

# THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

## MINUTES

### EXECUTIVE COMMITTEE

February 23, 2021

Chairwoman Gray called the teleconference meeting to order at 12:02 p.m.

Members present: Directors Abdo, Ackerman, Atwater, Cordero, De Jesus, Dick, Gray, Hogan, Kurtz, Quiñonez, Ramos, Record, Repenning, and Smith

Member absent: Director Murray

Other Board members present: Directors Ballin, Blois, Butkiewicz, Faessel, Fellow, Galleano, Goldberg, Jung, Hawkins, Lefevre, Morris, Peterson, Pressman, Tamaribuchi, and Williams

Committee staff present: Aldrete, Beatty, Castro, Chapman, Kasaine, Kightlinger, Riss, Salinas, Scully, Upadhyay, and Walters

1. Opportunity for members of the public to address the committee and Board on matters within their jurisdiction

	Name	Affiliation	Item
1	Alan Shanahan	President, AFSCME 1902	Personnel Issues
2	Public Citizen	not stated	Personnel Issues
3	Caty Wagner	Sierra Club	Stormwater Capture Programs and General Manager Recruitment

Chairwoman Gray addressed the Board regarding the recent Los Angeles Times articles, and the motion made by Los Angeles City Council, President Martinez, asking for a report on the city's relationship with Metropolitan relative to the recent allegations, as well as a request for the State Auditor to conduct an independent audit to investigate issues of workplace safety, harassment, and retaliation at Metropolitan. Copies of both the correspondence received and Metropolitan responses are attached.

## 2. OTHER MATTERS AND REPORTS

- a. Subject: Chairwoman's Report  
Presented by: Chairwoman Gloria D. Gray

Chairwoman Gray stated she had nothing to add to her report.

- b. Subject: General Manager's report of Metropolitan's activities  
Presented by: General Manager Jeffrey Kightlinger

General Manager Kightlinger reported that this year continues to remain a dry year and the determination has not been made whether it will be a critical year. General Manager Kightlinger stated that staff will continue to monitor and update the Board on the status of this drought year at future Water Planning and Stewardship Committee meetings.

- c. Subject: General Counsel's report of Legal Department activities  
Presented by: General Counsel Marcia Scully

General Counsel Scully reported she had nothing to add to her report.

- d. Subject: General Auditor's report of Audit Department activities  
Presented by: General Auditor Gerald Riss

General Auditor Riss reported he had nothing to add to his report.

- e. Subject: Ethics Officer's report of Ethics Department activities  
Presented by: Ethics Officer Abel Salinas

Ethics Officer Salinas reported he had nothing to add to his report.

- f. Subject: The Shaw Law Group update on the Board-directed Independent Review of Workplace Concerns  
Presented by: Ethics Officer Abel Salinas

Ethics Officer Salinas provided remarks to the Board then introduced Jennifer Shaw and Brooke Kozak of the Shaw Law Group.

The Shaw Law Group provided an oral presentation on their interim report on the independent review of three primary areas of concern:

- (1) Metropolitan's Internal Equal Employment Opportunity processes;
- (2) Allegations of systemic Equal Employment Opportunity issues, which includes discrimination, harassment, and retaliation and the experience of female employees in the trades and participation in the apprenticeship program, and finally;
- (3) to review Metropolitan's Diversity, Equity, and Inclusivity Initiative.

The following participants provided comments or asked questions:

- 1 Goldberg
- 2 Shaw Law Group
- 3 Goldberg
- 4 Ethics Officer Salinas
- 5 Cordero
- 6 Kurtz
- 7 Shaw Law Group
- 8 Kurtz
- 9 Petersen
- 10 Shaw Law Group
- 11 Ballin
- 12 Shaw Law Group
- 13 Quiñonez
- 14 Shaw Law Group
- 15 Quiñonez
- 16 Ethics Officer Salinas
- 17 Repenning
- 18 Shaw Law Group
- 19 Abdo
- 20 Gray
- 21 Cordero
- 22 Ethics Officer Salinas
- 23 Gray
- 24 General Manager Kightlinger
- 25 Ballin
- 26 Shaw Law Group
- 27 Ballin

g. Subject: Audit and Ethics Committee

Presented by: Committee Chair Ramos

Chairwoman Gray announced this Committee will not be meeting in March

h. Subject: Bay-Delta Committee

Presented by: Committee Chair Ackerman

Committee Chair Ackerman announced the Committee will hear the following two committee items:

- Update on Delta Stewardship Council Activities
- Update on Delta Conveyance

As well as the monthly Bay-Delta Manager's report

i. Subject: Communications and Legislation Committee

Presented by: Committee Chair Cordero

Committee Chair Cordero announced that the Committee will hear the following action item:

- Authorize the General Manager to express support for AB 361 (Rivas, R. D-Hollister) Open meetings: local agencies: teleconferences and AB 703 (Rubio, D-Baldwin Park) Open meetings: local agencies: teleconferences

The Committee will also hear the following information item:

- Report on Water Affordability and Shutoff Legislation Initiatives

As well as these four committee items:

- Reports on activities from Washington D.C.
- Report on activities from Sacramento
- Update on 2018-2021 Water Conservation Advertising and Outreach Campaign
- External Affairs Management Report

j. Subject: Engineering and Operations Committee

Presented by: Committee Chair Smith

Committee Chair Smith announced that the Committee will hear the following action item:

- Authorize an agreement with Arcadis U.S., Inc., in an amount not to exceed \$950,000 for engineering services to rehabilitate Garvey Reservoir and an agreement with Rincon Consultants, Inc., in an amount not to exceed \$300,000 to prepare associated CEQA documentation

In addition, the Committee will hear two oral reports:

- Capital Investment Plan Quarterly Report for period ending Dec 2020
- Regional Recycled Water Program Update

And, hear two management reports:

- Water System Operations Manager's report
- Engineering Services Manager's report

k. Subject: Finance and Insurance Committee

Presented by: Committee Chair Quiñonez

Chairwoman Gray announced this Committee will not be meeting in March

l. Subject: Legal and Claims Committee

Presented by: Committee Chair Dick

Committee Chair Dick announced that the Committee will consider the following action item:

Authorize an increase for a legal services contract with Hanson Bridgett LLP to provide legal advice on deferred compensation plans, other employee benefits, taxes, and CalPERS matters.

The Committee will also hold a discussion of Board procedures and the General Counsel will report on her monthly activities.

And finally, in closed session, we will receive an update on the San Diego County Water Authority v. Metropolitan rate litigation.

m. Subject: Organization, Personnel and Technology Committee

Presented by: Committee Vice Chair Ballin

Committee Vice Chair Ballin announced that the Committee will hear the following Committee presentations:

- Ethics Officer's Monthly Update on Independent Review of Workplace Concerns
- Roles and Responsibilities of Metropolitan's Ethics and Human Resources offices

And, hear two management reports:

- Human Resources Group Manager's report
- Information Technology Group Manager's report

Also, note that the following item has been withdrawn from the March draft agenda since it will be discussed this afternoon at the Audit & Ethics Committee; Item 6-a, a Committee Item regarding the Ethics Officer's Monthly Update on Independent Review of Workplace Concerns.

n. Subject: Real Property and Asset Management Committee

Presented by: Committee Chair Hogan

Committee Chair Hogan announced that the Committee will consider one consent calendar item:

- Authorize an exchange of access easements with Fondomonte California, LLC, in an unincorporated area of the county of Riverside in the Palo Verde Valley

Additionally, staff will present two committee items, both with revised subjects:

- Update on District Housing Maintenance Management and District Housing & Property Improvement Program; and
- Encroachment Prevention update

And, hear the Real Property manager's Report.

o. Subject: Water Planning and Stewardship Committee

Presented by: Committee Chair Atwater

Committee Chair Atwater announced that the Committee will meet jointly with the Conservation and Local Resources Committee and expect to consider one consent calendar item:

- Authorize the General Manager to enter into a Coordinated Operating Agreement with San Bernardino Valley Municipal Water District and related agreements with Metropolitan member agencies for extraordinary supply. Please note that this item may be moved to the April meeting.

The following three committee items will also be heard:

- Update on Water Surplus and Drought Management Plan
- Conservation Board Report
- Update on Implementation of Statutes Making Conservation as a California Way of Life

And, two management reports:

- Colorado River Matters
- Water Resource Management Manager's Report

**CONSENT CALENDAR ITEMS – ACTION****3. CONSENT CALENDAR OTHER ITEMS – ACTION**

- A. Approval of the Minutes of the meeting of the Executive Committee held January 26, 2021
- B. Approve draft committee and Board meeting agendas, and schedule for March 2021

Chairwoman Gray asked Directors if there were any comments or discussion on the Minutes of the January 26, 2021 Executive Committee Meeting. No requests were made.

Chairwoman Gray then asked Directors if there were any comments, additions, or corrections to the March 2021 Draft Packet. No requests were made.

**4. CONSENT CALENDAR ITEMS – ACTION**

None

**END OF CONSENT CALENDAR ITEMS**

Director Dick made a motion, seconded by Director Kurtz, to approve the Consent Calendar Items 3A and 3B.

The vote was:

Ayes: Directors Abdo, Ackerman, Atwater, Cordero, De Jesus, Dick, Gray, Hogan, Kurtz, Quiñonez, Ramos, Record, Repenning, and Smith

Noes: None

Abstentions: None

Absent: Director Murray

The motion passed by a vote of 14 ayes; 0 no; 0 abstain; and 1 absent.

**5. OTHER BOARD ITEMS – ACTION**

None

**6. BOARD INFORMATION ITEMS**

- a. General Manager Recruitment Process Update [Public Employment; General Manager; to be heard in closed session pursuant to Gov. Code 54957]

Chairwoman Gray called on General Counsel Scully to respond to the questions concerning the General Manager Recruitment process to be heard in closed session.

General Counsel Scully addressed the Board.

Chairwoman Gray called the meeting into closed session to hear Agenda Item 6a the General Manager Recruitment Process Update.

Meeting returned to open session at 1:50 p.m. Chairwoman Gray stated that during Closed Session directions were provided to the Hawkins Company.

**7. FOLLOW-UP ITEMS**

None

**8. FUTURE AGENDA ITEMS**

None

The meeting was adjourned at 1:51 p.m.

Gloria D. Gray  
Chairwoman of the Board