



OP&T Committee

- Vacant, Chair
- T. McCoy, Vice Chair
- S. Blois
- M. Camacho
- G. Cordero
- S. Faessel
- A. Fellow
- F. Jung
- R. Lefevre
- J. Morris
- A. Ortega
- G. Peterson
- T. Smith
- S. Tamaribuchi
- H. Williams

Organization, Personnel and Technology Committee

Meeting with Board of Directors *

February 8, 2022

10:30 a.m.

Teleconference meetings will continue through the end of the year. Live streaming is available for all board and committee meetings on mwdh2o.com ([Click Here](#))

A listen only phone line is also available at 1-800-603-9516; enter code: 2176868#. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via teleconference only. To participate call (404) 400-0335 and enter Code: 9601962.

Tuesday, February 8, 2022 Meeting Schedule

09:00 a.m. - L&C
10:00 a.m. - Jt
L&C/OP&T
10:30 a.m. - OP&T
11:30 a.m. - Break
12:00 p.m. - BOD

* The Metropolitan Water District’s meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

**** CONSENT CALENDAR ITEMS -- ACTION ****

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting of the Organization, Personnel and Technology Committee held January 11, 2022 [21-853](#)

Attachments: [02082022 OPT 2A minutes.pdf](#)

3. CONSENT CALENDAR ITEMS - ACTION

- 7-7 Authorize the General Manager to Sign the Equity in Infrastructure Program pledge and participate in the project to support opportunities for historically underserved and underutilized businesses; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-805](#)

Attachments: [02082022 OPT 7-7 B-L.pdf](#)
[02082022 OPT 7-7 Presentation.pdf](#)

**** END OF CONSENT CALENDAR ITEMS ****

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

- a. Labor Negotiations Update [21-849](#)
 [Conference with labor negotiators; to be heard in closed session pursuant to Gov. Code Section 54957.6. Metropolitan representatives: Diane Pitman, Human Resources Group Manager, Stephen Lem, HR Section Manager of Labor Relations. Employee organizations: The Employees Association of The Metropolitan Water District of Southern California/AFSCME Local 1902 and the Supervisors Association]

Attachments: [02082022 OPT 6a Disclosure.pdf](#)

- b. Quarterly Cybersecurity Oral Update [21-850](#)
 [Conference with Metropolitan Cybersecurity Unit Manager of Information Technology, Jacob Margolis, or designated agents on threats to public services or facilities; to be heard in closed session pursuant to Gov. Code Section 54957(a)]

7. MANAGEMENT REPORTS

- a. Human Resources Manager's Report [21-851](#)
- b. Information Technology Manager's Report [21-852](#)

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Agendas for the meeting of the Board of Directors may be obtained from the Board Executive Secretary. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site <http://www.mwdh2o.com>.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

ORGANIZATION, PERSONNEL AND TECHNOLOGY COMMITTEE

January 11, 2021

Vice Chair McCoy called the teleconference meeting to order at 11:00 a.m.

Members present: Directors Blois, Camacho, Cordero, Faessel, Fellow, Jung, Lefevre, McCoy, Morris, Ortega, G. Peterson (entered after roll call), Smith and Williams.

Members absent: Directors Tamaribuchi

Other Board Members present: Directors Abdo, Ackerman, Atwater, De Jesus, Dennstedt, Erdman, Fong-Sakai, Goldberg, Gray, Lefevre, Miller, Pressman, Quinn, Ramos and Record.

Committee Staff present: H. Beatty, Chapman, Eckstrom, Hagekhalil, Kasaine, Munoz Marroquin, Pitman, and H. Torres.

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

None

CONSENT CALENDAR OTHER ITEMS — ACTION
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2. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Approval of the Minutes of the meeting of the Organization, Personnel and Technology Committee held November 9, 2021.

3. CONSENT CALENDAR ITEMS – ACTION

- 7-3 Subject: Approve The Metropolitan Water District of Southern California’s salary schedules pursuant to CalPERS regulations; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Motion: Approve the attached salary schedules pursuant to CalPERS regulations.

No presentations were given, Director Morris made a motion, seconded by Director Fellow to approve the consent calendar consisting of item 2A, and 7-3.

The vote was:

Ayes: Directors Blois, Cordero, Faessel, Fellow, Jung, Lefevre, McCoy, Morris, Ortega, Smith and Williams.

Noes: None

Abstentions: None

Absent: Directors Camacho, G. Peterson and Tamaribuchi.

The motion passed by a vote of 11 ayes, 0 noes, 0 abstention, and 3 absent.

END OF CONSENT CALENDAR ITEMS

4. OTHER BOARD ITEMS - ACTION

None

5. BOARD INFORMATION ITEMS

9-2 Subject: Update on Public Agency Partnership to Increase Opportunities for Underserved and Underrepresented Businesses

Presented by: John Arena, Section Manager- Business Outreach

Mr. Arena provided an overview of the current Business Outreach program, the impacts it has made in service area regions and information on new initiatives.

