MINUTES

SPECIAL JOINT MEETING OF THE

EXECUTIVE COMMITTEE AND BOARD OF DIRECTORS

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

January 29, 2025

53937 The Executive Committee and Board of Directors of The Metropolitan Water District of Southern California met in a special session on Wednesday, January 29, 2025.

Chair Ortega called the meeting to order at 9:00 a.m.

Director Kassakhian stated that he is using AB 2449 just cause for illness.

53938 Board Secretary Fong-Sakai administered the roll call. Those responding present were: Directors Ackerman, Alvarez, Armstrong (teleconference posted location available for the public), Bryant, Camacho, Crawford, De Jesus (teleconference posted location available for the public), Dennstedt (teleconference posted location available for the public), Dick, Erdman, Faessel (teleconference posted location available for the public), Fellow, Fong-Sakai (teleconference posted location available for the public), Garza, Gold, Goldberg, Gray (teleconference posted location available for the public), Jung (teleconference posted location available for the public), Kassakhian (AB2449-Just Cause), Katz (teleconference posted location available for the public), Kurtz, Lefevre (teleconference posted location available for the public), Lewitt (teleconference posted location available for the public), Luna, McCoy, McMillan, Miller (teleconference posted location available for the public), Ortega, Phan (teleconference posted location available for the public), Pressman (teleconference posted location available for the public), Quinn, Seckel, and Sutley.

Board Secretary Fong-Sakai declared a quorum present.

Directors entered the meeting after the roll call: Directors Petersen and Ramos (AB2449).

Those not responding were: Directors Cordero, Douglas, and Morris.

53939 Chair Ortega invited members of the public to address the limited to the items listed on the agenda (in-person and via teleconference).

	Name	Affiliation	Comment
1.	Connor Everts	Environmental Justice Coalition for Water and the Statewide Environmental Water Caucus	Items 5a-b and 6a-f

2.	Charming Evelyn	Sierra Club	Items 5a-b and 6a-f
3.	Dawn Collins	Collins Kim, Attorney for Katano Kasaine	Items 5a-b and 6a-f
4.	Marty Adams		Items 5a-b and 6a-f
5.	John Scott	Former Metropolitan Employee	Items 5a-b and 6a-f
6.	Jonesy	Metropolitan Employee	Items 5a-b and 6a-f
7.	Neal Desai	National Parks Conservation Association	Items 5a-b and 6a-f
8.	Kaylin Martin	Journalist CD Strategies	Items 5a-b and 6a-f
9.	Rita Robinson	Former Director City of LA Bureau of Sanitation and Former Deputy CEO	Items 5a-b and 6a-f
10.	Marie Ramset	Monica Rodriquez, City Councilwoman	Items 5a-b and 6a-f
11.	Ellen Mackey	Metropolitan Employee	Items 6a-b and 7a-c
12.	Katano Kasaine	Metropolitan Employee	Items 6a-b and 7a-c
13.	Howard Wong	Public Service Employee	Items 6a-b and 7a-c
14.	Hans Johnson	President East Area Progressive Democrats	Items 6a-b and 7a-c
15.	Maura Monagan	LA Waterkeeper	Items 6a-b and 7a-c
16.	David Hiron	Council President Pro Team Bob Blumenfield	Items 6a-b and 7a-c
17.	Caty Wagner	Sierra Club	Items 6a-b and 7a-c
18.	Daniel Rodriquez		Items 6a-b and 7a-c
19.	Lane Fijou	Delta Resident	Items 6a-b and 7a-c
20.	Darren Reese		Items 6a-b and 7a-c

Director Ramos stated that she is using AB 2449 just cause for medical condition.

Directors Petersen and Ramos entered the meeting.

Chair Ortega made a statement on the status of General Manager Hagekhalil.

INFORMATION ITEMS

Chair Ortega called the meeting into closed session to discuss Agenda Items 5a, 5b, 6a, 6b, 6c, 6d, 6e, and 6f.

