

**A REGULAR MEETING OF THE BOARD OF DIRECTORS  
OF THE UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT  
248 E. FOOTHILL BLVD, ROOM #103, MONROVIA, CALIFORNIA 91016  
4:00 P.M. – November 08, 2023**

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A regular meeting of the Board of Directors was held in the office of the District, 248 E. Foothill Blvd, Rm. 103, City of Monrovia, County of Los Angeles, State of California, within said Water District, on November 08, 2023 at the hour of 4:00 p.m.

District Counsel confirmed with Treasurer Garcia that her physical injury prevents her from attending the board meeting in person. District Counsel stated that remote attendance due to illness or injury is allowed under AB 2249 but requires that directors attending remotely disclose whether anyone over the age of 18 is present in the room with them. Treasurer Garcia confirmed that no one over the age of 18 was in the room with her.

On motion by Vice President Fellow, seconded by Secretary Chavez, the remote attendance by Treasurer Garcia was approved by the following roll call vote: Santana – AYE; Chavez – AYE; Garcia (AB 2449) – AYE; Chavez – AYE; and Treviño – ABSENT.

**ROLL CALL**

**DIRECTORS PRESENT:** Chavez, Garcia (AB 2449), Fellow, and Santana.

**DIRECTORS ABSENT:** Treviño

**STAFF PRESENT:** Tom Love, General Manager; Steve O’Neill, District Counsel; Steve Johnson, District Engineer; Patty Cortez, Assistant General Manager, External Affairs; Evelyn Rodriguez, Chief Financial Officer/Chief Administrative Officer; Jennifer Aguilar, Water Use Efficiency Analyst; Katherine Vazquez, Government and Community Affairs Assistant; Priscilla Lu, Accounting/Financial Analyst; and Jessica Hernandez, Administrative Assistant.

**OTHERS PRESENT**

Jose Martinez

**ADOPTION OF AGENDA**

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

**SANTANA: AYE**  
**FELLOW: AYE**  
**GARCIA: AYE (AB 2449)**  
**CHAVEZ: AYE**  
**TREVIÑO: ABSENT**

**PUBLIC COMMENT**

None.

**COMMITTEE REPORTS**

Next scheduled committee meeting dates are as follows:

- (a) Government Affairs and Community Outreach – December 4, 2023 at 4:00 p.m.
- (b) Administration and Finance – December 5, 2023, at 4:00 p.m.
- (c) Water Resources and Facility Management – December 6, 2023, at 4:30 p.m.

**CONSENT CALENDAR**

On motion by Secretary Chavez, seconded by Vice President Fellow, the consent calendar was approved by the following roll call vote:

**SANTANA: AYE**  
**FELLOW: AYE**  
**GARCIA: AYE (AB 2449)**  
**CHAVEZ: AYE**  
**TREVIÑO: ABSENT**

- (a) Minutes of a regular meeting of the Board of Directors held on October 25, 2023, at 4:00 p.m.
- (b) List of Demands.
- (c) Financial Reports – September 2023.
  - 1. Financial Statements.
  - 2. Director’s Public Outreach.
  - 3. Quarterly Report Regarding District Investments

**ADOPT RESOLUTION NO. 11-23-659, AMENDING RESOLUTION NO. 09-22-647 AS IT RELATES TO DESIGNATED POSITIONS UNDER THE DISTRICT’S CONFLICT OF INTEREST**

The General Manager stated that this resolution amends the Upper District’s Conflict of Interest Code by revising the list of designated employees who are required to file the statement of economic interest with the County.

Vice President Fellow moved to approve staff recommendation to adopt Resolution No. 11-23-659, amending Resolution No. 09-22-647 as it relates to designated positions under the District’s conflict of interest.

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

**SANTANA: AYE**  
**FELLOW: AYE**  
**GARCIA: AYE (AB 2449)**  
**CHAVEZ: AYE**  
**TREVIÑO: ABSENT**

**MID-YEAR EDUCATION AND COMMUNITY OUTREACH UPDATE**

Patty Cortez, Assistant General Manager, External Affairs, provided an update on water use efficiency education & community outreach, discussing the 2023 events and social media activities. She then shared a new Conserve-a-palooza Program video to the Board.

