

**PUBLIC HEARING AND 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. – March 9, 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 public hearing and regular meeting of the Board of Directors via Zoom teleconference on March 9, 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, District Engineer; Evelyn Rodriguez, Director of Finance and Administration; Patricia Cortez, Director of Government and Community Affairs; Venessa Navarrete, Executive Assistant; Ruben Gallegos, Project Assistant; Jennifer Aguilar, Water Use Efficiency Analyst; and Nichol Delgado, Government and Community Affairs Representative.

**OTHERS PRESENT**

Al Contreras, Anteneh Tesfaye, Anthony Alberti, Ben Lewis, C. Cardona, Cynthia Sternquist, Dan Arrighi, Dave Michalko, David Muse, Ernesto Camacho, Jandy Macias, Jazmin Lopez, Jenny Savron, Jose Martinez, Jorge Marquez, Kelly Gardner, Lenet Pacheco, Lynda Noriega, Marty Zvirbulis, Paul Zampiello, Robert DiPrimio, Stephanie Moreno, Tony Zampiello, and Veronica Moran.

**ADOPTION OF AGENDA**

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

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

**PUBLIC COMMENT**

None.

**COMMITTEE REPORTS**

Next scheduled committee meeting dates are as follows:

- (a) Government Affairs and Community Outreach – April 4, 2022 at 4:00 p.m
- (b) Administration and Finance – April 5, 2022 at 4:00 p.m.
- (c) Water Resources and Facility Management – April 6, 2022 at 4:00 p.m.

**CONSENT CALENDAR**

Secretary Garcia moved to approve Consent Calendar item (a) through (d). Director Fellow seconded the motion, which 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 February 23, 2022 at 8:00 a.m.
- (b) List of Demands.
- (c) Financial Reports – January 2022

1. Financial Statements
  2. Director's Public Outreach
- (d) Resolution No. 03-22-634, Re-ratifying the Proclamation of a State of Emergency by Governor Newsom and reauthorizing remote teleconference meetings.

## **FEDERAL AND STATE LEGISLATIVE SUMMARIES AND POSITIONS**

The General Manager reported that the committee met on March 7<sup>th</sup> but did not have a quorum to make a recommendation to the Board. The staff recommendation is in the packet for review and discussion.

Vice President Santana moved to approve federal and state legislative bill positions: H.R. 4647, S. 2430, H.R. 2682, S. 1248, S. 2454, SB 1157, AB 2449, AB 1817, and AB 2142, which are consistent with Upper District's 2021-22 Legislative Policy Principles adopted by the Board in December 2021.

Secretary Garcia seconded the motion, which was unanimously approved by the following roll call vote:

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

## **PUBLIC HEARING REGARDING UPPER DISTRICT'S 2020 CENSUS/ REDISTRICTING PLAN AND MAP REVIEW**

President Chavez opened the public hearing by requesting that staff provide a report.

The General Manager discussed the process and timeline for Upper District's 2020 Census/redistricting plan and map review. He stated that there is a deadline of April 17, 2022, to adopt the final boundaries. He explained that there have been six meetings where board input and public comment have been accepted thus far. The General Manager reported that Stetson's GIS capabilities have been utilized to perform analysis on the division boundaries. He shared the current district boundary map, as well as Public Map 1, Public Map 2, and Public Map 3 for consideration. The General Manager reported all potential changes and detailed the boundary lines of all three public maps for Board consideration and discussion. He explained that all three proposed public maps fit within the legal guidelines for deviation on census data.

The General Manager asked if there were any questions from the Directors prior to public comment. Treasurer Treviño asked to hear the rationale for the changes in Public Map 1 since there were many changes made to the current district boundaries within that version. The General Manager clarified that Board discussion would be available after public comments due to the nature of the public hearing.

President Chavez reopened the floor for public comments related to the public hearing.

The Executive Assistant read into record the public comments submitted by the following persons in advance of the board meeting. Copies of the written comments are also included as Attachment 2 to the minutes.

