

**MINUTES**  
**REGULAR MEETING OF THE**  
**BOARD OF DIRECTORS**  
**THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**  
**July 13, 2021**

**52424** The Board of Directors of The Metropolitan Water District of Southern California met in Regular Session on Tuesday, July 13, 2021.

Chairwoman Gray called the Teleconference Meeting to order at 12:00 p.m.

**52425** The Meeting was opened with an invocation by Raymond Townsend, Administrative Assistant II, Guest Services Team, Water Systems Operations Group.

**52426** The Pledge of Allegiance to the Flag was given by Director Murray.

Chairwoman Gray welcomed new General Manager Hagekhalil to his first Board Meeting.

General Manager Hagekhalil responded with brief comments to the Board.

**52427** Board Secretary Abdo administered the roll call. Those responding present were: Directors Abdo, Ackerman, Apodaca, Atwater, Blois, Butkiewicz, Camacho, Cordero, De Jesus, Dennstedt, Erdman, Faessel, Fellow, Gray, Hawkins, Hogan, Jung, Kassakhian, Kurtz, Lefevre, Luna, Morris, Murray, Ortega, Petersen, Peterson, Phan, Pressman, Quinn, Ramos, Record, Repenning, Smith, and Tamaribuchi.

Those not responding were: Directors Dick, Goldberg, McCoy, and Williams.

Board Secretary Abdo declared a quorum present.

**52428** Chairwoman Gray invited members of the public to address the Board on matters within the Board's jurisdiction.

	Name	Affiliation	Item
1	Ellen Mackey	Chair of AFSCME's Women's Caucus	Personnel matters
2	Alan Shanahan	AFSCME 1902	Personnel matters

Chairwoman Gray addressed the following: Other Matters and Reports.

**52429** Chairwoman Gray asked if there were any changes to the report of events attended by Directors at Metropolitan's expense during the month of June as previously posted and distributed to the Board.

No amendments were made.

**52430** Chairwoman Gray referred to her monthly report, which was previously posted and distributed to the Board. Chairwoman stated she had nothing to add to her report.

**52431** Regarding matters relating to Metropolitan's operations and activities, General Manager Hagekhalil added the following:

1. The Governor has issued an Executive Order calling for a voluntary 15 percent reduction in water usage. Also, the General Manager and Chairwoman Gray are meeting with state legislators to discuss ways Metropolitan can collaborate with the state, moving forward.
2. Provided an update on an agreement with the Los Angeles Department of Water and Power to help Member Agencies by shifting usage from Colorado River water to Los Angeles Department of Water and Power.
3. The Member Agency Managers' meeting schedule has changed to hold meetings two weeks prior to Metropolitan Board Meetings instead of after.
4. Provided an update on HR 4099 from Representative Napolitano, regarding small recycled water projects; as well as the companion bill from the Senate to support this effort.
5. The Governor's Drought proclamation and potential funding for Metropolitan to invest in drought resiliency and groundwater remediation.
6. Provided an update on meetings with Member Agencies, board members, and staff.

**52432** General Counsel Scully stated she had nothing further to add to her report, welcomed new General Manager Hagekhalil, and acknowledged former General Manager Kightlinger for his leadership.

**52433** General Auditor Riss stated he had nothing further to add to his report, welcomed new General Manager Hagekhalil, and acknowledged former General Manager Kightlinger for his leadership.

**52434** Ethics Officer Salinas welcomed new General Manager Hagekhalil, and stated he had nothing further to add to his report.

Chairwoman Gray addressed the Consent Calendar Items for July 2021.

**52435** Approval of the Minutes of the meeting for June 8, 2021. Chairwoman Gray asked Directors if there were any comments or discussion on the approval of the Minutes of the Meeting for June 8, 2021 (Agenda Item 6A). No requests were made.

**52436** Approval of Committee Assignments (Agenda Item 6B). Chairwoman Gray announced there were no new committee assignments at this time.

**52437** Chairwoman Gray addressed the Consent Calendar Items for June 2021, and called on the Committee Chairs to give a report of the Consent Calendar Action Items as discussed at their Committees. Chairwoman Gray also asked if there were any requests to go into closed session for items 7-11 and 7-12. No requests to go into closed session were made.

