

**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. – January 12, 2022**

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Pursuant to the newly adopted provisions of the Brown Act and consistent with the Board's resolution ratifying the declaration of a state of emergency by the State of California in response to the COVID-19 pandemic, the Upper District held a regular meeting of the Board of Directors via Zoom teleconference on January 12, 2022 at the hour of 8:00 a.m.

**ROLL CALL**

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

**DIRECTORS ABSENT:** None.

**STAFF PRESENT:** Tom Love, General Manager; Steve O'Neill, District Counsel; Steve Johnson, Consulting Engineer; Evelyn Rodriguez, Director of Finance and Administration; Patricia Cortez, Director of Government and Community Affairs; Venessa Navarrette, Executive Assistant; Ruben Gallegos, Project Assistant; Jennifer Aguilar, Water Use Efficiency Analyst, and Valeria Rodriguez, Administrative Assistant.

**OTHERS PRESENT**

Arrica Jimenez, Dan Arrighi, David Muse, Marty Zvirbulis, Kelly Gardner, Javier Vargas, Jenny Savron, Anthony Alberti, Jared Macias, Cynthia Sternquist, Jeff Helsley, Tara Robinson, Paul Zampiello, Roy Frausto, and Anteneh Tesfaye.

**ADOPTION OF AGENDA**

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

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

**PUBLIC COMMENT**

None.

**ELECTION OF OFFICERS FOR CALENDAR YEAR**

President Chavez declared the election of Upper District officers to serve one-year terms for calendar year 2022 open.

Director Fellow motioned to keep the current slate of officers for calendar year 2022. Vice President Santana seconded the motion which was unanimously approved by the following roll call vote:

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

The following officers were elected to serve a one-year term for calendar year 2022:

President – Director Chavez  
Vice President – Director Santana  
Secretary – Director Garcia  
Treasurer – Director Treviño

**COMMITTEE REPORTS**

Next scheduled committee meeting dates are as follows:

- (a) Administration and Finance – February 1, 2022 at 4:00 p.m.
- (b) Water Resources and Facility Management – February 2, 2022 at 4:00 p.m.
- (c) Government Affairs and Community Outreach – February 7, 2022 at 4:00 p.m.

**CONSENT CALENDAR**

On motion by Treasurer Treviño, seconded by Secretary Garcia, the consent calendar was unanimously approved by the following roll call vote:

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

- (a) Minutes of a regular meeting of the Board of Directors held on December 8, 2021 at 8:00 a.m.
- (b) Minutes of a special meeting of the Board of Directors held on December 22, 2021 at 8:00 a.m.
- (c) List of Demands
- (d) Financial Reports – November 2021
  - 1. Financial Statements
  - 2. Director’s Public Outreach
- (e) Resolution No. 01-22-632, Re-ratifying the Proclamation of a State of Emergency by Governor Newsom, and Reauthorizing Remote Teleconference Meetings.

**CYCLIC STORAGE AGREEMENT WITH METROPOLITAN AND WATERMASTER**

The General Manager summarized the recent discussion at the Water Resources and Facility Management Committee. He shared that the current agreement, dated 1985, has had multiple amendments to extend the agreement. He explained that there is a need to update the existing agreement to lengthen the term and increase storage that is allowed for Metropolitan. The General Manager shared that the changes would potentially benefit all parties involved and that the amendment would also be going to the next Watermaster board meeting for approval.

President Chavez and the General Manager discussed how the new agreement would double the storage capacity.

President Chavez moved to authorize the General Manager to enter into a new cyclic storage agreement with the Metropolitan Water District of Southern California and the Main San Gabriel Basin Watermaster, extending the term of the agreement from 5 years to 10 years and allowing storage of up to 200,000 acre-feet. The motion was unanimously approved by the following roll call vote:

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

**2020 CENSUS RECAP AND REDISTRICTING PLAN**

The General Manager presented the data from the 2020 Census information provided by Stetson Engineers. He went over the changes from 2010 to 2020 with regard to population and demographics in each division. He stated that while the population within the District decreased by about 1,000 people, the changes between divisions resulted in the average standard deviation decreasing from 2.9% in 2010 to 2.2% in 2020. He explained that this equates to the divisions being more equal in terms of population size at this time. The General Manager shared that the regulations require that the standard deviation be less than 10%, a non-issue for the current district boundaries.

