

**A REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
248 E. FOOTJILL BLVD, SUITE 200, MONROVIA, CALIFORNIA 91016
8:00 A.M. – January 11, 2023**

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 11, 2023, 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, Executive Manager - Finance and Administration; Patricia Cortez, Executive Manager - Government and Community Affairs; Venessa Navarrette, Executive Assistant; Ruben Gallegos, Project Assistant; Priscilla Lu, Accounting/Financial Analyst, and Jennifer Aguilar, Water Use Efficiency Analyst.

OTHERS PRESENT

Andy Bullington, Anteneh Tesfaye, Anthony Alberti, Ben Lewis, Dan Arrighi, David Muse, Dave Michalko, Jenny Savron, Jose Martinez, Lenet Pacheco, Stephanie Moreno, Tara Robinson, Tony Zampiello, and Roy Frausto.

CERTIFICATION OF ELECTION OF ANTHONY R. FELLOW (DIVISION 1) AND JENNIFER SANTANA (DIVISION 5)

The Board received and filed the certificates of election for Anthony Fellow and Jennifer Santana.

ADMINISTRATION OF OATHS

District Counsel administered the oaths of office for Directors Anthony Fellow and Jennifer Santana.

Vice President Santana expressed her gratitude for the opportunity to continue working with all directors in addressing the water needs of the San Gabriel Valley.

Director Fellow congratulated Vice President Santana on her reelection. He also outlined a series of proposed projects the Upper District can focus on over the next four years.

ELECTION OF OFFICERS FOR CALENDAR YEAR 2023

President Chavez declared the election of Upper District officers to serve one-year terms for calendar year 2023 open.

President Chavez nominated Director Santana as President. No other nominations were received.

President Chavez moved to appoint Director Santana as President. 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

Director Garcia nominated Director Fellow as Vice President. No other nominations were received.

Director Garcia moved to appoint Director Fellow as Vice President. 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

Vice President Fellow nominated Director Garcia as Treasurer. No other nominations were received.

Vice President Fellow moved to appoint Director Garcia as Treasurer. Director Garcia seconded the motion, which was unanimously approved by the following roll call vote:

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

Vice President Fellow nominated Director Chavez as Secretary. No other nominations were received.

Vice President Fellow moved to appoint Director Chavez as Secretary. Treasurer Garcia seconded the motion, which was unanimously approved by the following roll call vote:

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

ADOPTION OF AGENDA

The General Manager reminded the board regarding the adoption of agenda.

On motion by Director Treviño, seconded by Treasurer Garcia, 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) Water Resources and Facility Management – February 1, 2023 at 4:00 p.m.
- (b) Government Affairs and Community Outreach – February 6, 2023 at 4:00 p.m.
- (c) Administration and Finance – February 7, 2023 at 4:00 p.m.

CONSENT CALENDAR

On motion by Treasurer Garcia, seconded by Vice President Fellow, 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 7, 2022 at 8:00 a.m.
- (b) List of Demands
- (c) Financial Reports – November 2022
 - 1. Financial Statements
 - 2. Director’s Public Outreach
- (d) Resolution No. 01-23-653, Re-ratifying the Proclamation of a State of Emergency by Governor Newsom, and Reauthorizing Remote Teleconference Meetings.

CHANGE IN REGULAR TIME OF UPPER DISTRICT BOARD MEETINGS

The General Manager discussed the procedural requirements related to changes in regular board meeting times. He stated that there is a recommendation to move the meeting to a later time, at 4:00 p.m. He added that if approved, that Board would also need to adopt Resolution No. 01-23-654 reflecting the proposed changes.

Director Treviño moved to approve the change in Upper District’s regular board and adopt the Resolution No. 01-23-654 reflecting the following:

- 1. Designating the second Wednesday of each month as the business meeting at 4:00 p.m. and the fourth Wednesday of each month as a workshop meeting at 4:00 p.m.
- 2. Setting the next regularly scheduled meeting date as January 25, 2023 at 4:00 p.m.

