

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

ETHICS, ORGANIZATION, AND PERSONNEL COMMITTEE

October 9, 2023

Vice Chair Phan called the teleconference meeting to order at 11:52 a.m.

Members present: Directors Bryant, Camacho, Douglas (teleconference posted location), Erdman (entered after roll call), Faessel (entered after roll call), Fong-Sakai (AB2449), Jung (entered after roll call, teleconference posted location), McMillan, and Phan.

Members absent: Directors Cordero, Kassakhian, Ramos, and Sutley.

Other Board Members present: Directors Abdo, Ackerman, Dennstedt, Dick, Fellow, Garza, Goldberg, Gray (teleconference posted location), Kurtz (AB 2449), McCoy, Miller, Morris, Ortega, Peterson, Seckel, and Smith.

Director Fong-Sakai indicated she is participating under AB2449 “just cause” due to illness. Director Fong-Sakai appeared by audio and on camera.

Director Kurtz indicated she is participating under AB 2449 “just cause” due to illness. Director Kurtz appeared by audio and on camera.

Committee Staff present: C. Aguirre, Arzate, Hagekhalil, Kasaine, Salinas, H. Torres, Wheeler, and Wisdom.

1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE’S JURISDICTION

Name	Affiliation	Item
1. Monique O’Dwyer	Employee MWD Sacramento Office The Management and Professional Employees	Withdrawn Item 6e
2. John Vrsalovich	Association of MWD	Withdrawn Item 6e

CONSENT CALENDAR ITEMS — ACTION

Director Erdman entered the meeting.

2. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Approval of the Minutes of the Ethics, Organization, and Personnel Committee for September 11, 2023 (Copies have been submitted to each Director, any additions, corrections, or omissions)

3. CONSENT CALENDAR ITEMS – ACTION

- 7-5 Authorize of Cost-of-Living Adjustment for General Auditor; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.

Motion: Authorize a 3 percent Cost-of-Living Adjustment for the General Auditor effective June 25, 2023.

No presentation was given, Director Camacho made a motion, seconded by Director Bryant to approve the consent calendar consisting of item 2A and 7-5.

The vote was:

Ayes: Directors Bryant, Camacho, Douglas, Erdman, Fong-Sakai, McMillan, and Phan

Noes: None

Abstentions: None

Absent: Directors Cordero, Faessel, Jung, Kassakhian, Ramos and Sutley.

The motion passed by a vote of 7 ayes, 0 noes, 0 abstention, and 6 absent.

END OF CONSENT CALENDAR ITEMS

4. OTHER BOARD ITEMS – ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- a. Subject: Monthly Ethics Education: Fair Political Practices Commission advice letter regarding contracts with member agencies
Presented by: Kelli Shope, Assistant Ethics Officer

Ms. Shope provided an overview and clarification on advice provided by the Fair Political Practice Commission regarding Directors' involvement with contracts between Metropolitan and their appointing authority.

The following Directors provided comments or asked questions.

1. Phan

Staff responded to the Directors' questions and comments.

Director Jung entered the meeting.

- b. Subject: Ethics Policy Development for 2024
Presented by: Abel Salinas, Ethics Officer

Mr. Salinas provided an overview of recommended ethics policy changes that will enhance accountability and oversight, along with a recommendation for process change for ethics findings concerning directors or department heads. The proposals will be presented in more detail in a later meeting.

The following Directors provided comments or asked questions.

1. Douglas
2. Phan

Staff responded to the Directors' questions and comments.

- c. Subject: Update on Implementation of Recommendations from State Audit and Independent Review of Workplace Concerns

Presented by: Kasaine Katano, Assistant General Manager/CFOMs.

Kasaine shared an update on the Implementation of Recommendations from the state audit and independent review of workplace concerns.

The following Directors provided comments or asked questions

1. Ortega
2. Douglas

Staff responded to the Directors' questions and comments.

- d. Subject: Equal Employment Opportunity Statistical Report

Presented by: Marisol Arzate, Deputy Chief EEO Officer

Ms. Arzate presented the committee with EEO statistical reports for July 2023 through September 2023. The reports included the number of complaints received, complaints comparison by quarter, types of protected categories each complaint fell under, and number of complaints that were closed and open.

The following Directors provided comments or asked questions

1. Douglas
2. Ortega
3. McCoy

Staff responded to the Directors' questions and comments.

- e. Subject: Labor Negotiations Update [Conference with labor negotiators; to 21-2688 be heard in closed session pursuant to Gov. Code Section 54957.6. Metropolitan representative(s): Katano Kasaine, Chief Financial Officer; Gifty Beets, Human Resources Section Manager; Adam Benson, Finance Group Manager; Employee Organization(s): The Employees Association of The Metropolitan Water District of Southern California/AFSCME Local 1902; the Management and Professional Employees Associations MAPA/AFSCME Chapter 1001; and the Supervisors Association.)]
[WITHDRAWN 10/5/23]

The following Directors provided comments or asked questions

1. Bryant
2. Ortega

Staff responded to the Directors' questions and comments.

7.

MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

a. Ethics Officer's Report on monthly activities

Mr. Salinas reported that since September, the Ethics Office has not initiated any new investigations or contracts. There are currently nine open investigations, five opened in August and involve allegations of unauthorized release of confidential information, one open in March alleges misuse of authority by a Metropolitan official, and three that allege retaliation. The Ethics Officer anticipates completing all nine cases by December 2023. The Ethics Office is currently managing five EEO-related investigations.

Director Faessel entered the meeting.

b. Equal Employment Opportunity and Human Resources activities

Ms. Arzate reported on a new training series implemented by the EEO office titled EEO Investigations 101 training. Ms. Arzate also introduced Cinthya Lupian, newly hired EEO Manager.

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

11. ADJOURNMENT

Next meeting will be held on November 13, 2023

Meeting adjourned at 1:09 p.m.

Thai Phan
Vice Chair