

**ATTACHMENTS
PLACED BY
PRESIDENT VERA ROBLES-DEWITT**

REVISED AGENDA

**MEETING OF THE
CAPITAL IMPROVEMENT PROJECTS COMMITTEE
WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA
4040 PARAMOUNT BLVD. LAKEWOOD, CA 90712
11:00 AM, THURSDAY, JANUARY 28, 2021**

AGENDA

Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, this meeting will be conducted via teleconference to minimize the spread of COVID-19. Members of the public may access this meeting telephonically and have the opportunity to provide comment by calling the following number and entering the Conference ID.

**Conference Call Phone Number: (800) 309-2350
Conference ID: 9215521#**

Public comment may also be provided via email to board@wrd.org up to one hour before the meeting is scheduled to begin in order to be part of the meeting record.

Each item on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as "For information" or "For discussion" may also be the subject of an "action" taken by the Board or a Committee at the same meeting.

1. DETERMINATION OF A QUORUM

2. PUBLIC COMMENT

Pursuant to Government Code Section 54954.3

To make a Public Comment, press Star 5 on your phone to be placed in the queue, and when recognized and un-muted, please announce your name and affiliation for the record. All Public Comments are limited to three minutes consistent with Section 6.2 of the District's Administrative Code. At this time, any Public Comments received via email will be read as part of the record.

3. AUTHORIZATION TO EXECUTE AN ACCESS AND LICENSE AGREEMENT WITH THE CITY OF PARAMOUNT FOR THE INSTALLATION OF ONE DEEP NESTED GROUNDWATER MONITORING WELL (PARAMOUNT 1)

Staff Recommendation: The Capital Improvement Projects Committee recommends that the Board of Directors authorize the execution of an access and license agreement, subject to approval as to form by District Counsel, with the City of Paramount for the installation of a deep nested groundwater monitoring well at Progress Park.

4. **AUTHORIZATION TO EXECUTE AMENDMENT NO. 1 OF WRD CONTRACT NO. 1158 WITH THE UNITED STATES GEOLOGICAL SURVEY TO PROVIDE ADVANCED GEOPHYSICAL LOGGING AND INTERPRETATION FOR TWO NESTED GROUNDWATER MONITORING WELLS IN SUPPORT OF WRD'S REGIONAL GROUNDWATER MONITORING PROGRAM**

Staff Recommendation: The Capital Improvement Projects Committee recommends that the Board of Directors enter into Amendment No. 1 to WRD Contract No. 1158 for an amount not to exceed \$245,000, subject to approval as to form by District Counsel, with the United States Geological Survey to provide advanced geophysical logging and interpretation for two nested groundwater monitoring wells in support of WRD's Regional Groundwater Monitoring Program.

5. **NOTICE OF COMPLETION FOR THE ALBERT ROBLES CENTER (ARC) SUPPLEMENTAL RECHARGE WELL REHABILITATION PROJECT**

Staff Recommendation: The Capital Improvement Projects Committee recommends that the Board of Directors accept the Albert Robles Center (ARC) Supplemental Recharge Well Rehabilitation Project as complete, authorize the General Manager to file a Notice of Completion with the Los Angeles County Registrar-Recorder/County Clerk in accordance with the California Public Contract Code, and authorize release of the construction contract retention in the amount of \$15,196.56.

6. **ADOPT RESOLUTION NO. 21-1146 – AUTHORIZING THE FILING OF A NOTICE OF EXEMPTION TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE WELL DESTRUCTION PROGRAM**

Staff Recommendation: The Capital Improvement Projects Committee recommends that the Board of Directors adopt Resolution 21-1146, subject to approval as to form by District Counsel, authorizing the filing of a Notice of Exemption to the California Environmental Quality Act for the Well Destruction Program.

7. **RESCIND ELECTION OF VERA ROBLES-DEWITT AS BOARD PRESIDENT**

Recommendation: The Capital Improvement Projects Committee recommends that the WRD Board of Directors, under Section 6.5.2 of the WRD Administrative Code, rescind its vote electing Vera Robles-DeWitt as Board President and hold a new election for the position of Board President and any subsequent vacancies created by such an election.

