

**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. – February 9, 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 February 9, 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; Martin Koczanowicz, District Counsel; Jenny Savron, Consulting Engineer; Evelyn Rodriguez, Director of Finance and Administration; Patty Cortez, Director of Government and Community Affairs; Venessa Navarrette, Executive Assistant; Ruben Gallegos, Project Assistant; and Jennifer Aguilar, Water Use Efficiency Analyst.

**OTHERS PRESENT**

Anteneh Tesfaye, Anthony Alberti, Cris Fealy, Cynthia Sternquist, Dan Arrighi, Dave Michalko, David Muse, Ted Gerber, Jared Macias, Javier Vargas, Jazmin Lopez, Jeff Helsley, Jorge Marquez, Lynda Noriega, Paul Zampiello, Roy Frausto, Stephanie Moreno, Tara Robinson, Lenet Pacheco, Jose Martinez and Tony Zampiello.

**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**

Cynthia Sternquist, Mayor Pro Tem for Temple City, and the General Manager discussed the next public hearing currently scheduled to be held on Wednesday, February 23<sup>rd</sup>.

Ms. Sternquist requested for a short discussion of public comments received regarding redistricting. Legal Counsel stated that extensive board discussion of an item not included in the current agenda would be a violation of the Brown Act.

The General Manager clarified that public comments regarding the redistricting item have been and will continue to be received up until the morning of the district's next public hearing.

The Executive Assistant read into record the public comments submitted by the following persons in advance of the board meeting. Copies of the written comments are also included as Attachment 2 to the minutes.

- Brian Cook, City Manager of Temple City, requesting to keep the current district boundaries.
- Cynthia Sternquist, Mayor Pro Tem for Temple City, requesting to keep the current district boundaries.

- Johanna Bennet, resident of Temple City, requesting to keep the current district boundaries.
- Sho Tay, Mayor for the City of Arcadia, requesting to keep the current district boundaries.

## COMMITTEE REPORTS

Next scheduled committee meeting dates are as follows:

- (a) Administration and Finance – March 1, 2022 at 4:00 p.m.
- (b) Water Resources and Facility Management – March 2, 2022 at 4:00 p.m.
- (c) Government Affairs and Community Outreach – March 7, 2022 at 4:00 p.m.

## CONSENT CALENDAR

Director Fellow moved to approve Consent Calendar items (a) through (h). Director Garcia 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 public hearing and regular meeting of the Board of Directors held on January 26, 2022 at 8:00 a.m.
- (b) List of Demands
- (c) Financial Reports – December 2021
  - 1. Financial Statements
  - 2. Quarterly Report on Investments
  - 3. Director's Public Outreach
- (d) Resolution No. 02-22-633, Re-ratifying the Proclamation of a State of Emergency by Governor Newsom and Reauthorizing Remote Teleconference Meetings.
- (e) Execution of Negotiated Tax Exchange Resolution from Annexation of Petition No. 14-221 to County Lighting Maintenance District 1687.
- (f) Amendment of professional services agreement with Accent Computer Solutions, Inc., for information technology (IT) management and support services, extending the term of the agreement to December 31, 2023, and increasing the amount payable by \$100,000 for an overall contract amount not-to-exceed \$400,000.
- (g) Amendment of professional services agreement with Rogers, Anderson, Malody & Scott, LLP, to provide financial audit service for the fiscal years ending June 30, 2022 and 2023, and increasing the amount payable by \$59,970 for an overall contract amount not-to-exceed \$148,040.
- (h) Amendment of professional services agreement with Willdan Financial Services, to provide standby charge administration service for fiscal years ending 2022/23, 2023/24, and 2024/25 and increasing the amount payable by \$54,600 for a total amount not-to-exceed \$108,100.

## AWARD OF CONSTRUCTION CONTRACT FOR UPPER DISTRICT'S TENANT IMPROVEMENT PROJECT

The General Manager provided a brief background on the rebid process and staff's evaluation of the bids, along with the architect and District Counsel's review.

Treasurer Treviño moved to approve the Water Resources and Facility Management Committee's recommendation to:

1. Accept the bid submitted by the lowest responsive bidder, Marjani Builders, Inc., in the amount of \$3,160,000.00 and authorize the General Manager to execute a contract and Notice to Proceed, subject to District Counsel review, to perform the required work; and,
2. Authorize the General Manager to file a Notice of Exemption under CEQA as a categorical exemption for existing facilities.

President Chavez seconded the motion which was 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 working on compliance letters for the district's Water Smart Home Program as well as assisting staff with email correspondence and architect evaluation for the tenant improvement project.

