

**MINUTES OF THE FORMAL BOARD OF DIRECTORS' MEETING  
MARCH 28, 2019**

**ADMINISTRATIVE AND FINANCE COMMITTEE  
CALL TO ORDER / ROLL CALL**

Chair Hilliker called the Administrative and Finance Committee meeting to order at 9:00 a.m. Committee members present were Chair Hilliker, Vice Chair Leonard, and Directors Boyle, Evans\*, Katz, Murtland, Saxod, Smith, Udrys, Watkins, and Wilson. Committee members absent were Vice Chair Ayala, Directors Cate, Croucher, and Simpson. Also present were Directors Arant, Barnum, Butkiewicz, Cherashore, Fong-Sakai, Hall, Hedberg, Heinrichs, Hogan, Lewinger, Madaffer, Miller, Mosca, and Steiner. At that time, there was a quorum of the Board and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was Acting General Manager Kerl, General Counsel Hattam, Assistant General Managers Cushman and Denham, Director of Finance/Treasurer Harris, Controller Woidzik, Budget and Analysis Manager Whyte, Rate and Debt Manager Rossum, Administrative Services Director Foster, Acting Information Systems Manager Bartolome, Acting Special Projects Manager Spaniol, and Acting Human Resources Manager Kite.

**ADDITIONS TO AGENDA**

There were no additions to the agenda.

**PUBLIC COMMENT**

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

**CHAIR'S REPORT**

Chair Hilliker announced the appointment of Dan Constantineau as the Water Authority's first-ever Information Security Officer (ISO), effective March 11, 2019. He also noted that the olive trees in the parking lot and surrounding area of the San Diego County Water Authority Kearny Mesa office would be removed.

\* Directors Evans arrived at 9:05 a.m.

**DIRECTORS' COMMENTS**

There were no Directors' comments.

**I. CONSENT CALENDAR**

1. Monthly Treasurer's Report on Investments and Cash Flow.  
Staff recommendation: Note and file the Treasurer's report.
2. Resolution amending the titles of authorized officers and employees to invest monies in the Local Agency Investment Fund (LAIF).

Staff recommendation: Adopt Resolution No. 2019-05 amending the titles of authorized officers and employees to invest monies in the Local Agency Investment Fund (LAIF).

3. Board Approval to Appoint Acting General Manager Sandra L. Kerl as Co-Trustee to the Hans and Margaret Doe Charitable Trust.  
Staff recommendation: Approve the appointment of Acting General Manager Sandra L. Kerl as Co-Trustee to the Hans and Margaret Doe Charitable Trust and then as a Fund Advisor to a Donor advised fund (DAF) at The San Diego Foundation once the transition to such DAF is completed.
4. Amendments to extend the standby confined space rescue service contracts with Capstone Fire Management, Inc. and Total Safety US, Inc.  
Staff recommendation: Amend the contracts with Capstone Fire Management, Inc. and Total Safety US, Inc., for continued services to the Water Authority through December 31, 2020 by \$120,000 each, for a period of 12 additional months; increasing total contract funding to an amount not to exceed \$270,000 per contract.
5. Amendment to extend the agreement with Industrial Scientific Corporation for Lease of Air/Gas Monitoring Equipment System.  
Staff recommendation: Amend the agreement with Industrial Scientific Corporation for continued services to the Water Authority through October 31, 2020 by \$51,933.29, for a period of 12 additional months; increasing total contract funding to an amount not to exceed \$193,897.87.

Director Saxod moved, Director Katz seconded, and the motion to approve staffs' recommendations passed unanimously.

## II. ACTION/DISCUSSION/PRESENTATION

1. Administrative and Finance Committee Work Plan for Calendar Years 2019 and 2020.  
Administrative and Finance Committee Chair and Vice Chairs' recommendation: Adopt the Administrative and Finance Committee Work Plan for Calendar Years 2019 and 2020.

Chair Hilliker stated that the draft work plan was provided for review and comment at the February 28, 2019 committee meeting. Items on the final work plan were presented.

Director Katz moved, Director Murtland seconded, and the motion to approve the Administrative and Finance Committee Chair and Vice Chairs' recommendation passed unanimously.

2. Web/Geographic Information Systems Application Development.

Mr. Bartolome provided a presentation on the development of the Web/Geographic Information Systems Application that included an overview of the application, staff involvement, applications under development, various tracking systems such as CIP dashboard, Online Water Ordering, Water Standby Charge, and Business Plan goals.

Directors asked questions and staff provided answers.

Acting General Manager Kerl and Chair Hilliker commended staff involved for their work on the Web/Geographic Information System.

3. Controller's Report on Monthly Financial Activity.

Mr. Woidzik presented on the Monthly Financial Reports covering FY 2018 and 2019 results summary, FY 2018 and 2019 actual and budget comparison, water sales volumes, water sales revenues, and water purchases and treatment costs.

