

**A REGULAR MEETING
OF THE
SAN GABRIEL BASIN WATER QUALITY AUTHORITY
AUGUST 17, 2022 AT 12:00 P.M.**

With passage and signing of AB 361 and in light of the ongoing Statewide State of Emergency originally declared by Governor Newsom on March 4, 2020, WQA Board Meetings will continue to be conducted via remote teleconferencing, subject to the requirements of Government Code Section 54953(e). Due to the essential nature of the WQA Board Meetings in conducting Authority business, this WQA Board meeting took place online and teleconference.

CALL TO ORDER

The Vice-Chairman called the regular meeting of the San Gabriel Basin Water Quality Authority to order and reviewed the actions anticipated on the agenda for the meeting.

ROLL CALL OF BOARD MEMBERS

Mark Paulson, Bob Kuhn, Lynda Noriega, Michael Whitehead, Ed Chavez, and Robert Gonzales

BOARD MEMBERS ABSENT

Valerie Munoz

STAFF MEMBERS PRESENT

Randy Schoellerman, Executive Director; Stephanie Moreno, Executive Assistant/Outreach Coordinator; Dan Colby, Assistant Executive Director/Senior Project Manager; Mary Saenz, Director of Finance; Michelle Sanchez, Admin/Accounting Assistant; Richard Padilla, Legal Counsel

MEMBERS OF THE PUBLIC PRESENT

None.

MEMBERS OF THE PUBLIC THAT PARTICIPATED VIA ONLINE/TELECONFERENCE

Brian Bowcock, Three Valleys MWD; Lenet Pacheco, Valley County Water District; Denise Dolor, Orchard Dale Water District; Irma Cooper; Interested Party; Jorge Marquez, Resident; Ralph Galvan, Valley County Water District; Jose Martinez, Valley County Water District; Javier Vargas, Valley County Water District; Tara Robinson, Valley County Water District

PUBLIC COMMENT

None.

ITEMS TOO LATE TO BE AGENDIZED

None.

PUBLIC HEARING

“To Receive Comments on the Proposed 2022/2023 Fiscal Year \$12/Acre-Foot Assessment on Those Holding Prescriptive Water Pumping Rights in the San Gabriel Basin”

The Vice-Chairman opened the public hearing. There being no comments, the public hearing was closed.

CONSENT CALENDAR

Mr. Gonzales moved to approve the consent as presented. Mr. Kuhn seconded the motion, and it was approved by the following roll call vote:

AYES: PAULSON, KUHN, NORIEGA, WHITEHEAD, CHAVEZ, GONZALES

NO: NONE

ABSENT: MUNOZ

ABSTENTIONS:

Mr. Whitehead abstained from Project Demand Nos. E91575 and E91603. Ms. Noriega abstained from Project Demand Nos. E91574 and E91602.

COMMITTEE REPORTS

None

OTHER ACTION/INFORMATION ITEMS

Adopt Resolution No. 22-014, A Resolution of the San Gabriel Basin Water Quality Authority Imposing an Annual Prescriptive Right Assessment to Pay for the Authority Budget for Fiscal Year 2022/2023

Mr. Schoellerman reported that it was time to adopt the resolution that imposes the annual assessment to pay for the WQA budget for the fiscal year 2022/2023.

Ms. Noriega moved to adopt Resolution No. 22-014, A Resolution of the San Gabriel Basin Water Quality Authority Imposing an Annual Prescriptive Pumping Right Assessment to Pay for the Authority Budget for the Fiscal Year 2022/2023. Mr. Kuhn seconded the motion, and it was adopted by the following roll call vote:

AYES: PAULSON, KUHN, NORIEGA, WHITEHEAD, CHAVEZ, GONZALES

NO: NONE

ABSENT: MUNOZ

Adopt Resolution No. 22-015, A Resolution of the San Gabriel Basin Water Quality Authority Commending Jorge Marquez

Mr. Gonzales moved to adopt Resolution No. 22-015 commending Jorge Marquez. Mr. Whitehead seconded the motion, and it was adopted by the following roll call vote:

AYES: PAULSON, KUHN, NORIEGA, WHITEHEAD, CHAVEZ, GONZALES

NO: NONE

ABSENT: MUNOZ

Many members of the Board commended Mr. Marquez for his

service to the WQA Board and wished him well on his future endeavors.

*Discussion Regarding 2nd Quarter
2022 Cash Report*

Ms. Saenz reported that the LAIF quarterly rate for April through June 2022 is 0.75% with interest paid on July 15, 2022 of \$12,202.81.

*Discussion/Action Regarding
Special Election for Alternate Seat
Representing Cities With
Prescriptive Pumping Rights*

Mr. Schoellerman reported that the Alternate Seat Representing Cities With Pumping Rights has become vacant. He indicated that according to the WQA enabling act, a special election is to be held to fill the vacancy for the remainder of the term. He noted that staff has drafted an election schedule that was included in the agenda packet for review.

