

**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. – May 11, 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 May 11, 2022, at the hour of 8:00 a.m.

**ROLL CALL**

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

**DIRECTORS ABSENT:** Treviño.

**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 Valeria Rodriguez, Administrative Assistant.

**OTHERS PRESENT**

Anteneh Tesfaye, Arrica Jimenez, Ben Lewis, Cris Fealy, Dave Michalko, David's iPhone, Ernesto's iPhone, Fmorales, Jandy Macias, Jenny Savron, Kelly Gardner, Lenet Pacheco, Lynda Noriega, Ralph Galvan, Roy Frausto, Stephanie Moreno, Steve Kiggins, Tara Robinson.

**ADOPTION OF AGENDA**

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

**FELLOW: AYE**  
**TREVIÑO: ABSENT**  
**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 – June 6, 2022, at 4:00 p.m.
- (b) Administration and Finance – June 7, 2022, at 4:00 p.m.
- (c) Water Resources and Facility Management – June 1, 2022, at 4:00 p.m.

**CONSENT CALENDAR**

Secretary Garcia moved to approve Consent Calendar items (a) through (e). Vice President Santana seconded the motion, which was approved by the following roll call vote:

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

- (a) Minutes of a regular meeting of the Board of Directors held on April 27, 2022, at 8:00 a.m.
- (b) List of Demands.
- (c) Financial Reports – March 2022
  - 1. Financial Statements

2. Quarterly Report on District Investments
  3. Director's Public Outreach
- (d) Resolution No. 05-22-640, Re-ratifying the Proclamation of a State of Emergency by Governor Newsom and Reauthorizing Remote Teleconference Meetings.
- (e) Federal and state legislative bill positions: S. 3956, SB 938, SB 991, SB 1100, AB 1845, AB 2041, AB 2247, AB 2313, AB 2639, and AB 2771, which are consistent with Upper District's 2021-2022 Legislative Policy Principles adopted by the Board in December 2021.

## **ADOPTION OF AN EMERGENCY WATER CONSERVATION PROGRAM**

The General Manager reported on the early action that was taken by the Upper District Board to move to Stage 2 of the Water Shortage Contingency Plan in August 2021. He shared that during a press interview, the reporter was impressed with the amount of conservation that has continued to be done by Upper District staff. He explained that based on the two paths MWD has laid out, either 1-day per week outdoor watering or volumetric limits, Upper District does not have direct customers which would drive the focus to the volumetric limits for the District. The General Manager reported that while other SWP dependent agencies have more control over watering regulations and have options to go to the watering day restrictions, it is not a functional path for Upper District. He added that the press has been focusing on the increase in water use compared to March 2020, but that it is not a fair assessment of water use due to precipitation levels and other compounding factors between months and years. He shared that in the long-term, there has been a 30% reduction in water use in the service area which is positive.

The General Manager explained that the resolution being presented outlines Upper District's approach to conserve and encourage additional conservation within the service area. He shared details of the resolution as follows: the framework presented matches MWD's current framework for emergency conservation; there is no penalty established at this point, but there would be a passthrough if those penalties are incurred; asking customers to reduce water use by 20%; encouraging suppliers to limit outdoor watering to a maximum of two days per week, an amendment to the language currently written into the resolution as a *minimum* of two days per week; asking local suppliers to assist customers in implementing these measures; and complying with the regulations imposed by the SWRCB. The General Manager shared that Upper District is currently expanding district communications to meet the need for the 20% reduction and aid retailers in meeting these goals.

Director Fellow mentioned that the message of reducing water in the long-term is not being promoted by the media. He requested that messaging from Upper District focus on the work that people have done already to conserve and then encourage additional conservation actions.

Vice President Santana asked for clarification on the service area covered by the resolution and the messaging for each retailer. The General Manager explained that it would be the same message and restrictions throughout Upper District's service area.

Director Fellow stated that it can be confusing for residents to know if they are accountable to Upper District or to their retailer.

The General Manager explained that it is a challenge right now because of how the regulations and requirements have been rolled down. He shared that customers will need to reach out to their water provider for regulations and restrictions since they will be slightly different for each retailer.

Patty Cortez shared that there will be a Conservation Action Roundtable this week to offer resources, assist with messaging, and aid in a more regional approach to regulations.

Director Fellow asked if the current system for Colorado River Water (CRW) coming through the District is the same as Three Valleys Municipal Water District's. The General Manager shared that there are two avenues for access to CRW. He explained that one is to bring in untreated CRW and use the quagga mussel plan to put the water into the basin. He shared that the other is to bring in treated CRW to certain producers who have options available for their connections. The General Manager explained that not every agency has active connections or options for change at this time. He explained that they are working on those shifts, if at all possible, but there are challenges that will require additional time.

