

**A REGULAR MEETING OF THE BOARD OF DIRECTORS  
OF THE UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT  
602 E. HUNTINGTON DRIVE, SUITE B, MONROVIA, CALIFORNIA 91016  
8:00 A.M. – October 27, 2021**

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Pursuant to Executive Order N-29-20 issued by Governor Newsom in response to the COVID-19 pandemic, the Upper District held a regular meeting of the Board of Directors via Zoom teleconference on October 27, 2021 at the hour of 8:00 a.m.

**ROLL CALL**

**DIRECTORS PRESENT:** Treviño, Garcia, Santana, and Fellow.

**DIRECTORS ABSENT:** Chavez (late).

**STAFF PRESENT:** Tom Love, General Manager; Martin Koczanowicz, District Counsel; Steve Johnson, Consulting Engineer; Evelyn Rodriguez, Director of Finance and Administration; Patricia Cortez, Director of Government and Community Affairs; Jennifer Aguilar, Water Use Efficiency Analyst; Nichol Delgado, Government and Community Affairs Representative; Ruben Gallegos, Project Assistant; and Valeria Rodriguez, Administrative Assistant.

**OTHERS PRESENT**

Javier Vargas, Lenet Pacheco, Lynda Noriega, Dan Arrighi, Ernesto Venegas, Dave Michalko, Anthony Alberti, Tony Zampiello, Stephanie Moreno, Roy Frausto, Ben Lewis, Ted Gerber, Paul Zampiello, and Kelly Gardner.

**ADOPTION OF AGENDA**

On motion by Director Fellow, seconded by Treasurer Treviño, the agenda was adopted by the following roll call vote:

**FELLOW: AYE**  
**SANTANA: AYE**  
**GARCIA: AYE**  
**CHAVEZ: ABSENT**  
**TREVIÑO: AYE**

**PUBLIC COMMENT**

None.

**COMMITTEE REPORTS**

Next scheduled committee meeting dates are as follows:

- (a) Government Affairs and Community Outreach – November 1, 2021 at 4:00 p.m.
- (b) Administration and Finance – November 2, 2021 at 4:00 p.m.
- (c) Water Resources and Facility Management – November 3, 2021 at 4:00 p.m.

**CONSENT CALENDAR**

Director Fellow moved to approve the Consent Calendar items (a) through (e). Treasurer Treviño seconded the motion, which was unanimously approved by the following roll call vote:

**FELLOW: AYE**  
**TREVIÑO: AYE**  
**GARCIA: AYE**  
**SANTANA: AYE**  
**CHAVEZ: ABSENT**

- (a) Minutes of a special meeting of the Board of Directors held on October 4, 2021 at 4:00 p.m.
- (b) List of Demands
- (c) Financial Reports – August 2021
- (d) Resolution No. 10-21-627, Re-ratifying the Proclamation of a State of Emergency by Governor Newsom, and Reauthorizing Remote Teleconference Meetings.

- (e) Execution of Negotiated Tax Exchange Resolution from Annexation of Territory to County Sanitation District No. 21, Annexation No. 21-765 and County Sanitation District No. 22, Annexation No. 21-438.

**NOMINATION OF TWO UPPER DISTRICT REPRESENTATIVE TO THE MAIN SAN GABRIEL BASIN WATERMASTER FOR CALENDAR YEAR 2022**

Director Fellow nominated himself and Treasurer Treviño. Director Treviño asked Vice President Santana if she was interested in participating and offered his nomination. Director Santana indicated she has a scheduling conflict and declined the nomination. Director Fellow and Treasurer Treviño accepted the nomination.

