

**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
4:00 P.M. – April 10, 2024**

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 April 10, 2024 at the hour of 4:00 p.m.

ROLL CALL

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

DIRECTORS ABSENT: None.

STAFF PRESENT: Tom Love, General Manager; Steve O’Neill, District Counsel; Patty Cortez, Assistant General Manager, External Affairs; Evelyn Rodriguez, Chief Financial Officer/Chief Administrative Officer; Venessa Navarrette, Executive Assistant; and Jessica Hernandez, Administrative Assistant.

OTHERS PRESENT

David Muse, Lenet Pacheco, Lynda Noriega, Carlos Solis, Melissa Barbosa, Wendy Saavedra, Russ Bryden, Adan Ortega, Deven Upadhyay and Adel Hagekhalil.

ADOPTION OF AGENDA

On motion by Treasurer Garcia, seconded by Vice President Fellow, the agenda was adopted as presented by the following vote:

AYES: TREVIÑO, CHAVEZ, GARCIA, FELLOW AND SANTANA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

PUBLIC COMMENT

None.

COMMITTEE REPORTS

Next scheduled committee meeting dates are as follows:

Government Affairs and Community Outreach – May 6, 2024 at 4:00 p.m.
 Administration and Finance – May 7, 2024, at 4:00 p.m.
 Water Resources and Facility Management – May 1, 2024, at 4:30 p.m.

CONSENT CALENDAR

On motion by Director Treviño, seconded by Secretary Chavez, the consent calendar was approved by the following roll call vote:

AYES: TREVIÑO, CHAVEZ, GARCIA, FELLOW AND SANTANA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

- (a) Minutes of a regular meeting of the Board of Directors held on March 13, 2024 at 4:00 p.m.
- (b) List of Demands
- (c) Financial Reports – February 2024
- (d) Financial Statements
- (e) Director’s Public Outreach

METROPOLITAN WATER DISTRICT UPDATE

Adan Ortega, MWD Board Chair, provided an update on the Colorado River and the Bay Delta as MWD accelerates planning on a new program, Camp for Water. He stated the goal for Camp for Water is to unite and fortify Southern California in this changed environment by strategically integrating with its member agencies like never before.

Adel Hagekhalil, MWD General Manager, reported on the importance of unifying and working together as member agencies to provide safe reliable water for everyone.

Deven Upadhyay, Executive Officer/Assistant General Manager, presented the August 2022 Board Resolution – Call to Action and provided a timeline of the history of continuous “portfolio” development. He reported that MWD is committed to reliability and presented new facilities and programs already online. He stated that reoperating the system can yield big benefits and how MWD continue to develop future options.

Vice President Fellow and Mr. Ortega discussed the feedback from the public and the media regarding the newly approved budget.

Director Treviño acknowledged the focus on the business of the people and the efforts of MWD to be a part of and work for the community.

Treasurer Garcia and Mr. Ortega discussed the initiative on workforce development.

Tom Love, General Manager, and Mr. Hagekhalil discussed the MWD Board’s commitment to the adoption of the higher tax rates.

Dave Michalko and Mr. Ortega discussed the possibility of litigation delaying the adoption of the new rates.

Melissa Barbosa and Deven Upadhyay discussed updates on the Pure Water Project.

**RESOLUTION NO. 04-24-660
INITIATING PROCEEDINGS FOR THE
ESTABLISHMENT OF A WATER
AVAILABILITY OR STANDBY CHARGE
FOR FY 2024/25 AND ESTABLISHING
MAY 22, 2024 AS THE PUBLIC HEARING
DATE.**

Evelyn Rodriguez, Chief Financial Officer/Chief Administrative Officer (CFO/CAO), presented staff’s recommendation for the Board to adopt Resolution 04-24-660, schedule a public hearing on May 22, 2024, and instruct staff to publish notice of the hearing as required by statute.

On motion by Vice President Fellow, seconded by President Santana, the Board of Directors unanimously adopted Resolution No. 04-24-660, Initiating Proceedings for Establishment of a Water Availability or Standby Charge for FY 2024/25 and Establishing May 22, 2024 as the Public Hearing Date, by the following vote:

AYES: TREVIÑO, CHAVEZ, GARCIA, FELLOW AND SANTANA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

**AMENDMENT TO FINANCIAL AUDIT
SERVICES AGREEMENT**

The Chief Financial Officer/Chief Administrative Officer presented the Administration and Finance Committee’s recommendation to approve an amendment to the existing professional services agreement with Rogers, Anderson, Malody & Scott, LLP.