Secretary Chavez praised the beautiful visuals in the video.

Ms. Cortez continued discussing Upper District’s Thank U campaign, and its education and conservation programs.

The General Manager commended staff for their successful use of Metropolitan Member Agency Administered Incentive Program funding.

Lastly, Ms. Cortez gave an update on upcoming events in 2024. She shared another video the staff made for Halloween, “Droughtbusters”, which she said was probably the most viewed video on the District’s social media.

Secretary Chavez commended staff for their excellent work on the outreach programs.

Vice President Fellow echoed Secretary Chavez’s comments. He and Ms. Cortez also discussed placing advertisements on the freeways.

Treasurer Garcia commended staff for doing a great job on the social media posts and suggested involving other districts in future watershed events.

President Santana thanked Ms. Cortez for the presentation and expressed her respect for staff for their amazing job.

**INFORMATION ITEMS**

Ms. Cortez thanked staff for their support on the outreach program. 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 transactional matters and recent work with staff on the voucher program and some correspondence regarding remote attendance.

He then provided a presentation on the update to emergency remote meeting attendance under AB 557. He then discussed the teleconferencing and remote attendance requirements under Govt Code 54953, AB 361, AB 2249 and AB 557. He stated that currently, the directors can meet remotely under the original Brown Act provision, or under the AB 2449 for "just cause" and emergency exceptions until AB 2449 is rescinded by AB 557 effective January 2026.

Vice President Fellow, the General Manager and District Counsel discussed remote attendance from a different location under one of the "just cause" definitions.

President Santana, the General Manager and District Counsel discussed the frequency of holding remote meetings by other water agencies.

Secretary Chavez, Ms. Cortez and District Counsel discussed one of the teleconferencing requirements of disclosing whether anyone over the age of 18 is present.

**ENGINEER'S REPORT**

The District Engineer reported on hydrologic conditions, basin deliveries, reservoir storage, canyon inflows and releases, and rainfall average. He stated that the Baldwin Park Key Well groundwater elevation was 288.3 feet as of November 3, 2023 51 feet more than its level at the beginning of the year.

Secretary Chavez and the District Engineer discussed the percentage of water storage capacity remaining in the basin.

Vice President Fellow and the General Manager discussed Metropolitan's role in utilizing the available basin storage capacity. The General Manager stated that Upper District has a cyclic storage agreement with Metropolitan and that staff is working with Metropolitan to put as much water as possible in the basin. He added that discussions are ongoing with other member agencies on a possible conjunctive use storage program.

Vice President Fellow requested the District Engineer for a presentation on percolation at a future meeting.

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

**GENERAL MANAGER'S REPORT**

The General Manager reported that based on the storage in San Luis Reservoir on the State Water Project System, the initial allocation announcement from Department of Water Resources is expected to be 10 to 15% on December 1st. He stated that Metropolitan does not normally deliver to their cyclic storage account if the allocation is lower than 30%. He then gave an update on the elevator upgrade project. He also reported that Bill Hasencamp, Metropolitan's Colorado River Resources Manager, will give a presentation at the board meeting on February 28<sup>th</sup>. Lastly, he welcomed Jessica Hernandez as Upper District's new Administrative Assistant.

**METROPOLITAN REPORT**

Vice President Fellow reported that Congresswoman Grace Napolitano was recently honored at Metropolitan by having the Southern California Pure Water Project named after her. He then reported on an upcoming road trip throughout Southern California to honor the late Senator Dianne Feinstein. He also announced upcoming Metropolitan trips in case anyone is interested in attending. He then stated that an update from the California Department of Water Resources on the governor's priorities for water policy and program initiatives will be provided at one of Metropolitan's sessions the following week.

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

**WATER QUALITY AUTHORITY REPORT**

Secretary Chavez reported that Governor Newsom signed AB 279, sponsored by Assembly Woman Rubio, which increased the maximum assessment allowed under the WQA Act from \$10 to \$20, effective January 1, 2024.

**WATERMASTER REPORT**

President Santana reported on the recent change in Watermaster board from David de Jesus to Melissa Barbosa.

A summary report was included in the packet.

**AB 1234 COMPLIANCE REPORT**

A summary report was included in the packet.