- Jessica Ancona, Mayor of City of El Monte, requesting to keep current district boundaries, or adopt Public Map 2 or Public Map 3.
- Marla Provencio, requesting to keep current district boundaries, or adopt Public Map 2 or Public Map 3.
- Johanna Bennett, resident of Temple City, requesting to keep current district boundaries.
- Amy Wang, resident of Temple City, requesting to keep current district boundaries or adopt Public Map 3.

- George Wang, resident of Temple City, requesting to keep current district boundaries or adopt Public Map 3.
- Emily Quach, resident of Arcadia, requesting to keep current district boundaries or Public Map 3.
- Lucia Bernal and Michal Blaszkowski, requesting to adopt Public Map 1.
- Louis Lemoine, resident of Temple City, requesting to adopt Public Map 1.
- Braxton Sternquist, requesting to keep current district boundaries or adopt Public Map 2.
- Miguel Morales, requesting to adopt Public Map 1.
- Clarence Wong, resident of South Pasadena, requesting to adopt Public Map 1.
- William Mason, resident of Covina, requesting to adopt Public Map 1.
- Chris Saucedo, teacher at Arcadia High School, requesting to adopt Public Map 1.

The Government and Community Affairs Representative read into record additional public comments submitted by the following persons in advance of the board meeting. Copies of the written comments are also included as Attachment 2 to the minutes.

- Jimmy Martinez, requesting to keep existing map or adopt map “reo”.
- Bryan Cook - City Manager of Temple City, requesting to keep the current district boundaries.
- Cynthia Vance, resident of Temple City, requesting to keep the current boundaries or adopt Public Map 2.
- Jorge Marquez - Mayor of City of Covina, Robert Gonzales – Mayor of Azusa, Emmanuel Estrada – Mayor of Baldwin Park, Andrew Mendez – Councilmember of Azusa, Maria Morales – Councilmember of El Monte, Valerie Munoz – Councilmember of La Puente, Nadia Mendoza – Councilmember of La Puente, Brian Tabatabai – Councilmember of West Covina, and James Toma – Mayor of West Covina (Ret.), requesting to adopt Public Map 1.
- Yennie Lam, resident of San Gabriel, requesting to keep current district boundaries or adopt Public Map 2.
- Winnie and Steve Wen, residents of Temple City, requesting to keep the current district boundaries or adopt Public Map 2 or 3.
- Fernando Vizcarra, requesting to adopt the Trevino map.
- Chris C., requesting to adopt Public Map 1.

Cynthia Sternquist, Mayor Pro Tem for City of Temple City, requested that the Board review Public Map 1 more thoroughly.

Veronica Moran requested to adopt Public Map 1. She also thanked Director Garcia and Director Santana for their support of women.

Al Contreras voiced that this is an opportunity to make the right decision since this is only available every ten years.

The Board of Directors continued the discussion with Vice President Santana requesting that District Counsel explain the legal process and requirements for redistricting. District Counsel explained the various legal aspects and requirements for the District when it comes to the redistricting process. Vice President Santana requested that District Counsel explain the legal requirement for the public hearings and to confirm that the District has been following the appropriate process. District Counsel confirmed that the legal and procedural requirements are being met with the current meetings and future public hearing prior to the adoption of any District map.

Secretary Garcia shared that she created Public Map 1 herself and asked if any of her fellow Directors had questions for her in relation to Public Map 1.

Director Fellow commended Director Garcia's work in producing Map 1 on her own and stated he provided no input to Director Garcia.

Treasurer Treviño shared that the Board discussed making minor tweaks to the current boundaries at previous meetings, that he feels that public comment has pushed for little to no change in the boundary lines, and that Public Map 1 contains major changes. He asked Secretary Garcia to explain how she came to the decision to make these changes.

Secretary Garcia explained that it was difficult to describe or show a resident where the boundaries lie currently with the lines cutting communities in pieces and wanted to make the lines less arbitrary and easy to understand for residents. Secretary Garcia stated she wanted to make sure that residents and voters are able to easily find out who their representatives are and who they are voting for when the time comes without going to the County Assessors website. Therefore, she consolidated cities wherever possible into the same district and utilized school district boundary lines when city boundary movement would cause too much deviation for the populations between districts.

