

**A SPECIAL 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. – December 7, 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 December 7, 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; Christine Carson, District Counsel; Steve Johnson, Consulting Engineer; Patty Cortez, Executive Manager - Government and Community Affairs; Venessa Navarrette, Executive Assistant; Ruben Gallegos, Project Assistant; Jennifer Aguilar, Water Use Efficiency Analyst; and Valeria Rodriguez, Administrative Assistant.

OTHERS PRESENT

Jenny Savron, Chris Fealy, Scott Manno, Anteneh Tesfaye and Andy Bullington.

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: 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 – January 9, 2023 at 4:00 p.m.
- (b) Administration and Finance – January 3, 2023 at 4:00 p.m.
- (c) Water Resources and Facility Management – January 4, 2023 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: AYE
GARCIA: AYE
SANTANA: AYE
CHAVEZ: AYE

- (a) Minutes of a regular meeting of the Board of Directors held on November 9, 2022 at 8:00 a.m.
- (b) List of Demands.
- (c) Financial Reports – October 2022.
 - 1. Financial Statements.
 - 2. Director’s Public Outreach.
- (d) Resolution No. 12-22-651, Re-ratifying the Proclamation of a State of Emergency by Governor Newsom and Reauthorizing Remote Teleconference Meetings.
- (e) Receive and file the Annual Comprehensive Financial Report for the fiscal year ended June 30, 2022.

**AWARD OF WATER EDUCATION
GRANTS FOR FY 2022-23**

The Water Use Efficiency Analyst reported that \$20,000 was originally budgeted for the FY 22-23 Water Education Grant Program. She also shared how unused funds from other projects were reallocated, allowing Upper District to approve 24 grants.

Vice President Santana and the Water Use Efficiency Analyst discussed how the 25th grant application received and not approved for Upper District grant funding has been recommended for Metropolitan's Turf Removal Rebate Program where more funding would be available for its outlined project.

Secretary Garcia moved to approve the funding of 24 grants for water education programs per Upper District's FY 22-23 Water Education Grant Program for a total amount of \$24,660.85. Vice President Santana seconded the motion, which was approved by the following roll call vote:

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

**ADOPT RESOLUTION NO. 12-22-652,
HONORING AND COMMEMORATING
THE OUTSTANDING SERVICE AND
ACCOMPLISHMENTS OF BRIAN
BOWCOCK**

The General Manager shared Mr. Brian Bowcock's efforts in raising water conservation awareness around the San Gabriel Valley.

Director Fellow moved to approve staff's recommendation to adopt Resolution No. 12-22-652, honoring and commemorating the outstanding service and accomplishments of Brian Bowcock. 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

**AMENDMENT OF LEASE
AGREEMENT WITH THE SAN
GABRIEL VALLEY ECONOMIC
PARTNERSHIP**

The General Manager reported that Upper District originally entered a lease agreement with the San Gabriel Valley Economic Partnership (SGVEP) in February 2022. Because the tenant improvement project took longer than anticipated, Upper District and SGVEP agreed to amend the agreement with the following changes:

1. Amend the term of the lease to commence on December 1, 2022, and expire on November 30, 2027; and
2. Increase the monthly base rent by 5% to \$2,165.63 per month.

Secretary Garcia moved to approve staff's recommendation that the Board of Directors ratify Amendment 1 to the lease agreement with the San Gabriel Valley Economic Partnership effective December 1, 2022. Vice President Santana seconded the motion, which was unanimously approved by the following roll call vote:

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

AGREEMENT WITH THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA FOR THE REVERSE CYCLIC PROGRAM

The General Manager reported on the proposed agreement and the differences between the reverse cyclic agreement and the existing cyclic storage agreement with Metropolitan. He explained how the reverse cyclic agreement requires prepayment of water purchases with a deferred delivery date of no more than five years. He stated that this would allow producers and Watermaster to prepurchase water at this year’s rate. He added that although deferred water deliveries would be controlled by Metropolitan Water District, the agreement requires Metropolitan to deliver water, if necessary, to keep the San Gabriel Basin above critical levels.