The following Directors provided comments or asked questions

1. Gray

Staff responded to the Directors questions and comments.

6. COMMITTEE ITEMS

a. Subject: Update on Status of Recommendations from Independent Review of Workplace Concerns

Presented by: Katano Kasaine, Assistant General Manager, CFO

Ms. Kasaine provided an overview of the update of the Independent Review of Workplace Concerns, Equal Employment Opportunity Officer recruitment, Chief Diversity, Equity, and Inclusion Recruitment and the Joint Labor Management Advisory Committee.

The following Directors provided comments or asked questions

1. Ortega

Staff responded to the Directors questions and comments.

- b. Subject: Ethics Officer briefing on EEO investigations conducted by Shaw Law Group

Presented by: Abel Salinas, Ethics Officer

Mr. Salinas provided an overview of how the Ethics office coordinated four EEO investigations and provided details of each claim.

The General Manager, Adel Hagekhalil, announced to the Board that the investigations findings will be taken into consideration for further review and necessary action as appropriate.

The following Directors provided comments or asked questions

1. Ortega
2. Smith
3. Fong-Sakai

Staff responded to the Directors questions and comments.

- c. Subject: Labor Negotiations Update
[Conference with labor negotiators; to be heard in closed session pursuant to Gov. Code Section 54957.6. Metropolitan representatives: Diane Pitman, Human Resources Group Manager, Stephen Lem, HR Section Manager of Labor Relations. Employee organizations: The

Employees Association of The Metropolitan Water District of Southern California/AFSCME Local 1902 and the Supervisors Association]

Item deferred to February.

7. MANAGEMENT REPORT

a. Human Resources Manager's Report

None.

b. Information Technology Manager's Report

Mr. Eckstrom provided an update on digital workplace and mobility initiatives.

8. FOLLOW-UP ITEMS

Request disclosure of investigation reports for EEO investigations conducted by Shaw Law Group

9. FUTURE AGENDA ITEMS

None

10. ADJOURNMENT

Next meeting will be held on February 8, 2021

Meeting adjourned at 11:54 a.m.

Tana McCoy
Vice Chair



● **Board of Directors**
Organization, Personnel and Technology Committee

2/8/2022 Board Meeting

7-7

Subject

Authorize the General Manager to sign the Equity in Infrastructure Project pledge and participate in the project to support opportunities for historically underserved and underutilized businesses; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

Metropolitan has been invited to join with four of the nation’s leading infrastructure-constructing agencies as founding members of the Equity in Infrastructure Project, a new initiative to improve access to public agency contracting and procurement opportunities for underserved and underutilized businesses. The participating agencies are signing a pledge of commitment to the goals of the Project to increase federal and local partnerships for infrastructure funding and financing, align and streamline administrative and certification processes, and increase contracting opportunities for historically underserved and underutilized businesses, consistent with each agency’s state and local laws and regulations. Improving access to Metropolitan’s contracting and procurement will expand the pool of businesses qualified to bid on Metropolitan’s projects, thereby increasing competition and opportunities for innovation in project delivery.

Details

In 2001, Metropolitan launched its Regional/Small Business Program by Minute Item 44533. Over the past 21 years, Metropolitan has developed an aggressive and inclusive Business Outreach Program that funds the education of small businesses through ethnic and local chambers of commerce about Metropolitan’s business needs. The program also helps facilitate business-to-business opportunities with networking and prequalification programs. Metropolitan’s Business Outreach Program helps ensure that Metropolitan maintains access to a variety of qualified companies that can provide competitive, cost-effective, and innovative solutions for Metropolitan. The program has consistently met the board-established targets for a minimum of 25 percent of Metropolitan’s contracts to be awarded to small, local, and disabled veteran-owned businesses in Southern California, resulting in an economic investment of \$1.2 billion to this business sector.

The Equity in Infrastructure Project (Project) is a new nationwide initiative to increase federal procurement and contracting opportunities for historically underserved and underutilized businesses. Metropolitan has been invited to join Denver Airport, Chicago Transit Authority, Port of Long Beach, and Southeastern Pennsylvania Transportation Authority as one of five founding agencies for the Project.

On December 7, 2021, Metropolitan’s Chairwoman Gray and General Manager Hagekhalil attended a meeting in Washington, D.C. hosted by the United Brotherhood of Carpenters and Joiners International, along with the other participating agencies, Congressional and local leaders, representatives of the Department of Transportation and U.S. Environmental Protection Agency, and private foundations, among others, to consider steps and specific, actionable recommendations to improve the federal government’s historically underutilized business (HUB) procurement policy and help close the nation’s racial wealth gap by improving access and eliminating barriers for these businesses to procurement contracts.

