

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

**ROLL CALL**

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

**DIRECTORS ABSENT:** None.

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

**OTHERS PRESENT**

Anteneh Tesfaye, Anthony Alberti, Ben Lewis, Cris Fealy, Ernesto Venegas, Jasper Jacobs, Jose Martinez, Kelly Gardner, Lenet Pacheco, Marty Zvirbulis and Mike.

**ADOPTION OF AGENDA**

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

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

**PUBLIC COMMENT**

None.

**COMMITTEE REPORTS**

Next scheduled committee meeting dates are as follows:

- (a) Government Affairs and Community Outreach – August 1, 2022 at 4:00 p.m.
- (b) Administration and Finance – August 2, 2022, at 4:00 p.m.
- (c) Water Resources and Facility Management – August 3, 2022, at 4:00 p.m.

**CONSENT CALENDAR**

Secretary Garcia moved to approve the Consent Calendar. Vice President Santana seconded the motion, which was unanimously approved by the following roll call vote:

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

- (a) Minutes of a public hearing and a regular meeting of the Board of Directors held on May 25, 2022 at 8:00 a.m.
- (b) List of Demands.
- (c) Financial Reports – April 2022.
  - 1. Financial Statements.
  - 2. Director's Public Outreach.
- (d) Resolution No. 06-22-643, Re-ratifying the Proclamation of a State of Emergency by Governor Newsom and Reauthorizing Remote Teleconference Meetings.

**ADDITIONAL DISCRETIONARY  
PAYMENT FOR UPPER DISTRICT'S  
UNFUNDED ACCRUED LIABILITY  
WITH CALPERS AND PARTICIPATION  
IN THE CALIFORNIA EMPLOYER'S  
PENSION PREFUNDING TRUST  
PROGRAM**

Treasurer Treviño moved to approve the Administration and Finance Committee's recommendation to:

1. Authorize an additional discretionary payment of \$1 million to CalPERS to reduce Upper District's unfunded accrued liability related to pension.
2. Approve Upper District's participation in the California Employers' Pension Prefunding Trust Program (CEPPT) Program authorizing the following:
  - (a) Execution of the participation agreement with CEPPT
  - (b) Designation of the General Manager and the Director of Finance and Administration as authorized officers for requesting disbursements from CEPPT of behalf of Upper District and;
  - (c) An initial one-time trust funding for the CEPPT program of \$500,000.

Director Fellow seconded the motion, which was unanimously approved by the following roll call vote:

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

**PROFESSIONAL SERVICES  
AGREEMENT WITH SOTO RESOURCES  
FOR AS-NEEDED SERVICES FOR  
GRANT WRITING ASSISTANCE**

Director Fellow moved to approve the Government Affairs and Community Outreach Committee's recommendation authorizing the General Manager to execute a professional services contract with Soto Resources for as-needed services for grant writing assistance in an amount not-to-exceed \$75,000 through June 2024.

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

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

**PROFESSIONAL SERVICES  
AGREEMENT WITH ECOTECH  
SERVICES, INC. FOR THE  
ADMINISTRATION OF UPPER  
DISTRICT'S CONSERVATION  
PROGRAMS**

Treasurer Treviño moved to approve the Government Affairs and Community Outreach Committee's recommendation authorizing the General Manager to approve a professional services agreement with EcoTech Services, Inc., for the administration of Upper District's conservation programs and technical support in an amount not to exceed \$220,000 through June 2024.

Director Fellow seconded the motion, which was unanimously approved by the following roll call vote:

**SANTANA: AYE**  
**FELLOW: AYE**  
**TREVIÑO: AYE**  
**GARCIA: AYE**  
**CHAVEZ: 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 Newspaper Articles.

**ATTORNEY'S REPORT**

District Counsel provided an update on the San Diego County Water Authority (SDCWA) v. Metropolitan case and discussed SDCWA's claim pertaining to the 2003 Exchange Agreement with Metropolitan.

He then shared how Las Virgenes Water District (Las Virgenes), a State Water Project (SWP) dependent retailer, is dealing with excessive water use in its service area. He discussed Las Virgenes' implementation of residential water budgets and installation of water flow restrictors to make residents more water conscious.

District Counsel and Director Fellow briefly discussed how public agencies are authorized to enforce water use restrictions to protect the public's health and safety.

**ENGINEER'S REPORT**

The District Engineer provided a report on hydrologic conditions, basin deliveries, reservoir storage, and rainfall averages. She reported that the Baldwin Park Key Well groundwater elevation was 186.3 feet as of June 3, 2022. She then reported that no notices of wells shutdown due to contamination were received during the month of May 2022.