**III. INFORMATION**

The following Information item was received and filed:

1. Board Calendar.

**IV. CLOSED SESSION**

Mr. Hattam took the committee into Closed Session at 9:30 a.m.

1. Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
Williams v. San Diego County Water Authority;  
San Diego Superior Court Case No. 37-2019-00010682-CU-WM-CTL
2. Conference with the Labor Negotiator  
Government Code §54957.6  
Agency Designated Representatives: Gretchen Spaniol, Jason Foster, Rick Bolanos  
Employee Organization: Teamsters Local 911

Mr. Hattam brought the committee out of Closed Session at 10:07 a.m. and stated the Administrative and Finance Committee recommended that the board approve direction to engage counsel Liebert Cassidy and defend Williams v. San Diego County Water Authority, an employment related action in San Diego Superior Court.

## **V. ADJOURNMENT**

There being no further business to come before the Administrative and Finance Committee, Chair Hilliker adjourned the meeting at 10:08 a.m.

## **LEGISLATION AND PUBLIC OUTREACH COMMITTEE**

### **CALL TO ORDER/ROLL CALL**

Chair Butkiewicz called the Legislation and Public Outreach Committee to order at 10:18 a.m. Committee members present were Chair Butkiewicz, Vice Chairs Hall and Katz, and Directors Cherashore, Croucher, Kennedy, Leonard, Madaffer, Miller, Mosca and Steiner. Committee members absent were Directors Guerin, Hilliker, Masson and Supervisor Desmond. Also, present were Directors Arant, Barnum, Bebee, Boyle, Evans, Fong-Sakai, Hedberg, Heinrichs, Hogan, Lewinger, Murtland, Saxod, Smith, Udrys, Watkins, and Wilson. At that time, there was a quorum of the Board, and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was Acting General Manager Kerl, General Counsel Hattam, Assistant General Managers Cushman and Denham, Director of Public Outreach and Conservation Vedder, Government Relations Manager Farrel, Public Affairs Supervisor Penunuri, and Public Affairs Representative Balben.

### **ADDITIONS TO AGENDA**

There were no additions to the agenda.

### **PUBLIC COMMENT**

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

### **CHAIR'S REPORT**

Chair Butkiewicz informed the Board that Board Chair Madaffer, LPO Vice Chair Katz, Director Croucher and himself would be traveling to Sacramento to visit with members of the San Diego legislative delegation on April 1, 2019.

### **DIRECTORS' COMMENTS**

There were no Directors' comments.

## **I. CONSENT CALENDAR**

### **1. Adopt positions on various state bills.**

#### **Staff recommendations:**

- 1-A Adopt a position of Support on AB 292 (Quirk), relating to recycled water definitions.
- 1-B Adopt a position of Support on AB 533 (Holden), relating to income tax exclusion for water efficiency rebates.
- 1-C Adopt a position of Support on AB 557 (Wood), relating to state funding for atmospheric rivers research.
- 1-D Adopt a position of Support if Amended on SB 45 (Allen), relating to the Wildfire, Drought, and Flood Protection Bond Act of 2020.

- 1-E Adopt a position of Support and Seek Amendments on SB 204 (Dodd), relating to legislative oversight and transparency of State Water Project contract amendments and renewals.
- 1-F Adopt a position of Support on SB 772 (Bradford), relating to procurement of long-duration bulk energy storage.

Director Steiner moved, Director Mosca seconded, and the motion to approve staffs' recommendations passed unanimously.

Director Lewinger requested that staff return with an analysis of previous bond actions by the Water Authority.

## II. ACTION/DISCUSSION/PRESENTATION

1. Legislation and Public Outreach Committee Work Plan for Calendar Years 2019 and 2020.  
Legislation and Public Outreach Committee Chair and Vice Chairs' recommendation: Adopt the Legislation and Public Outreach Committee Work Plan for Calendar Years 2019 and 2020.

Ms. Vedder presented a review of the committee Work Plan for calendar years 2019 and 2020.

Vice Chair Katz moved, Director Miller seconded, and the motion to approve the Legislation and Public Outreach Committee Chair and Vice Chairs' recommendation passed unanimously.

2. Adopt positions on safe drinking water legislation.  
Staff recommendation: Adopt positions on four safe drinking water legislative proposals that, if taken together, would constitute a comprehensive, interrelated package of bills designed to resolve complex challenges associated with providing a safe and reliable water supply for disadvantaged communities in the Central and Salinas Valleys.
  - 2-A Adopt a position of Oppose Unless Amended on SB 200 (Monning), relating to the creation of a Safe and Affordable Drinking Water Fund.
  - 2-B Adopt a position of Support on SB 414 (Caballero), relating to creation of the Small System Water Authority Act of 2019.
  - 2-C Adopt a position of Support on SB 669 (Caballero), relating to creation of a Safe Drinking Water Trust Fund.
  - 2-D Adopt a position of Oppose Unless Amended on the Administration's Budget Trailer Bill: Environmental Justice – Safe and Affordable Drinking Water and Exide Cleanup – dated February 1, 2019, which would impose a tax on water and agricultural production activities to finance a safe and affordable drinking water program.