The Social Impact Fund, a 501(c)(3) organization, in collaboration with Drexel University’s Nowak Metro Finance Laband and with funding from the James Irvine Foundation, initiated the Project in anticipation of passage of the Infrastructure Investment and Jobs Act. The concept grew out of an initial white paper on the

federal HUB procurement policy, which identified impediments to contracting for businesses in HUB zones and potential actions that could be taken to eliminate barriers as a means to help close the nation's racial wealth gap.

The Project, as presented, is consistent with Metropolitan's existing programs and state law. Proposition 209, passed by a voter initiative in 1996, prohibits public agencies from granting preferential treatment in public contracting to individuals or groups on the basis of race, sex, color, ethnicity, or national origin. However, as subsequent court rulings have determined, programs designed to ensure equal access to contracting opportunities, as well as data collection and reporting programs that monitor such access, serve legitimate, non-discriminatory purposes and do not violate Proposition 209. In addition, Proposition 209 does not prevent public agencies from taking actions necessary to secure and maintain federal funding. Metropolitan is currently seeking federal funding for a new \$450 million large-scale Recycled Water Program, and many of the federal agencies that control such funding require compliance with Disadvantaged Business Enterprise (DBE) programs. These programs require that recipients of funding set DBE participation goals and demonstrate good faith efforts to meet them.

Since December 2021, representatives of the five agencies have continued to work on objectives, outreach, and program implementation, including a pledge of commitment to be approved by each of the agencies. Metropolitan staff provided input to the pledge language to clarify that agencies will work to meet the Project objectives in a manner that is consistent with their own mission, and state and local laws and regulations. The following pledge language has been adopted or calendared for adoption by the other four agencies and is now before Metropolitan for consideration and approval:

EQUITY IN INFRASTRUCTURE PROJECT PLEDGE

America is seizing a historic opportunity for generational investment in our infrastructure. We also have a historic opportunity to provide a pathway to create generational wealth and expand opportunities for sustainable jobs and careers for those historically left out.

As agencies representing different modes of infrastructure and geographies across the country, we pledge to take new action to increase the number, size and scope of contracts going to certified small and minority-owned businesses. For the purposes of this Pledge, this includes small businesses competing as Disadvantaged Business Enterprises (DBEs) for federally funded projects, and those competing for locally-funded projects as any category of historically underutilized businesses (HUBs). HUBs, by our definition, can include firms formally designated as DBEs, Minority and Women-Owned Business Enterprises (M/WBE), and Small Business Enterprises, and it can include any other business classification used locally in the United States intended to boost the participation of otherwise underutilized firms, which can vary by state, region, and municipality. We will partner with the federal government to ensure that funds from the bipartisan Infrastructure Investment and Jobs Act support the creation of generational wealth for diverse entrepreneurs and workers, especially in Black and Brown communities across America.

Starting from the baseline of our current actions and initiatives, by December 2025, we will work to increase the number, size, and percentage of HUBs growing to primes, joint ventures, or equity participants. We will do this by:

- *Increasing the number, size and proportion of contracts going to HUBs, as defined above;*
- *Increasing the number, size and proportion of contracts going to HUBs as prime contractors;*
- *Streamlining the administration of all above-listed contracting to centralize certification, improve payment time, and standardize transparent data collection;*
- *Increasing the amount and type of appropriate financing available to all above-listed firms aiming to meet infrastructure contracts by working with private and public partners;*
- *Expanding the number of signatories to this pledge.*

Support for the Pledge enhances Metropolitan's mission to provide its 5,200-square-mile service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

If authorized by Metropolitan's Board, the pledge language will be signed by the General Manager; and staff, in consultation with the General Counsel, will work collaboratively with other Equity in Infrastructure Program partners to advance a work plan to increase opportunities for historically underutilized and underrepresented businesses.

Policy

Metropolitan Water District Act Section 50: Powers

Metropolitan Water District Act Section 130: General Powers to Provide Water Services

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 49829, on July 8, 2014, the Board modified the Business Outreach Program's organizational goal for small business participation from 18 percent to 25 percent.

By Minute Item 46589, on March 14, 2006, the Board added the inclusion of Disabled Veterans Business Enterprise classification into the outreach component of the Regional/Small Business Program.

By Minute Item 44533, on June 10, 2001, the Board adopted Resolution 8762 approving the modified Business Outreach Program and policy, titled "Resolution of The Board of Directors of The Metropolitan Water District of Southern California Approving Modifications to Metropolitan's Business Outreach Program."

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA (Public Resources Code Section 21065, State CEQA Guidelines Section 15378(b)(2) and 15378(b)(5)) because it involves organizational or administrative activities and general policy and procedure making that would not result in a direct or indirect physical change to the environment.