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

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

District Counsel added that the Governor’s declaration of State of Emergency ends on February 28, 2023, after which conducting remote teleconference meetings under AB 361 will no longer be available.

Vice President Fellow and the General Manager discussed how meetings may be cancelled if there are no business matters to discuss.

President Santana and the General Manager discussed the status of the boardroom construction.

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 transactional matters including preparation of the reverse cyclic storage agreement with Metropolitan, State Water Project allocation, review of committee meetings schedule, the implications of AB 473, and the closed session meeting regarding a potential litigation.

ENGINEER’S REPORT

The District Engineer provided a report on hydrologic conditions, basin deliveries, reservoir storage and rainfall averages and the recent storms. He added that the 8-station index measured 17 inches of rainfall in December alone and that snowpack in local mountains is about 220% of average. He then stated that the Baldwin Park Key Well groundwater elevation dropped to 170.9 feet from the prior week.

He also reported that no notices of wells shutdown due to contamination were received during the month of December 2022.

Vice President Fellow and the District Engineer discussed how the media sometimes provide inaccurate information about rainwater capture.

The following is a summary of contamination ranges found in samples under Title 22 from 61 wells during November 2022.

<u>Contaminant</u>	<u>Range (ppb)</u>	<u>MCL (ppb)</u>
PCE	ND – 2.6	5*
TCE	ND – 2.6	5*

A detailed written report was also provided to the Board.

GENERAL MANAGER’S REPORT

The General Manager reported on water supply and the impacts of various levels of State Water Project (SWP) allocations on Metropolitan and its member agencies. He stated that a 20% SWP allocation is a critical number for SWP dependent areas. He then presented the historical Key Well groundwater elevations and stated that to bring the Key Well back up to 250 feet would require almost half a million of water. He then cautioned about being too optimistic about the recent precipitation.

President Santana and the General Manager discussed that the end of February would be a better time to gauge the water supply outlook for the region.

The General Manager then provided an update on pending disputes with the building contractor. Lastly, he suggested updating the strategic plan and holding a board retreat in late March or early April.

METROPOLITAN REPORT

Vice President Fellow reported on Adan Ortega officially becoming the new chairman of Metropolitan’s board of directors as well as recent changes in Metropolitan’s board members. He then reported on his new committee appointments.

A Metropolitan summary report was provided in the agenda packet.

WATER QUALITY AUTHORITY REPORT

Secretary Chavez reported that the WQA Board of Directors adopted a resolution recognizing Brian Bowcock for his accomplishments.

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

WATERMASTER REPORT

Director Fellow thanked Tony Zampielo for arranging Watermaster’s 50th anniversary luncheon. He and Mr. Zampielo then discussed how Judge Duffy-Lewis has been supportive of the Pure Water Southern California Program.

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 Treviño congratulated the new slate of officers and President Santana on becoming the first chairwoman of the Board. He echoed Vice President Fellow's comments about focusing on a series of water projects and on policies rather than politics. He then stated that he is very humbled to receive appreciation from Watermaster for his years of service. He also congratulated Adan Ortega on becoming the new chairman of the Metropolitan's board of directors.

Secretary Chavez reiterated the importance of getting the correct message about rainwater capture to the public. He thanked everyone for their confidence and support during his tenure as president.

Treasurer Garcia congratulated President Santana and Vice President Fellow on their new roles. She thanked Secretary Chavez for his service as president. She then echoed concerns about misinformation regarding rainwater capture. She also stated that she is looking forward to attending the board retreat.

Vice President Fellow echoed Secretary Chavez's concern about misinformation being provided to the public regarding rainwater capture. He then asked the Board to adjourn in memory of Kelly Gardner's mother, and Fred Glienna, a good friend of his.

President Santana concurred with the directors on the importance of providing correct information to the public in the San Gabriel Valley. She stated that she is excited about becoming a board of action that can educate the public and help address drought conditions. She also stated that she is looking forward to serving as president.