The General Manager reported on the ethnic diversity of the District as a whole as well as each division, noting that each division has a majority-minority population.

The General Manager requested District Counsel to explain the regulations driving redistricting.

District Counsel discussed the two laws governing redistricting. The California statute requires all divisions to have as equal as practicable populations. He explained that and standard deviation for overall population in each district should be less than 9-10% to avoid suspicion of gerrymandering. He shared that the second law affecting redistricting is the Federal Voting Rights Act which mandates respect for the voting power of minority groups of interest. This means that the ethnic populations in each group need to have an effective voting bloc, not just a slight majority percentage of the population with the division. He stated that the current Upper District division boundaries meet both state and federal legislation and are fully defensible.

Patty Cortez, Director of Government and Community Affairs discussed the Fair Maps Act (the Act) as it relates to Upper District. Ms. Cortez explained that the Act does not apply specifically to Upper District since it is a special district, but that it would be beneficial to consider the guidelines within the Act should the Board decide to redistrict.

The General Manager explained the two options for consideration at this point - leave the boundaries as is until the 2030 Census or proceed with redistricting. He added that staff is prepared to recommend a demographer should the Board choose the redistricting option.

Ms. Cortez stated that the new maps must be in place by mid-April 2022. District Counsel added that two public hearings are required prior to the deadline.

President Chavez and District Counsel discussed how the current district boundaries are defensible and do not require any change. President Chavez stated that he is happy with the current divisions but is open to slight modifications to make the cities more contiguous.

President Chavez got dropped out of the call. The Board temporarily held off discussion of the matter while waiting for President Chavez's return.

Vice President Santana took over and presided over the meeting.

## **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 working with staff on the cyclic storage agreement, redistricting regulations, a public information request, and a personnel matter.

## **ENGINEER'S REPORT**

The District Engineer provided a report on hydrologic conditions, basin deliveries, reservoir storage, canyon releases and rainfall averages. He stated that the Baldwin Park Key Well groundwater elevation was 182.1 feet as of January 7, 2022. He explained that the small rain events prior to the big event in December allowed the watershed to soak and encouraged runoff, which was beneficial. He stated that the key well is still 18 feet lower than the prior year due to drought conditions. He reported that water quality samples were taken in December with no new wells being shut down for water quality issues. He then discussed the statewide averages for snowpack and stated that while the overall water picture is looking better, we are still not out of the woods.

**2020 CENSUS RECAP AND  
REDISTRICTING PLAN – CONT'D**

President Chavez rejoined and presided over the meeting.

Director Fellow concurred with President Chavez on keeping cities intact as much as possible. He stated that with the changes at the state assembly and legislature, it might be a good time to consider changes for Upper District.

Vice President Santana stated that while there may be some tweaks to consider, it would be unnecessary to make changes if the current boundaries fit within the guidelines. She shared that there is a lot of diversity and minority-majority groups within the divisions as they are currently.

Treasurer Treviño concurred with Vice President Santana, stating that if the guidelines are currently being met, it would be irresponsible to spend funds on something unnecessary. He shared that the District has done a good job in creating balance and there is no need to tweak the lines if not required.

President Chavez and District Counsel discussed how the District would still be required to submit the boundaries and go through the approval process even if the choice is to keep the status quo.

President Chavez allowed a public comment requested by an attendee.

Cynthia Sternquist commended the presentation showing how Upper District has maintained equity of representation within its boundaries. She stated that since the goal of the Census for equity seems to be happening within Upper District, it makes sense to leave them as is. She shared the City of Arcadia and Temple City's redistricting experience and that both cities chose the status quo. She then urged the directors to have a public comment period and be transparent should they decide to change the maps.

Secretary Garcia and the General Manager discussed that no city has expressed discontent over the existing boundaries and that significant changes were made during the 2010 Census/redistricting, which created an Asian majority district and resulted in the splitting of some cities.

President Chavez and District Counsel discussed how Upper District can move forward with the statutory process and still have full discretion up until the final map is approved and submitted to the County.