CEQA determination for Option #2:

None required

Board Options

Option #1

Authorize the General Manager to sign the Equity in Infrastructure Project pledge and participate in the project to support opportunities for historically underserved and underutilized businesses.

Fiscal Impact: Unknown

Business Analysis: Provides support for a project that will assist Metropolitan in expanding access to a larger pool of businesses, thereby increasing competition and opportunities for innovation.

Option #2

Take no action.

Fiscal Impact: Unknown

Business Analysis: Metropolitan will forgo an opportunity to formally collaborate with other public agencies in expanding contracting opportunities.


Staff Recommendation

Option #1



Dee Zinke
Assistant General Manager,
External Affairs

2/2/2022
Date



Adel Hagekhalil
General Manager

2/3/2022
Date

Ref# hr12684163



Authorize the General Manager to sign the Equity in Infrastructure Project pledge and participate in the project to support opportunities for historically underserved and underutilized businesses

Organization, Personnel and Technology

Item 7-7

February 8, 2022

Equity in Infrastructure Program Pledge

Five “Mover” Agencies, including Metropolitan invited to join a new nationwide effort to increase opportunities for Historically Underutilized Businesses (HUB)

First meeting with Biden Administration officials, and labor was in Washington, DC in December 2021



Goals of the Initiative

- Support Biden Administration's Justice40 Initiative and increase federal-state-local partnerships for infrastructure funding and financing to improve DBE procurement
 - Increase access and reduce barriers for disadvantaged business enterprises
 - Deliver 40% of investments in climate and clean energy to disadvantaged communities

Funding and financing for community wealth building

Administrative and certification alignment

Direct contracting by procuring agencies

Proposed Local Action Goals



Benefits to Metropolitan

- Learn and share best practices from Energy, Transportation and Port Industries
- Expand vendor database to help increase bidding pool and competition
- Lay the foundation for diversity program in order to comply with programs if MWD receives Federal funding
- Building relationships with labor unions and leaders

Next Steps

- Work within the restrictions in California to meet the objectives of the Pledge
- Continue to participate in Pledge working group to define local and federal scope of work and workplan
- Enhance Metropolitan's current Small Business Program
- Host listening sessions with existing business organizations, ethnic chambers, and small business partners to get input

Board Options

- Option #1
 - Authorize the General Manager to sign the Equity in Infrastructure Project pledge and participate in the project to support opportunities for historically underserved and underutilized businesses
- Option #2
 - Take no action

Recommendation

- Option #1



ORGANIZATION, PERSONNEL AND TECHNOLOGY
COMMITTEE MEETING
February 8, 2022 – 10:30 a.m.
MWD Headquarters Building – Teleconference Meeting

NON-INTEREST DISCLOSURE NOTICE
COMMITTEE ITEM 6.a.

COMMITTEE ITEM 6.a. – Labor Negotiations Update [Conference with labor negotiators; to be heard in closed session pursuant to Gov. Code Section 54957.6. Metropolitan representatives: Diane Pitman, Human Resources Group Manager, Stephen Lem, HR Section Manager of Labor Relations. Employee organizations: The Employees Association of The Metropolitan Water District of Southern California/AFSCME Local 1902 and the Supervisors Association]

This Non-Interest Disclosure Notice is being provided under the California Government Code: Pursuant to Government Code Section 1091.5(a)(9), a District officer or employee does not have a financial interest in a District contract if these conditions are satisfied: (i) his or her interest is that of a person receiving a salary, per diem or reimbursement for expenses from a government entity; (ii) the contract does not directly involve the department of the government entity that employs him or her; and (iii) the interest is disclosed to his or her body or board at the time the contract is considered and is noted in its official record. In accordance with this statute, the following District officers or employees have been, or may be, involved in the bargaining unit negotiations on behalf of management: Adel Hagekhalil, Marcia Scully, Abel Salinas, Katano Kasaine, Heather Beatty, Shane Chapman, Deven Upadhyay, Stephen Lem, Diane Pitman, Henry Torres, Tony Zepeda, Michelle Haight, Brent Yamasaki, Charlie Eckstrom, Dee Zinke, and Isamar Munoz.

Heather Beatty and Isamar Munoz are members of the Association of Confidential Employees (“ACE”), which has a salary provision in its

Memorandum of Understanding that allows ACE to select an annual salary adjustment from any one of the Memoranda of Understanding for the other bargaining units. Each of the remaining individuals is unrepresented. Under Administrative Code Section 6500(d), unless the Board directs otherwise, the pay rate range for each unrepresented individual except Adel Hagekhalil, Marcia Scully and Abel Salinas will be adjusted annually to correspond with the annual across-the-board salary adjustment provided to the District's management employees under the Memoranda of Understanding; although actual pay rates for these unrepresented individuals will be determined by their management. The other compensation and benefits for which the unrepresented individuals are eligible are set forth in the Administrative Code.