8. **DEPARTMENT REPORT**

Staff Recommendation: For discussion and possible action.

9. DIRECTORS' REPORTS, INQUIRIES AND FOLLOW-UP OF DIRECTIONS TO STAFF

Staff Recommendation: For discussion and possible action.

10. CLOSED SESSION

- 10A.** Conference With Legal Counsel - Anticipated Litigation, Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 (One Potential Case)

11. CLOSED SESSION REPORT

12. ADJOURNMENT

The Committee will adjourn to its next meeting currently scheduled on February 11, 2021 at 11:00 AM.

In compliance with the Americans with Disabilities Act (ADA), if special assistance is needed to participate in the meeting, please contact Deputy Secretary at (562) 921-5521 for assistance to enable the District to make reasonable accommodations.

All public records relating to an agenda item on this agenda are available for public inspection at the time the record is distributed to all, or a majority of all, members of the Board. Such records shall be available at the District office located at 4040 Paramount Boulevard, Lakewood, California 90712.

Agendas are available at the District's website, www.wrd.org.

EXHAUSTION OF ADMINISTRATIVE REMEDIES – If you challenge a District action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Deputy Secretary at, or prior to, the public hearing. Any written correspondence delivered to the District office before the District's final action on a matter will become a part of the administrative record.



MEMORANDUM

ITEM NO. 7

DATE: JANUARY 28, 2021

TO: CAPITAL IMPROVEMENT PROJECTS COMMITTEE

FROM: ROB KATHERMAN, CHAIR, CAPITAL IMPROVEMENT PROJECTS COMMITTEE

SUBJECT: RESCIND ELECTION OF VERA ROBLES-DEWITT AS BOARD PRESIDENT

SUMMARY

Over the past 2 months President DeWitt has attempted to hire her good friend, Mr. Albert Robles, first as an Assistant General Manager then as a General Manger, a Special Interim General Manager and finally as the new permanent WRD General Manager under a 3-year contract. During this time President DeWitt has ignored the vehement objections of numerous State and Federal Legislators, 2 - Los Angeles County Supervisors, 16-local Cities and numerous environmental and community groups.

President DeWitt has impugned the motives of the community water producers in the WRD Service Area who have attempted to voice legitimate concerns on important matters of public policy.

President DeWitt has violated the public trust, the Brown Act as well as the Policies and Procedures of the WRD requiring a transparent and thorough process in hiring a new General Manager.

President DeWitt's blatant effort to hire her friend, Albert Robles, for a job that he is clearly not qualified for is an attempt to either pay back some political debt or simply reward a good friend with hundreds of thousands of dollars of public funds now; and in the future with millions from his CalPERS lifetime retirement – a clear gift of public funds.

A letter signed by 9 local members of Congress states:

“The conduct by the Board raises serious issues that may be best investigated by the public integrity unit to preserve the public trust. We would encourage the Board to reconsider how it conducts its business, whether it is to undergo a transparent search process for a new general manager or noticing items in compliance with the Brown Act so that the public trust is maintained and not abused. “

BACKGROUND

In May 2020, President Robles-DeWitt ignored the WRD General Counsel's legal advice that hiring a former State Legislative staff member with a sexual harassment history in Sacramento may expose WRD to liability for negligent hiring. President DeWitt ignored that advice of legal counsel and a Board approved hiring freeze and lobbied 2 Directors to recommend hiring of the former State Legislative staff member. The District General Manager refused to hire the individual.

On November 19, 2020, President Robles-DeWitt led the WRD into chaos by pausing the management search firm, the Roberts Group and then, ignoring the written agenda, attempted to hire Rob Beste as General Manager and former Board member, Albert Robles a political ally, as Assistant General Manager (AGM) at \$265,000 annual salary without any recruitment process.