Based on clarification from District Counsel, Treasurer Treviño moved to instruct staff to prepare the district map based on the current boundaries, subject to the statutory process.

Vice President Santana seconded the motion with an amendment to retain the option for further discussion and potential amendment to the existing boundaries. Treasurer Treviño accepted the amended motion.

President Chavez and Director Fellow expressed support for the amended motion. The motion to instruct staff to prepare the district map based on existing boundaries with an option for further discussion and potential amendment was unanimously approved by the following roll call vote:

<b>FELLOW:</b>	<b>AYE</b>
<b>TREVIÑO:</b>	<b>AYE</b>
<b>GARCIA:</b>	<b>AYE</b>
<b>SANTANA:</b>	<b>AYE</b>
<b>CHAVEZ:</b>	<b>AYE</b>

President Chavez commended District Counsel's work at the County of San Bernardino.

**GENERAL MANAGER’S REPORT**

The General Manager reported giving a detailed report on the water supply situation and its effects on the SWP-dependent areas at the last Water Resources and Facilities Management committee. He stated that SWP-dependent member agencies have been meeting weekly with Metropolitan to discuss both short-term and long-term actions for dealing with a 0% allocation. He reported presenting a water supply update to the City of Rosemead with a presentation to the City of Duarte also scheduled. He added that a producer meeting will be held to discuss water supply, drought actions and other items of interest to the producers.

**METROPOLITAN REPORT**

A Metropolitan summary report was provided in the agenda packet.

**WATER QUALITY AUTHORITY REPORT**

President Chavez reported that City of Azusa Mayor Robert Gonzales was recently elected to the WQA board to represent cities with pumping rights.

A Water Quality Authority summary report was provided in the agenda packet.

**WATERMASTER REPORT**

A Watermaster summary report was provided in the agenda packet.

**AB 1234 COMPLIANCE REPORT**

A summary report was provided in the agenda packet.

**DIRECTORS COMMENTS**

Director Fellow asked to adjourn in memory of Willard Murray, former assemblyman and former board member of WRD and MWD.

President Chavez shared serving with Director Murray’s son and how much Director Murray will be missed.

Treasurer Treviño concurred with Director Fellow’s request to adjourn in Mr. Murray’s memory.

Vice President Santana mentioned that the World Health Organization projects that half of Europe will be infected with Omicron in the next few weeks and that the U.S. will probably follow soon after.

President Chavez mentioned that most of those hospitalized with COVID in San Bernardino County hospitals are unvaccinated, showing the effectiveness of vaccinations at preventing hospitalizations.

**FUTURE AGENDA ITEMS**

None.


**ADJOURN TO CLOSED SESSION**

None.

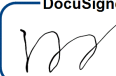
**ADJOURNMENT**

President Chavez asked if there was any other business to come before the Board. There being none, the meeting was duly adjourned with a regular meeting of the Board of Directors to be held on January 26, 2022, at 8:00 a.m. via teleconference or the most rapid means of communication available at the time.

**ATTEST**

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PRESIDENT

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SECRETARY

SEAL

Attachment 1  
Consent Item 7 (c)  
January 12, 2022

Demands numbered 21368 through 21423 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of \$256,701.08 and demands numbered 1013 through 1017 on the Water Fund Account at the same bank in the amount of \$1,923,245.75.