President Chavez expressed the need to look for additional plans and resources to meet the needs for the service area.

Director Fellow moved to approve Resolution 5-22-641 "A Resolution of the Board of Directors of Upper San Gabriel Valley Municipal Water District adopting an Emergency Water Conservation Program" as amended with the correction of minimum to maximum watering days and authorizing the General Manager to finalize the program consistent with recent Metropolitan Water District of Southern California Board actions and Executive Order N-7-22.

President Chavez seconded the motion, which was approved by the following roll call vote:

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

## **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 the emergency conservation resolution and the continued remote meeting actions.

## **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 185 feet as of May 6, 2022. He then reported that the County made a delivery of 20 TAF of water to the San Gabriel and Santa Fe Spreading Grounds. He shared that no new notices of wells being shut down due to contamination were received during the month of April 2022.

## **GENERAL MANAGER'S REPORT**

The General Manager shared information on the rainfall in the Northern Sierras and reservoir levels. He explained that the allocation will not be adjusted based on the recent change, but it does aid in meaningful operations for MWD. He reminded the Board that the board meeting calendar is currently set for one meeting at the beginning of June and that the plan is to go dark in July. He shared that there will only be one meeting in the beginning of August as well. The General Manager clarified that this is a tentative schedule which may need to be adjusted if things come up in the coming months.

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

**METROPOLITAN REPORT**

Director Fellow reported on the MWD Climate Action Plan, Bay Delta Water Quality Control Plan, and the employee conditions within MWD.

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

**WATER QUALITY AUTHORITY REPORT**

President Chavez reported that there are a few corrections to be noted on the report. He shared that the budget will be voted on May 18<sup>th</sup> and not May 20<sup>th</sup>. He also shared that WQA voted to continue meeting remotely and that the Administration/Finance Committee meeting date need to be corrected to May 10<sup>th</sup>.

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

**WATERMASTER REPORT**

Director Fellow mentioned that there are quite a few items on the agenda for the Watermaster Board meeting today. The General Manager requested that Kelly Gardner from Watermaster provide an update on the big items for their board meeting.

Ms. Gardner shared that the operating safe yield will be on the agenda for today's meeting at a recommended 150 TAF which has remained consistent over the past three years. She reported that the budget is also on the agenda with no increase in assessments recommended by Watermaster staff. Ms. Gardner added that based on the latest quarterly figures, production numbers have declined, indicating that conservation has been an influence in the area.

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 shared that the procedures for MWD board meetings have been followed, but that the MWD attorney has been challenged recently. He shared that it will be important to watch her progress and that he will be defending her in the future based on his experiences with her work.

Vice President Santana provided a report on her recent ACWA Spring Conference experience. She expressed shock at the intense emotional state of water discussions between Northern California and Southern California. She then shared information on the improved reservoir operation in Sonoma County.

President Chavez shared that at local city council meetings, there have been discussions about landscaping under various topics of interest. He added that in all of the current landscape discussions, there has been a focus on drought tolerant options and water conservation, a positive for the region.

**FUTURE AGENDA ITEMS**

Director Fellow requested a discussion on PFAS innovation in the San Gabriel Valley to get the message out to the public.

The General Manager agreed and suggested having it jointly with Watermaster and Stetson.

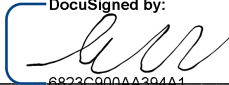
**ADJOURN TO CLOSED SESSION**

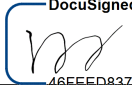
None.

**ADJOURNMENT**

President Chavez asked if there was any other business to come before the Board. There being none, the meeting was duly adjourned to a public hearing and regular meeting of the Board of Directors to be held on May 25, 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 6 (b)  
May 11, 2022

Demands numbered 21480 and 21511 through 21535 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of \$1,382,742.79 and demands numbered 1031 through 1036 on the Water Fund Account at the same bank in the amount of \$2,115,154.53.