Audit and Ethics Committee Agenda Item 7-1 was reported on after Agenda Item 7-12.

Agenda Item 7-2 was withdrawn.

**52438** (a) Authorize an agreement with Nokia of America, Inc. for a not-to-exceed amount of \$5,297,000 for furnishing wide-area network equipment and design support to upgrade the desert region-wide-area network; (b) Authorize increase of \$250,000 to the agreement with Hatfield & Dawson Consulting Engineers, LLC for a new not-to-exceed amount of \$730,000 for specialized technical support for the upgrade; (c) Amend current CIP to include upgrades to the communication system at Gene Pumping Plant; and (d) Authorize an agreement with HDR Engineering, Inc. for a not-to-exceed amount of \$275,000 for design services, as set forth in Agenda Item 7-3 board letter.

Real Property and Assets Management Committee Agenda Items 7-4, 7-5, and 7-6 was reported on at the end of the consent calendar after Agenda Item 7-1.

**52439** Authorize the General Manager to enter into an agreement with Inland Empire Utilities Agency, West Valley, and Valley District to provide West Valley assistance with water deliveries in the event of an emergency or planned outage, or the loss of local supply, as set forth in Agenda Item 7-7 board letter.

**52440** By a two-thirds vote, authorize the General Manager to make payments of up to \$3.56 million to the State Water Contractors for FY 2021/22, as set forth in Agenda Item 7-8 board letter.

**52441** Agenda Item 7-9 was deferred to August 2021.

**52442** Authorize the General Counsel to increase the amount payable under its agreement with Olson Remcho LLP by \$100,000 to a maximum amount payable of \$300,000, as set forth in Agenda Item 7-10 board letter.

**52443** Authorize the General Counsel to increase of maximum amount payable by amendment of the contract with Theodora Oringher PC for legal services by \$200,000 for an amount not to exceed \$900,000, as set forth in Agenda Item 7-11 board letter.

**52444** Authorize filing cross-complaints in Baker Electric, Inc. v. Metropolitan Water District of Southern California, et al., (Los Angeles Superior Court Case No. 21STCV15612); and authorize an increase in the maximum amount payable under contract with Musick, Peeler & Garrett LLP, for legal services by \$200,000 to an amount not to exceed \$300,000, as set forth in Agenda Item 7-12 board letter.

**52445** Authorize the General Auditor to enter into a one-year contract extension for external audit services with the firm of KPMG LLP for annual audits covering fiscal years ending June 30, 2021, through June 30, 2022; for an amount not to exceed \$465,500, as set forth in Agenda Item 7-1 board letter.

**52446** Adopt amendments to Metropolitan's Administrative Code to move certain responsibilities for annexations from the Finance and Insurance Committee to Real Property and Asset Management Committee as shown in **Attachment 1** of the board letter, as set forth in Agenda Item 7-4 board letter.

**52447** Authorize the General Manager to grant a permanent highway and sight easement to Caltrans, as set forth in Agenda Item 7-5 board letter.

**52448** Authorize an increase of \$3 million to an agreement with Roesling Nakamura Terada Architects for a new not-to-exceed amount of \$5 million for preliminary design and architectural support services for the housing and property improvements at four Colorado River Aqueduct pumping plants, as set forth in Agenda Item 7-6 board letter.

**52449** Chairwoman Gray called for a vote to approve the Consent Calendar Items 6A, and 7-1, 7-3 through 7-8, 7-10, 7-11, and 7-12 (**M.I. 52035 through 52449**).

Director Dennstedt asked to pull Agenda Item 7-1 for discussion.

Director Morris moved, seconded by Director Peterson that the Board approve the Consent Calendar Items 6A, and 7-3 through 7-8, 7-10, 7-11, and 7-12 as follows:

Director Camacho stated that he is recusing himself and that he receives a per diem from the Inland Empire Utilities Agency for serving as their representative on Metropolitan's Board.