On December 3, 2020, President Robles-DeWitt placed a personally written item to the Board agenda proposing a blatant quid pro quo in an effort to secure an Assistant GM position for her confederate as follows:

"Promote and hire Assistant General Manager (Chief Administrative Officer) Rob Beste to the WRD General Manager position pursuant to a contract similar with the same salary and benefits to that of the current WRD General Manager, subject to the hiring of Albert Robles for the vacated Assistant General Manager pursuant to a job offer similar in salary and benefits to that of the current Assistant General Manager (Chief Administrative Officer)."

Rather than moving her recommendation as written on the agenda, President DeWitt after many letters and speakers protested, instead, erratically and impulsively moved to make Albert Robles the WRD General Manager (GM). Refusing to follow Robert's Rules of Order, President DeWitt did not allow any discussion and forced a vote, which after much confusion, passed by a vote of 3 to 2.

During the ensuing week, WRD received a letter signed by 9 local members of Congress, a letter signed by 7 State Legislators and a letter signed by 2 LA County Supervisors all requesting that the WRD Board reinstate the Roberts Group to conduct a search for qualified applicants. These letters also strenuously objected to the lack of transparency and the blatant violation of the Brown Act. In addition, there were dozens of letters from local cities, environmental groups and basin producers objecting to the lack of due process in hiring Albert Robles as General Manager.

After the December 3, 2020 Board meeting, the WRD Chapter of AFSCME 1902 sent numerous emails and letters to express deep concerns regarding the actions of the Board of Directors taken at its December 3, 2020 Board Meeting. The Union's concerns included the WRD employees' fears that WRD's relations with its pumpers and the public may have been gravely injured by the substance and manner by which the December 3rd meeting was conducted. The Union filed more than 7 Grievance complaints and 5 Public Records Act requests.

On December 17, 2020, President DeWitt personally submitted a report that among other things contained a six-page contract, written entirely and exclusively by Albert Robles without input by WRD's General Counsel. The contract proposed hiring Mr. Robles for six months as Special Interim GM at a salary of \$275,000 while specifically stating he would be an WRD employee

and therefore included in WRD's CalPERS system. Including Mr. Robles in the WRD CalPERS system would result in spiking his pension and costing WRD millions in additional payments to CalPERS when Mr. Robles retired in a few years. After President DeWitt abruptly left the Board meeting without giving a reason or an excuse, the WRD Board denied a proposed contract with Mr. Albert Robles to serve as a Special Interim General Manager on a vote of 2 to 1.

On December 23, 2020, two days before Christmas, President DeWitt called a Special WRD Board meeting solely for the purpose of going into closed session. The 2 Closed Session Items were to discuss the GM's performance and possible Discipline /Dismissal /Release. After a few minutes in closed session, it was clear that President DeWitt had no idea what she wanted to discuss or accomplish. The Board took no action.

At the Board Meeting on January 7, 2021, President DeWitt included an item stating that Information has surfaced concerning certain questionable practices related to WRD operations that requires an independent, objective outside investigation.

Areas of concern, include but are not limited to:

- Hiring practices within the District
- Possible violations of WRD's legal hiring practices of outside contractors.
- Finance Department interference.
- Illegal use of friends as consultants without an RFP/RFQ.
- Direct interference, undermining and sabotaging of the WRD Board.

After Directors Katherman and Allen moved to expand the investigation to include Directors and Mr. Robles, President DeWitt referred the matter to the Administration Committee. There was also a closed session item titled "Public Employee appointment pursuant to Government Code Section 54957 Position: General Manager". That item was removed from the agenda by President DeWitt and no action was taken.

On January 21, 2021, a Board agenda item from the Capital Improvement Projects Committee recommended that the Board of Directors enter into a Professional Services Agreement with Cordoba Corporation for the services of Mr. Stephan Tucker, a retired former Assistant GM with 33 years of experience at LADWP, to serve as the Interim General Manager of WRD in the amount of \$35,750 per month for a period not to exceed 6 months. The contract would commence on April 1, 2021 or upon General Manager Robb Whitaker's retirement. In an effort to thwart the CIP Committee's recommendation, President DeWitt submitted a new 3-year contract for her friend Mr. Robles to serve as the General Manager of WRD on the agenda.