#### **ENGINEER'S REPORT**

Jenny Savron provided a report on hydrologic conditions, basin deliveries, reservoir storage, and rainfall averages. She reported that the Baldwin Park Key Well groundwater elevation has dropped to 182.2 feet as of February 4, 2022, unchanged from the prior week.

She reported that there were no deliveries made in the month of January through USG-3. However, through the San Gabriel Water District pipeline, 2,133 AF of water was delivered to the San Gabriel and Azusa Canyons. She stated that no wells were shut down due to contamination during this time.

The following is a summary of contamination ranges found in samples under Title 22 from 18 wells during December 2021.

<u>Contaminant</u>	<u>Range (ppb)</u>	<u>MCL (ppb)</u>
PCE	ND – 1.1	5*
TCE	ND	5*

A detailed written report was also provided to the Board.

#### **GENERAL MANAGER'S REPORT**

The General Manager reported that the Department of Water Resources increased the State Water Project (SWP) allocation from 0% to 15%. He stated that Metropolitan Water District (Metropolitan) will now review any SWP dependent member agency demands, adding that the additional allocation should carry us through to the end of the calendar year, along with conservation efforts.

He reported on the recent actions taken by Metropolitan's board: 1) approval of an agreement with the State Water Contractors Association for additional transfers; 2) approval of an engineering analysis on some conveyance system improvements that would primarily benefit the City of Los Angeles, Las Virgenes Water District and Calleguas Water District; and 3) approval for the Reverse Cyclic Program, allowing deferral of deliveries to groundwater basins and purchase of water at the current year's rate. He added that under the program, Metropolitan would also make provisions to make water deliveries to maintain basin levels above critical levels.

The General Manager reported that at the producer meeting, staff will provide an update on Metropolitan's proposed budget and rates and that Metropolitan staff will provide a water supply update.

He also congratulated two Upper District staff members for celebrating five years with the agency and commended them for their work.

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

#### **METROPOLITAN REPORT**

Director Fellow reported that Metropolitan's board received the findings of the Shaw Group and that he will update Upper District when further details become available.

He shared the defeat Chairwoman Gloria Gray experienced with Metropolitan's board when they opposed her committee restructure and appointments. He stated that he believes she will continue pursuing these restructuring efforts and expressed his support for the Chairwoman.

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

#### **WATER QUALITY AUTHORITY REPORT**

President Chavez reported that the Water Quality Authority kept the same slate of officers.

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**

Director Fellow congratulated the administrative staff members that celebrated five years of service with the district.

Secretary Garcia echoed Director Fellow in congratulating Upper District's administrative staff members. She then expressed her disappointment towards Metropolitan board members' opposition of Chairwoman Gray's committee restructuring and appointments. Secretary Garcia stated her support for Chairwoman Gray.

Treasurer Treviño shared his concern about residents potentially paying a higher rate for imported water. Although he recognized the momentum Metropolitan's opposition may have created, providing consistent water supply at a modest rate for taxpayers should remain the guidepost for any conclusive decisions.

Vice President Santana expressed her concern on how Metropolitan will address the unprecedented low water supply, rate increments and climate change that impact ratepayers. She also expressed her disappointment towards MWD Board's opposition to Chairwoman Gray's committee appointments. She then commended Director Fellow for his representation and dedication to Metropolitan's board.

Treasurer Treviño provided a brief background on the efforts that culminated in the creation of two new committees at Metropolitan and an independent investigation.

#### **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 February 23, 2022, at 8:00 a.m. via teleconference or the most rapid means of communication available at the time.

**ATTEST**

DocuSigned by:  
  
6823C900AA394A1...

\_\_\_\_\_  
**PRESIDENT**

DocuSigned by:  
  
46FEED837B73443...

\_\_\_\_\_  
**SECRETARY**

**SEAL**

Attachment 1  
Consent Item 6 (b)  
February 9, 2022

Demands numbered 21424 through 21450 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of \$480,905.98 and demands numbered 1018 through 1021 on the Water Fund Account at the same bank in the amount of \$22,165,393.96.