Director Phan stated that she is recusing herself from Item 7-7; and stated that San Bernardino Valley Water District is a client of her employer Rutan and Tucker.

Chairwoman Gray called for a vote to approve the Consent Calendar Items -6A, and 7-3 through 7-8, and 7-10, 7-11, and 7-12 (**M.I. 52035 through 52449**).

The following is a record of the vote:

Record of Vote on Consent Item(s): 6A, 7-3 through 7-7*, 7-8 and 7-10 through 7-12									
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	5083	Faessel	x	x	5083				
Beverly Hills	3896	Pressman	x	x	3896				
Burbank	2614	Ramos	x	x	2614				
Calleguas Municipal Water District	11162	Blois	x	x	11162				
Central Basin Municipal Water District	16384	Apodaca	x	x	8192				
		Hawkins	x	x	8192				
			Subtotal:		16384				
Compton	532	McCoy							
Eastern Municipal Water District	8936	Record	x	x	8936				
Foothill Municipal Water District	2052	Atwater	x	x	2052				
Fullerton	2238	Jung	x	x	2238				
Glendale	3517	Kassakhian	x	x	3517				
Inland Empire Utilities Agency	12645	Camacho	x	x	12645				
Las Virgenes	2649	Peterson	x	x	2649				
Long Beach	5598	Cordero	x	x	5598				
Los Angeles	67972	Murray	x	x	13594				
		Petersen	x	x	13594				
		Quinn	x	x	13594				
		Luna	x	x	13594				
		Repenning	x	x	13594				
			Subtotal:		67972				
Municipal Water Dist. of Orange County	55013	Ackerman	x	x	18338				
		Tamaribuchi	x	x	18338				
		Dick							
		Erdman	x	x	18338				
			Subtotal:		55013				
Pasadena	3395	Kurtz	x	x	3395				
San Diego County Water Authority	56310	Butkiewicz	x	x	18770				
		Goldberg							
		Hogan	x	x	18770				
		Smith	x	x	18770				
			Subtotal:		56310				
San Fernando	216	Ortega	x	x	216				
San Marino	711	Morris	x	x	711				
Santa Ana	2889	Phan	x	x	2889				
Santa Monica	4199	Abdo	x	x	4199				
Three Valleys Municipal Water District	7535	De Jesus	x	x	7535				
Torrance	3136	Lefevre	x	x	3136				
Upper San Gabriel Valley Mun. Wat. Dis	11544	Fellow	x	x	11544				
West Basin Municipal Water District	22776	Williams							
		Gray	x	x	22776				
			Subtotal:		22776				
Western Municipal Water District	11824	Dennstedt	x	x	11824				
<b>Total</b>	<b>324826</b>				<b>324294</b>				
<b>Present and not voting</b>									
<b>Absent</b>	<b>532</b>								

The motion to approve the Consent Calendar Items 6A, 7-3 through 7-7\*, 7-8, and 7-10 through 7-12 passed by a vote of 324,294 ayes; 0 noes; 0 abstain; 0 not voting; and 532 absent.

**\*Note: Individual vote tallies for Item 7-7**

Director Camacho was disqualified, and Director Phan recused herself from voting. The motion to approve the Consent Calendar Item 7-7 passed by a vote of 308,760 ayes; 0 noes; 0 abstain; 15,534 not voting; and 532 absent.

**52450** Chairwoman Gray called for a vote to approve the Consent Calendar Item 7-1.

Director Ortega moved, seconded by Director Peterson that the Board approve Consent Calendar Item 7-1 as follows:

Authorize the General Auditor to enter into a one-year contract extension for external audit services with the firm of KPMG LLP for annual audits covering fiscal years ending June 30, 2021, through June 30, 2022; for an amount not to exceed \$465,500, as set forth in Agenda Item 7-1 board letter.

Director Dennstedt made comments and stated she will vote No on Item 7-1.