- 2-E Direct the Water Authority staff and legislative advocates to encourage legislative leadership to have these four measures, as proposed to be amended, considered as an interrelated package of bills within the context of a conference committee or similar legislative mechanism.

Mr. Farrel provided an overview of the current administration's and legislature's approach on addressing safe and affordable drinking water legislation, and problems that have been identified.

Director Steiner moved, Director Madaffer seconded, and the motion to approve staffs' recommendation passed unanimously.

3. Support Request for State Assistance by Paradise Irrigation District.  
Staff recommendation: Adopt resolution in support of a financial assistance request of \$21.7 million over three years from the State general fund by the Paradise Irrigation District to sustain the district's operational costs and expenses, in response to the devastating effects of the Camp Fire that have resulted in overwhelming property losses suffered by the district.

Mr. Farrel provided a summary of the Camp Fire and its effects on the Paradise Irrigation District.

Director Kennedy moved, Director Mosca seconded, and the motion to approve staffs' recommendation passed unanimously.

4. Legislative issues.  
4-A Washington report by Ken Carpi.  
4-B Sacramento Report.

Mr. Farrel provided a Sacramento report which included an update on status of Water Authority Sponsored bills and other key measures.

5. 2019 Public Opinion Poll Focus Areas.

Ms. Vedder and Mr. Balben provided the Board with an overview of the 2019 public opinion poll including the purpose, methodology overview, schedule, and recommended topics.

6. Small Contractor Outreach and Opportunities Program (SCOOP) Mid-Year Update.

Ms. Penunuri presented the Board with the FY 2019 mid-year update for the SCOOP program, which included program goals and events attended.

**III. INFORMATION**

The following Information item was received and filed:

1. Government Relations Update.

**IV. CLOSED SESSION**

There were no Closed Session items.

**V. ADJOURNMENT**

There being no further business to come before the Legislation and Public Outreach Committee, Chair Butkiewicz adjourned the meeting at 11:24 a.m.

**ENGINEERING AND OPERATIONS COMMITTEE**

**CALL TO ORDER / ROLL CALL**

Chair Miller called the Engineering and Operations Committee meeting to order at 11:30 a.m. Committee members present were Chair Miller, Vice Chairs Fong-Sakai and Watkins, and Directors Arant, Bebee, He dberg, Heinrichs, Mosca, Murtland, Preciado, Smith, Steiner, and Udrys. Committee members absent were Directors Scalzitti and Simpson. Also present were Directors Barnum, Butkiewicz, Evans, Hall, Hogan, Katz, Leonard, Lewinger, and Wilson. At that time, there was a quorum of the Board, and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was Acting General Manager Kerl, General Counsel Hattam, Assistant General Managers Cushman and Denham, Director of Operations and Maintenance Fisher, Director of Engineering Reed, Deputy Director of Engineering Bousquet, Principal Engineer Fountain, and Senior Engineer Trimm.

**ADDITIONS TO AGENDA**

There were no additions to the agenda.

**PUBLIC COMMENT**

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

**DIRECTORS' COMMENTS**

There were no Directors' comments.

**CHAIR'S REPORT**

Chair Miller stated a Special Engineering and Operations Committee meeting was held March 14, 2019 regarding the history of the Water Authority's Capital Improvement Program. The meeting provided an overview of how the Water Authority's CIP budget was developed, a discussion of current challenges the public works construction industry was facing locally along with potential mitigation measures for construction cost increases, and a preview of what to expect in the CIP budget for Fiscal Years 2020/2021 and beyond.

Chair Miller announced the Escondido Space Needs Subcommittee held two meetings to review and discuss space needs for the Operations and Maintenance Department. He stated a full report would be provided at the April 25, 2019 Board meeting, and tour dates would be provided for anyone interested in seeing the Escondido Operations Center facility.

**I. CONSENT CALENDAR**

1. Notice of Completion for the Kearny Mesa Headquarters Roof Rehabilitation project.  
Staff recommendations: Authorize the General Manager to accept the Kearny Mesa Headquarters Roof Rehabilitation project as complete, record the Notice of Completion, and release all funds held in retention to Sylvester Roofing Co., Inc. following the expiration of the retention period.

Director Steiner moved, Director Hedberg seconded, and the motion to approve staffs' recommendation passed unanimously.