On motion by Vice President Santana, seconded by Director Fellow, the Board of Directors appointed Treasurer Treviño and Director Fellow as Upper District's representatives to the Main San Gabriel Basin Watermaster for calendar year 2022 by the following roll call vote:

**FELLOW: AYE**  
**SANTANA: AYE**  
**GARCIA AYE**  
**CHAVEZ: ABSENT**  
**TREVIÑO: AYE**

**CHANGE IN THIRD PARTY ADMINISTRATOR FOR HEALTH REIMBURSEMENT ARRANGEMENT**

Vice President Santana commended staff's effort to implement the change in third party administrator which would result in financial savings to the District and better service for participants.

Following a brief discussion, Treasurer Treviño moved to approve staff's recommended change in third party administrator for Upper District's health reimbursement arrangement for medical, optical, dental and hearing expenses and authorize the General Manager to sign the required plan documents from HealthEquity, subject to review by District Counsel. Director Fellow seconded the motion which was approved by the following roll call vote:

**FELLOW: AYE**  
**SANTANA: AYE**  
**GARCIA AYE**  
**CHAVEZ: ABSENT**  
**TREVIÑO: AYE**

**INFORMATION ITEMS**

The following items listed on the agenda for the information of the Board were read and ordered received and filed:

- (a) Press Releases and News Articles

**ATTORNEY'S REPORT**

District Counsel reported on recent consultations with staff regarding AB 361, review of water fill station agreements, the 2021 audit letter, as well as amendments to the General Manager's contract.

**ENGINEER'S REPORT**

The District Engineer stated he would provide the most recent rainfall figures to the Board as soon as possible. He stated that the Baldwin Park Key Well groundwater elevation has dropped to 184.1 feet as of October 15, 2021. He added there is still 150,000 acre feet of water in cyclic storage. He then reported that the canyon is still at minimum pool even with the recent rainfall and that no water is being released at this time.

**GENERAL MANAGER'S REPORT**

The General Manager reported that the Government Affairs and Community Outreach Committee will review the process for assessing the census data and how Upper District would handle the data. He added that Upper District has 180 days prior to the November 2022 election to make any changes. He stated that the Administrative and Finance Committee will discuss the rate structure one more time before bringing the rates to the producers and then to the Board for consideration. The General Manager added that staff will present the proposed rate structure to the producers at its next meeting to be held on Nov 10<sup>th</sup>. He then stated that the Water Resources and Facility Management Committee will discuss some drought updates. The General Manager stated that Metropolitan will take action and issue a drought notice that will potentially ask member agencies to go to the next level of their water shortage contingency plans. He added that Metropolitan is continuing limited deliveries of SWP water through the San Gabriel connection.

Vice President Santana and the District Engineer discussed how the current La Niña year is considered a dry season and how the most recent storm may have been unusual for the season.

President Chavez arrived.

**METROPOLITAN REPORT**

A summary report was provided in the Board's agenda packet.

Director Fellow provided brief summary of the programs recently discussed by Metropolitan's Conservation and Local Resources Committee.

**WATER QUALITY AUTHORITY REPORT**

None.

**WATERMASTER REPORT**

None.

**DIRECTORS COMMENTS**

Director Fellow reported that former board member Brian Urias passed away recently and offered his condolences to the family. He requested to adjourn the meeting in memory of Brian Urias.

Secretary Garcia briefly talked about Brian Urias and requested the Board to adjourn in his memory.

Treasurer Treviño also requested adjourning the meeting in memory of his former colleague.

Director Santana expressed her feelings about the passing of Brian Urias and how influential he was in her political career.

President Chavez expressed his apologies for being late to the meeting. He reported on the recent rainfall and how it would be beneficial to the region to receive additional rainfall.

**FUTURE AGENDA ITEMS**

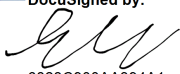
None.

**ADJOURN TO CLOSED SESSION**

None.

**ADJOURNMENT**

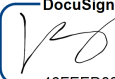
President Chavez asked if there were other business to come before the Board. There being none, the meeting was duly adjourned in memory of former board member Brian Urias to a regular meeting of the Board of Directors to be held on November 17, 2021, at 8:00 a.m. via teleconference or the most rapid means of communication available at the time.

