

MINUTES OF THE MEETING OF
THE BOARD OF WATER AND POWER COMMISSIONERS
OF THE CITY OF LOS ANGELES
Tuesday, July 11, 2023
10:00 A.M.

PRESENT:

Nurit D. Katz	Commissioner
Mia Lehrer	Commissioner
Cynthia McClain-Hill	Commissioner, President
George S. McGraw	Commissioner
Nicole Neeman Brady	Commissioner, Vice President
Chante L. Mitchell	Commission Secretary
Martin L. Adams	General Manager and Chief Engineer
Aram H. Benyamin	Chief Operating Officer
Jonathan K. Leung	Director of Water Quality
Joseph M. Ramallo	Senior Assistant General Manager – Corporate Strategy and Communications
Julie C. Riley	General Counsel
Ann M. Santilli	Chief Financial Officer
Simon Zewdu	Interim Assistant General Manager – Power System

ADDITIONAL ATTENDEES:

Dr. Frederick Pickel	Executive Director/Ratepayer Advocate, Office of Public Accountability
Camden Collins	Ratepayer Advocate, Office of Public Accountability

ABSENT:

Anselmo C. Collins	Senior Assistant General Manager – Water System
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The Commission Secretary called the meeting to order at 10:17 A.M. and made a broadcast announcement.

A. ROLL CALL

The Commission Secretary called roll and was answered by:

Commissioner Nurit Katz
Commissioner Mia Lehrer
Commissioner McGraw
Commissioner Neeman Brady

A quorum was constituted.

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B. OPENING REMARKS BY COMMISSION PRESIDENT

Commissioner Neeman Brady acknowledged Martin L. Adams' 39 years of Service and thanked him on behalf of the Board and the City of Los Angeles. She also welcomed Commissioner McGraw as a leading expert on Water and Sanitation who is the Founder and CEO of Dig Deep. Commissioner Neeman Brady highlighted Commissioner McGraw's work on an extensive report on closing the water access gap. She applauded his efforts towards advancing water security.

D. GENERAL PUBLIC COMMENT

No public comments were heard.

E. REPORT/BRIEFING BY THE GENERAL MANAGER AND CHIEF ENGINEER

Mr. Adams welcomed Commissioner McGraw on behalf of all of the LADWP staff. Mr. Adams reported on the A/C Rebate Program and Flex Program as the summer months are here.

Mr. Adams also reported that the Drinking Water Quality report was released.

Mr. Leung and Mr. Breonia Lindsey reported on the LADWP Hydro Kings and their participation at the American Water Works Association Conference where teams took place in two categories.

Mr. Zewdu presented a plaque for Marty Adams for his 39 years of service on behalf of the Power System. Mr. Leung and Mr. Lindsey presented Marty with a meter clock on behalf of the Water System.

F. INTRODUCTION OF MOTIONS FOR FUTURE CONSIDERATION

No future motions were introduced.

G. COMMENTS FROM RATEPAYER ADVOCATE ON AGENDIZED ITEMS

Dr. Pickel provided comments on Agenda item M.2.

Dr. Pickel would like the opportunity for OPA and LADWP to bring forward a jointly sponsored resolution to the Board in November to address issues of shared cost and causation on activities relative to other City Departments. This effort will assist LADWP in identifying criteria and standards for the building of shared costs on remediation and other things.

H. NEIGHBORHOOD COUNCIL IMPACT STATEMENTS

No Community Impact Statements or formal positions were filed by any Neighborhood Councils on any of the Agenda items.

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I. CONSIDERATION OF ITEMS RECOMMENDED FOR APPROVAL

Written recommendations, as approved by the General Manager and Chief Engineer, transmitting the below Resolutions, and approved as to form and legality by the City Attorney.

The Board consented to the adoption of six Resolutions for items M.2, M.3, M.4, M.6, M.7, and M.9. with the following votes:

Moved by: Commissioner Katz
Seconded By: Commissioner McGraw

Ayes: Commissioners Katz, Lehrer, McGraw, and
Neeman Brady
Nays: None
Absent: McClain-Hill

Motion carried.

2. **RESOLUTION NO. 024 001** - Approval of Amendment No. 1 to Agreement Nos. 47611A and 47611C through E for Hazardous and Industrial Waste Management Services with American Integrated Services, Inc.; Clean Harbors Environmental Services, Inc.; Advanced Chemical Transport, Inc. dba ACT Enviro; and Clear Blue Environmental. The Amendment will increase the not to exceed amount by \$25,000,000, for a new not to exceed amount of \$50,000,000.

Resolution attached.

3. **RESOLUTION NO. 024 002**- Approval of the Toluca-Hollywood Line 1 Upgrade Project and Adoption of the Mitigated Negative Declaration in Accordance with the California Environmental Quality Act.

Resolution attached.