**II. ACTION/DISCUSSION/PRESENTATION**

1. Engineering and Operations Committee Work Plan for calendar years 2019 and 2020.  
Committee Chair and Vice Chairs' recommendation: Adopt the Engineering and Operations Committee Work Plan for calendar years 2019 and 2020.

Chair Miller presented highlights of the Engineering and Operations Committee Work Plan for Calendar Years 2019 and 2020. Highlights for Engineering included: constructing the Pipeline 5 Relining Delivery Point to Sage Road project, constructing the San Diego 28 Flow Control Facility Rehabilitation project, and facilitating regulatory and legislative actions which support San Vicente Energy Storage Project and continue the development of the Project Development Agreement. Highlights for Operations and Maintenance included: developing the Lake Hodges Hydroelectric Facility Maintenance and Replacement Plan and implementing identified physical security recommendations for critical facilities for continued water system protection against potential threats.

Director Heinrichs moved, Director Fong-Sakai seconded, and the motion to approve the Engineering and Operations Committee Chair and Vice Chairs' recommendation passed unanimously.

2. San Vicente Project Negotiations Work Group update.

Director Heinrichs provided an update on the San Vicente Project Negotiations Work Group. He reported that project team members traveled to Sacramento on March 11, 2019 to discuss their white paper on Pumped Storage. City and Water Authority project team members, including government relations staff, and the paper's primary author Dr. David Victor, provided an advanced copy of the white paper on pumped storage to key contacts in Sacramento. Staff met with Executive Directors of California Municipal Utilities Association (CMUA) and the



Center for Energy Efficiency and Renewable Technologies (CEERT). The team also briefed the City of San Diego mayor's office who would take the lead to offer project/white paper briefings to City Council members, and the project team was standing by to provide Council briefings as-needed. Staff were provided updated copies of the white paper and would schedule Dr. Victor to provide an overview of issues discussed within the paper at a future committee meeting.

3. San Diego 28 Flow Control and Alvarado Hydroelectric Facilities Project Update.

Mr. Fountain presented information on the San Diego 28 Flow Control and Alvarado Hydroelectric Facilities Project including history on the Alvarado Hydroelectric facility, San Diego 12 August 2016 repairs and interim modifications, rehabilitation design, bidding and analysis, and project packages. He concluded the presentation with a timeline for the San Diego 28 package, and the Alvarado Hydroelectric Equipment.

**III. INFORMATION**

There were no Information items.

**IV. CLOSED SESSION**

Mr. Hattam took the committee in Closed Session at 11:54 a.m.

1. Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
William J. Kimball and Diana Kimball, as Trustees of the William J. Kimball and Diana L. Kimball Living Trust dated October 29, 1992 v. Bryan J. Holland, Teresa K. Holland, and SDCWA; San Diego Superior Court Case No. 37-2018-00036570-CU-OR-CTL
2. Conference with Legal Counsel – Anticipated Litigation  
Government Code §54956.9(d)(4)  
Initiation of Litigation / One Case

Mr. Hattam brought the committee out of Closed Session at 12:05 p.m. and reported that the Board approved direction to engage counsel and initiate an action, and the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

**V. ADJOURNMENT**

There being no further business to come before the Engineering and Operations Committee, Director Miller adjourned the meeting at 12:06 p.m.

## **IMPORTED WATER COMMITTEE**

### **CALL TO ORDER / ROLL CALL**

Chair Lewinger called the Imported Water Committee meeting to order at 1:02 p.m. Committee members present were Chair Lewinger, Vice Chairs Barnum and Cherashore, and Directors Evans, Fong-Sakai, Hall, Hogan, Madaffer, Morrison, Preciado, and Saxod. Committee members absent were Directors Guerin, Masson, and Scalzitti. Also present were Directors Arant, Bebee, Boyle, Butkiewicz, Croucher, Hedberg, Heinrichs, Katz, Kennedy, Leonard, Miller, Mosca, Murtland, Smith, Steiner, Udry, Watkins, and Wilson. At that time, there was a quorum of the Board and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was Acting General Manager Kerl, General Counsel Hattam, Assistant General Managers Cushman and Denham, MWD Program Director Chen, Colorado River Program Director Rodgers, and QSA Outreach Coordinator Simon.

### **ADDITIONS TO AGENDA**

There were no additions to the agenda.

### **PUBLIC COMMENT**

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

### **CHAIR'S REPORT**

Chair Lewinger provided information on the impacts caused by recent wet weather to DWR's allocations to the State Water Project and the water levels of Lake Oroville, and the status of DWR's claims for FEMA reimbursement for the 2017 Oroville Dam incident.

### **DIRECTORS' COMMENTS**

There were no Directors' comments.

### **I. CONSENT CALENDAR**

There were no items on the Consent Calendar.

### **II. ACTION/DISCUSSION/PRESENTATION**

1. Imported Water Committee Work Plan for Calendar Years 2019 and 2020.  
Imported Water Committee Chair and Vice Chairs' recommendation: Adopt the Imported Water Committee Work Plan for Calendar Years 2019 and 2020.