On motion by Director Treviño, seconded by Treasurer Garcia, the Board of Directors unanimously approved an amendment to the existing professional services agreement with Rogers, Anderson, Malody & Scott, LLP (RAMS) to provide financial audit services for the fiscal year ending June 30, 2024 and 2025, increasing the maximum amount payable by \$63,710 for a total not-to-exceed maximum of \$211,750 by the following vote:

AYES: TREVIÑO, CHAVEZ, GARCIA, FELLOW AND SANTANA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

**LOS ANGELES COUNTY LOCAL
AGENCY FORMATION COMMISSION
(LAFCO) BALLOT FOR SPECIAL
DISTRICT LAFCO REPRESENTATIVE**

Patty Cortez, Assistant General Manager, External Affairs, presented the Los Angeles County Local Agency Formation Commission (LAFCO) ballot for a special district representative on LAFCO. She stated LAFCO currently has seven candidates vying for the seat of special district representative, serving a term set to expire in May 2028.

Vice President Fellow nominated Mr. Donald L. Dear. No other nominations were received.

On motion by Vice President Fellow, seconded by Secretary Chavez, the Board of Directors unanimously voted to cast the ballot for Mr. Donald L. Dear as special district representative to the Los Angeles County Local Agency Formation Commission by the following vote:

AYES: TREVIÑO, CHAVEZ, GARCIA, FELLOW AND SANTANA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

**FEDERAL LEGISLATIVE SUMMARY
AND BILL POSITIONS**

Patty Cortez, Assistant General Manager, External Affairs, presented staff's recommendation to approve federal and state legislative bill positions which are consistent with Upper District's 2023-24 Legislative Policy Principles adopted by the Board in January 2023.

On motion by Director Treviño, seconded by Secretary Chavez, the Board of Directors unanimously approved staff's recommended federal and state legislative bill positions on H.R. 7525, SB 903, SB 1110, SB 1330, SB 1169, AB 1827, and AB 2257 by the following vote:

AYES: TREVIÑO, CHAVEZ, GARCIA, FELLOW AND SANTANA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

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 provided an update on the current PFAS litigations. He stated that at the end of February 2024, the courts recorded and approved the DuPont settlement terms and at the end of March 2024 the courts recorded and approved the 3M settlement terms.

He then provided an update on the litigation involving MWD and the San Diego County Water Authority (SDCWA) related to MWD's rate structure. He stated that as of April 3, 2024, the trial court hearing part of the case has finally entered judgement after ten years. He also provided a brief background of the case and its various elements. He stated that the next step would be determination of who the prevailing party is.

ENGINEER'S REPORT

The District Engineer reported that Key Well elevation was at 227.9 ft., rising at a rate of less than 2 ft. per week. He stated it is promising to see how the Key well is reacting the way it is and how it is expected to rise to at least the same levels as last year, if not higher.

He also presented a brief report on rainfall, rainfall averages, canyon storage as well as reservoir inflows and outflows. He then reported 65 wells were sampled in February and eight wells in March under the Title 22 Program and that there were no notices of wells shutdown due to water quality issues.

The District Engineer reported that the preliminary operating safe yield (OSY) recommendation for the following year is 160,000 acre feet after 10 years of the OSY being set at 150,000 acre feet.

Secretary Chavez, the District Engineer, and the General Manager discussed the rainfall comparisons between last year and this year.

GENERAL MANAGER'S REPORT

The General Manager briefly reported on upcoming events including WaterFest on May 11, 2024 and the State Water Project tour on May 17th. He stated an intern will be starting the following week. He then announced that he will be presenting a recommendation to the Board to approve a change from 9.5 full-time equivalent positions to 10 full-time positions, making the one part-time a full-time position.

A written report was also provided in the agenda packet.

METROPOLITAN REPORT

Vice President Fellow reported on a recent board action adopting MWD's biennial budget which includes an overall rate increase of 8.5% in 2025 and 2026 and an increase in the property tax rate.

A Metropolitan summary report was provided in the agenda packet.

WATER QUALITY AUTHORITY REPORT

Secretary Chavez reported that the WQA was awarded \$5.50 million for PFAS cleanup. He then shared a recent news flash on the finalization of the first national standard to limit "forever chemicals" in drinking water. He mentioned a video on PFAS he want to share at the next meeting.

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

WATERMASTER REPORT

Vice President Fellow acknowledged Russ Bryden and congratulated him for being the General Manager for Watermaster.