After many letters and speakers supporting the hiring of Stephan Tucker through Cordoba Corp, the contract submitted by President DeWitt to hire Mr. Robles was moved for approval by President DeWitt and seconded by Director Calderon. The motion to hire Mr. Robles as GM for 3 years was defeated 2 votes to 3 votes. Subsequently, a motion by Director Murray to hire Stephan Tucker through a contract with the Cordoba Corporation was approved by a vote of 3 to 1 with President DeWitt voting no. In response to that vote President DeWitt said she would not sign the contract that was approved by a Board majority.

Based on President DeWitt's action over the past 6 months, It is my belief that President DeWitt's conduct has been legally questionable and not in the best interest of the District, its

employees and our 4 million constituents. Her actions could lead to an overall loss of faith in the Board's ability to carry out its duties in a free, fair and transparent manner.

FISCAL IMPACT

There will be no impact to the FY 2020-21 budget.

RECOMMENDATION

The Capital Improvement Projects Committee recommends that the WRD Board of Directors, under Section 6.5.2 of the WRD Administrative Code, rescind its vote electing Vera Robles-DeWitt as Board President and hold a new election for the position of Board President and any subsequent vacancies created by such an election.

RESPONSE SUBMITTED BY PRESIDENT VERA ROBLES DEWITT

CAPITAL IMPROVEMENT PROJECTS COMMITTEE

January 28, 2021

ITEM NO. 7

RESCIND ELECTION OF VERA ROBLES-DEWITT AS BOARD PRESIDENT

This agenda item No. 7 Memorandum prepared by Director Katherman reminds of the constant chants of the Trump extremists. They say Trump won the election, and that he lost only as a result of fraud and corruption in the 2020 election because how could anyone dare vote against him? After a while people started to believe in these alternative facts. However, there are only facts not alternative facts and that's what Katherman has piled together in this Memorandum. I will address the numerous false claims and half-truths one by one and will make my comments available for the record in writing.

1. Over the past 2 months President DeWitt has attempted to hire her good friend, Mr. Albert Robles, first as an Assistant General Manager then as a General Manger, a Special Interim General Manager and finally as the new permanent WRD General Manager under a 3-year contract. During this time President DeWitt has ignored the vehement objections of numerous State and Federal Legislators, 2 - Los Angeles County Supervisors, 16-local Cities and numerous environmental and community groups.

Response: The premise of this statement sounds racists to me, and obviously designed to upset folks. Ironically Director Katherman has known Albert Robles for a much longer time, in fact many more years than I've known Robles. I know they spent many more outings socializing together than I have. Katherman is quoted in a Daily Breeze article saying Albert Robles was qualified to be General Manager. Now Katherman asserts that Albert is not qualified! So was Katherman lying then or now? The Katherman comment in the Daily Breeze was just last month, did Katherman in typical Trump-like fashion think that we would not remember what he said just last month?

Moreover, he is lying when he says I ignored the objections. The proposed interim contract was in direct response to the objectors call for a process. It was my attempt to reach out openly for a solution. Keep in mind that these entitled 70+ older males (Katherman and Allen) , just 4 months ago, back in September they did not want to go out for a recruitment or open process to hire the new General Manager. "The boys" had already pre-determined who they wanted as the new WRD General Manager and also the Assistant General Manager. That is a fact! John Allen has admitted this to the Daily Breeze. But as long as I went along with "the boys", I was OK – but God forbid that a Woman, and a Latina Woman at that, not obediently obey and follow them they resort to more typical Trump-like misogynistic behavior and criticize me based on falsehoods

2. President DeWitt has impugned the motives of the community water producers in the WRD Service Area who have attempted to voice legitimate concerns on important matters of public policy.

Response: Well this is a false narrative. How specifically have I impugned the motives of the water producers? On the contrary I've sat in many meetings with the pumper

community discussing annual Rate Increases. Which seemed to be a major concern of the pumper community. I never heard any questions to WRD as to how much this Cordoba contract will eventually cost WRD. The employee of Cordoba will spend at least 6 mos working 30 hours a week learning about WRD and then will have to extend the contract to continue the work. With no limit on expenses and with the \$35,750 mo. salary this could be a very expensive venture at least a minimum of ½ million dollars for a year. With respect to my support of Robles, it is well known that Robles over his 25 years with WRD, like Director Murray was very passionate and would always defend WRD and challenge the demands of the pumper community.