21368	Aaron Read & Associates, LLC	Inv. 211848, State Legislative Advocacy Services, November 2021 Inv. 211899, State Legislative Advocacy Services, December 2021 <b>(Board approved 12/09/20)</b>	\$ 10,000.00 <u>10,000.00</u>	\$ 20,000.00
21369	Accent Computer Solutions, Inc.	Inv. 149126, IT Management Support, January 2022 <b>(Board approved 10/06/15)</b>		2,833.80
21370	ACWA/JPIA	Inv.0678259, Health Insurance Premium - January 2022		26,177.68
21371	Bassett High School	Inv. GRNT 21-22, Water Education Grant FY 2021-22		1,000.00
21372	Bassett High School	Inv. GRNT 21-22A, Water Education Grant FY 2021-22		1,000.00
21373	Bassett High School	Inv. GRNT 21-22B, Water Education Grant FY 2021-22		1,000.00
21374	Bassett High School	Inv. GRNT 21-22C, Water Education Grant FY 2021-22		1,000.00
21375	Bassett Unified School District	Inv. GRNT 21-22, Water Education Grant FY 2021-22		1,000.00
21376	Best Best & Krieger, LLP	Inv. 922576, Lobbying Services through November 30, 2021 <b>(Board approved 02/09/20)</b>		7,500.00
21377	California Water Efficiency Partnership	Inv. MD-2022-230, 2022 CALWEP and AWE Annual Dues		2,182.37
21378	Charmaine Kangas	Inv. GRNT 21-22, Water Education Grant FY 2021-22		510.00
21379	Civic Publications	Inv. 1674, Mission Vision Full Page Ad		5,500.00
21380	Department of Water & Power	Inv. GA430416, Annual ROW Permit Fee		1,000.00
21381	Discovery Science Center	Inv. 1538, 4th-5th Grade Virtual Water Education Program, November 2021 <b>(Board approved 07/08/20)</b>		892.50
21382	Ecotech Services, Inc.	Inv. 2123, Water Smart Home Program Inv. 2133, Water Bottel Fill Station <b>(Board approved 08/07/18)</b>	19,353.00 <u>2,100.00</u>	21,453.00
21383	Foothill Technology Center, LLC	Inv. FEB 22LEA, Office Lease - February 2022 <b>(Board approved 04/09/11)</b>		20,751.00
21384	Green Media Creations, Inc.	Inv. 1509, On-Demand Instruction - Landscape Tips for Fire Prevention, September 2021		750.00
21385	Holy Family School	Inv. GRNT 21-22, Water Education Grant FY 2021-22		1,000.00
21386	Holy Family School	Inv. GRNT 21-22A, Water Education Grant FY 2021-22		1,000.00
21387	Holy Family School	Inv. GRNT 21-22B, Water Education Grant FY 2021-22		1,000.00
21388	Joey C. Soto	Inv. UD #85, Grant Writing Services, November 2021 <b>(Board approved 08/04/15)</b>		701.25
21389	John Robinson Consulting, Inc.	Inv. UD201501-36, TO1 State/Federal Loan/Grants Reporting, December 2021 <b>(Board Approved 08/04/15)</b>		2,550.00
21390	Los Altos High School ASB	Inv. GRNT 21-22, Water Education Grant FY 2021-22		850.00
21391	La Opinion	Inv. 129491121, Conserve-A-Palooza Ad, November 2021		375.00
21392	Media Marketing Services, Inc.	Inv. USG W21106, Bottled Water Program		1,308.60
21393	Megan Daley	Inv. GRNT 21-22, Water Education Grant FY 2021-22		116.41
21394	Montessori Academy of La Puente	Inv. GRNT 21-22, Water Education Grant FY 2021-22		1,000.00
21395	Montessori Academy of West Covina	Inv. GRNT 21-22, Water Education Grant FY 2021-22		1,000.00
21396	Nira Chandrasekar	Inv. GRNT 21-22, Water Education Grant FY 2021-22		1,000.00
21397	Olivarez Madruga Lemieux & O'Neill	Professional Services, November 2021 Inv. 325.996-17479, Transactional Fees Inv. 325.999-17480, Retainer <b>(Board Approved 05/17/11)</b>	5,791.40 <u>4,064.00</u>	9,855.40