FUTURE AGENDA ITEMS

None.

ADJOURN TO CLOSED SESSION

Government Code Section 54956.9: Potential Litigation – one case.

RESUME REGULAR MEETING AND REPORT ON CLOSED SESSION

District Counsel reported that the Board discussed a closed session item pursuant to Government Code Section 54956.9: Potential Litigation. He stated that instructions were given to staff and that no reportable action was taken.

ADJOURNMENT

President Santana asked if there was any other business to come before the Board. There being none, the meeting was adjourned in memory of Kelly Gardner's mother and Mr. Fred Glienna to a regular meeting of the Board of Directors to be held on January 25, 2023, at 4:00 p.m. via teleconference or the most rapid means of communication available at the time.

ATTEST

PRESIDENT

SECRETARY

SEAL

Attachment 1
Consent Item 6 (b)
January 11, 2023

Demands numbered 21810 through 21843 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of \$509,401.51 and demands numbered 1079 through 1084 on the Water Fund Account at the same bank in the amount of \$307,259.34.

20810	ACWA/JPIA	Inv. 10/01/22-23, Auto and General Liability <i>(Previously paid 12/02/22)</i>		\$ 47,162.00
20811	Marjani Builders, Inc.	Inv. APP9, District Tenant Improvement Project <i>(Previously paid 12/02/22)</i>		107,360.07
20812	Alvaro Pavon	Inv. 30157, Mailbox Installation December 2022 <i>(Previously paid 12/06/22)</i>		375.00
20813	Woodstock Power Company	Inv. 12/06/22, Reimbursement - UD Generator <i>(Previously paid 12/06/22)</i>		10,500.00
20814	Restoration1 of the Foothills	Inv. 31846, Sewage Maintenance Call, 12/14/22 <i>(Previously paid 12/22/22)</i>		2,640.00
21815	Katarina Garcia	Director's Compensation, October 2022 6 Days District Business Meetings/Travel Expenses/Allowance Less Deffered Comp. Less Taxes Withheld <i>(Previously paid 01/06/23)</i>	1,530.00 516.87 (500.00) <u>(257.87)</u>	1,289.00
21816	Katarina Garcia	Director's Compensation, November 2022 5 Days District Business Meetings/Travel Expenses/Allowance Less Deffered Comp. Less Taxes Withheld <i>(Previously paid 01/06/23)</i>	1,275.00 516.87 (500.00) <u>(196.18)</u>	1,095.69
21817	Aaron Read & Associates, LLC	Inv. 212460, State and Legislative Advocacy Services, November 2022 <i>(Board approved 12/09/20)</i>		10,000.00
21818	ACWA/JPIA	Inv. 0696802, Health Insurance Premium - January 2023		24,709.66
21819	Best Version Media	Inv. 289045-202303, March 2023 Conservation Ad		742.75
21820	CDG, Inc.	Inv. SGV-1050, Evaluation of Schedule Delay Claims		495.00
21821	EcoTech Services, Inc.	Inv. 2471, Landscape Design Services, October 2022 <i>(Board approved 06/08/22)</i>		3,000.00
21822	Image Property Services, LLC	Inv. MCS-6714, Janitorial Services, Consumables Inv. MCS-6804, Janitorial Services, November 2022 Inv. MCS-6946, Janitorial Services, December 2022	309.96 446.04 <u>1,338.14</u>	2,094.14
21823	Joey C. Soto	Inv. #98, Grant Writing Services, November 2022 <i>(Board approved 06/08/22)</i>		487.50
21824	Kelly Associates Management Group	Inv. 12/16/22, Recruitment Services		25,000.00
21825	Restcon Environmental of Southern California	Inv. 8306, Asbestos Survey		395.00
21826	Rogers, Anderson, Malody and Scott, LLP	Inv. 71825, Final Billing for FY 21/22 Audit <i>(Board approved 02/09/22)</i>		1,000.00
21827	SGV Economic Partnership	Inv. 7778, Annual Membership Renewal 02/01/23 - 02/01/24		20,000.00
21828	Southern California Water Coalition	Inv. 1678, Quarterly Luncheon Sponsorship		2,500.00
21829	Spectrum Reach/Charter	Inv. 860010407, Water Conservation Ads, Oct - Nov 2022 Inv. 860010408, Water Conservation Ads, November 2022	1,800.00 <u>1,500.00</u>	3,300.00
21830	Stetson Engineers, Inc.	Inv. 2533-200, General Engineering Support Services, November 2022		9,213.76
21831	Upper District Payroll Fund	Inv. NOV 22, Reimbursement of Payroll and Payroll Taxes for Employees Inv. NOV 22D, Reimbursement of Payroll Taxes for Directors Inv. NOV 22D-B, Reimbursement of Payroll Taxes for Directors	136,700.44 11,169.95 <u>2,824.22</u>	150,694.61