The following is a record of the vote:

Record of Vote on Consent Item(s): 7-1									
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	5083	Faessel	x	x	5083				
Beverly Hills	3896	Pressman	x	x	3896				
Burbank	2614	Ramos	x	x	2614				
Calleguas Municipal Water District	11162	Blois	x	x	11162				
Central Basin Municipal Water District	16384	Apodaca	x	x	8192				
		Hawkins	x	x	8192				
			Subtotal:		16384				
Compton	532	McCoy							
Eastern Municipal Water District	8936	Record	x			x	8936		
Foothill Municipal Water District	2052	Atwater	x	x	2052				
Fullerton	2238	Jung	x	x	2238				
Glendale	3517	Kassakhian	x	x	3517				
Inland Empire Utilities Agency	12645	Camacho	x	x	12645				
Las Virgenes	2649	Peterson	x	x	2649				
Long Beach	5598	Cordero	x	x	5598				
Los Angeles	67972	Murray	x	x	13594				
		Petersen	x	x	13594				
		Quinn	x	x	13594				
		Luna	x	x	13594				
		Repenning	x	x	13594				
			Subtotal:		67972				
Municipal Water Dist. of Orange County	55013	Ackerman	x	x	18338				
		Tamaribuch	x	x	18338				
		Dick							
		Erdman	x	x	18338				
			Subtotal:		55013				
Pasadena	3395	Kurtz	x	x	3395				
San Diego County Water Authority	56310	Butkiewicz	x	x	18770				
		Goldberg							
		Hogan	x	x	18770				
		Smith	x	x	18770				
			Subtotal:		56310				
San Fernando	216	Ortega	x	x	216				
San Marino	711	Morris	x	x	711				
Santa Ana	2889	Phan	x	x	2889				
Santa Monica	4199	Abdo	x	x	4199				
Three Valleys Municipal Water District	7535	De Jesus	x	x	7535				
Torrance	3136	Lefevre	x	x	3136				
Upper San Gabriel Valley Mun. Wat. Dis	11544	Fellow	x	x	11544				
West Basin Municipal Water District	22776	Williams							
		Gray	x	x	22776				
			Subtotal:		22776				
Western Municipal Water District	11824	Dennestedt	x			x	11824		
<b>Total</b>	<b>324826</b>				<b>303534</b>		<b>20760</b>		
<b>Present and not voting</b>									
<b>Absent</b>	<b>532</b>								

The motion to approve the Consent Calendar Item 7-1 passed by a vote of 303,534 ayes; 20,760 noes; 0 abstain; 0 not voting; and 532 absent.

**52451** Chairwoman Gray called on Ethics Officer Salinas to report on Agenda Item 8-1.

The Ethics Officer stated that the Shaw Law Group is ready to present their report concerning allegations of systemic Equal Employment Opportunity-related discrimination, harassment and retaliation, and related concerns. The report, and its recommendations, is scheduled to be presented at a Special Organization, Personnel

and Technology Committee meeting on July 27, 2021. In addition, the Ethics Officer is recommending a few minor redactions to the report on Pages 20 through 23 of the report, solely to protect employee privacy; and recommends the Board approve recommendation as amended, waiving of the attorney-client privilege subject to the redactions approved jointly by the General Counsel and Ethics Officer, and to direct staff to publicly post the report by Shaw Law Group concerning allegations of systemic Equal Employment Opportunity-related discrimination, harassment and retaliation, and related concerns, as set forth in Agenda Item 8-1 board letter.

The following participants provided comments or asked questions:

Directors/Staff	Comments/Questions
1 Peterson	Moved the amended recommendation by Ethics Officer
2 Ortega	Made comments and asked Director Peterson to amend his recommendation to make the report public immediately. If so, he Seconds Motion.
3 Peterson	Amended his original motion to make the report public effective immediately.
4 Kurtz	Commented and asked a question.
5 Fellow	Commented and asked a question.
6 Ortega	Commented.
7 Chairwoman Gray	Asking General Counsel for clarification to Director Fellow's request.
8 General Counsel Scully	Responded to Chairwoman.
9 Jennifer Shaw	Commented.
10 Ethics Officer Salinas	Commented.
11 Chairwoman Gray	Commented.
12 Jennifer Shaw	Commented.
13 Dennstedt	Asked a question.
14 Chairwoman Gray	Commented.
15 General Counsel Scully	Commented.
16 Chairwoman Gray	Asked a question.
17 Ethics Officer Salinas	Responded to Chairwoman.
18 Murray	Commented.
19 Smith	Commented.
20 Atwater	Commented.
21 Jennifer Shaw	Commented.
22 Pressman	Commented.
23 General Counsel Scully	Responded.
24 Pressman	Commented.
25 Ethics Officer Salinas	Commented.
26 Record	Commented.
27 Chairwoman Gray	Commented.
28 Ramos	Commented.
29 Blois	Commented.
30 Chairwoman Gray	Called the meeting into Closed Session.