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

Vice President Fellow commended Patty Cortez and Jennifer Aguilar on the past Women in Water events and announced that the Region 8 conference to be held on September 21, 2024, will be dedicated to Women in Water.

President Santana shared a quote from an interview of an elected official, "Everyone thinks it's an elected official's job to have the answers but it's actually an elected official's job to gather the answers."

FUTURE AGENDA ITEMS

None.

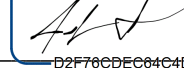
ADJOURN TO CLOSED SESSION

None.

ADJOURNMENT

President Santana asked if there was any 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 April 24, 2024, at 4:00 p.m. via teleconference or the most rapid means of communication available at the time.

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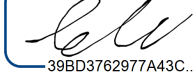


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PRESIDENT

ATTEST

Signed by:



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SECRETARY

SEAL

Attachment 1
 Consent Item 6 (b)
 April 10, 2024

Demands numbered 22360 through 22399 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of \$431,058.03 and demands numbered 1220 through 1226 on the Water Fund Account at the same bank in the amount of \$221,407.03.

22360	789, Inc.	Inv. USGV-428130, Marketing and Creative Services, April 2024 (Board approved 7/12/23)		\$ 5,575.00
22361	Aaron Read & Associates, LLC	Inv. 213286, State Legislative Advocacy Services, February 2024 (Board approved 10/12/22)		10,000.00
22362	ACWA	Inv. 04/10/24UD, 2024 Legislative Symposium Sponsorship		1,000.00
22363	ACWA/JPIA	Inv. 0702113, Health Insurance Premium - April 2024		29,496.09
22364	Aleshire & Wynder, LLP	Professional Services, February 2024 Inv. 844957, Transactional Fees Inv. 84958, Transactional Fees Inv. 84959, Retainer (Board approved 04/13/22)	2,392.50 40.60 <u>4,404.00</u>	6,837.10
22365	Civiltec Engineering, Inc	Inv. 49781, MWD Connection Study through Dec. 31, 2023 Inv. 50107, MWD Connection Study through Jan. 31, 2024 Inv. 50286, MWD Connection Study through Mar. 31, 2024	927.50 712.50 <u>1,712.50</u>	3,352.50
22366	Civic Publications, Inc.	Inv. 1831, Sustainable California Ad, March 2024		4,987.00
22367	Department of Water & Power	Inv. GA434800, Recycled Water Program Permit Fees, April 2024		83.33
22368	Dewey Pest Control, Inc.	Inv. 16536694, Pest Control Services, March 2024		112.00
22369	Diamond Environmental Services LP	Inv. 05/11/24UD, 2024 WaterFest Event Restrooms		4,323.10
22370	Discovery Science Center	Inv. 1895, Sustainable Watershed Education Program, Dec. - Jan. 2024 (Board approved 07/08/20)		5,820.00
22371	EcoTech Services, Inc.	Inv. 2976, Home Leak Repair Kits, March 2024 (Board approved 06/08/22)		1,350.00
22372	G3, Green Gardens Group, LLC	Inv. 1012, Design Seminar, March 2024 Inv. 1013, Leak Detection, March 2024 (Board approved 03/08/23)	1,750.00 <u>1,500.00</u>	3,250.00
22373	Howard's Appliances	Inv. 21225705, WaterFest 2024		826.85
22374	Image Property Services, LLC	Inv. MCS-11978, Janitorial Consumables, February 2024		242.75
22375	Industry Hills Charity Pro Rodeo	Inv. 24-065, 2024 Annual Industry Hills Charity Rodeo Sponsorship		500.00
22376	Joey C. Soto	Inv. 2024-UD-GA-JAN-113, Grant Writing Services, February 2024 (Board approved 06/08/22)		507.50
22377	La Opinion	Inv. 129490224, Spring Events Ads, February 2024		1,850.00
22378	Mad Science of Los Angeles	Inv. MSCLA-1630709, WaterFest 2024 Booths		1,286.00
22379	Orbit Event Rentals	Inv. Q40133, WaterFest 2024 - Rental Deposit (Previously paid 04/04/24)		12,721.00
22380	Promo Direct	Inv. N171940, District Logo Items Inv. N171985, District Logo Items	4,337.24 <u>5,148.18</u>	9,485.42
22381	Rene Burguan	Inv. 05/11/24UD-2, WaterFest Band Performer, Final		2,500.00
22382	Rogers, Anderson, Malody & Scott,	Inv. 74472, Progress Payment for FY 22/23 State Controllers Report (Board approved 2/09/22)		685.00
22383	Set Medics, LLC	Inv. 5712, WaterFest 2024, Event Medic		390.00
22384	San Gabriel Valley Newspaper	Inv. 0000583314, Spring Events Ads		4,082.00