The following is a summary of contamination ranges found in samples under Title 22 from 56 wells during April 2022.

<u>Contaminant</u>	<u>Range (ppb)</u>	<u>MCL (ppb)</u>
PCE	ND – 3.9	5*
TCE	ND	5*

A detailed written report was also provided to the Board.

**GENERAL MANAGER'S REPORT**

The General Manager presented key well projections and basin production levels for the remainder of the year. He reported on the positive response from producers in implementing watering regulations consistent with Upper District's resolution and recommendations. He shared the District's outreach campaign and additional efforts to promote water conservation.

He also reported on discussions with the Los Angeles County Flood Control District and Department of Fish and Wildlife Services to begin delivering Colorado River water into the San Gabriel River. He also shared Metropolitan's plans to deliver allocated SWP water in October through the end of the year.

He then stated that watering of nonfunctional turf is now prohibited by the State Water Board.

The General Manager and Treasurer Treviño briefly discussed the amount of SWP water Upper District will be getting in the fall.

**METROPOLITAN REPORT**

Director Fellow reported on upcoming Metropolitan board meeting dates. A written report was also provided in the Board's agenda packet.

**WATER QUALITY AUTHORITY REPORT**

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

**WATERMASTER REPORT**

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

**AB 1234 COMPLIANCE REPORT**

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

**DIRECTOR'S COMMENTS**

Director Fellow shared the idea of Upper District developing a water education center. He suggested using the upcoming meetings with Congresswoman Judy Chu as opportunities for seeking congressional funding for the project. He also

commended Secretary Garcia’s mentorship and promotion of water awareness within her classroom.

Secretary Garcia commended staff’s creativity in promoting Upper District’s conservation campaign around the community.

Treasurer Treviño echoed Secretary Garcia’s statement regarding staff’s conservation efforts around the community. He then shared his idea of encouraging stricter national water policies protecting water rights.

Vice President Santana commended staff for reaching out to cities and educating them on the severe water condition.

**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 adjourned to a regular meeting of the Board of Directors to be held on August 10, 2022, at 8:00 a.m. via teleconference or the most rapid means of communication available at the time.

ATTEST

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
SECRETARY

SEAL

Demands numbered 21536 through 21566 on the General Fund Account of the Upper District at Citizens Business Bank totaling \$1,212,709.10 and demands numbered 1037 through 1042 on the Water Fund Account at the same bank in the amount of \$2,353,163.48.

21536	Accent Computer Solutions, Inc.	Inv. 151560 D1, Downpayment - Server Refresh Recommendation <i>(Board approved 10/06/15. Previously paid 05/19/22)</i>		\$ 17,212.98
21537	Marjani Builders, Inc.	Inv. APP3, District Tenant Improvement Project <i>(Board approved 02/09/22. Previously paid 05/19/22)</i>		692,418.90
21538	Kiwanis Club - Covina South Hills	Inv. 05/21/22UD, Annual Pancake Breakfast Sponsorship <i>(Previously paid 05/25/22)</i>		300.00
21539	789 Inc.	Inv. USGV-224250, Public Relations Services, Phase 3		10,000.00
21540	Aaron Read & Associates, LLC	Inv. 212101, State Legislative Advocacy Services, April 2022 <i>(Board approved 12/09/20)</i>		10,000.00
21541	Accent Computer Solutions, Inc.	Inv. 151482, Renewal - Dell Server Support <i>(Board approved 10/06/15)</i>		954.08
21542	Aleshire & Wynder, LLP	Professional Services, April 2022 Inv. 67695, Retainer Inv. 67696, Transactional Fees Inv. 67697, Transactional Fees Inv. 67698, Transactional Fees <i>(Board approved 04/13/22)</i>	4,064.00 412.50 50.90 584.20	5,111.60
21543	City of Covina Parks & Recreation Department	Inv. 2022UD, Year-Round Sponsorships 2022		1,000.00
21544	Ecotech Services, Inc.	Inv. 2285, Water Smart Home Program Inv. 2285, Water Bottle Fill Station <i>(Board approved 08/07/18)</i>	14,785.00 3,600.00	18,385.00
21545	G3LA, LLC	Inv. 996, Water Conservation Workshop, May 2022		1,750.00
21546	GovInvest, Inc.	Inv. 2022-3647, Pension Module Annual Subscription Fee		3,090.00
21547	La Opinion	Inv. 129490422, Water Conservation Ads, April 2022 Inv. 26206, Public Notice for FY 22/23 Standby Charge	3,000.00 975.00	3,975.00
21548	Proforma	Inv. B660001152A, District Logo Items		1,758.58
21549	San Gabriel Valley Newspaper	Inv. 0000541762, Water Conservation Ads, April 2022		3,000.00
21550	SGV Protective Association	Inv. FY 2022-23, Assessment		54,950.78
21551	South Coast AQMD	Inv. 3995945, AQMD Fee, July 2021 - June 2022		143.88
21552	Spectrum Reach/Charter	Inv. 90570669, Water Conservation Ads, April 2022 Inv. 90570670, Water Conservation Ads, April 2022	1,500.00 1,845.70	3,345.70
21553	Stetson Engineers, Inc.	Inv. 2533-192, General Engineering Support Services, March 2022 Inv. 2533-193, General Engineering Support Services, April 2022	56,025.13 30,935.57	86,960.70
21554	Suburban Water System	Inv. 6681, MAA Funding - Landscape Program, Jan-Apr 2022		12,968.00
21555	Urban Water Institute, Inc.	Inv. 08/24/22UD, Annual Water Conference Sponsorship		2,000.00
21556	U.S. Bank Corporate Payment System	CalCard Charges through 05/22/22 Membership/Others Meetings, Travel, Conferences Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities Conservation Program Expenses, Education and Outreach	160.00 12,158.36 128.41 813.81	13,260.58
21557	Valley County Water District	Inv. 21-024, MAA Funding - Water Bottle Filling Stations		60,000.00
21558	West Covina Community Services Foundation	Inv. 06/22/22UD, Summer Concert Series 2022		250.00