4. **RESOLUTION NOS. 024 003, 327 4372, 328 3595, and 024 190 001** - Approval to Establish Duties Description Records, Adopt the Salaries, and Amend the Annual Personnel Resolution for the New Class Series of Utility Line Clearance Tree Trimmer.

Resolution attached.

6. **RESOLUTION NO. 024 004** - Approval of Updated Delegation of Authority to Execute Certificates of Acceptance – LADWP File No. J-40200

Resolution attached.

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7. **RESOLUTION NO. 024 005**- Approval of Agreement No. 47781 for Pipeline Safety Compliance Services for Harbor Natural Gas Pipeline – Integrity Solutions Corporation, Inc., for a term of five years and an amount not to exceed \$3,139,500.

Resolution attached.

9. **RESOLUTION NO. 20253** - Approval of Contract No. 355 to Furnish, Deliver, and Pick Up Heavy Trucks and Trailers on a Fully-Maintained, As-Needed, Bare Rental Basis with Herc Rentals Inc., for a term of three years and an amount not exceed of \$36,471,526.

Resolution attached.

1. **DEFERRED** - Approval of Agreement Nos. 47790A through 47790J for Computer Equipment and Maintenance with Red8 LLC; Axelliant, LLC; Golden State Technology, Inc.; Zones, LLC.; Dynamic Systems, Inc.; Nth Generation Computing, Inc.; World Wide Technology, LLC; Sterling Computers Corporation; ITSavvy LLC; and GovConnection, Inc. dba Connection-Public Sector Solutions, for a term of five years and an amount not to exceed \$180,000,000.

J. MANAGEMENT REPORTS

1. Presentation Regarding Prompt Payments of Contracts

Presentation provided by Gregory Reed and Andrew Virzi III.

2. Presentation Regarding an Overview of the Office of Emergency Management

Presentation provided by Brian Lam.

PRESIDENT MCCLAIN-HILL ENTERED AT 11:16 A.M.

K. FILED ITEMS

1. Financial Services Organization Monthly Activities Report – April 2023

Item K.1 was presented to the Board by the Commission Secretary and ordered filed.

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L. MINUTES

The Board consented to the approval of the Minutes for the June 27, 2022, Regular Meeting with the following votes:

Moved by: Commissioner Neeman Brady
Seconded By: President McClain-Hill

Ayes: Commissioners Katz, Lehrer, McClain-Hill, McGraw, and Neeman Brady.

Nays: None

Absent: None

Motion carried.

M. ITEMS FOR APPROVAL

Written recommendation, as approved by the General Manager and Chief Engineer, transmitting the below Resolution, and approved as to form and legality by the City Attorney.

The Board consented to the adoption of the following Resolution for Agenda item M.8 with the following votes:

Moved by: Commissioner Neeman Brady
Seconded By: President McClain-Hill

Ayes: Commissioners Katz, Lehrer, McClain-Hill, McGraw, and Neeman Brady

Nays: None

Absent: None

Motion carried.

8. **RESOLUTION NO. 024 006** - Approval of Amendment No. 2 to the Amended and Restated City-Edison Pacific Intertie Direct Current Transmission Facilities Agreement, as Amended, DWP No. 10078. The Amendment is for an amount not to exceed \$12,000,000.

Resolution attached.

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Written recommendation, as approved by the General Manager and Chief Engineer, transmitting the below Resolution, and approved as to form and legality by the City Attorney.

The Board consented to the adoption of the following Resolution for Agenda item M.10 with the following votes:

Moved by: Commissioner Neeman Brady
Seconded By: President McClain-Hill

Ayes: Commissioners Katz, Lehrer, McClain-Hill, McGraw, and Neeman Brady
Nays: None
Absent: None

Motion carried.

10. **RESOLUTION NO. 024 007** - Approval Resolution Approving the Proposed Plan Amendments to the Water and Power Employees' Retirement Plan for Other Governmental Service purchases for Tier 2 Members, Family Death Benefit Allowance, and Retirement for Employees from Permanent Total Disability.

Resolution attached.

COMMISSIONER KATZ EXITED AT 12:15PM.

Written recommendation, as approved by the General Manager and Chief Engineer, transmitting the below Resolution, and approved as to form and legality by the City Attorney.

The Board consented to the adoption of the following Resolution for Agenda item M.5 with the following votes:

Moved by: Commissioner Neeman Brady
Seconded By: President McClain-Hill

Ayes: Commissioners Lehrer, McClain-Hill, McGraw, and Neeman Brady
Nays: None
Absent: Commissioner Katz
Recusal: Commissioner Katz

Motion carried.

5. **RESOLUTION NO. 024 008** - Approval of Amendment No. 1 to Memorandum of Agreement with The University of California, Los Angeles for Scientific Research and Coordination Services with Other Los Angeles Academic Research Universities. The Amendment will extend the term for three years and for an amount not to exceed \$9,000,000.