21480	Marjani Builders, Inc.	Inv. APP1, District Tenant Improvement Project Inv. MAR-21289, Permit Fee <i>(Board approved 02/09/22. Previously paid 03/17/22)</i>	\$ 128,250.00 <u>22,211.23</u>	\$ 150,461.23
21511	Marjani Builders, Inc.	Inv. APP2, District Tenant Improvement Project <i>(Board approved 02/09/22. Previously paid 05/01/22)</i>		367,436.25
21512	789 Inc.	Inv. USGV-226240, Public Relation Services, Phase 2		10,000.00
21513	Accent Computer Solutions, Inc.	Inv. 151254, IT Management Support, May 2022 <i>(Board approved 10/06/15)</i>		3,243.14
21514	ACWA/JPIA	Inv. 0686102, Health Insurance Premium - June 2022		27,399.01
21515	Best Best & Krieger, LLP	Inv. 932011, Lobbying Services through March 31, 2022 <i>(Board approved 02/09/20)</i>		7,500.00
21516	Civic Publications	Inv. 1712, Earth Day 2022 Conservation Ad		4,987.00
21517	Foothill Technology Center, LLC	Inv. JUN 22LEA, Office Lease - June 2022 <i>(Board approved 04/09/11)</i>		20,751.00
21518	G3LA, LLC	Inv. 972, Water Conservation Workshop, April 2022 Inv. 985, Water Conservation Workshop, April 2022	1,750.00 <u>1,500.00</u>	3,250.00
21519	Joey C. Soto	Inv. UD #90, Grant Writing Services, April 2022 <i>(Board approved 08/04/15)</i>		495.00
21520	The Kid-Fit Preschool Health and Fitness Organization	Inv. 05/21/22UD, Kid-Fit Family Fun Run Sponsorship		1,000.00
21521	Olivarez Madruga Lemieux & O'Neill	Professional Services, March 2022 Inv. 325.996-18860, Transactional Fees Inv. 325.999-18861, Retainer <i>(Board approved 05/17/11)</i>	10,121.20 <u>4,064.00</u>	14,185.20
21522	Southern California Water Utilities Association	Inv. 389804UD, Annual Golf Tournament Sponsorship		700.00
21523	San Gabriel Valley Newspaper	Inv. 0000539645, Water Conservation Ads, March 2022		3,000.00
21524	San Gabriel Valley Public Affairs Network	Inv. 20220428-USGVMWD, Mayor's Reception 2022 Sponsorship		1,000.00
21525	Spcectrum Reach/Charter	Inv. 90560990, Where Water Comes From Ad, March 2022 Inv. 90561970, Where Water Comes From Ad, March 2022	1,811.10 <u>1,500.00</u>	3,311.10
21526	State Water Resources Control Board	Inv. 09803-2-10, Package 1 Annual State Revolving Fund Loan Repayment <i>(Previously paid 05/04/22)</i>		527,409.19
21527	Tetra Tech, Inc.	Inv. 51876023, Task 24: RW Reliability Task Force Support through 02/25/22 <i>(Board approved 04/01/14)</i>		1,680.00
21528	Upper District Revolving Payroll Fund	Inv. MAR 22, Reimbursement for Payroll and Payroll Taxes for Employees Inv. MAR 22D, Reimbursement for Payroll Taxes for Directors	126,089.76 <u>13,817.33</u>	139,907.09
21529	Upper District Revolving Fund	Replenish Revolving Fund Account - April 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	1,218.87 2,333.64 100.00 4.69 1,585.88 1,659.92 1,635.17 45,389.36 <u>20,545.40</u>	74,472.93

21530	U.S. Bank Corporate Payment System	CalCard Charges through 04/22/22 Meetings, Travel, Conferences Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities Conservation Program Expenses, Education and Outreach	8,969.23 667.36 <u>1,054.92</u>	10,691.51
21531	WLC Architects	Inv. 16, Construction Management Services for April 2022 <i>(Board approved 08/12/20)</i>		2,250.00
21532	Edward L. Chavez	Director's Compensation, April 2022 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 1,741.98 (1,617.00) <u>(1,022.78)</u>	1,652.20
21533	Charles M. Treviño	Director's Compensation, April 2022 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 358.91 (500.00) <u>(539.01)</u>	1,869.90
21534	Jennifer Santana	Director's Compensation, April 2022 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 516.87 (500.00) <u>(376.46)</u>	2,190.41
21535	Katarina Garcia	Director's Compensation, April 2022 9 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,295.00 516.87 (500.00) <u>(411.24)</u>	1,900.63
			<b>TOTAL</b>	<b><u>\$1,382,742.79</u></b>
1031	Central Basin MWD	Invoice No. USGV-MAR22, Purchase of 2.7 AF of Recycled Water in February 2022 <i>(Previously paid 05/04/22)</i>	\$	1,155.08
1032	City of Industry City Hall	Invoice No. MAR-22, Purchase of 45.2 AF of Recycled Water in March 2022		14,283.20
1033	Metropolitan Water District	Invoice No. 04/06/22, Modifications to Service Connection USG-09		17,000.00
1034	Metropolitan Water District	Invoice No. 10749, Purchase of 408.5 AF of Treated Water and 2,105.0 AF of Untreated Water in March 2022		2,062,334.49
1035	San Gabriel Valley MWD	Invoice No. 539, 93.57 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in March 2022 @ \$200 per AF		18,714.00
1036	Suburban Water System	Invoice No. 6683, Phase IIB Normal Operating Charge, April 2022		<u>1,667.76</u>
			<b>TOTAL</b>	<b><u>\$ 2,115,154.53</u></b>