Director Hall moved, Director Preciado seconded, and the motion to approve the Imported Water Committee Chair and Vice Chairs' recommendation passed unanimously.

2. MWD Issues and Activities Update.  
2-A Metropolitan Water District Delegates Report.

The Delegates reported on discussion and action taken at the recent MWD Board meetings.

2-B Bay Delta Flows and Other Updates.

Ms. Chen provided a presentation that included information on sources of the County's current water supply, the Water Authority's current position on California WaterFix, new developments on the Central Valley Project and State Water Project operations, Governor Newsom's new direction, and next steps.

Vice Chair Barnum left the meeting at 1:15 p.m.

3. Colorado River Programs.

3-A Colorado River Board Representative's report.

Director Wilson reported on discussion and action taken at the recent Colorado River Board meetings.

3-B Drought Contingency Plan.

Ms. Rodgers provided a presentation that included information on recent activities, activities by the Seven Basin States leading to the March 19, 2019 Federal Deadline, pending work to be completed, and next steps.

4. Imperial Valley Outreach Update.

Mr. Simon provided a presentation that included information on the history of outreach activities in Imperial Valley, initial outreach efforts, past strategies, new perspectives, and current approach and focus areas.

5. Salton Sea Management Program Update.

Mr. Simon provided a presentation that included information on the state's Salton Sea Management Program and discussion and activities of the March 19, 2019 State Water Board Workshop on the Salton Sea.

**III. INFORMATION**

The following Information item was received and filed:

1. Metropolitan Water District Program Report.

**IV. CLOSED SESSION**

Mr. Hattam took the committee into Closed Session at 1:30 p.m.

1. Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
SDCWA v. Metropolitan Water District of Southern California;  
San Francisco Superior Court Case Nos. CPF-10-510830; CPF-12-512466; CPF-14-514004; CPF-16-515282; CPF-16-515391; CGC-17-563350; CPF-18-516389; California Court of Appeal (1<sup>st</sup> District) Case Nos. A146901; A148266; A154325; California Supreme Court Nos. S243500; and S251025
2. Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
California Department of Water Resources v. All Persons Interested; Sacramento Superior Court Case No. 34-2017-00215965-CU-MC-GDS; and JCCP 4942
3. Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
Food & Water Watch and Center for Food Safety v. Metropolitan Water District of Southern California and All Persons Interested in the Matter; Los Angeles Superior Court Case No. BC 720692

Mr. Hattam brought the committee out of Closed Session at 2:25 p.m. and stated there was no reportable action.

#### **V. ADJOURNMENT**

There being no further business to come before the Imported Water Committee, Chair Lewinger adjourned the meeting at 2:26 p.m.

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

Chair Heinrichs called the Water Planning and Environmental Committee meeting to order at 2:31 p.m. Committee members present were Chair Heinrichs, Vice Chairs Boyle and Wilson, and Directors Arant, Bebee, Butkiewicz, Hedberg, Hogan, Kennedy, Lewinger, and Morrison. Committee members absent were Directors Ayala, Barnum, Cate, and Supervisor Desmond. Also present were Directors Cherashore, Fong-Sakai, Hall, Katz, Leonard, Miller, Mosca, Murtland, Preciado, Saxod, Smith, Udrys, and Watkins. At that time, there was a quorum of the Board, and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was Acting General Manager Kerl, General Counsel Hattam, Assistant General Managers Cushman and Denham, Director of Water Resources Gage, Director of Public Outreach and Conservation Vedder, and Water Resources Specialists German and Schnell.

## **ADDITIONS TO THE AGENDA**

There were no additions to the agenda.

## **PUBLIC COMMENT**

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

## **CHAIR'S REPORT**

Chair Heinrichs welcomed everyone in attendance.

## **DIRECTORS' COMMENTS**

There were no Directors' comments.

### **I. CONSENT CALENDAR**

There were no Consent Calendar items.

### **II. ACTION/DISCUSSION/PRESENTATIONS**

1. Water Planning and Environmental Committee Work Plan for Calendar Years 2019 and 2020.  
Water Planning and Environmental Committee Chair and Vice Chairs' recommendation: Adopt the Water Planning and Environmental Committee Work Plan for Calendar Years 2019 and 2020.

Chair Heinrichs presented highlights of the final Work Plan, including development of a new Water Resources database and water billing system, providing input and direction to staff on the 2020 Urban Water Management and Water Shortage Contingency Plans, and considering approval of the Integrated Regional Water Management and Climate Action Plan Updates.

Vice Chair Boyle moved, Director Kennedy seconded, and the motion to approve the Water Planning and Environmental Committee Chair and Vice Chairs' recommendation passed unanimously.