3. President DeWitt has violated the public trust, the Brown Act as well as the Policies and Procedures of the WRD requiring a transparent and thorough process in hiring a new General Manager.

Response: How did I violate the public trust? Was it because I didn't follow the lead of the entitled males of the board who wanted to anoint the next General Manager and Assistant General Manager? This is the height of hypocrisy. I attempted on more than one occasion to bring discussion and suggestions to the open board meetings. Not to do a backroom deal. Also, as stated in the Daily Breeze, upon their consultation with an expert in the Brown Act, there was no violation. Just like there was no voter fraud, but unfortunately "the boys" are again following the Trump script in repeating a false claim in the unfortunate hopes that others less knowledgeable will believe them.

4. President DeWitt's blatant effort to hire her friend, Albert Robles, for a job that he is clearly not qualified for is an attempt to either pay back some political debt or simply reward a good friend with hundreds of thousands of dollars of public funds now; and in the future with millions from his CalPERS lifetime retirement – a clear gift of public funds.

Response: Both Katherman and Allen are quoted in an article from the Daily Breeze stating Albert Robles was qualified. So are they lying again? General Manager Whitaker himself after a recent WRD meeting stated Robles would make a good General Manager with Central Basin Water District. With respect to either pay back or some political debt reward for a good friend with hundreds of thousands of dollars of public funds. What is the basis of this? Because Robles and I are Latinxs we must be up to no good? May I remind Katherman when you point a finger at someone, there are three fingers pointing back at you. I was appointed to this board in 2018 by the four members of this board. Robles did not appoint me to this board.

As reported in the Daily Breeze, spiking is illegal and CalPERS will not permit Albert or anyone to spike their pension. However, let's look back at what happened when the General Manager negotiated his last amendment to his contract in anticipation of retiring and how his retirement agreement with WRD significantly augmented his CalPERS retirement by hundreds of thousands of dollars. Or how about how the creation of adding a second position of Assistant General Manager increased his salary and augmented his CalPERS retirement knowing that he would be retiring soon? Or how about that at the direction of the General Manager another employee was left on the books for about a year just to increase his retirement. Nobody is pointing the finger at these actions..

5. A letter signed by 9 local members of Congress states:

“The conduct by the Board raises serious issues that may be best investigated by the public integrity unit to preserve the public trust. We would encourage the Board to reconsider how it conducts its business, whether it is to undergo a transparent search process for a new general manager or noticing items in compliance with the Brown Act so that the public trust is maintained and not abused

Response: I wholeheartedly agree with the 9 members of Congress and would invite an investigation by the Public Integrity Unit. The public trust has been abused by the entitled 70+ “ boys”.

BACKGROUND

6. In May 2020, President Robles-DeWitt ignored the WRD General Counsel’s legal advice that hiring a former State Legislative staff member with a sexual harassment history in Sacramento may expose WRD to liability for negligent hiring. President DeWitt ignored that advice of legal counsel and a Board approved hiring freeze and lobbied 2 Directors to recommend hiring of the former State Legislative staff member. The District General Manager refused to hire the individual.

Response: The applicant was uniquely qualified for the External Affairs position but this alleged issue surfaced. General Counsel was tasked with investigating. We learned that this was a set up by a disgruntled employee who knew how to play the game. A witness recanted and was remorseful. No formal charges were ever filed as a result of this accusation. I have marched in downtown Los Angeles as part of the “Me Too” movement and I do not believe the political game playing that goes on with pointing fingers and no follow up. Whether man or woman if allegations are made they should be investigated and formal charges filed if found to be true. Here there were no charges ever filed period and no lawsuit of any kind. Following Director Katherman’s reasoning, maybe we should seriously consider a new policy that anyone charged with a crime should not be allowed to work at WRD? The fact is that unlike others here at WRD the referenced individual was never charged with any crime nor sued. Normal people, when they have a challenging hard experience, they are humbled and count their blessings; unless you are Trump or Trump-like and an entitled 70+ male impervious to the justice system.