				13182
21559	Best Best & Krieger, LLP	Inv. 935584, Lobbying Services through April 30, 2022 <i>(Board approved 02/09/20)</i>		7,500.00
21560	Foothill Technology Center, LLC	Inv. JUL 22LEA, Office Lease - July 2022 <i>(Board approved 04/09/1)</i>		20,751.00
21561	Upper District Revolving Payroll Fund	Inv. APR 22, Reimbursement for Payroll and Payroll Taxes for Employees Inv. APR 22D, Reimbursement for Payroll Taxes for Directors	123,050.36 <u>8,538.46</u>	131,588.82
21562	Upper District Revolving Fund	Replenish Revolving Fund Account - May 2022 Office Supplies Computer Systems/Equipment/Maintenance/Insurance/Outside Service Director's Outreach Meeting/Travel/Conferences/Dues/Assessments/Membership Telephone/Utilities/Building Maintenance Water Conservation Program Expenses WRP Operation and Maintenance Medical/ODA Reimbursement/Processing Fee/Retirement Plan/Overdeposit	1,410.53 1,749.08 2,045.00 106.80 1,052.54 1,338.45 29,796.47 <u>4,635.47</u>	42,134.34
21563	Edward L. Chavez	Director's Compensation, May 2022 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 1,623.16 (1,617.00) <u>(1,022.78)</u>	1,533.38
21564	Charles M. Treviño	Director's Compensation, May 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
21565	Jennifer Santana	Director's Compensation, May 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
21566	Anthony R. Fellow	Director's Compensation, April 2022 8 Days District Business 5 Days MWD Bsuiness Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,040.00 1,275.00 516.87 (500.00) <u>(1,184.36)</u>	2,147.51
			<b>TOTAL</b>	<b><u>\$1,212,709.10</u></b>
1037	Central Basin MWD	Invoice No. USGV-APR22, Purchase of 3.8 AF of Recycled Water in March 2022 <i>(Previously paid 06/01/22)</i>		\$ 2,756.20
1038	City of Industry City Hall	Invoice No. APR-22, Purchase of 49.9 AF of Recycled Water in April 2022		15,768.40
1039	Metropolitan Water District	Invoice No. 10778, Purchase of 376.4 AF of Treated Water and 1,948.0 AF of Untreated Water in April 2022		2,233,423.12
1040	San Gabriel Valley MWD	Invoice No. 540, 87.74 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in April 2022 @ \$200 per AF		17,548.00
1041	Suburban Water System	Invoice No. 6685, Phase IIB Normal Operating Charge, May 2022		1,667.76
1042	Metropolitan Water District	Invoice No. 03/22/22, Deposit for the Study Phase of a New Service Connection		<u>82,000.00</u>
			<b>TOTAL</b>	<b><u>\$ 2,353,163.48</u></b>