21424	San Gabriel Mission Elementary School	Inv. GRNT 21-22, Water Education Grant FY 2021-22 <i>(Previously Paid 01/12/22)</i>		975.00
21425	San Gabriel Mission Elementary School	Inv. GRNT 21-22A, Water Education Grant FY 2021-22 <i>(Previously Paid 01/12/22)</i>		670.00
21426	Upper District Revolving Payroll Fund	Inv. NOV21, Reimbursement for Payroll and Payroll Taxes for Employees <i>(Previously Paid 01/12/22)</i>		120,677.97
21427	U.S. Bank Corporate Payment System	Inv. DEC 21CT, Cal Card Charges through 11/22/21 <i>(Previously Paid 01/12/22)</i>		1,465.66
21428	Anthony Fellow	Director's Compensation, November 2021 4 Days District Business 4 Days MWD Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld <i>(Previously Paid 01/12/22)</i>	1,020.00 1,020.00 516.87 (500.00) (920.55)	1,136.32
21429	Anthony Fellow	Director's Compensation, December 2021 7 Days District Business 3 Days MWD Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld <i>(Previously Paid 01/12/22)</i>	1,785.00 765.00 516.87 (500.00) (1,021.79)	1,545.08
21430	Ecotech Services, Inc.	Inv. 2113, Water Bottle Fill Station <i>(Board approved 08/07/18. Previously Paid 02/01/22)</i>		42,000.00
21431	Accent Computer Solutions, Inc.	Inv. 149653, IT Management Support, February 2022 <i>(Board approved 10/06/15)</i>		2,876.30
21432	ACI Consulting Corporation	Inv. SQ-000210, Sage Subscription Renewal through 02/26/23		3,070.24
21433	ACWA/JPIA	Inv.0679848, Health Insurance Premium - February 2022		29,404.70
21434	Best Best & Krieger, LLP	Inv. 923602, Lobbying Services through December 31, 2021 <i>(Board approved 12/09/20)</i>		7,500.00
21435	Civic Publications	Inv. 1701, 2020-2021 Annual Report		6,061.00
21436	Ecotech Services, Inc.	Inv. 2153, Water Bottle Fill Station Inv. 2168, Water Smart Home Program <i>(Board approved 08/07/18)</i>	3,000.00 20,092.00	23,092.00
21437	Foothill Technology Center, LLC	Inv. MAR 22LEA, Office Lease - March 2022 <i>(Board approved 04/09/11)</i>		20,751.00
21438	Joey C. Soto	Inv. UD #86, Grant Writing Services, December 2021 <i>(Board approved 08/04/15)</i>		1,072.50
21439	Land's End Business Outfitters	Inv. SIN9771271, District Logo Items		119.98
21440	Olivarez Madrugá Lemieux & O'Neill	Professional Services, December 2021 Inv. 325.001-17796, Transactional Fees Inv. 325.996-17797, Transactional Fees Inv. 325.999-17798, Retainer <i>(Board Approved 05/17/11)</i>	140.00 6,708.50 4,064.00	10,912.50
21441	Stetson Engineers, Inc.	Inv. 2533-189, General Engineering Support Services, December 2021 Inv. 2728-021, Integrated Resources Plan Update, December 2021	27,962.18 1,879.75	29,841.93
21442	Upper District Revolving Payroll Fund	Inv. DEC 21, Reimbursement for Payroll and Payroll Taxes for Employees Inv. DEC 21D-A, Reimbursement for Payroll Taxes for Directors Inv. DEC 21D-B, Reimbursement for Payroll Taxes for Directors	126,871.38 6,717.48 4,449.06	138,037.92

21443	Upper District Revolving Fund	Replenish Revolving Fund Account - January 2022		
		Office Supplies	274.30	
		Computer Systems/Equipment/Maintenance/Insurance/Outside Service	1,245.86	
		Director's Outreach	300.00	
		Meeting/Travel/Conferences/Dues/Assessments/Membership	18.48	
		Telephone/Utilities/Building Maintenance	1,556.29	
		Water Conservation Program Expenses	1,418.99	
		WRP Operation and Maintenance	1,533.68	
		Medical/ODA Reimbursement/Processing Fee/Retirement Plan/Overdeposit	9,431.80	15,779.40
21444	U.S. Bank Corporate Payment System	CalCard Charges through 01/24/21		
		Meetings, Travel, Conferences	907.13	
		Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities	2,579.12	
		Conservation Program Expenses, Education and Outreach	429.95	3,916.20
21445	Willdan Financial Services	Inv. 010-50257, FY 21-22 Services Rendered through December 2021		13,332.62
21446	Jennifer Santana	Director's Compensation, December 2021		
		6 Days District Business	1,530.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	(205.62)	1,341.25
21447	Edward L. Chavez	Director's Compensation, January 2022		
		10 Days District Business	2,550.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(1,617.00)	
		Less Taxes Withheld	(922.78)	527.09
21448	Charles M. Treviño	Director's Compensation, January 2022		
		10 Days District Business	2,550.00	
		Meeting/Travel Expenses/Allowance	453.70	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	(539.01)	1,964.69
21449	Jennifer Santana	Director's Compensation, January 2022		
		6 Days District Business	1,530.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	(205.62)	1,341.25
21450	Katarina M. Garcia	Director's Compensation, January 2022		
		7 Days District Business	1,785.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	(308.49)	1,493.38
			<b>TOTAL</b>	<b>\$ 480,905.98</b>
1018	City of Industry City Hall	Invoice No. DEC-21, Purchase of 14.3 AF of Recycled Water in December 2021		4,247.10
1019	Metropolitan Water District	Invoice No. 10661, Purchase of 242.3 AF of Treated Water and 28,187.7 AF of Untreated Water in December 2021		22,141,377.10
1020	San Gabriel Valley MWD	Invoice No. 536, 90.51 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in December 2021 @ \$200 per AF		18,102.00
1021	Suburban Water System	Invoice No. 6666, Phase IIB Normal Operating Charge, January 2022		1,667.76
			<b>TOTAL</b>	<b>\$22,165,393.96</b>

