

**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. – August 10, 2022**

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 August 10, 2022, at the hour of 8:00 a.m.

ROLL CALL

DIRECTORS PRESENT: Chávez, Santana, García and Fellow.

DIRECTORS ABSENT: Treviño.

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; Priscilla Lu, Accounting and Financial Analyst; Ruben Gallegos, Project Assistant; and Jennifer Aguilar, Water Use Efficiency Analyst.

OTHERS PRESENT

Ben Lewis, Cris Fealy, David Muse, Ernesto Vargas, Jazmin Lopez, John Bednarski, Katie Liu, Kim Lee, Lydia Ko, Mily Lee, Phoebe Xu, Sherri Chang, Stephanie Moreno, Jenny Savron, Tara Robinson, Tony Zampiello, Esmeralda Mata, Jose Martinez, Lynda Noriega, Anteneh Tesfaye, Clio Huang, and Yili.

ADOPTION OF AGENDA

On motion by Secretary Garcia, seconded by Vice President Santana, the agenda was adopted as presented by the following roll call vote:

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

PUBLIC COMMENT

None.

2022 “WATER IS LIFE” ART CONTEST WINNERS

The Water Use Efficiency Analyst presented the winners for the 2022 “Water is Life” art contest. She reported that although the contest was held virtually, substantial participation was received from students. She also reported that winning artworks will be submitted to Metropolitan.

The Board of Directors commended the contest’s educational purpose and encouraged students to pursue creativity through art.

COMMITTEE REPORTS

Next scheduled committee meeting dates are as follows:

- (a) Government Affairs and Community Outreach – September 12, 2022, at 4:00 p.m.
- (b) Administration and Finance – September 6, 2022, at 4:00 p.m.
- (c) Water Resources and Facility Management – September 7, 2022, at 4:00 p.m.

CONSENT CALENDAR

Secretary Garcia moved to approve Consent Calendar items (a) through (f). Director Fellow seconded the motion, which was approved by the following roll call vote:

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

- (a) Minutes of a regular meeting of the Board of Directors held on June 8, 2022, at 8:00 a.m.
- (b) List of Demands
 - 1. July 2022
 - 2. August 2022
- (c) Financial Reports – June 2022.
 - 1. Financial Statements.
 - 2. Quarterly Report on District Investments
 - 3. Director’s Public Outreach
- (d) Resolution No. 08-22-644, Re-ratifying the Proclamation of a State of Emergency by Governor Newsom, and Reauthorizing Remote Teleconference Meetings.
- (e) Execution of Negotiated Tax Exchange Resolution Annexation of Project Tract 83168 to County Lighting Maintenance District 1687.
- (f) Execution of Negotiated Tax Exchange Resolution Annexation of Project Tract 84298 to County Lighting Maintenance District 1687.

UPDATE ON PURE WATER SOUTHERN CALIFORNIA

The General Manager introduced Mr. John Bednarski, Chief Engineer and Group Manager of Engineering Services for Metropolitan.

Mr. Bednarski provided an update on Metropolitan’s Pure Water Southern California Program, formerly known as the Regional Recycled Water Program. He addressed the program’s name change, objectives and the current water demands.

He discussed how the program provides early delivery opportunities and potential early start projects, while not impacting its timeline or providing additional risk. He stated that both state and federal funds are available for the program which may contribute to the early deliveries and program acceleration. He then explained how the program’s design objectives are cost effective as well.

This item was presented for information purposes only, no action was taken.

EXECUTIVE MANAGEMENT EMPLOYEES PERSONNEL MANUAL

Director Fellow moved to approve the Administration and Finance Committee’s recommendation that the Board of Directors approve the Executive Management Employees Personnel Manual with an effective date of July 1, 2022.

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

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

RESOLUTION NO. 08-22-645 ENDORSING WATERSMART: WATER AND ENERGY EFFICIENCY GRANTS FOR 2023

Director Fellow moved to approve staff recommendation that the Board adopt Resolution 08-22-645 “A Resolution of the Board of Directors of Upper San Gabriel Valley Municipal Water District Endorsing WaterSMART: Water and Energy Efficiency Grant for 2023”.