Treasurer Treviño requested that Secretary Garcia clarify how she chose Baldwin Avenue versus Temple City Boulevard for the dividing line in Temple City.

Secretary Garcia reiterated that it is an existing school district boundary which residents would already be familiar within that area.

Vice President Santana shared that she appreciated Secretary Garcia's explanation of Public Map 1. She explained that this redistricting discussion has been a progression over the past several months to make the best decision for the community. She shared that she appreciates the proposed maps that take care of the community first since that is the most important part to consider in this discussion. Vice President Santana shared that from the public comment, there is a mixed voice coming from Temple City and that they do not seem to be opposed to change entirely.

President Chavez requested that the General Manager explain the process from this point forward.

The General Manager shared that the deadline is coming up and therefore, it may be necessary to hold a special meeting for the next public hearing on these proposed maps specifically prior to a decision being made. He requested that the Board direct staff to have legal counsel begin to draft a resolution which can have an attachment added with whichever map is chosen at the future meetings due to the timeline. The Board concurred with this request for direction to staff. The General Manager then recommended that the Board hold a special meeting for the public hearing on March 16, 2022 at 8:00 am unless any Director is opposed to that date and time.

Hearing no opposition, President Chavez ended the public hearing and scheduled a special meeting for the third public hearing on March 16, 2022 at 8:00 am.

President Chavez had a prior arrangement that required him to leave the meeting and requested Vice President Santana to take over for the remaining agenda items.

**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 matters relating to redistricting, public records requests, remote meeting legislation, and the new building renovation contract. He shared that he will be moving his practice to another organization and will address that at the March 23<sup>rd</sup> regular meeting of the Board.

**ENGINEER'S REPORT**

Jenny Savron from Stetson Engineer's provided a report on hydrologic conditions, basin deliveries, reservoir storage, canyon releases and rainfall averages. She stated that the Baldwin Park Key Well groundwater elevation was 181.5 feet as of March 4, 2022, and that the reservoir combined storage is at 49% of capacity. She then reported that no notices of wells being shut down due to contamination were received during the month of February 2022. She also reported that currently, Upper District has an accumulated credit as reported in the San Gabriel River Watermaster Report.

The following is a summary of contamination ranges found in samples under Title 22 from 46 wells during January 2022.

<u>Contaminant</u>	<u>Range (ppb)</u>	<u>MCL (ppb)</u>
PCE	ND – 4	5*
TCE	ND	5*

A detailed written report was also provided to the Board.

Vice President Santana and Jenny Savron discussed the credit reported in the San Gabriel River Watermaster report.

**GENERAL MANAGER'S REPORT**

The General Manager shared that staff will be presenting more information on the San Gabriel River Watermaster Report through a workshop at a later meeting. He then reported on a recent discussion with Metropolitan staff to discuss short-term and long-term actions that can be taken to shore up dependence on SWP supplies since the 15% allocation may be lowered due to current water supplies. The General Manager shared that the current deferment of water deliveries that Upper District has agreed to have provided a short-term solution for MWD and SWP needs. He stated that the fastest solution might be getting a Quagga Mussel Control Plan approved to allow delivery of Colorado River Water into the basin. He added that one long-term solution is to build the Regional Recycled Water Project and mentioned that this could also be presented at a later meeting in workshop format for more clarification. He also reported on discussions with Metropolitan staff to change the way cyclic storage in the basin is viewed which would enable expanding the quantity and terms for purchasing storage water. He also shared information about the speakers and topics for the March and April producer meetings.

A General Manager's report was also provided in the Board's agenda packet.

**METROPOLITAN REPORT**

Director Fellow reported that Metropolitan's board took action on a project labor agreement, equity and infrastructure project pledge, and a number of recommended actions from the Shaw Group report including staff hiring that will happen in the near future.

