussion of Department Head Evaluation Process Guidelines and Department Head Evaluation Presentations
[Public employee's performance evaluations; General Counsel, General Auditor, and Ethics Officer, to be heard in closed session pursuant to Gov. Code Section 54957]

11. FOLLOW-UP ITEMS

None

12. FUTURE AGENDA ITEMS

13. ADJOURNMENT

NOTE:

At the discretion of the Board, all items appearing on this agenda and all committee agendas, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

Each agenda item with a committee designation will be considered and a recommendation may be made by one or more committees prior to consideration and final action by the full Board of Directors. The committee designation appears in parenthesis at the end of the description of the agenda item e.g. (E&O, BF&I). Committee agendas may be obtained from the Executive Secretary.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.