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

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

SALE OF SURPLUS ASSET

The General Manager briefly discussed how the existing generator unit has become unsuitable and unnecessary for District use at the new building.

Director Fellow moved to approve staff recommendation that the Board of Directors declare the existing Cummins emergency electrical generator as surplus and authorize the General Manager to sell the generator for at least \$10,000.

Vice President Santana seconded the motion, which was unanimously approved by the following roll call vote:

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

INFORMATION ITEMS

The following items listed on the agenda for the information of the Board were read, ordered, and filed:

- (a) Press Releases and Newspaper Articles.

ATTORNEY’S REPORT

District Counsel reported working with staff on administrative matters relating to the Executive Management Employees Personnel Manual, construction issues, and water use restrictions.

He also reported on an upcoming status conference regarding the Judgment, where a report highlighting critical drought conditions will be addressed. He then provided an update on the San Diego County Water Authority (SDCWA) v. Metropolitan case indicating that he will continue to monitor and report items that may have an economic impact on Upper District.

ENGINEER’S REPORT

The District Engineer provided a report on hydrologic conditions, basin deliveries, reservoir storage, and rainfall averages. He reported that the Baldwin Park Key Well groundwater elevation was 181.3 feet as of August 5, 2022 and noted significant drops in the Key Well in recent weeks. He then reported that no notices of wells shutdown due to contamination were received during the month of July 2022.

The General Manager expressed concern about the rapid decline in groundwater elevation and suggested an in-depth review of Key Well projections and basin production levels for the remainder of the year.

The following is a summary of contamination ranges found in samples under Title 22 from 17 wells during June 2022.

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

A detailed written report was provided in the Board’s agenda packet.

GENERAL MANAGER’S REPORT

The General Manager addressed the report’s new layout. He then provided an update on Upper District and Metropolitan’s drought actions, including work on the Quagga Mussel Control Plan. He stated that the Los Angeles County Flood Control District expressed support for the Plan, a positive indicator for anticipated discussions with the Department of Fish and Wildlife. He stated that the critical condition of Colorado River water may prompt Metropolitan to go into full water supply allocation, briefly explaining the provisions of the plan.

The General Manager also provided an update on the new building. He then announced Nichol Delgado's resignation, stating that staff is working on filling the Government and Community Affairs Assistant position as soon as possible. He stated that Legal Counsel's fee schedule has increased by 5% effective July 1, 2022. He added that for the 11th consecutive year, Upper District received the Government Finance Officers Association Award for Excellence in Financial Reporting. Lastly, he reported that his review will be conducted in closed session on September 14th.

METROPOLITAN REPORT

Director Fellow reported on Metropolitan's reduced meetings for the month of July and the recent Colorado River water workshop he attended. He then discussed his previous discussion with Congresswoman Napolitano regarding the Colorado River water's critical condition and efforts for Colorado River water replenishment and conservation messaging.

He then addressed the recent bold statements made by Ms. Ellen Mackey under public comments at Metropolitan board meetings. He added that Ms. Mackey is no longer a designated representative for the AFSCME Women's Caucus. He then reported on board discussions regarding the release of the Shaw Law Group findings regarding allegations of abuse at Metropolitan.

Secretary Garcia expressed appreciation of the Colorado River presentation.

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

WATER QUALITY AUTHORITY REPORT

President Chavez reported that WQA is going through their final lease agreement review and that a cost of living adjustment for staff of 7.9% was approved. He also reported that WQA created a Projects Resource Specialist position that will be advertised for recruitment. He then announced that a special board meeting will be held on August 11, 2022 to discuss the Executive Director's evaluation.

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

WATERMASTER REPORT

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

Mr. Zampello briefly discussed similar significant declines in Basin levels in the past. He then stated that Watermaster is finalizing water orders for Upper District.