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**PRESIDENT**

**ATTEST**

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**SECRETARY**

**SEAL**

Attachment 1  
Consent Item 6 (b)  
October 27, 2021

Demands numbered 21282 through 21308 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of \$427,669.35 and demands numbered 996 through 1000 on the Water Fund Account at the same bank in the amount of \$810,231.52.

21282	Aaron Read & Associates, LLC	Inv. 211701, State Legislative Advocacy Services, August 2021 Inv. 211702, State Legislative Advocacy Services, September 2021 <b>(Board approved 12/09/20)</b>	10,000.00 <u>10,000.00</u>	20,000.00
21283	Accent Computer Solutions, Inc.	Inv. 14742, IT Mngement Support, October 2021 <b>(Board approved 10/06/15. Previously paid 10/07/21)</b>		2,653.33
21284	Active San Gabriel Valley	Inv. 10/20/20UD REI, Noches De Las Luminarias Sponsorship		500.00
21285	ACWA/JPIA	Inv. 0673451, Health Insurance Premium - October 2021 <b>(Previously paid 10/07/21)</b>		28,972.24
21286	Best Best & Krieger, LLP	Inv. 915149, Lobbying Services through August 31, 2021 <b>(Board approved 12/09/20)</b>		7,500.00
21287	Foothill Technoogy Center LLC	Inv. NOV 21LEA, Office Lease - November 2021 <b>(Board approved 04/19/11)</b>		20,751.00
21288	Greater LA Area Council, BSA	Inv. 10/14/21UD, Distinguished Citizen Award Sponsorship		1,250.00
21289	GRM Information Management	Inv. 0436400, Shredding and Archiving Services		80.67
21290	Joey C. Soto	Inv. UD #81, Grant Writing Services, July 2021 Inv. UD #82, Grant Writing Services, August 2021 <b>(Previously paid 10/07/21)</b>	247.50 <u>1,691.25</u>	1,938.75
21291	John Robinson Consulting, Inc.	Inv. U201501-34, TO 1 State/Federal Grants Reporting, August 2021 <b>(Board approved 08/04/15)</b>		4,200.00
21292	Kelly Services, Inc.	Temporary Staff Inv. 33017152, W/E 08/22/21 Inv. 34021019, W/E 08/29/21 Inv. 35019166, W/E 09/05/21 Inv. 36020350, W/E 09/12/21 Inv. 37021140, W/E 09/19/21 <b>(Board approved 02/07/19)</b>	704.70 810.00 507.60 486.00 <u>486.00</u>	2,994.30
21293	Olivarez Madruga Lemieux O'Neill, LLP	Professional Legal Services, August 2021 Inv. 325.001-16472, Transactional Fees Inv. 325.003-16473, Transactional Fees Inv. 325.996-16474, Transactional Fees Inv. 325.999-16475, Retainer <b>(Board approved 05/17/11. Previously paid 10/07/21)</b>	105.00 38.00 6,141.60 <u>4,064.00</u>	10,348.60
21294	San Gabriel Valley Newspaper	Inv. 523295, Water Conservation Ads, August 2021		1,500.00
21295	Spectrum Reach/Charter	Inv. 90508701, Water Conservation Commercial, August 2021 Inv. 90508702, Water Conservation Commercial, August 2021 Inv. 90515859, Water Conservation Commercial, September 2021 Inv.90517349, Water Conservation Commercial, September 2021	1,500.00 1,786.35 1,800.00 <u>1,500.00</u>	6,586.35
21296	Stetson Engineers, Inc.	Inv. 2533-185, General Engineering Support Services, August 2021		10,506.61
21297	State Water Resources Control Board	Inv. 09805-21-9, Package 3 Annual State Revolving Fund Loan Repayment		86,782.45
21298	Total Compensation Systems, Inc.	Inv. 9386, OPEB Design Scenarios and Projections <b>(Previously paid 10/07/21)</b>		4,500.00
21299	Upper District Revolving Payroll Fund	Inv. AUG 21, Reimbursement for Payroll and Payroll Taxes for Employees Inv. AUG 21D, Reimbursement for Payroll Taxes for Directors <b>(Previously paid 10/07/21)</b>	125,998.91 <u>11,369.06</u>	137,367.97