22385	Stetson Engineers, Inc.	Inv. 2533-214, General Engineering Support Services, January 2024 Inv. 2728-024, Integrated Resource Plan Update, January 2024	10,681.60 <u>668.50</u>	11,350.10
22386	State Water Resource Control Board	Inv. 050724_140, Package 4 Annual State Revolving Fund Loan Repayment		75,541.85
22387	Three Valleys MWD	Inv. LB699, Leadership Breakfast, February 2024		120.00
22388	Upper District Payroll Fund	Inv. FEB 24, Reimbursement of Payroll and Payroll Taxes for Employees Inv. FEB 24D, Reimbursement of Payroll Taxes for Directors	162,844.75 <u>10,770.19</u>	173,614.94
22389	Upper District Revolving Fund	Inv. MAR 24, Revolving Fund Account Replenishment - March 2024 Office Supplies Computer Systems/Equipment/Maintenance/Insurance/Outside Service Directors's Outreach Telephone/Utilities/Building Maintenance Meeting/Travel/Conferences/Dues/Assessments/Membership Water Conservation Program Expenses WRP Operation & Maintenance/Permits/Water Purchases/PM/Public Info Medical/ODA Reimbursement/Processing Fee/Others	638.15 631.06 200.00 5,693.11 5.99 1,251.18 17,830.76 <u>5,508.04</u>	31,758.29
22390	U.S. Bank Corporate Payment System	CalCard Changes through 03/22/24 Meetings, Travel, Conferences Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utiliti Conservation Program Expenses, Education and Outreach	5,656.53 3,915.41 <u>5,210.70</u>	14,782.64
22391	VC3, Inc.	Inv. 161075, IT Management Support, February 2024 Inv. INV6591VC3, IT Equipment Inv. W160918, Boardroom IT Equipment Installation (Board approved 10/11/23)	2,886.46 735.83 <u>500.00</u>	4,122.29
22392	Vibiana L Morales	Inv. INV0001, WaterFest 2024 Event Facepainter		390.00
22393	World Journal LA, LLC.	Inv. 3801112, Spring Events Ad		1,360.00
22394	Katarina Garcia	Director's Compensation, January 2024 5 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	1,275.00 516.87 (500.00) <u>(175.33)</u>	1,116.54
22395	Katarina Garcia	Director's Compensation, February 2024 8 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,040.00 516.87 (500.00) <u>(329.57)</u>	1,727.30
22396	Ed Chavez	Director's Compensation, March 2024 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 516.87 (2,040.00) <u>(1,025.56)</u>	1.31
22397	Charles Treviño	Director's Compensation, March 2024 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 516.87 (500.00) <u>(1,515.91)</u>	1,050.96
22398	Jennifer Santana	Director's Compensation, March 2024 6 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	1,530.00 516.87 (500.00) <u>(210.61)</u>	1,336.26
22399	Katarina Garcia	Director's Compensation, March 2024 7 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	1,785.00 516.87 (500.00) <u>(278.96)</u>	1,522.91
			TOTAL	<u>\$ 431,058.03</u>

1220	Central Basin MWD	Invoice No. USGV-FEB24, Purchase of 0.7 AF of Recycled Water in January 2024 <i>(Previously paid 04/02/24)</i>	\$ 535.93
1221	City of Industry City Hall	Invoice No. FEB24O&M, O&M Cost Reconciliation for Jul - Dec 2023	42,143.55
1222	City of Industry City Hall	Invoice No. R02292024-D, Purchase of 1.7 AF of Recycled Water in February 2024	633.00
1223	City of Industry City Hall	Invoice No. R02292024-E, CIP Charge for February 2024 @ \$98 per AF	166.60
1224	Metropolitan Water District	Invoice No. 11427, Purchase of 135.2 AF of Treated Water in February 2024	165,881.20
1225	San Gabriel Valley MWD	Invoice No. 562, 46.41 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in February 2024 @ \$220 per AF	10,210.20
1226	Suburban Water System	Invoice No. 6754, Phase IIB Normal Operating Charge, March 2024	<u>1,836.55</u>
TOTA			\$ <u>221,407.03</u>