The General Manager stated that staff is working with Metropolitan to come up with remedies in the event Metropolitan fails to deliver purchased water within five years. He added that Upper District would need to enter into a separate agreement with Watermaster to bridge the funding between Upper District, Watermaster and Metropolitan under the proposed reverse cyclic agreement. The General Manager then requested board authorization to enter into a separate agreement with Watermaster pursuant to the reverse cyclic agreement with Metropolitan.

Director Fellow moved to approve staff’s recommendation that the Board of Directors enter into an agreement with the Metropolitan Water District of Southern California for the Reverse Cyclic Program and authorize the General Manager to enter into a separate agreement with the Main San Gabriel Basin Watermaster pursuant to the reverse cyclic agreement. 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

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 on new labor laws, monitoring of PFAS regulations that could impose liability towards special districts, and recent changes to the Political Reform Act.

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 has dropped to 179.5 feet as of November 28, 2022.

He reported that combined storage in the canyon is down to minimum pool. He also reported that no notices of wells shutdown due to contamination were received during the month of November 2022.

The following is a summary of contamination ranges found in samples under Title 22 from 58 wells during October 2022.

| <u>Contaminant</u> | <u>Range (ppb)</u> | <u>MCL (ppb)</u> |
|--------------------|--------------------|------------------|
| PCE | ND – 4.7 | 5* |
| TCE | ND | 5* |

A detailed written report was also provided to the Board.

GENERAL MANAGER’S REPORT

The General Manager reported on water supply projections for 2023 and the impacts of various levels of State Water Project allocations. While he expressed confidence on getting approval for Upper District’s Quagga Mussel Control Plan, he stated that should Metropolitan go into allocation, Upper District would still be limited on the amount of Colorado River water it can get. He stated that Upper District is strategizing water delivery schedules ahead of Metropolitan’s anticipated water supply allocation to ensure that the San Gabriel Basin remains above critical levels.

He then provided an update on pending disputes with the building contractor, efforts to facilitate in-person meetings, San Gabriel Valley Economic Partnership’s recent move into the new building, and the upcoming building dedication ceremony in January. Lastly, he commended Upper District’s finance and administration team for their excellent performance on the preparation of the annual comprehensive financial report.

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

METROPOLITAN REPORT

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

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

DIRECTOR’S COMMENTS

None.

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 duly adjourned to a regular meeting of the Board of Directors to be held on January 11, 2023, at 8:00 a.m. via teleconference or the most rapid means of communication available at the time.

ATTEST

PRESIDENT

SECRETARY

SEAL

Demands numbered 21780 through 21809 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of \$378,287.59 and demands numbered 1073 through 1078 on the Water Fund Account at the same bank in the amount of \$12,369,943.02.

