

**ADMINISTRATION AND FINANCE  
COMMITTEE MEETING  
AND  
SPECIAL MEETING OF THE  
BOARD OF DIRECTORS**



**Thursday, February 25, 2021  
4:00 P.M.**

**Committee Members:**

Jennifer Santana, Chair  
Tony R. Fellow, Vice-Chair

**SPECIAL NOTICE - Teleconference Accessibility**

*Pursuant to Executive Order N-29-20 issued by Governor Newsom in response to the COVID-19 outbreak, the Upper District will hold this meeting via teleconference or the most rapid means of communication available at the time. Instructions to participate in the teleconference are below:*

**Attendee Join Zoom Webinar**

**<https://us02web.zoom.us/j/84642687686>**

**Telephone Dial: 1 (669) 900-6833**

**Webinar ID: 846 4268 7686**

*Public comments may be made through teleconference when prompted by the Chair during the public comment period. Public comments may also be provided by emailing [Christy@usgvmwd.org](mailto:Christy@usgvmwd.org) in advance of the meeting. Please indicate "PUBLIC COMMENT" in the subject line.*

*If you have difficulty connecting to the teleconference line, please call (626) 443-2297 or email [Ruben@usgvmwd.org](mailto:Ruben@usgvmwd.org). It may take a few minutes to join Zoom or connect via telephone so please join early.*

\*The Administration and Finance Committee meeting 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 the Administration and Finance Committee may attend and participate as members of the Board, whether or not a quorum of the Board is present. To preserve the function of the Committee as advisory to the Board, members of the Board who are not assigned to the Administration and Finance Committee will not vote on matters before the Committee.

**Communications**

1. Call to Order
2. Public Comment

**Discussion/Action**

3. Fees for Legal Services Provided by Olivarez Madruga Lemieux O'Neill, LLP (OMLO). *(Staff memorandum enclosed.)*
4. Lease Term Extension for the Monrovia Office Space. *(Staff memorandum enclosed.)*
5. Day and Time of Committee Meeting (Annual Governance Review).

**Oral Reports**

6. Proposed Administrative Budget for FY 2021/22.
7. Census/Redistricting Update.
8. Strategic Plan Update (Financial Integrity/Workforce & Governance).

**Other Matters**

- 9.

**Adjournment**

**Next Meeting:** Thursday, March 25, 2021 at 4:00 p.m.



**American Disabilities Act Compliance** *(Government Code Section 54954.2(a))*

To request special assistance to participate in this meeting, please contact the Upper District office at (626) 443-2297 or [valeria@usgvmwd.org](mailto:valeria@usgvmwd.org) at least 24 hours prior to meeting.



# MEMORANDUM



## ITEM 3.

**DATE:** February 22, 2021  
**TO:** Administration and Finance Committee and Board of Directors  
**FROM:** General Manager  
**SUBJECT:** Fees for Legal Services Provided by Olivarez Madruga Lemieux O’Neill, LLP

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### **Recommendation**

Staff recommends that the Board of Directors approve increasing the monthly retainer from \$3,675 per month to \$4,000 per month and adjust the rate from \$225 per hour to a split rate of \$235 per hour for associates and \$250 per hour for partner work for transactional services provided by Olivarez Madruga Lemieux O’Neill, LLP (District Counsel) effective January 1, 2021, subject to annual cost-of-living adjustment not to exceed three percent.

### **Background**

In May 2011, Upper District retained the services of the then Lemieux and O’Neill law firm to provide general counsel services. The firm’s predecessors (Helm and Lemieux, Law Offices of Wayne Lemieux) have played an important role in San Gabriel Valley Water issues, including adjudicating the Main Basin and leading groundwater cleanup efforts. In 2017, Lemieux and O’Neill merged with Olivarez and Madruga to form the law firm of Olivarez Madruga Lemieux O’Neill (OMLO). Throughout this period, Steven O’Neill has been acting as the District’s General Counsel.

OMLO provides legal services for all of the District’s legal needs, including, but not limited to: attendance at board and committee meetings; consulting with the Board of Directors, General Manager and staff on a variety of public agency legal issues (Brown Act, conflicts of interest, Public Records Act); reviewing/assisting in agenda preparation for meetings; preparing, reviewing, and approving resolutions, ordinances and staff reports; and drafting correspondence and memorandums regarding the foregoing matters.

Since 2018, OMLO has been billing the District at a flat retainer of \$3,675 per month for attending meetings and related services and an hourly rate of \$225 for transactional (non-meeting related) services described above. OMLO is respectfully requesting that the Board consider an adjustment to OMLO’s rate beginning in 2021. OMLO’s proposal is to adjust the retainer to \$4,000 per month and adjust the transactional services rate to a split rate - \$235 per hour for associates and \$250 per hour for partner work, with a cost-of-living adjustment moving forward. The adjustment will be based on the December Consumer Price Index for the Los Angeles County area but not to exceed three percent. The proposed split rate will incentivize staff to engage associates when appropriate and help ensure Upper District has an experienced legal support team moving forward.

The terms of the 2011 Professional Services Agreement with District Counsel contain provisions for periodic adjustments to the hourly rates.

# MEMORANDUM



## ITEM 4.

**DATE:** February 22, 2021  
**TO:** Administration and Finance Committee and Board of Directors  
**FROM:** General Manager  
**SUBJECT:** Lease Term Extension for the Monrovia Office Space

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### **Recommendation**

Staff recommends that the Board of Directors authorize the General Manager to execute Amendment No. 3 to the Monrovia office lease agreement, extending the term for three months through October 31, 2021.

### **Background**

In July 2011, the Upper District relocated its administrative offices from the City of El Monte to a leased commercial office space in the City of Monrovia. On May 17, 2016, the Board of Directors approved extending the lease term for the Monrovia office through July 2021.

In April 2020, the District successfully negotiated and completed the purchase of a commercial building located in Monrovia. The interior demolition contract has been recently awarded and construction is scheduled to be completed in October 2021. The proposed amendment extends the lease term for Upper District's current office space through the end of October.