2. Update on water supply conditions.

Ms. Schnell provided a brief update on water supply conditions including Northern Sierra snowpack levels, Lake Oroville and San Luis reservoir storage volumes, an overview of the upper Colorado River basin, and an update on local conditions.

3. MWD Member Agency Administered Program (MAAP) Update.

Ms. German provided a brief update on Metropolitan Water District's Member Agency Administered Program (MAAP). She provided an explanation of MAAP funding and overviews of agency projects, including the Drought Tolerant Plant Voucher Program, WaterSmart Landscape Contest website, Sustainable Demonstration Garden upgrade, and Residential Pressure Regulation Pilot Program.

**III. INFORMATION**

The following Information item was received and filed:

1. Water Resources report.

**IV. ADJOURNMENT**

There being no further business to come before the Water Planning and Environmental Committee, Chair Heinrichs adjourned the meeting at 2:51 p.m.

**FORMAL BOARD OF DIRECTORS' MEETING OF MARCH 28, 2019**

1. **CALL TO ORDER** Chair Madaffer called the Formal Board of Directors' meeting to order at 3:00 p.m.

2. **SALUTE TO THE FLAG** Director Heinrichs led the salute to the flag.

3. **ROLL CALL, DETERMINATION OF QUORUM**

Vice Chair Croucher called the roll. Directors present were Arant, Bebee, Boyle, Butkiewicz, Cherashore, Croucher, Evans, Fong-Sakai, Hall, Hedberg, Heinrichs, Hogan, Katz, Kennedy, Leonard, Lewinger, Madaffer, Miller, Morrison, Mosca, Murtland, Preciado, Saxod, Smith, Steiner, Udry, Watkins, and Wilson. Directors absent were Ayala, Barnum, Cate, Guerin, Hilliker, Masson, Scalzitti(p), Simpson, and Supervisor Desmond.

3-A **Report on proxies received.** Director Hedberg was the proxy for Director Scalzitti.

4. **ADDITIONS TO AGENDA**

Vice Chair Croucher provided a brief health update on Secretary Guerin.

5. **APPROVAL OF MINUTES**

Director Butkiewicz moved, Director Evans seconded, and the motion carried at 90.87% of the vote to approve the minutes of the Formal Board of Directors' meeting of February 28, 2019.

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

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

7. **PRESENTATIONS & PUBLIC HEARINGS**

7-A Comments by Metropolitan Water District Chair Gloria Gray.

Chair Madaffer introduced MWD Chair Gloria Gray to the Board. Ms. Gray thanked the Water Authority for the invitation and expressed her appreciation for all the hard work of the MWD Delegates over the years. She spoke on the shared goal of settling litigation and moving forward with our mutual commitment of providing a safe and reliable water

supply to the region. She spoke briefly on issues shared by our agencies including rising construction costs and aging infrastructure, an aging workforce, population growth, local supply development focus, and resource conservation. She thanked the Board for support regarding MWD's Drought Contingency Plan, and encouraged the work being done on recycled water programs. She also spoke briefly on the California WaterFix and the importance of modernizing the State Water Project conveyance system. In closing, Ms. Gray congratulated the Water Authority on the upcoming 75<sup>th</sup> anniversary and stated her desire to move forward collaboratively.

Chair Madaffer thanked Ms. Gray for attending and shared that he looked forward to working together to achieve mutual goals.

7-B Retirement of Director. Adopt Resolution No. 2019-07 honoring Mark Muir upon his retirement from the Board of Directors.

Director Croucher moved, Director Mosca seconded, and the motion carried at 90.87% of the vote to adopt Resolution 2019-07.

8. **REPORTS BY CHAIRS**

8-A Chairs report: Chair Madaffer congratulated Assistant General Manager Cushman on his retirement from the Water Authority after more than 20 years of service to the agency. He reviewed his many accomplishments and contributions and wished him the best in his retirement.

Mr. Cushman thanked Chair Madaffer for his comments and spoke briefly on his history with the Water Authority and the board meeting that initiated conversations, and the actions that followed, to diversify the water supply for the San Diego Region.

Chair Madaffer continued his report with an announcement that on March 23, 2019, 49 community leaders graduated from the Citizens Water Academy, including six elected officials from the region. He added that nearly 650 graduates have completed the program, and he shared a short video of the academy with the Board. He announced that the next class was for Public Agency employees and would be held July 10 and 17, with nominations for attendees to open on May 20, 2019. He added that there would also be a fall 2019 class in East County, in partnership with Helix Water District.

Chair Madaffer spoke briefly on the Drought Contingency Plan Congressional Hearings.