| | | | | |
|-------|-----------------------------------|-----------------------------------------------------------------------------------------------------------|-----------------|-----------|
| 21780 | City of Monrovia | Inv. 25843, Change of Address Permit <i>(Previously paid 11/16/22)</i> | | \$ 405.00 |
| 21781 | Upper District Revolving Fund | Replenish Revolving Fund Account - October 2022 | | |
| | | Office Supplies | 1,299.57 | |
| | | Computer Systems/Equipment/Maintenance/Insurance/Outside Services | 4,679.92 | |
| | | Director's Outreach | 2,200.00 | |
| | | Meeting/Travel/Conferences/Dues/Assesments/Memberships | 74.37 | |
| | | Telephone/Utilities/Building Maintenance | 1,901.27 | |
| | | Workers Comp | 2,896.82 | |
| | | Water Conservation Program Expenses | 3,201.68 | |
| | | WR Operation & Maintenance/Permits/Water Purchases/PM/Public Info | 69,691.30 | |
| | | Medical/ODA Reimbursement/Processing Fee/Retirement Plan/Overdeposit | <u>2,935.31</u> | 88,880.24 |
| | | <i>(Previously paid 11/16/22)</i> | | |
| 21782 | Foothill Technology Center, LLC | Inv. NOV22LEA, Office Lease - November 2022 <i>(Board approved 04/09/11. Previously paid 11/16/22)</i> | | 20,751.00 |
| 21783 | Aaron Read & Associates, LLC | Inv. 212413, State and Legislative Advocacy Services, October 2022 <i>(Board approved 12/09/20)</i> | | 10,000.00 |
| 21784 | Accent Computer Solutions, Inc. | Inv. 155207, IT Management Support, December 2022 <i>(Board approved 10/16/15)</i> | | 2,789.91 |
| 21785 | ACI Consulting Corporation | Inv. IN-004289, Sage Consulting Services | | 722.50 |
| 21786 | ACWA/JPIA | Inv. 0695285, Health Insurance Premium - December 2022 | | 26,567.05 |
| 21787 | Aleshire & Wynder, LLP | Professional Services, October 2022 | | |
| | | Inv. 71511, Retainer | 4,267.00 | |
| | | Inv. 71512, Transactional Fees | 315.20 | |
| | | Inv. 71513, Transactional Fees | <u>2,189.40</u> | 6,771.60 |
| | | <i>(Board approved 04/13/22)</i> | | |
| 21788 | Best Best & Krieger, LLP | Inv. 951529, Lobbying Services through October 31, 2022 <i>(Board approved 12/09/20)</i> | | 7,500.00 |
| 21789 | Civic Publications, Inc. | Inv. 1749, CA Water 2022 Special Section, "Thank you for Keeping Garden Gnomes Dry" Ad | | 4,987.00 |
| 21790 | EcoTech Services, Inc. | Inv. 2458, Water Bottle Fill Station, October 2022 <i>(Board approved 06/08/22)</i> | | 4,950.00 |
| 21791 | G3LA, LLC | Inv. 1062, Water Conservation Webinar, October 2022 | 1,500.00 | |
| | | Inv. 1070, Water Conservation Webinar, November 2022 | <u>1,500.00</u> | 3,000.00 |
| 21792 | H.J. Vast, Inc. | Inv. 5665, Security System Deactivation, October 2022 | | 625.00 |
| 21793 | Joey C. Soto | Inv. #97, Grant Writing Services, October 2022 <i>(Board approved 06/08/22)</i> | | 805.00 |
| 21794 | La Opinion | Inv. 129491022, Water Conservation Ads - October 2022 | | 1,750.00 |
| 21795 | MadMen Marketing Consultants, LLC | Inv. 0009082, Website Support - June 2021 - March 2022 | | 5,000.00 |
| 21796 | Media Marketing Services, Inc. | Inv. USG W221128, Bottled Water Program | | 3,297.00 |
| 21797 | San Gabriel Valley Newspaper | Inv. 0000554449, WaterFest Ads, October 2022 | | 6,590.40 |
| 21798 | Spectrum Reach/Charter | Inv. 500011086, WaterFest 2022 Save the Date Ads | 1,500.00 | |
| | | Inv. 500011087, WaterFest 2022 Ads | <u>1,801.20</u> | 3,301.20 |
| 21799 | Stetson Engineers, Inc. | Inv. 2533-199, General Engineering Support Services, October 2022 | | 9,019.80 |