53940 Review and report on five completed investigations involving the General Manager, which include allegations of Equal Employment Opportunity policy and Ethics Policy violations by the General Manager [Public employee performance evaluation: General Manager, to be heard in closed session pursuant to Gov. Code Section 54957]. (Agenda Item 5a)

53941 Report on two claims presented involving the General Manager and a pending investigation regarding one of the claims [Conference with legal counsel — anticipated litigation; based on existing facts and circumstances of receipt of claims pursuant to the Government Claims Act (Gov. Code Section 910 et seq.) on behalf of two individuals threatening litigation, there is significant exposure to litigation against Metropolitan; two potential cases; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)]. (Agenda Item 5b)

ACTION ITEMS

53942 Consider action regarding General Manager's paid administrative leave status [Public employee performance evaluation: General Manager, to be heard in closed session pursuant to Gov. Code Section 54957]. (Agenda Item 6a)

53943 General Manager Performance Evaluation [Public employee performance evaluation: General Manager, to be heard in closed session pursuant to Gov. Code Section 54957]. (Agenda Item 6b)

53944 Public Employee Discipline/Dismissal/Release [To be heard in closed session pursuant to Gov. Code Section 54957]. (Agenda Item 6c)

53945 Consider potential settlement terms; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with legal counsel regarding anticipated litigation based on existing facts and circumstances, including receipt of a correspondence threatening litigation, there is significant exposure to litigation against Metropolitan: one potential case; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)]. (Agenda Item 6d)

53946 Ratification of separation agreement with the General Manager; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (Agenda Item 6e)

53947 Public Employee Appointment for General Manager [To be heard in closed session pursuant to Gov. Code Section 54957]. (Agenda Item 6f)

The Board returned to open session. Chair Ortega called on Assistant General Counsel Torres to report on the closed session.

Mr. Torres reported that no action was taken in closed session on Items 5a, 5b, 6a, 6b, and 6e.

Items 6c and 6d, the Board of Directors voted, by roll call vote, to direct the Chair to present terms of a Last, Best, and Final Offer to the General Manager and to authorize the Chair if the offer is not accepted by 4 pm today to release the General Manager from his employment agreement without cause effective upon written notice.

The following is a record of the vote:

Record of Vote on Item:	6c & 6d								
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	6306	Faessel	x	x	6306				
Beverly Hills	4677	Pressman	x	x	4677				
Burbank	3330	Ramos	x	x	3330				
Calleguas Municipal Water District	13627	McMillan	x	x	13627				
Central Basin Municipal Water District	20265	Garza	x	x	10133				
		Crawford	x	x	10133				
			Subtotal:		20265				
Compton	678	McCoy	x	x	678				
Eastern Municipal Water District	13623	Armstrong	x	x	13623				
Foothill Municipal Water District	2543	Bryant	x	x	2543				
Fullerton	2766	Jung	x			x	2766		
Glendale	4165	Kassakhian	x			x	4165		
Inland Empire Utilities Agency	17103	Camacho	x	x	17103				
Las Virgenes	3224	Lewitt	x	x	3224				
Long Beach	6805	Cordero							
Los Angeles	83835	Sutley	x			x	20959		
		Petersen	x	x	20959				
		Quinn	x			x	20959		
		Luna	x	x	20959				
		Douglas							
			Subtotal:		41918		41918		
Municipal Water Dist. of Orange County	68102	Ackerman	x	x	17026				
		Seckel	x	x	17026				
		Dick	x	x	17026				
		Erdman	x	x	17026				
			Subtotal:		68102				
Pasadena	4042	Kurtz	x	x	4042				
San Diego County Water Authority	70158	Fong-Sakai							
		Goldberg	x	x	23386				
		Miller	x	x	23386				
		Katz	x	x	23386				
			Subtotal:		70158				
San Fernando	274	Ortega	x	x	274				
San Marino	836	Morris							
Santa Ana	3569	Phan	x			x	3569		
Santa Monica	5055	Gold	x			x	5055		
Three Valleys Municipal Water District	9019	De Jesus	x	x	9019				
Torrance	3781	Lefevre							
Upper San Gabriel Valley Mun. Wat. Dist.	14079	Fellow	x	x	14079				
West Basin Municipal Water District	28764	Alvarez	x	x	14382				
		Gray	x	x	14382				
			Subtotal:		28764				
Western Municipal Water District	15689	Dennstedt	x	x	15689				
Total	**406315**				**337421**		**57473**		
Present and not voting									
Absent	**11422**								