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

**WATER QUALITY AUTHORITY REPORT**

A Water Quality Authority report was provided in the Board’s agenda packet

**WATERMASTER REPORT**

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

**AB 1234 COMPLIANCE REPORT**

An AB 1234 Compliance summary report was provided in the Board’s agenda packet.

**DIRECTORS COMMENTS**

Director Fellow reported on Congresswoman Grace Napolitano receiving the Army Corps of Engineers’ Gold de Fleury Medal award. He stated that March is Women’s Month and shared his positive experiences working with women in various fields. He commended the current women working for and with Upper District.

Secretary Garcia shared her admiration for the women who work in the industry as well. She shared that next week is Fix-A-Leak Week and commended outreach staff for efforts to promote water awareness.

Treasurer Treviño commented that he is happy to see that Metropolitan Water District is working to handle staff issues. He shared that he feels that the Board should consider moving to in-person meetings for the sake of the public.

Vice President Santana also congratulated Congresswoman Grace Napolitano on receiving the prestigious award.

**FUTURE AGENDA ITEMS**

Vice President Santana motioned to have the Carson Project (Regional Recycled Water Project) and the San Gabriel River Watermaster Report Update added to future agendas.


**ADJOURN TO CLOSED SESSION**

None.

**ADJOURNMENT**

Vice President Santana asked if there was any other business to come before the Board. There being none, the meeting was duly adjourned to a special meeting of the Board of Directors to be held on March 16, 2022, at 8:00 a.m. via teleconference or the most rapid means of communication available at the time.

**ATTEST**

DocuSigned by:  


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PRESIDENT

DocuSigned by:  


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SECRETARY

SEAL

Attachment 1  
Consent Item 6 (b)  
March 9, 2022

Demands numbered 21451 through 21479 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of \$390,787.48 and demands numbered 1022 through 1026 on the Water Fund Account at the same bank in the amount of \$2,365,014.28.

21451	Sage Software, Inc.	Inv. , Sage 100 Payroll Standard Renewal: 03/14/22 - 03/13/23 <i>(Previously Paid 03/01/22)</i>		590.00
21452	Aaron Read & Associates, LLC	Inv. 211954, State Legislative Advocacy Services, January 2022 <i>(Board approved 12/09/20)</i>		10,000.00
21453	Accent Computer Solutions, Inc.	Inv. 150100, IT Management Support, March 2022 <i>(Board approved 10/06/15)</i>		2,880.52
21454	ACI Consulting Corporation	Inv. IN-002682, Sage Consulting Services		170.00
21455	ACWA/JPIA	Inv. 0681433, Health Insurance Premium -March 2022 Inv. 0683000, Health Insurance Premium - April 2022	26,613.72 <u>27,399.94</u>	54,013.66
21456	Best Best & Krieger, LLP	Inv. 927118, Lobbying Services through January 31, 2022 <i>(Board approved 02/09/20)</i>		7,500.00
21457	California Contract Cities Association	Inv. 3378, 2022 Silver Level Associate Member Dues; 01/01/22 - 12/31/22		5,000.00
21458	Civic Publications	Inv. 1706, Sustainable Living 2022, Conservation Ad		4,987.00
21459	Ecotech Services, Inc.	Inv. 2189, Water Smart Home Program, January 2022 Inv. 2193, Water Bottel Fill Station, January-February 2022 <i>(Board approved 08/07/18)</i>	22,458.00 <u>3,300.00</u>	25,758.00
21460	Epiphany Catholic Church	Inv. 03/05/22UD, Sapphire Package Sponsorship		500.00
21461	Foothill Technology Center, LLC	Inv. APR 22LEA, Office Lease - April 2022 <i>(Board approved 04/09/11)</i>		20,751.00
21462	G3LA, LLC	Inv. 952, Water Conservation Webinar Curriculum Development, February 2022 Inv. 957, Water Conservation Webinar and Flyers, February 2022	2,000.00 <u>1,500.00</u>	3,500.00
21463	Joey C. Soto	Inv. UD #87, Grant Writing Services, January 2022 <i>(Board approved 08/04/15)</i>		1,650.00
21464	Olivarez Madruga Lemieux & O'Neill	Professional Services, January 2022 Inv. 325.996-18131, Transactional Fees Inv. 325.999-18132, Retainer <i>(Board Approved 05/17/11)</i>	5,907.10 <u>4,064.00</u>	9,971.10
21465	Proforma	Inv. B660001153A, District Logo Items		3,395.70
21466	Southern California Association of Governments	Inv. 22-GA-13, 2022 Regional Conference & General Assembly		1,000.00
21467	San Gabriel Valley Tribune	Inv. 114947, Newspapers In Education Sponsor - Monthly Recognition Ad		300.00
21468	Stetson Engineers, Inc.	Inv. 2533-190, General Engineering Support Services, January 2022 Inv. 2728-022, Integrated Resources Plan Update, January 2022	27,896.52 <u>540.75</u>	28,437.27
21469	Tetra Tech, Inc.	Inv. 51848516, Task 24: RW Task Force <i>(Board Approved 04/01/14)</i>		2,127.50
21470	Total Compensation Systems, Inc.	Inv. 10171, GASB 75 Full Valuation - Final Installment		1,485.00
21471	Upper District Revolving Payroll Fund	Inv. JAN 22, Reimbursement for Payroll and Payroll Taxes for Employees Inv. JAN 22D, Reimbursement for Payroll Taxes for Directors	143,836.42 <u>9,448.29</u>	153,284.71
21472	Upper District Revolving Fund	Replenish Revolving Fund Account - February 2022 Office Supplies Computer Systems/Equipment/Maintenance/Insurance/Outside Service Director's Outreach Meeting/Travel/Conferences/Dues/Assessments/Membership Telephone/Utilities/Building Maintenance Workers Comp Water Conservation Program Expenses WRP Operation and Maintenance Medical/ODA Reimbursement/Processing Fee/Retirement Plan/Overdeposit	432.66 1,861.73 1,050.00 100.00 1,959.32 2,920.74 1,233.00 16,999.98 <u>12,731.79</u>	39,289.22