21832	Upper District Revolving Fund	Replenish Revolving Fund Account - December 2022		
		Office Supplies	200.00	
		Computer Systems/Equipment/Maintenance/Insurance/ Outside Service	1,100.28	
		Directors's Outreach	250.00	
		Telephone/Utilities/Building Maintenance	3,127.80	
		Water Conservation Program Expenses	2,045.63	
		WRP Operation & Maintenance/Permits/Water Purchases/PM/Public Info	25,606.36	
		Medical/ODA Reimbursement/Processing Fee/Retirement Plan/Overdeposit	<u>8,392.66</u>	40,722.73
21833	Urban Water Institute	Inv. 02/22/23UD, Spring Water Conference Sponsorship		2,500.00
21834	U.S. Bank Corporate Payment System	CalCard Changes through 12/22/22		
		Meetings, Travel, Conferences	7,212.07	
		Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities	8,710.14	
		Conservation Program Expenses, Education and Outreach	<u>771.36</u>	16,693.57
21835	Western Supreme Rooter Inc.	Inv. 150023, Rooter Service	725.00	
		Inv. 150616-2, Rooter Service	<u>20,350.00</u>	21,075.00
21836-21839	VOID	Printer Error	-	-
21840	Edward Chavez	Director's Compensation, December 2022		
		10 Days District Business	2,550.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(1,610.00)	
		Less Taxes Withheld	<u>(1,390.12)</u>	66.75
21841	Charles M. Treviño	Director's Compensation, December 2022		
		9 Days District Business	2,295.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	<u>(469.93)</u>	1,841.94
21842	Jennifer Santana	Director's Compensation, December 2022		
		7 Days District Business	1,785.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(1,150.00)	
		Less Taxes Withheld	<u>(214.35)</u>	937.52
21843	Katarina Garcia	Director's Compensation, December 2022		
		7 Days District Business	1,785.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	<u>(292.05)</u>	1,509.82
			TOTAL	\$ 509,401.51
1079	Central Basin MWD	Invoice No. USGV-NOV22, Purchase of 7.1 AF of Recycled Water in October 2022 <i>(Previously paid 01/06/23)</i>	\$	5,122.93
1080	City of Industry City Hall	Invoice No. NOV-22, Purchase of 28.6 AF of Recycled Water in November 2022		9,037.60
1081	City of Industry City Hall	Invoice No. NOV-22CIP, CIP Charge for November 2022 @ \$98 per AF		2,802.80
1082	Metropolitan Water District	Invoice No. 10983, Purchase of 247.3 AF of Treated Water in November 2022		270,130.25
1083	San Gabriel Valley MWD	Invoice No. 547, 92.49 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in November 2022 @ \$200 per AF		18,498.00
1084	Suburban Water System	Invoice No. 6709, Phase IIB Normal Operating Charge, December 2022		<u>1,667.76</u>
			TOTAL	\$ 307,259.34