The motion to approve Items 6c and 6d (**M.I. NO. 53944 and 53945**) passed by a vote of 337,421 ayes; 57,473 noes; 0 abstain; 0 not voting; and 11,422 absent.

Item 6f, the Board of Directors voted to appoint Deven Upadhyay as General Manager effective immediately and to direct the Chair to negotiate terms of an employment agreement to bring back to the Board for approval.

The following is a record of the vote:

Record of Vote on Item:	6f								
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	6306	Faessel	x	x	6306				
Beverly Hills	4677	Pressman	x	x	4677				
Burbank	3330	Ramos	x	x	3330				
Calleguas Municipal Water District	13627	McMillan	x	x	13627				
Central Basin Municipal Water District	20265	Garza	x	x	10133				
		Crawford	x	x	10133				
			Subtotal:		20265				
Compton	678	McCoy	x	x	678				
Eastern Municipal Water District	13623	Armstrong	x	x	13623				
Foothill Municipal Water District	2543	Bryant	x	x	2543				
Fullerton	2766	Jung							
Glendale	4165	Kassakhian	x	x	4165				
Inland Empire Utilities Agency	17103	Camacho	x	x	17103				
Las Virgenes	3224	Lewitt	x	x	3224				
Long Beach	6805	Cordero							
Los Angeles	83835	Sutley	x	x	20959				
		Petersen	x	x	20959				
		Quinn	x	x	20959				
		Luna	x	x	20959				
		Douglas							
			Subtotal:		83835				
Municipal Water Dist. of Orange County	68102	Ackerman	x	x	17026				
		Seckel	x	x	17026				
		Dick	x	x	17026				
		Erdman	x	x	17026				
			Subtotal:		68102				
Pasadena	4042	Kurtz	x	x	4042				
San Diego County Water Authority	70158	Fong-Sakai							
		Goldberg	x	x	23386				
		Miller	x	x	23386				
		Katz	x	x	23386				
			Subtotal:		70158				
San Fernando	274	Ortega	x	x	274				
San Marino	836	Morris							
Santa Ana	3569	Phan	x	x	3569				
Santa Monica	5055	Gold	x	x	5055				
Three Valleys Municipal Water District	9019	De Jesus	x	x	9019				
Torrance	3781	Lefevre							
Upper San Gabriel Valley Mun. Wat. Dist.	14079	Fellow							
West Basin Municipal Water District	28764	Alvarez	x	x	14382				
		Gray	x	x	14382				
			Subtotal:		28764				
Western Municipal Water District	15689	Dennstedt	x	x	15689				
Total	**406315**				**378048**				
Present and not voting									
Absent	**28267**								

The motion to approve Item 6f (**M.I. NO. 53947**) passed by a vote of 378,048 ayes; 0 noes; 0 abstain; 0 not voting; and 28,267 absent.

Chair Ortega called on the General Manager Upadhyay. General Manager Upadhyay made comments.

53948 Chair Ortega asked if there were any Follow-Up Items.

The following Director(s) asked questions or made comments:

Director(s)

1. Gold

53949 Chair Ortega asked if there were any Future Agenda Items. Chair Ortega requested that Director Gold follow up with him regarding the summary of actions on workplace climate.

53950 There being no objection, the meeting was adjourned at 1:53 p.m.

LOIS FONG-SAKAI
BOARD SECRETARY

ADÁN ORTEGA, JR.
CHAIR OF THE BOARD