| | | | | |
|-------|------------------------------------|-------------------------------------------------------------------------------------------------------------------------|------------|----------------------|
| 21800 | Upper District Revolving Fund | Replenish Revolving Fund Account - November 2022 | | |
| | | Office Supplies | 115.62 | |
| | | Computer Systems/Equipment/Maintenance/Insurance/Outside Services | 1,613.37 | |
| | | Director's Outreach | 100.00 | |
| | | Meeting/Travel/Conferences/Dues/Assesments/Memberships | 1,183.92 | |
| | | Telephone/Utilities/Building Maintenance | 3,448.75 | |
| | | Water Conservation Program Expenses | 2,051.56 | |
| | | Medical/ODA Reimbursement/Processing Fee/Retirement Plan/Overdeposit | 6,391.97 | 14,905.19 |
| | | (Previously paid 12/02/22) | | |
| 21801 | U.S. Bank Corporate Payment System | CalCard Changes through 11/22/22 | | |
| | | Meetings, Travel, Conferences | 1,804.28 | |
| | | Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities | 3,299.93 | |
| | | Conservation Program Expenses, Education and Outreach | 912.98 | 6,017.19 |
| 21802 | WLC Architects | Inv. 22, Construction Administration Services, October 2022 | | 4,500.00 |
| | | (Board approved 08/12/20) | | |
| 21803 | World Journal LA, LLC | Inv. 3717682, WaterFest 2022 Ad, October 2022 | | 1,360.00 |
| 21804 | Aleshire & Wynder, LLP | Professional Services, November 2022 | | |
| | | Inv. 72585, Retainer | 4,267.00 | |
| | | Inv. 72586, Transactional Fees | 157.60 | |
| | | Inv. 72587, Transactional Fees | 5,580.50 | 10,005.10 |
| | | (Board approved 04/13/22) | | |
| 21805 | Upper District Payroll Fund | Inv. OCT 22, Reimbursement for Payroll and Payroll Taxes for Employees | 120,916.15 | |
| | | Inv. OCT 22D, Reimbursement for Payroll Taxes for Directors | 6,908.16 | 127,824.31 |
| | | (Previously paid 12/02/22) | | |
| 21806 | Anthony Fellow | Director's Compensation, November 2022 | | |
| | | 9 Days District Business | 2,295.00 | |
| | | 10 Days MWD Business | 2,550.00 | |
| | | Meeting/Travel Expenses/Allowance | 516.87 | |
| | | Less Deferred Comp. | (500.00) | |
| | | Less Taxes Withheld | (1,535.77) | 3,326.10 |
| 21807 | Edward Chavez | Director's Compensation, November 2022 | | |
| | | 10 Days District Business | 2,550.00 | |
| | | Meeting/Travel Expenses/Allowance | 1,467.44 | |
| | | Less Deferred Comp. | (1,610.00) | |
| | | Less Taxes Withheld | (1,401.77) | 1,005.67 |
| 21808 | Charles M. Treviño | Director's Compensation, November 2022 | | |
| | | 8 Days District Business | 2,040.00 | |
| | | Meeting/Travel Expenses/Allowance | 516.87 | |
| | | Less Deferred Comp. | (500.00) | |
| | | Less Taxes Withheld | (427.57) | 1,629.30 |
| 21809 | Jennifer Santana | Director's Compensation, November 2022 | | |
| | | 6 Days District Business | 1,530.00 | |
| | | Meeting/Travel Expenses/Allowance | 516.87 | |
| | | Less Deferred Comp. | (1,850.00) | |
| | | Less Taxes Withheld | (194.84) | 2.03 |
| | | TOTAL | | \$ 378,287.59 |
| 1073 | Central Basin MWD | Invoice No. USGV-OCT22, Purchase of 7.1 AF of Recycled Water in September 2022 | \$ | 5,142.91 |
| | | (Previously paid 11/16/22) | | |
| 1074 | City of Industry City Hall | Invoice No. OCT-22, Purchase of 51.4 AF of Recycled Water in October 2022 | | 16,242.40 |
| 1075 | City of Industry City Hall | Invoice No. OCT-22CIP, CIP Charge for October 2022 @ \$98 per AF | | 5,037.20 |
| 1076 | Metropolitan Water District | Invoice No. 10954, Purchase of 292.8 AF of Treated Water and 14,708.5 AF of Untreated Water in October 2022 | | 12,322,142.75 |
| 1077 | San Gabriel Valley MWD | Invoice No. 546, 98.55 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in October 2022 @ \$200 per AF | | 19,710.00 |
| 1078 | Suburban Water System | Invoice No. 6705, Phase IIB Normal Operating Charge, November 2022 | | 1,667.76 |
| | | TOTAL | \$ | 12,369,943.02 |