21398	Patricia Allaf	Inv. GRNT 21-22, Water Education Grant FY 2021-22		855.00
21399	Rogers, Anderson, Malody and Scott, LLP	Inv. 67229, Progress Billing for FY 20/21 Audit Inv. 67524, Final Billing for FY 20/21 Audit <b>(Board Approved 06/19/19)</b>	12,715.00 <u>2,500.00</u>	15,215.00
21400	SGV Economic Partnership	Inv. 7533, Annual Membership Renewal, 02/01/22 - 02/01/23		20,000.00
21401	Spectrum Reach/Charter	Inv. 90531031, Conserve-A-Palooza Promotion, November 2021 Inv. 90533642, Conserve-A-Palooza Promotion, November 2021	1,761.80 <u>1,500.00</u>	3,261.80
21402	Stetson Engineers, Inc.	Inv. 2533-188, General Engineering Support Services, November 2021		15,649.88
21403	St. Luke Catholic School	Inv. GRNT 21-22, Water Education Grant FY 2021-22		523.00
21404	St. Luke Catholic School	Inv. GRNT 21-22A, Water Education Grant FY 2021-22		901.04
21405	St. Luke Catholic School	Inv. GRNT 21-22B, Water Education Grant FY 2021-22		617.79
21406	St. Luke Catholic School	Inv. GRNT 21-22C, Water Education Grant FY 2021-22		597.03
21407	St. Luke Catholic School	Inv. GRNT 21-22D, Water Education Grant FY 2021-22		888.43
21408	St. Luke Catholic School	Inv. GRNT 21-22E, Water Education Grant FY 2021-22		829.58
21409	St. Luke Catholic School	Inv. GRNT 21-22F, Water Education Grant FY 2021-22		604.80
21410	St. Luke Catholic School	Inv. GRNT 21-22G, Water Education Grant FY 2021-22		656.84
21411	Sumin Ha	Inv. GRNT 21-22, Water Education Grant FY 2021-22		280.00
21412	Team 968 RAWC	Inv. GRNT 21-22, Water Education Grant FY 2021-22		997.76
21413	Upper District Revolving Payroll Fund	Inv. NOV 21D, Reimbursement for Payroll Taxes for Directors		9,013.92
21414	Upper District Revolving Fund	Replenish Revolving Fund Account - December 2021 Office Supplies Computer Systems/Equipment/Maintenance/Insurance/Outside Service Director's Outreach Telephone/Utilities/Building Maintenance Water Conservation Program Expenses WRP Operation and Maintenance Medical/ODA Reimbursement/Processing Fee/Retirement Plan/Overdeposit	398.01 1,657.49 440.00 1,713.65 1,092.00 19,286.86 <u>4,299.59</u>	28,887.60
21415	Urban Water Institute, Inc.	Inv. 02/16/22UD, Spring Water Conference Sponsorship Inv. 2022, Public Member CY Dues, 01/01/22 - 12/31/22	1,500.00 <u>500.00</u>	2,000.00
21416	U.S. Bank Corporate Payment System	CalCard Charges through 12/22/21 Membership/Others Meetings, Travel, Conferences Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities Conservation Program Expenses, Education and Outreach	460.00 4,561.79 237.99 <u>331.98</u>	5,591.76
21417	Via Promotionals	Inv. 17999, District Logo Items		4,647.62
21418	West Covina High School	Inv. GRNT 21-22, Water Education Grant FY 2021-22		510.00
21419	Wild Rose School of Creative Arts	Inv. GRNT 21-22, Water Education Grant FY 2021-22		800.00
21420	WLC Architects	Inv. 14, Bidding Services for December 2021 <b>(Board Approved 08/12/20)</b>		2,812.50
21421	Edward L. Chavez	Director's Compensation, December 2021 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 516.87 (1,617.00) <u>(922.78)</u>	527.09
21422	Charles M. Treviño	Director's Compensation, December 2021 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 516.87 (500.00) <u>(539.01)</u>	2,027.86
21423	Katarina M. Garcia	Director's Compensation, December 2021 8 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,040.00 516.87 (500.00) <u>(359.10)</u>	1,697.77
			<b>TOTAL</b>	<b>\$ 256,701.08</b>

1013	Central Basin MWD	Invoice No. USGV-NOV21, Purchase of 4.7 AF of Recycled Water in October 2021 <i>(Previously Paid 01/05/22)</i>	\$	3,405.30
1014	City of Industry City Hall	Invoice No. NOV-21, Purchase of 41.2 AF of Recycled Water in November 2021		12,236.40
1015	Metropolitan Water District	Invoice No. 10631, Purchase of 269.1 AF of Treated Water and 2,169.0 AF of Untreated Water in November 2021		1,888,145.40
1016	San Gabriel Valley MWD	Invoice No. 535, 89.5 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in November 2021 @ \$200 per AF		17,900.00
1017	Suburban Water System	Invoice No. 6662, Phase IIB Normal Operating Charge, December 2021		<u>1,558.65</u>
			<b>TOTAL</b>	<b>\$ <u>1,923,245.75</u></b>