Chairwoman Gray called the meeting into closed session.

Directors Cordero, Hogan, and Tamaribuchi left the meeting.



The Meeting returned to open session at 1:51 p.m. Chairwoman stated that the Board, in closed session, discussed and conferred with General Counsel and that no action was taken.

**52452** Director Peterson amended the original motion, seconded by Director Ortega that the Board approve the report to be released on the 20th of July and to include the recommended redactions.

The following is a record of the vote:

Record of Vote on Item: 8-1									
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	5083	Faessel	x	x	5083				
Beverly Hills	3896	Pressman	x	x	3896				
Burbank	2614	Ramos	x	x	2614				
Calleguas Municipal Water District	11162	Blois	x	x	11162				
Central Basin Municipal Water District	16384	Apodaca	x	x	8192				
		Hawkins	x	x	8192				
			Subtotal:		16384				
Compton	532	McCoy							
Eastern Municipal Water District	8936	Record	x	x	8936				
Foothill Municipal Water District	2052	Atwater	x	x	2052				
Fullerton	2238	Jung	x	x	2238				
Glendale	3517	Kassakhian	x	x	3517				
Inland Empire Utilities Agency	12645	Camacho	x	x	12645				
Las Virgenes	2649	Peterson	x	x	2649				
Long Beach	5598	Cordero							
Los Angeles	67972	Murray	x	x	13594				
		Petersen	x	x	13594				
		Quinn	x	x	13594				
		Luna	x	x	13594				
		Repenning	x	x	13594				
			Subtotal:		67972				
Municipal Water Dist. of Orange County	55013	Ackerman	x	x	27507				
		Tamaribuchi							
		Dick							
		Erdman	x	x	27507				
			Subtotal:		55013				
Pasadena	3395	Kurtz	x	x	3395				
San Diego County Water Authority	56310	Butkiewicz	x	x	28155				
		Goldberg							
		Hogan							
		Smith	x	x	28155				
			Subtotal:		56310				
San Fernando	216	Ortega	x	x	216				
San Marino	711	Morris	x	x	711				
Santa Ana	2889	Phan	x	x	2889				
Santa Monica	4199	Abdo	x	x	4199				
Three Valleys Municipal Water District	7535	De Jesus	x	x	7535				
Torrance	3136	Lefevre	x	x	3136				
Upper San Gabriel Valley Mun. Wat.	11544	Fellow	x	x	11544				
West Basin Municipal Water District	22776	Williams							
		Gray	x	x	22776				
			Subtotal:		22776				
Western Municipal Water District	11824	Dennstedt	x	x	11824				
<b>Total</b>	<b>324826</b>				<b>318696</b>				
<b>Present and not voting</b>									
<b>Absent</b>	<b>6130</b>								

The motion to approve Item 8-1 passed by a vote of 318,696 ayes; 0 noes; 0 abstain; 0 not voting; and 6,130 absent.

**52453** Board Chairwoman Gray asked if there were questions or need for discussion for Board Information Item 9-1. No requests were made.

**52454** Agenda Item 10-1 was deferred to August 2021.

**52455** Chairwoman Gray asked if there were any future agenda items. No requests were made.

Director Ortega asked that today's meeting be adjourned in the memory of Mr. Augustine Galindo, former Director Sylvia Ballin's father, who passed away this morning.

**52456** There being no objection, at 1:58 p.m., Chairwoman Gray adjourned the Meeting.



GLORIA D. GRAY  
CHAIRWOMAN



JUDY ABDO  
SECRETARY