AB 1234 COMPLIANCE REPORT

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

DIRECTOR'S COMMENTS

Director Fellow reported that he currently sits on the ACWA Region 8 Executive Board and extended an invitation to their event scheduled on August 12th. He stated that the Director of Government and Community Affairs will be presenting Upper District's water conservation efforts. Additionally, he extended his condolences to President Chavez and his family for the passing of his late father, Mr. Abenicio Chavez, requesting that the meeting be adjourned in his memory. He also shared the passing of his late friend, State Senator Joseph Montoya, and asked that the meeting be also adjourned in his memory.

The General Manager announced that the ACWA Region 8 session has been moved to September 19th due to the passing of Mr. Jerry Gladbach.

Secretary Garcia and Vice President Santana also extended their condolences to President Chavez and his family.

Vice President Santana addressed Ms. Mackey’s public comments at Metropolitan regarding Director Fellow. She stated that she nominated Director Fellow as Upper District’s new representative to the Metropolitan board. She stated that prior to this, she was concerned about the controversial positions Upper District was taking at Metropolitan on water policy. She added that she nominated Director Fellow to the Metropolitan board because of his experience and insight, as well as her trust in him to act in the best interest of Upper District. She then assured Director Fellow of the Board’s full support.

Secretary Garcia and President Chavez echoed Vice President Santana’s support for Director Fellow as Upper District’s representative to Metropolitan.

President Chavez thanked the Board for their condolences and support.

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 in memory of Mr. Abenicio Chavez and State Senator Joseph Montoya, to a regular meeting of the Board of Directors to be held on September 14, 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 21605 through 21639 on the General Fund Account of the Upper District at Citizens Business Bank totaling \$1,603,666.10 and demands numbered 1049 through 1053 on the Water Fund Account at the same bank in the amount of \$882,617.67.

21605	Marjani Builders, Inc.	Inv. APP5, District Tenant Improvement Project <i>(Board approved 02/09/22. Previously paid 07/25/22)</i>		\$ 364,379.15
21606	Johnson Tree Service	Inv. 06/27/22, Tree Removal Services <i>(Previously paid 07/28/22)</i>		2,850.00
21607	Accent Computer Solutions, Inc.	Inv. 152469, Dell Server and Next Business Day On-Site Service <i>(Previously paid 07/28/22)</i>		147.39
21608	Upper District Revolving Payroll Fund	Inv. JUN 22, Reimbursement for Payroll and Payroll Taxes for Employees Inv. JUN 22D, Reimbursement for Payroll Taxes for Directors <i>(Previously paid 07/28/22)</i>	861,559.84 <u>11,355.89</u>	872,915.73
21609	Aaron Read & Associates, LLC	Inv. 212255, State Legislative Advocacy Services, July 2022 <i>(Board approved 12/09/20)</i>		10,000.00
21610	ACWA/JPIA	Inv. 0008723, Property Program FY 2022-23		10,603.66
21611	ACWA/JPIA	Inv. 0689177, Health Insurance Premium - August 2022		27,399.01
21612	Aleshire & Wynder, LLP	Professional Services, June 2022 Inv. 68966, Retainer Inv. 68967, Transactional Fees <i>(Board approved 04/13/22)</i>	4,064.00 <u>2,332.20</u>	6,396.20
21613	City of Monrovia	Inv. 2202057, Drought Marketing Campaign FY 21-22		5,000.00
21614	Civic Publications, Inc.	Inv. 1727, Civic Leadership 2022 Conservation Ad		5,000.00
21615	Clear Channel Outdoor	Inv. 13149446, 07/11/22 - 07/24/22 Water Awareness Ads		2,612.50
21616	CDG, Inc.	Inv. SGV-1043, COR 17 &18 Evaluation		660.00
21617	Discovery Science Center	Inv. 1599, 4th-5th Grade & 6th-7th Grade Virtual Water Education Program, May 2022 <i>(Board approved 07/08/20)</i>		2,350.00
21618	Ecotech Services, Inc.	Inv. 2348, Water Bottle Fill Station <i>(Board approved 08/07/18)</i>		5,250.00
21619	Foothill Technology Center, LLC	Inv. SEP 22LEA, Office Lease - September 2022 <i>(Board approved 04/09/11)</i>		20,751.00
21620	Industry Hills Pro Charity Rodeo	Inv. 22-070, 36th Annual Industry Hills Charity Pro Rodeo Sponsorship		500.00
21621	Joey C. Soto	Inv. #92, Grant Writing Services, June 2022 <i>(Board approved 08/04/15)</i>		7,053.75
21622	La Puente Valley County	Inv. DMP;06/22, Drought Marketing Campaign FY 21-22		2,077.17
21623	Promo Direct	Inv. N154096, District Logo Items		3,163.84
21624	Quality Logo Products	Inv. QSI-954806, District Logo Items		8,112.29
21625	Rogers, Anderson, Malody and Scott, LLP	Inv. 71020, Progress Billing for FY 21/22 Audit <i>(Board approved 06/19/19)</i>		7,500.00
21626	SGV Economic Partnership	Inv. 07/25/22UD, Senator Rubio Luncheon Sponsorship		1,000.00
21627	San Gabriel Valley Newspaper	Inv. 0000546258, Water Awareness Ads, June 2022		1,500.00
21628	Stetson Engineers, Inc.	Inv. 2533-194, General Engineering Services, May 2022		21,421.70
21629	State Water Resources Control Board	Inv. 083122_120, Package 2 Annual State Revolving Fund Loan Repayment		101,498.85