**DIRECTORS COMMENTS**

Treasurer Garcia thanked District Counsel for his informative presentation.

Vice President Fellow thanked Secretary Chavez and staff for attending the Oaktober Fest at the Maryknoll Sisters' Garden on December 5<sup>th</sup>. He also thanked Secretary Chavez and his wife, the General Manager and Katherine Vasquez for participating in a recent bike tour of the water facilities in the Upper District service area. He then congratulated Jessica Hernandez for her new position.

**FUTURE AGENDA ITEMS**

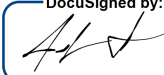
None.

**ADJOURN TO CLOSED SESSION**

None.


**ADJOURNMENT**

President Santana asked if there were any other business to come before the Board. There being none, the meeting was duly adjourned to a special meeting of the Board of Directors to be held on December 6, 2023, at 4:30 p.m. at 248 E. Foothill Blvd., Room #103, Monrovia, CA 91016.

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PRESIDENT

**ATTEST**

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SECRETARY

SEAL

Demands numbered 22190 through 22221 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of \$526,955.94 and demands numbered 1141 through 1194 on the Water Fund Account at the same bank in the amount of \$334,712.41.

22190	789, Inc.	Inv. USGV-322290, Marketing and Creative Services, Oct. 2023 Inv. USGV-326201, Marketing and Creative Services, Nov. 2023 <b>(Board approved 7/12/23)</b>	5,575.00 <u>5,575.00</u>	\$ 11,150.00
22191	Aaron Read & Associates, LLC	Inv. 213064 , State and Legislative Advocacy Services, October 2023 <b>(Board approved 10/12/22)</b>		10,000.00
22192	Accent Computer Solutions, Inc	Inv. 15996, IT Management Support, October 2023 <b>(Board approved 02/09/22)</b>		2,876.27
22193	ACWA	Inv. 2024, Annual Agency Dues		22,775.00
22194	ACWA/JPIA	Inv. 309, Auto and General Liability Insurance, October 2023-24		51,697.00
22195	ACWA/JPIA	Inv.0700758, Health Insurance Premium - November 2023		25,369.74
22196	Best Best & Krieger, LLP	Inv. 977949, Federal Legislative Advocacy Services through 09/30/23 <b>(Board approved 10/12/22)</b>		7,500.00
22197	B and H Signs	Inv. 20369, Architectual Sign and Installation of Board Room Logo		1,785.00
22198	CSDA Member Services	Inv. 2024, Annual Membership Dues, January - December 2024		9,275.00
22199	Civic Publications, Inc.	Inv. 1813, California Water 2023 Ad		4,987.00
22200	EcoTech Services, Inc.	Inv. 2795, Home Leak Repair Kits Inv. 2819, Landscape Maintenance, November 2023 <b>(Board approved 6/08/22)</b>	1,755.00 <u>900.00</u>	2,655.00
22201	Enamelpins, Inc.	Inv. G2309214910, Women in Water Pins		1,024.92
22202	Flintridge Center	Inv. 12/16/23UD, 41st Assembly District Young Legislators Sponsorship		2,500.00
22203	G3LA, LLC	Inv. 1214, Landscape Transformation on a Budget, October 2023		1,750.00
22204	G-E-M Plumbing, Inc.	Inv. 164573, Kitchen Maintenance Service		1,053.74
22205	HCI Systems, Inc.	Inv. I0047046, Camera System Maintenance Service		1,059.00
22206	Image Property Services, LLC	Inv. MCS-10432, Janitorial Services, October 2023 Inv. MCS-10576, Consumables, October 2023	1,907.59 <u>247.31</u>	2,154.90
22207	John Robinson Consulting, Inc.	Inv. UD202301-05, As-needed Engineering Support Services, September 2023		3,960.00
22208	Kelly Services, Inc.	Inv. 3902688723, Temporary Services Week Ending 10/01/23 Inv. 4002510523, Temporary Services Week Ending 10/08/23 Inv. 4102261623, Temporary Services Week Ending 10/15/23 <b>(Board approved 02/17/19)</b>	1,403.22 1,693.65 <u>1,743.21</u>	4,840.08
22209	Rogers, Anderson, Malody & Scott, LLP	Inv. 73587, Progress Payment for FY 22/23 Audit <b>(Board approved 2/09/22)</b>		16,200.00
22210	Stetson Engineers, Inc.	Inv. 2533-209, General Engineering Support Services, August 2023		13,787.73
22211	State Water Resources Control Board	Inv. 09805-23-11, Package 3 Annual State Revolving Fund Loan Repayment <b>(Previously paid 11/02/23)</b>		86,782.45
22212	Upper District Payroll Fund	Inv. Sept 23, Reimbursement of Payroll and Payroll Taxes for Employees Inv. Sept 23D, Reimbursement of Payroll Taxes for Directors	130,726.14 <u>6,442.49</u>	137,168.63
22213	Upper District Revolving Fund	Inv. Oct 23, Revolving Fund Account Replenishment - October 2023 Office Supplies Computer Systems/Equipment/Maintenance/Insurance/Outside Service Directors's Outreach Telephone/Utilities/Building Maintenance Meeting/Travel/Conferences/Dues/Assessments/Membership Workers Compensation Water Conservation Program Expenses WRP Operation & Maintenance/Permits/Water Purchases/PM/Public Info Medical/ODA Reimbursement/Processing Fee/Retirement Plan/Overdeposit	1,415.95 1,067.87 2,198.00 3,647.63 832.52 2,346.77 1,740.78 30,968.51 <u>23,582.52</u>	67,800.55
22214	U.S. Bank Corporate Payment System	CalCard Changes through 10/22/23 Meetings, Travel, Conferences Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities Conservation Program Expenses, Education and Outreach	5,046.56 955.19 <u>2,449.27</u>	8,451.02