- 8-B Report by Committee Chairs:  
Administrative and Finance Committee. Director Leonard reviewed the meeting and the action taken.  
Legislation and Public Outreach Committee. Director Butkiewicz reviewed the meeting and the action taken.  
Engineering and Operations Committee. Director Miller reviewed the meeting and the action taken.  
Imported Water Committee. Director Lewinger reviewed the meeting and the action taken.  
Water Planning and Environmental Committee. Director Heinrichs reviewed the meeting and the action taken.
9. **CONSENT CALENDAR**  
Director Katz moved, Director Murtland seconded, and the motion carried at 90.87% of the vote to approve the Consent Calendar. Directors voting no, or abstaining are listed under the item.
- 9- 1. Monthly Treasurer’s Report on Investments and Cash Flow.  
The Board noted and filed the Treasurer’s report.
- 9- 2. Resolution amending the titles of authorized officers and employees to invest monies in the Local Agency Investment Fund (LAIF).  
The Board adopted Resolution No. 2019-05 amending the titles of authorized officers and employees to invest monies in the Local Agency Investment Fund (LAIF).
- 9- 3. Board Approval to Appoint Acting General Manager Sandra L. Kerl as Co-Trustee to the Hans and Margaret Doe Charitable Trust.  
The Board approved the appointment of Acting General Manager Sandra L. Kerl as Co-Trustee to the Hans and Margaret Doe Charitable Trust and then as a Fund Advisor to a donor advised fund (DAF) at The San Diego Foundation once the transition to such DAF is completed.
- 9- 4. Amendments to extend the standby confined space rescue service contracts with Capstone Fire Management, Inc. and Total Safety US, Inc.  
The Board approved amending the contracts with Capstone Fire Management, Inc. and Total Safety US, Inc., for continued services to the Water Authority through December 31, 2020 by \$120,000 each, for a period of 12 additional months; increasing total contract funding to an amount not to exceed \$270,000 per contract.



- 9- 5. Amendment to extend the agreement with Industrial Scientific Corporation for Lease of Air/Gas Monitoring Equipment System.  
The Board approved amending the agreement with Industrial Scientific Corporation for continued services to the Water Authority through October 31, 2020 by \$51,933.29, for a period of 12 additional months; increasing total contract funding to an amount not to exceed \$193,897.87.
- 9- 6. Administrative and Finance Committee Work Plan for Calendar Years 2019 and 2020.  
The Board adopted the Administrative and Finance Committee Work Plan for Calendar Years 2019 and 2020.
- 9-A. Closed Session.  
The Board approved direction to engage counsel Liebert Cassidy and defend Williams v. San Diego County Water Authority, an employment-related action in San Diego Superior Court.
- 9- 7. Adopt positions on various state bills.  
The Board adopted a position of Support on AB 292 (Quirk), relating to recycled water definitions; a position of Support on AB 533 (Holden), relating to income tax exclusion for water efficiency rebates; a position of Support on AB 557 (Wood), relating to state funding for atmospheric rivers research; a position of Support if Amended on SB 45 (Allen), relating to the Wildfire, Drought, and Flood Protection Bond Act of 2020; a position of Support and Seek Amendments on SB 204 (Dodd), relating to legislative oversight and transparency of State Water Project contract amendments and renewals; and a position of Support on SB 772 (Bradford), relating to procurement of long-duration bulk energy storage.
- 9- 8. Legislation and Public Outreach Committee Work Plan for Calendar Years 2019 and 2020.  
The Board adopted the Legislation and Public Outreach Committee Work Plan for Calendar Years 2019 and 2020.
- 9- 9. Adopt positions on safe drinking water legislation.  
The Board adopted a position of Oppose Unless Amended on SB 200 (Monning), relating to the creation of a Safe and Affordable Drinking Water Fund; a position of Support on SB 414 (Caballero), relating to creation of the Small System Water Authority Act of 2019; a position of Support on SB 669 (Caballero), relating to creation of a Safe Drinking Water Trust Fund; a position of Oppose Unless Amended on the Administration's Budget Trailer Bill: Environmental Justice – Safe and Affordable Drinking Water and Exide Cleanup – dated February 1, 2019, which would impose a tax on water and agricultural production activities to finance a safe and affordable drinking water program; and directed the Water Authority staff and legislative advocates to encourage legislative leadership to have these four

measures, as proposed to be amended, considered as an interrelated package of bills within the context of a conference committee or similar legislative mechanism.