7. On November 19, 2020, President Robles-DeWitt led the WRD into chaos by pausing the management search firm, the Roberts Group and then, ignoring the written agenda, attempted to hire Rob Beste as General Manager and former Board member, Albert Robles a political ally, as Assistant General Manager (AGM) at \$265,000 annual salary without any recruitment process

Response: Another false statement. The board paused the Roberts Group not President DeWitt. Hiring Rob Beste as General Manager and bring on board Albert Robles as Assistant General Manager was an attempt to satisfy all concerned. However, the two entitled 70+ “boys” questioning how dare the minority board members not do what they wanted. In typical Trump fashion “the boys” became unhinged, not giving a damn about

WRD's status and instead putting their selfish quest for absolute power above WRD's reputation.

8. On December 3, 2020, President Robles-DeWitt placed a personally written item to the Board agenda proposing a blatant quid pro quo in an effort to secure an Assistant GM position for her confederate as follows:

"Promote and hire Assistant General Manager (Chief Administrative Officer) Rob Beste to the WRD General Manager position pursuant to a contract similar with the same salary and benefits to that of the current WRD General Manager, subject to the hiring of Albert Robles for the vacated Assistant General Manager pursuant to a job offer similar in salary and benefits to that of the current Assistant General Manager (Chief Administrative Officer)."

Response: What is wrong with President DeWitt personally writing an agenda item? Director Katherman isn't that what you're doing with the Cordoba contract and the rescinding the presidency of DeWitt? Or do we have double standards at WRD. And what is the blatant quid pro quo? Are you mixing up my actions with what you are currently doing? Your choice of words "confederate" is an interesting word choice from the White Supremacy movement.

9. Rather than moving her recommendation as written on the agenda, President DeWitt after many letters and speakers protested, instead, erratically and impulsively moved to make Albert Robles the WRD General Manager (GM). Refusing to follow Robert's Rules of Order, President DeWitt did not allow any discussion and forced a vote, which after much confusion, passed by a vote of 3 to 2.

Response: At this meeting, WRD's general counsel incorrectly said Albert could not be hired as an Assistant General Manager, however, the general counsel went on to state that Robles could be hired as the General Manager – not Assistant General Manager. I certainly listened to the many speakers and letters saying it was illegal to appoint Robles as Assistant General Manager. Curiously, the letters seemed to be crafted out of a boiler plate because they sounded so similar. It was Director Murray who called for the question to end debate and WRD's general counsel incorrectly stated due to the call for the question that all debate must cease and that we needed to go to a vote. Not President DeWitt. Another false statement among many by Katherman. At that time Director Murray was in full support of bringing Robles on board. What happened since then? Director Murray's son Kevin received a contribution for a non-profit he represents and became President Emeritus. So was there a quid pro quo instigated by Katherman?

10. During the ensuing week, WRD received a letter signed by 9 local members of Congress, a letter signed by 7 State Legislators and a letter signed by 2 LA County Supervisors all requesting that the WRD Board reinstate the Roberts Group to conduct a search for qualified applicants. These letters also strenuously objected to the lack of transparency and the blatant violation of the Brown Act. In addition, there were dozens of letters from local cities, environmental groups and basin producers objecting to the lack of due process in hiring Albert Robles as General Manager.

Response: There was no Brown Action violation. Again Katherman wants to cast doubt about President DeWitt and playing to peoples lack of knowledge. Just like Trump.

11. After the December 3, 2020 Board meeting, the WRD Chapter of AFSCME 1902 sent numerous emails and letters to express deep concerns regarding the actions of the Board of Directors taken at its December 3, 2020 Board Meeting. The Union's concerns included the WRD employees fears that WRD's relations with its pumpers and the public may have been gravely injured by the substance and manner by which the December 3rd meeting was conducted. The Union filed more than 7 Grievance complaints and 5 Public Records Act requests.