21473	U.S. Bank Corporate Payment System	CalCard Charges through 02/22/22 Meetings, Travel, Conferences Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities Conservation Program Expenses, Education and Outreach	286.56 701.18 <u>526.98</u>	1,514.72
21474	Water Education Foundation	Inv. 2022WEFMEMKS, 2022 Annual Membership Dues		4,000.00
21475	Anthony Fellow	Director's Compensation, February 2022 9 Days District Business 5 Days MWD Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,295.00 1,275.00 516.87 (500.00) <u>(1,240.08)</u>	2,346.79
21476	Edward L. Chavez	Director's Compensation, February 2022 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 516.87 (1,617.00) <u>(1,022.78)</u>	427.09
21477	Charles M. Treviño	Director's Compensation, February 2022 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
21478	Jennifer Santana	Director's Compensation, February 2022 8 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,040.00 516.87 (500.00) <u>(275.93)</u>	1,780.94
21479	Katarina M. Garcia	Director's Compensation, February 2022 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 516.87 (500.00) <u>(467.47)</u>	2,099.40

**TOTAL** **\$ 390,787.48**

1022	City of Industry City Hall	Invoice No. FEB-22A, Operation and Maintenance Cost Reconciliation 07/01/21 - 12/31/21		33,325.00
1023	City of Industry City Hall	Invoice No. JAN -22, Purchase of 14.4 AF of Recycled Water in January 2022		4,550.40
1024	Metropolitan Water District	Invoice No. 10690, Purchase of 299.5 AF of Treated Water and 2,133.0 AF of Untreated Water in January 2022		2,307,437.12
1025	San Gabriel Valley MWD	Invoice No. 537, 90.71 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in January 2022 @ \$200 per AF		18,034.00
1026	Suburban Water System	Invoice No. 6675, Phase IIB Normal Operating Charge, February 2022		<u>1,667.76</u>

**TOTAL** **\$ 2,365,014.28**