- 9-10. Support Request for State Assistance by Paradise Irrigation District.  
The Board adopted a resolution in support of a financial assistance request of \$21.7 million over three years from the State general fund by the Paradise Irrigation District to sustain the district's operational costs and expenses, in response to the devastating effects of the Camp Fire that have resulted in overwhelming property losses suffered by the district.
- 9-11. Notice of Completion for the Kearny Mesa Headquarters Roof Rehabilitation project.  
The Board authorized the General Manager to accept the Kearny Mesa Headquarters Roof Rehabilitation project as complete, record the Notice of Completion, and release all funds held in retention to Sylvester Roofing Co, Inc. following the expiration of the retention period.
- 9-12. Engineering and Operations Committee Work Plan for Calendar Years 2019 and 2020.  
The Board adopted the Engineering and Operations Committee Work Plan for Calendar Years 2019 and 2020.
- 9-B. Closed Session.  
The Board approved direction to engage counsel and initiate an action, and the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.
- 9-13. Imported Water Committee Work Plan for Calendar Years 2019 and 2020.  
The Board adopted the Imported Water Committee Work Plan for Calendar Years 2019 and 2020.
- 9-14. Water Planning and Environmental Committee Work Plan for Calendar Years 2019 and 2020.  
The Board adopted the Water Planning and Environmental Committee Work Plan for Calendar Years 2019 and 2020.
10. **ACTION/DISCUSSION**  
10-A General Manager Recruitment Process.

Chair Madaffer introduced Acting Human Resources Director Kite to the Board. Ms. Kite reviewed the process involved for the recruitment and selection process of the General Manager, including work completed by the work group, next steps and timeline.

Chair Madaffer provided comments on the process.

Director Arant requested the workgroup return to the Board during the process with criteria and characteristics applied for determining the final candidates.

Director Lewinger asked for clarification of the role played by stakeholders in the recruitment process as opposed to the Board role. Chair Madaffer responded that the role of stakeholders would be advisory, prior to the final candidate interviews with the Board.

11. **SPECIAL REPORTS**

11-A GENERAL MANAGER'S REPORT – Ms. Kerl reminded the Board of the Special Imported Water Committee meeting on April 11, 2019 at 1:30 p.m.

11-B GENERAL COUNSEL'S REPORT – Mr. Hattam stated he had nothing further to report.

11-C SANDAG REPORT – Director Morrison reported on discussion and action taken at the recent SANDAG meetings, and the SANDAG Board Retreat.  
SANDAG Subcommittees:

Borders Committee – Director Saxod reported on discussion and action taken at the recent SANDAG Borders Committee meeting.

Director Preciado requested information regarding the Water Authority's engagement with SANDAG and the role of the Water Authority on SANDAG committees.

Regional Planning Committee – Director Leonard stated the meeting had not yet taken place.

11-D AB 1234 Compliance Reports – No reports were given.

12. **CLOSED SESSION(S)**

Mr. Hattam announced there was no need for Closed Session.

- 12-A Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
Williams v. San Diego County Water Authority; San Diego Superior Court  
Case No. 37-2019-00010682-CU-WM-CTL
- 12-B Conference with the Labor Negotiator  
Government Code §54957.6  
Agency Designated Representatives: Gretchen Spaniol, Jason Foster, Rick  
Bolanos Employee Organization: Teamsters Local 911
- 12-C Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
William J. Kimball and Diana Kimball, as Trustees of the William J.  
Kimball and Diana L. Kimball Living Trust dated October 29, 1992 v. Bryan  
J. Holland, Teresa K. Holland, and SDCWA; San Diego Superior Court  
Case No. 37-2018-00036570-CU-OR-CTL
- 12-D Conference with Legal Counsel – Anticipated Litigation  
Government Code §54956.9(d)(4)  
Initiation of Litigation / One Case
- 12-E Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
SDCWA v. Metropolitan Water District of Southern California; San  
Francisco Superior Court Case Nos. CPF-10-510830; CPF-12-512466; CPF-  
14-514004; CPF-16-515282; CPF-16-515391; CGC-17-563350; CPF-18-  
516389; California Court of Appeal (1<sup>st</sup> District) Case Nos. A146901;  
A148266; A154325; California Supreme Court Case Nos. S243500; and  
S251025
- 12-F Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
California Department of Water Resources v. All Persons Interested;  
Sacramento Superior Court Case No. 34-2017-00215965-CU-MC-GDS;  
and JCCP 4942
- 12-G Conference with Legal Counsel – Existing Litigation  
Government Code §§54956.9(d)(1)  
Food & Water Watch and Center for Food Safety v. Metropolitan Water  
District of Southern California and All Persons Interested in the Matter; Los  
Angeles Superior Court Case No. BC 720692

13. **ACTION FOLLOWING CLOSED SESSION**

14. **OTHER COMMUNICATIONS**

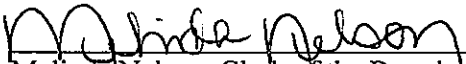
Director Hogan introduced Mr. Albert Lau, the newly appointed General Manager to the Santa Fe Irrigation District.

15. **ADJOURNMENT**

There being no further business to come before the Board, Chair Madaffer adjourned the meeting at 3:52 p.m.

  
\_\_\_\_\_  
Jim Madaffer, Chair

  
\_\_\_\_\_  
Gary Croucher, Vice Chair

  
\_\_\_\_\_  
Melinda Nelson, Clerk of the Board