21300	Upper District Revolving Fund	Replenish Revolving Fund Account - September 2021		
		Office Supplies	1,554.64	
		Computer Systems/Equipment/Maintenance/Insurance/Outside Service	1,738.61	
		Director's Outreach	2,597.00	
		Meeting/Travel/Conferences/Dues/Assessments/Membership	319.67	
		Telephone/Utilities/Building Maintenance	2,429.02	
		Water Conservation Program Expenses	1,033.80	
		WRP Operation and Maintenance	25,304.80	
		Medical/ODA Reimbursement/Processing Fee	<u>2,852.25</u>	37,829.79
		<b>(Previously paid 10/07/21)</b>		
21301	U.S. BANK Corporate Payment System	CalCard Charges through 09/22/21		
		Membership/Others	356.21	
		Meetings, Travel, Conferences	5,249.35	
		Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities	1,132.07	
		Conservation Program Expenses, Education and Outreach	<u>609.28</u>	7,346.91
		<b>(Previously paid 10/12/21)</b>		
21302	WLC Architects	Inv. 11, Architectural Services for August 2021		22,500.00
21303	World Journal LA, LLC	Inv. 3636069, Water Conservation Ad, 08/28/21		1,360.00
21304	Anthony Fellow	Director's Compensation, September 2021		
		7 Days District Business	1,785.00	
		8 Days MWD Business	2,040.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	<u>(1,305.98)</u>	2,535.89
		<b>(Previously paid 10/13/21)</b>		
21305	Edward L. Chavez	Director's Compensation, September 2021		
		10 Days District Business	2,550.00	
		Meeting/Travel Expenses/Allowance	2,186.24	
		Less Deferred Comp.	(1,600.00)	
		Less Taxes Withheld	<u>(929.73)</u>	2,206.51
		<b>(Previously paid 10/13/21)</b>		
21306	Charles M. Treviño	Director's Compensation, September 2021		
		10 Days District Business	2,550.00	
		Meeting/Travel Expenses/Allowance	284.44	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	<u>(545.10)</u>	1,789.34
		<b>(Previously paid 10/13/21)</b>		
21307	Jennifer Santana	Director's Compensation, September 2021		
		10 Days District Business	2,550.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	<u>(384.21)</u>	2,182.66
		<b>(Previously paid 10/13/21)</b>		
21308	Katarina M. Garcia	Director's Compensation, September 2021		
		7 Days District Business	1,785.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	<u>(315.89)</u>	1,485.98
		<b>(Previously paid 10/13/21)</b>		
		<b>TOTAL</b>		<b><u>\$ 427,669.35</u></b>
996	Central Basin MWD	Invoice No. USGV-AUG21, Purchase of 6.8 AF of Recycled Water in July 2021 <b>(Previously Paid 10/07/21)</b>	\$	4,943.19
997	City of Industry City Hall	Invoice No. AUG-21, Purchase of 100.1 AF of Recycled Water in August 2021		29,729.70
998	Metropolitan Waterd District	Invoice No. 10543, Purchase of 699.6 AF of Treated Water through Service Connections in August 2021		753,325.98
999	San Gabriel Valley MWD	Invoice No. 532, 103.37 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in August 2021 @ \$200 per AF		20,674.00
1000	Suburban Water System	Invoice No. 6649, Phase IIB Normal Operating Charge, September 2021		<u>1,558.65</u>
			<b>\$</b>	<b><u>810,231.52</u></b>