Resolution attached.

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COMMISSIONER KATZ ENTERED AT 12:15PM.

C. ELECTION OF OFFICERS

President McClain-Hill moved that Commissioner Neeman Brady be nominated as Board Vice President.

Commissioner Katz seconded the motion

Ayes: Commissioners Katz, Lehrer, Neeman Brady, McClain-Hill, and McGraw
Nays: None
Absent: None

Motion carried.

Vice President Neeman Brady moved that President McClain-Hill be re-nominated as Board President.

Commissioner Katz seconded the motion

Ayes: Commissioner Katz, Lehrer, Neeman Brady, McClain-Hill, and McGraw
Nays: None
Absent: None

Motion carried.

At 12:15 P.M. the Board recessed into closed session.

MINUTES OF THE CLOSED SESSION MEETING OF
THE BOARD OF WATER AND POWER COMMISSIONERS
OF THE CITY OF LOS ANGELES
Tuesday, July 11, 2023
12:18 P.M.

PRESENT:

Nurit D. Katz	Commissioner
Mia Lehrer	Commissioner
Cynthia McClain-Hill	Commissioner, President
George S. McGraw	Commissioner
Nicole Neeman Brady	Commissioner, Vice President
Chante L. Mitchell	Commission Secretary
Martin L. Adams	General Manager and Chief Engineer
Aram H. Benyamin	Chief Operating Officer
Jonathan K. Leung	Director of Water Quality
Joseph M. Ramallo	Senior Assistant General Manager – Corporate Strategy and Communications
Julie C. Riley	General Counsel
Ann M. Santilli	Chief Financial Officer
Simon Zewdu	Interim Assistant General Manager – Power System

ADDITIONAL ATTENDEES:

Dr. Frederick Pickel	Executive Director/Ratepayer Advocate, Office of Public Accountability
Camden Collins	Ratepayer Advocate, Office of Public Accountability

ABSENT:

Anselmo C. Collins	Senior Assistant General Manager – Water System
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N. CLOSED SESSION

8. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Section 54956.9(d)(2) of the California Government Code)

Discussion regarding significant exposure to litigation (1 case).

Discussion held.

VICE PRESIDENT NEEMAN BRADY EXITED AT 1:00 P.M.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Section 54956.9(d)(1) of the California Government Code)

Jose C. Lopez and Yessenia M. Lopez v. Los Angeles Department of Water and Power, Los Angeles Superior Court case number 19STCV13656.

Discussion held – Action taken but not final.

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2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Section 54956.9(d)(1) of the California Government Code)

Janet Khachi v. Los Angeles Department of Water and Power, Los Angeles Superior Court case number 20STCV17628.

Discussion held - action taken but not final.

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Section 54956.9(d)(1) of the California Government Code)

Jeaneth Anthony v. Los Angeles Department of Water and Power, Los Angeles Superior Court Case No. 21STCV34381.

Discussion held - action taken but not final.

4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Section 54956.9(d)(1) of the California Government Code)

Doris Goldstein v. Los Angeles Department of Water and Power, Los Angeles Superior Court Case No. 22STCV37556.

Discussion held - action taken but not final.

5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Section 54956.9(d)(1) of the California Government Code)

Keandre Gregg v. Los Angeles Department of Water and Power, Los Angeles Superior Court Case No. 19STCV38299.

Discussion held - action taken but not final.

6. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Section 54956.9(d)(1) of the California Government Code)

Brenda Dorado and Jose Montalvo v. Los Angeles Department of Water and Power, Los Angeles Superior Court Case No. 19STCV05680.

Discussion held - action taken but not final.

7. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Section 54956.9(d)(1) of the California Government Code)

City of Los Angeles v. Pricewaterhouse Coopers LLP (PwC), Los Angeles Superior Court Case No. BC574690 (including current appeals and designated related cases).

Discussion held - action taken but not final.

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9. Real Estate Matters:

Pursuant to Government Code Section 54956.8, the Board will meet in closed session for a conference with Real Property Negotiators concerning the price and terms for sale of the real property located at portions of APN 012-100-28 and APN 012-100-18, Inyo County, California. LADWP Real Property Negotiators: Adam Perez, Manager of Aqueduct; and Elsa Jimenez, Property Manager. Negotiating Party: Bishop Paiute Tribe; Meryl Picard, Tribal Chairwoman; Gloriana Bailey, Tribal Administrator; Steven Orihuela, Tribal Secretary/Treasurer; and Xavier A. Barraza, Peebles Kidder (Attorney).

Discussion held.

O. ADJOURNMENT

There being no further business, President McClain-Hill, with unanimous consent of the Board ordered the meeting adjourned at 2:21 P.M.

SIGNED:



SECRETARY

ATTEST:



PRESIDENT