



### 3. CHAIRWOMAN'S REPORT

Chairwoman Gray spoke about a recent breach of confidentiality of a communication received by the Executive Committee regarding an Ethics matter. Chairwoman reminded everyone of the importance of not sharing confidential information with any third party, and read an excerpt of Metropolitan's Administrative Code 7140 regarding Executive Committee actions in response to ethics violations.

### 4. OTHER MATTERS

None

### 5. CONSENT CALENDAR ITEMS – ACTION

None

### 6. OTHER BOARD ITEMS – ACTION

None

### 7. BOARD INFORMATION ITEMS

None

### 8. DEPARTMENT HEAD'S REPORTS

a. Subject: General Manager's report of Metropolitan's activities

Presented by: General Manager Jeffrey Kightlinger

General Manager Kightlinger reported on the following:

- The Regional Recycled Water Program Conceptual Planning Studies report is available, a link was provided to everyone, and the Demonstration Plant Grand Opening celebration has been postponed, a new date for this event will be announced as it becomes available;
- Colorado River Aqueduct (CRA) Whitewater Siphons were damaged during recent storms preventing CRA water storage deliveries at the Desert/Coachella connection; Metropolitan crews are working on

repairs and staff will provide reports in the future; and

- An item will be added to the Water Planning and Stewardship Committee agenda in March providing an analysis of the Lower Basin Drought Contingency Plan without Imperial Irrigation District's participation for Board consideration.

b. Subject: General Counsel's report of Legal Department activities

Presented by: General Counsel Marcia Scully

General Counsel Scully reported on the recent litigation related to the California WaterFix; stating that the Department of Water Resources (the project proponent/applicant) has not responded officially to change the current project proposal; Ms. Scully stated that staff will continue to keep abreast of this situation and provide additional information at the upcoming Legal and Claims Committee meeting in March, or as it becomes available.

c. Subject: General Auditor's report of Audit Department activities

Presented by: General Auditor Gerald Riss

None

d. Subject: Interim Ethics Officer's report of Ethics Department activities

Presented by: Interim Ethics Officer Gerald Riss

None

## 9. REPORTS FROM COMMITTEES

a. Subject: Finance and Insurance Committee

Presented by: Committee Chair Dake

Committee Chair Dake announced that at March's Committee meeting the committee will hear a report on Investment Activities through February 2019, as well as the Interim Chief Financial Officer will present her monthly report.

Two items have been withdrawn from the March 2019 draft agenda: Item 6a, a report on California WaterFix Cost Allocation: CWF Project Overview; and, Item 8-1, a Board Letter for Action regarding reimbursement

from bond proceeds for capital expenditures for the purchase of land and acquisition costs, and costs of issuance of debt.

b. Subject: Water Planning and Stewardship Committee

Presented by: Committee Chair Atwater

Committee Chair Atwater announced that at March's Committee meeting staff will present two action items, one information item, and three committee items.

The two action items include:

- Authorizing amendments to Exchange Agreements with Desert Water Agency and Coachella Valley Water District; and
- Authorizing participation in the Lower Basin Drought Contingency Plan without the participation of Imperial Irrigation District.

The information item will report on potential credit to enhance in-lieu deliveries to cyclic storage under limited condition.

The three oral reports will provide updates on:

- The Water Surplus and Drought Management;
- The State Water Resources Control Board Bay-Delta Water Quality Control Plan Proposed Voluntary Settlement Agreement; and
- The evaluation of Regional Storage Portfolio Metropolitan's Emergency Storage Objective.

c. Subject: Engineering and Operations Committee

Presented by: Committee Chair Smith

Committee Chair Smith announced that the committee in March will hear three committee items including:

- The Capital Investment Plan Quarterly Report for the period ending December 2018,
- A Regional Recycled Water Program update,
- An oral report on Deliveries of Water in Metropolitan's System in an Emergency, and
- An update on the impacts from the recent rain storms in Southern California.

d. Subject: Communications and Legislation Committee

Presented by: Committee Chair Cordero

Committee Chair Cordero announced that the committee in March has one action item scheduled for consideration:

- Express Opposition, unless amended, to SB 1 (Atkins, D-San Diego): California Environmental, Public Health, and Workers Defense Act of 2019.

There will also be a board information letter on:

- Safe and Affordable Drinking Water legislation; an oral report will be given on the same topic.

Committee Chair Cordero also reported that the introduction deadline for state legislation was last Friday and that more bills may be added to the agenda, including two that are related to Safe and Affordable Drinking Water Trust, one on accidental take of species for agriculture activities, as well as Central Basin's proposal regarding Metropolitan's board composition.

The committee will also hear a report on the proposed new definition of "Waters of the United States" rule, an update on Metropolitan's 2018/19 Water Conservation Outreach Campaign, and Monthly reports from Sacramento, Washington, and the External Affairs Management report.

e. Subject: Organization, Personnel and Technology Committee

Presented by: Committee Chair Murray

Committee Chair Murray announced that the committee will not meet in March, but is scheduled to meet in April.

f. Subject: Legal and Claims Committee

Presented by: Committee Chair McKenney

Committee Chair McKenney announced that in March, the committee will hear three items in closed session:

1. An action item to receive a report on the *Mary Padres v. Metropolitan* lawsuit and to consider authorizing an increase in the maximum amount payable under contract with Seyfarth Shaw LLP.

2. An action item to consider authorizing settlement of the *Metropolitan v. Desert Milling, Inc.* lawsuit.
3. A committee item to review the settlement proposal received from the San Diego County Water Authority and to receive a report on the *San Diego County Water Authority v. Metropolitan* cases.

The report on the Bay-Delta litigation that's currently on the draft agenda will be withdrawn.

g. Subject: Real Property and Asset Management Committee

Presented by: Committee Chair Hogan

Committee Chair Hogan announced that the committee will not meet in March, but is scheduled to meet in April.

h. Subject: Audit and Ethics Committee

Presented by: Committee Chair Ramos

Committee Chair Ramos announced at the next committee meeting discussion will continue on the Review of the policies and procedures of the Ethics Office and Recommended Changes. The action item is anticipated to go before the Board in April 2019.

The next Audit and Ethics Committee meeting is scheduled for March 26, 2019.

i. Subject: Approve draft committee and board meeting agendas and schedule for March 2019

Presented by: Chairwoman Gray

Motion: Approve draft committee and board meeting agendas and schedule for March 2019.

Motion: Carried  
Moved: Director McKenney                      Seconded: Director Murray  
Ayes: Directors Atwater, Butkiewicz, Cordero, Dake, Gray, Hogan, Kurtz,  
McKenney, Murray, Paskett, Pressman, Ramos, Record, Smith, and  
Treviño  
Noes: None  
Abstentions: None  
Absent: Director Vasquez Wilson

The motion passed by a vote of 15 ayes, 0 no, 0 abstain, and 1 absent.

#### **10. FOLLOW-UP ITEMS**

None

#### **11. FUTURE AGENDA ITEMS**

None

The meeting was adjourned at 12:50 p.m.

Gloria D. Gray  
Chairwoman of the Board