Response: WRD, more specifically general counsel is responding to these complaints and requests. I have a few requests pending and will wait for general counsel before I personally respond to AFSCME 1902.

12. On December 17, 2020, President DeWitt personally submitted a report that among other things contained a six-page contract, written entirely and exclusively by Albert Robles without input by WRD's General Counsel. The contract proposed hiring Mr. Robles for six months as Special Interim GM at a salary of \$275,000 while specifically stating he would be an WRD employee and therefore included in WRD's CalPERS system. Including Mr. Robles in the WRD CalPERS system would result in spiking his pension and costing WRD millions in additional payments to CalPERS when Mr. Robles retired in a few years. After President DeWitt abruptly left the Board meeting without giving a reason or an excuse, the WRD Board denied a proposed contract with Mr. Albert Robles to serve as a Special Interim General Manager on a vote of 2 to 1.

Response: Again, President personally submitting a report is a false narrative. Not allowed? Only Director Katherman can personally submit a report. Double standards. The six page contract submitted with the report is due to the fact that WRD's general counsel ignored the vote of the December 3rd meeting and would NOT DO ANYTHING. Again, spiking is illegal, neither I nor anyone else can spike anything because CalPERS according to the Daily Breeze would not allow any spiking.

Another false narrative promoted by Director Katherman implying Robles salary of \$275,00 is for six months. NOT TRUE that was an annual figure and quite reasonable compared to the ½ million dollars going out the door with current General Manager or the cost of the Cordoba contract.

The denial of a proposed contract was a vote of 2 to 1 with Director Murray voting no. This is not a binding vote as all WRD valid actions must be by a majority of the Board (3 affirmative votes) not a majority of the quorum, which "the boys" obviously know, but again they parlay the ignorance of some for their own political advantage just like Trump.

13. On December 23, 2020, two days before Christmas, President DeWitt called a Special WRD Board meeting solely for the purpose of going into closed session. The 2 Closed Session Items were to discuss the GM's performance and possible Discipline /Dismissal /Release. After a few minutes in closed session, it was clear that President DeWitt had no idea what she wanted to discuss or accomplish. The Board took no action.

Response: There was discussion in closed session and Katherman stating President had no idea what she wanted to discuss or accomplish is again false narrative. Additionally It is illegal to disclose what took place in closed session. Many times the report by general counsel is that from closed session no action taken. So if there is a violation, maybe at the end of my comments Director Allen as a former high ranking District Attorney can tell us.

14. At the Board Meeting on January 7, 2021, President DeWitt included an item stating that Information has surfaced concerning certain questionable practices related to WRD operations that requires an independent, objective outside investigation.

Areas of concern, include but are not limited to:

- Hiring practices within the District
- Possible violations of WRD's legal hiring practices of outside contractors.
- Finance Department interference.
- Illegal use of friends as consultants without an RFP/RFQ.
- *Direct interference, undermining and sabotaging of the WRD Board.*

After Directors Katherman and Allen moved to expand the investigation to include Directors and Mr. Robles, President DeWitt referred the matter to the Administration Committee. There was also a closed session item titled "Public Employee appointment pursuant to Government Code Section 54957 Position: General Manager". That item was removed from the agenda by President DeWitt and no action was taken.

Response: For the Board meeting of January 7th I had submitted two versions of my intent to call for an investigation. The item shown for the agenda is the version approved by general counsel. There were many more serious concerns about what has occurred at WRD over the years, but general counsel stopped it. I was pleased to hear other board members were willing to approve up to \$100,000 to launch an investigation. The item went before the Admin. Committee and is in the hands of general counsel. And I support it investigating Albert Robles too.