**Venessa Navarrette**

---

**From:** Bryan Cook <bcook@templecity.us>  
**Sent:** Tuesday, February 1, 2022 1:25 PM  
**To:** Venessa Navarrette; Ruben Gallegos  
**Subject:** Temple City comment regarding February 9th - Public Hearing item Census/Redistricting

Honorable Board Members,

I respectfully write to you again on behalf of the City of Temple City regarding the public hearing item on your February 9th<sup>th</sup> agenda regarding redistricting for the Upper San Gabriel Valley Municipal Water District Board seats.

The City of Temple City would like to respectfully reiterate that we have had a long history of being represented by current district boundaries with both common and diverse communities of interest. Therefore, maintaining the current district boundaries as currently configured will provide both continuity and keep intact long-standing stakeholder relationships and collaboration on issues of City-wide and region-wide significance.

Sincerely,

Bryan Cook  
City Manager  
City of Temple City

**Venessa Navarrette**

---

**From:** Cynthia Sternquist <csternquist@templecity.us>  
**Sent:** Sunday, February 6, 2022 6:39 PM  
**To:** Venessa Navarrette  
**Cc:** Charles Trevino  
**Subject:** Public comment/redistricting

Dear Honorable Directors,

I am writing to ask that you vote to keep the current maps in place. The data that was presented supports the argument that no changes are needed and that to do so would be a waste of taxpayers time and money. Hiring a demographer could cost an excess of \$50,000 that could be utilized in enhancing current outreach programs for all cities that would help support the efforts of the District in its water conservation efforts. As this is the second public hearing, I am hopeful that there will be a discussion on the issue and a vote will be taken to leave the current map in place and make no changes.

Thank you for your consideration and service to our communities.

Sincerely,

Cynthia Sternquist

Mayor Pro-tem

**From:** Johanna Bennett <josie@pacbell.net>  
**Date:** February 8, 2022 at 1:50:04 PM PST  
**To:** venessa@usgymwd.org  
**Subject:** Water district

My name is Johanna Bennett. I am a 44 year resident of Temple City. I am writing to you to ask you to keep the currant map in place that serves upper district residents. In these challenging financial times, I believe it would be irresponsible for the upper district to pay an excess of \$60,000 for a demographer to produce a new map or even have the result of keeping the same map. There would also have to be more public hearings, which have been difficult to find information on, and rush to get those in place before a deadline date sometime in April. The current map in place meets all demographic requirements so why would the district want to expand funds to change what is already working?

Thank you for your time,

Johanna Bennett  
1655 Camellia Ave.  
Temple City, CA

**Venessa Navarrette**

---

**From:** Sho Tay <stay@arcadiaca.gov>  
**Sent:** Thursday, February 3, 2022 4:40 PM  
**To:** Venessa Navarrette  
**Subject:** UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT Boundaries

Dear directors, Fellow, Chavez, Garcia, Santana and Trevino:

I am writing to you in support of keeping the current water districts boundaries as they currently are.

The City of Arcadia is currently going through the redistricting process which caused much confusion and concern with our residents. One of the reason we need to redistricting is because the pollution deviation between the largest and smallest district cannot exceed 10% per Federal Voting Rights Act requirements.

USGVMWD GM reported that the population change between divisions resulted in the average standard deviation decreasing from 2.9% in 2010 to 2.2% in 2020. He explained that this equates to the divisions being more equal in terms of population size at this time. The GM also shared that the current regulations require that the standard deviation be less than 10%, which makes the need to redistrict any of the divisions unwarranted.

**Board Legal Counsel also reported that the current Upper District boundaries meet both state and federal legislation and are fully defensible.**

It would be irresponsible to waste money on something that is unnecessary. That money could be better used to enhance the Districts water conservation education programs.

Sincerely,

Sho Tay  
Mayor | City of Arcadia  
240 W. Huntington Dr. | Arcadia, CA 91007  
(626) 574-5403 | [STay@ArcadiaCA.Gov](mailto:STay@ArcadiaCA.Gov)