21630	Upper District Revolving Fund	Replenish Revolving Fund Account - July 2022		
		Office Supplies	362.37	
		Computer Systems/Equipment/Maintenance/Insurance/Outside Service	2,552.73	
		Director's Outreach	1,957.00	
		Telephone/Utilities/Building Maintenance	926.45	
		Water Conservation Program Expenses	1,309.31	
		WRP Operation and Maintenance	37,239.73	
		Medical/ODA Reimbursement/Processing Fee/Retirement Plan/Overdeposit	<u>7,067.21</u>	51,414.80
21631	U.S. Bank Corporate Payment System	CalCard Changes through 07/22/22		
		Membership/Other		
		Meetings, Travel, Conferences	5,227.13	
		Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities	1,763.81	
		Conservation Program Expenses, Education and Outreach	<u>968.41</u>	7,959.35
21632	Valley County Water District	Inv. 21-024B, Drought Conservation Campaign FY 21-22		30,000.00
21633	Via Promotionals, Inc.	Inv. 10946, District Logo Items	4,423.80	
		Inv. 10948, District Logo Items	<u>8,035.70</u>	12,459.50
21634	WLC Architects	Inv. 18, Construction Administration Services, June 2022 <i>(Board approved 08/12/20)</i>		4,500.00
21635	Katarina Garcia	Director's Compensation, May 2022		
		9 Days District Business	2,295.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	<u>(411.24)</u>	1,900.63
21636	Edward L. Chavez	Director's Compensation, July 2022		
		10 Days District Business	2,550.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(1,617.00)	
		Less Taxes Withheld	<u>(1,022.78)</u>	427.09
21637	Charles M. Treviño	Director's Compensation, July 2022		
		10 Days District Business	2,550.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	<u>(539.01)</u>	2,027.86
21638	Jennifer Santana	Director's Compensation, July 2022		
		6 Days District Business	1,530.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	<u>(205.62)</u>	1,341.25
21639	Katarina Garcia	Director's Compensation, July 2022		
		7 Days District Business	1,785.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	<u>(308.49)</u>	1,493.38
		TOTAL		<u>\$ 1,603,666.10</u>

1049	Central Basin MWD	Invoice No. USGV-JUN22, Purchase of 3.8 AF of Recycled Water in May 2022	\$	2,839.42
1050	City of Industry City Hall	Invoice No. JUN-22, Purchase of 85.4 AF of Recycled Water in June 2022		26,986.40
1051	Metropolitan Water District	Invoice No. 18037, Purchase of 883.2 AF of Treated Water in June 2022		832,162.09
1052	San Gabriel Valley MWD	Invoice No. 542, 94.81 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in June 2022 @ \$200 per AF		18,962.00
1053	Suburban Water System	Invoice No. 6692, Phase IIB Normal Operating Charge, July 2022		<u>1,667.76</u>
		TOTAL	\$	<u>882,617.67</u>