I pulled the closed session item that was to go forward with the Albert Robles contract and I was advised that something had changed and the entitled 70+ "boys" had the votes to deny the contract. I sensed they knew their vote to deny the contract on a 2 to 1 vote was not valid because actions of the board require 3 votes. So I pulled it and hoped to hear from Director Murray. To this day he has not responded to my many calls and text messages

15. On January 21, 2021, a Board agenda item from the Capital Improvement Projects Committee recommended that the Board of Directors enter into a Professional Services Agreement with Cordoba Corporation for the services of Mr. Stephan Tucker, a retired former Assistant GM with 33 years of experience at LADWP, to serve as the Interim General Manager of WRD in the amount of \$35,750 per month for a period not to exceed 6 months. The contract would commence on April 1, 2021 or upon General Manager Robb Whitaker's retirement. In an effort to thwart the CIP Committee's recommendation, President DeWitt submitted a new 3-year contract for her friend Mr. Robles to serve as the General Manager of WRD on the agenda.

Response: The Professional Services agreement with Cordoba Corporation suddenly appeared on the Finance and Audit Committee, January 13, 2021 and Capital Improvement Committee, January 14, 2021 both chaired by Director Katherman. According to the Cordoba proposal dated January 12, 2021 it was clear that some backroom deals were being made. When it came before the Board of Directors it was a done deal. Although I tried to have my questions answered regarding specific items in the contract, Director Murray interrupted and would not allow me to present my questions. One of my main concerns is the paragraph stating the consultant “may” submit back up information with their invoices. At a minimum it should be “shall” submit back up information with their invoices. Given that the FBI has raided Cordoba’s office last August and the fact that this contract is not with Mr. Stephan Tucker it is with the Engineering Consultant, it just doesn’t pass the smell test.

Again, I supported Albert Robles because of his background of 25 years experience in the industry, his Law Degree from UC Berkeley, Master’s Degree in Public Administration from USC, and prior experience as general manager of a joint powers authority so he would “hit the ground running” and not need the training that will be needed by Cordoba Corporation.

Mr. Tucker comes from DWP that is under investigation for corruption, he is now with Cordoba that is under investigation for corruption. What next? WRD? (To be clear, all I am saying is the last two places Mr. Tucker was at are under investigation, and he may be an innocent victim; but the last two places where Albert was at - Carson and WRD are not under investigation and never raided by the DA or FBI while Albert was there.)

16. After many letters and speakers supporting the hiring of Stephan Tucker through Cordoba Corp, the contract submitted by President DeWitt to hire Mr. Robles was moved for approval by President DeWitt and seconded by Director Calderon. The motion to hire Mr. Robles as GM for 3 years was defeated 2 votes to 3 votes. Subsequently, a motion by Director Murray to hire Stephan Tucker through a contract with the Cordoba Corporation was approved by a vote of 3 to 1 with President DeWitt voting no. In response to that vote President DeWitt said she would not sign the contract that was approved by a Board majority.

Response: Double standards again. President DeWitt cannot vote no? Is it because she doesn’t follow blindly the directions of the entitled 70+ “boys” and can think for herself? To be completely accurate I stated I would not sign the contract because I didn’t want the FBI raiding my house, and besides the Vice President could sign the contract. This was not a bad action by the President, in fact it was a realistic assessment that this deal stinks to high heaven.

17. Based on President DeWitt’s action over the past 6 months, It is my belief that President DeWitt’s conduct has been legally questionable and not in the best interest of the District, its employees and our 4 million constituents. Her actions could lead to an overall loss of faith in the Board’s ability to carry out its duties in a free, fair and transparent manner.

Response: So based on Katherman’s personal opinion President DeWitt’s conduct is legally questionable. Again Director Katherman should be careful about pointing his finger. There are 3 pointing back at him. What specifically illegal did she do? Or is it

just because as President I refused to obediently follow the lead of the two entitled 70+ boys. In reality the loss of faith in the board's ability to carry out its duties lies on their shoulders.

In a Daily Breeze article Director Allen stated, "You can't just put different colored lipstick on this pig and bring it back." Was he referring to President DeWitt? This is such an offensive comment and beneath the dignity of the WRD elected board. Again, another example of entitled 70+ misogynistic "boys".

There was a time where votes and integrity mattered and it seems that Donald Trump allowed the worse in individuals to come out. Once this month is over with all these shenanigans hopefully we can get back to normal.