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22215	Via Promotionals, Inc.	Inv. 21372, UD Logo Items Inv. 21406, UD Logo Items	1,974.29 <u>442.38</u>	2,416.67
22216	WateReuse Association	Inv. D51137, 2024 Annual Membership Dues		17,272.50
22217	Anthony Fellow	Director's Compensation, October 2023 9 Days District Business 10 MWD Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,295.00 2,550.00 516.87 (500.00) <u>(1,505.75)</u>	3,356.12
22218	Ed Chavez	Director's Compensation, October 2023 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 516.87 (500.00) <u>(1,850.78)</u>	716.09
22219	Charles Treviño	Director's Compensation, October 2023 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 516.87 (500.00) <u>(525.65)</u>	2,041.22
22220	Jennifer Santana	Director's Compensation, October 2023 5 Days District Business 1 Days Watermaster Meeting Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	1,275.00 155.00 516.87 (500.00) <u>(202.00)</u>	1,244.87
22221	Katerina Garcia	Director's Compensation, September 2023 6 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	1,530.00 516.87 (500.00) <u>(241.43)</u>	1,305.44
			<b>TOTAL</b>	<b><u>\$526,955.94</u></b>
1141-1186	VOID	Printer error	\$	-
1187	Central Basin MWD	Invoice No. USGV-SEP23, Purchase of 3.8 AF of Recycled Water in August 2023 <i>(Previously paid 11/02/23)</i>		2,729.57
1188	VOID	Printer error		-
1189	City of Industry City Hall	Invoice No. Oct 23O&M, Operation & Maintenance Cost Reconciliation through 06/30/23		16,371.28
1190	City of Industry City Hall	Invoice No. R09302023-E, CIP Charge for September 2023 @ \$98 per AF		5,439.00
1191	Metropolitan Water District	Invoice No. 11279, Purchase of 207.9 AF of Treated Water in September 2023		242,912.10
1192	San Gabriel Valley MWD	Invoice No. 557, 77.64 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in September 2023 @ \$220 per AF		17,080.80
1193	Suburban Water System	Invoice No. 6735, Phase IIB Normal Operating Charge, October 2023		1,776.16
1194	City of Industry City Hall	Invoice No. AUG23REI, Purchase of 84.8 AF of Recycled Water in August 2023 Invoice No. R09302023-D, Purchase of 55.5 AF of Recycled Water in September 2023	\$ 29,256.00 <u>19,147.50</u>	48,403.50
			<b>TOTAL</b>	<b><u>\$ 334,712.41</u></b>