Mr. Kuhn asked if there was anything in our legislation that stated when we have to hold the election for a vacancy.

Mr. Schoellerman commented that there is nothing that states how soon we have to hold one, only that we do have to fill the vacancy with a special election.

Mr. Gonzales moved to approve the special election schedule as presented. Ms. Noriega seconded the motion and it was approved by the following roll call vote:

AYES: PAULSON, KUHN, NORIEGA, WHITEHEAD,
CHAVEZ, GONZALES

NO: NONE

ABSENT: MUNOZ

*Discussion/Action Regarding WQA
Meeting Format*

The Vice-Chairman requested that this item be tabled until the next Board meeting.

*Discussion and Potential Action to
Approve Second Amendment to
Executive Director Employment
Agreement*

- 1. Approve the finalized
second amendment to
employment agreement*
- 2. Authorize the Board
President to execute the
written agreement on behalf
of the authority*

Mr. Padilla reported that on April 16, 2020, WQA and Mr. Schoellerman executed an employment agreement affirming Mr. Schoellerman's appointment as the Authority's Executive Director and setting forth the various terms of his employment. The Master Agreement was subsequently amended in June of 2021, following an annual performance evaluation, to extend the term of the Master Agreement and to adjust Mr. Schoellerman's annual base salary and severance. He reported for the year 2022, the Authority's governing board of directors established an ad hoc committee tasked with coordinating the completion of Mr. Schoellerman's 2022 evaluation and making recommendations as to any adjustments to compensation following the completion of the evaluation. The Board completed Mr. Schoellerman's 2022 evaluation at a Special Meeting held August 11, 2022. He noted the following modifications to Mr. Schoellerman's employment agreement were recommended following the conclusion of this year's evaluation:

- 15% increase to Mr. Schoellerman’s annual base salary such that the salary will increase from \$230,000 per year to \$264,500 per year.
- That the Board pay for Mr. Schoellerman’s participation in professional development programs and seminars subject to Board approval.

He lastly noted that as required by Government Code Sections 53262, 54953(c)(3) and 54956, the Second Amendment must be approved in open session of a Regular Meeting of the Authority’s governing Board of Directors.

Mr. Kuhn moved to approve the finalized the second amendment to the employment agreement and authorize the Board President to execute the written agreement on behalf of the authority. Mr. Whitehead seconded the motion, and it was approved by the following roll call vote:

AYES: PAULSON, KUHN, NORIEGA, WHITEHEAD, CHAVEZ, GONZALES

NO: NONE

ABSENT: MUNOZ

PROJECT REPORTS

Mr. Colby reported the WQA has been meeting regularly with the Department of Toxic Substances Control (DTSC) and L.A. Regional Water Quality Control Board (RWQCB) regarding the Aerojet Site in the South El Monte Operable Unit (SEMOU) where Aerojet was under a voluntary cleanup order. He indicated that DTSC has since rescinded that order has issued a corrective action consent agreement with an execution date of August 26, 2022. Regarding WQA’s Proposition 1 SEMOU site investigation grant, he reported that all 12 site work plans and summaries have been submitted to the RWQCB and the Department of Financial Assistance. Finally, he reported that the SEMOU Cooperative Agreement with the United States Environmental Protection Agency has been extended for another year until August of 2023.

ATTORNEY’S REPORT

None.

LEGISLATIVE REPORT

None.

EXECUTIVE DIRECTOR’S REPORT

Mr. Schoellerman thanked the Board for approving the amendment to his employment agreement and noted his appreciation for the constructive comments provided during his review. He reported that staff is still working on a new agreement with the U. S. Bureau of Reclamation to access the \$10M for the San Gabriel Basin Restoration Funds authorized in the FY22 federal budget. He indicated that there are new requirements that must be incorporated into all federal grant

agreements. He reported that staff was working on the new round of Federal Funding Program Administration and anticipated to open it up for applications in early September. He also reported that the new \$10M request was included in the House's FY23 budget, which it passed in July, and it is included in the Senate's draft budget. He noted that U.S. Bureau of Reclamation Commissioner and Congresswoman Napolitano were holding an event at the Sanitation District on August 18, 2022, at 1:30pm. He also reminded the Board that Congresswomen Chu and Napolitano have scheduled a check presentation with the WQA on August 25, 2022, at 2pm at South Pasadena's Wilson treatment facility. He reported that AB 2163 was on the Senate floor awaiting to be voted on. Finally, he reported that the office upgrades would begin on August 19, 2022 and should be completed by September 1, 2022.

FUTURE AGENDA ITEMS

Discussion/Action Regarding WQA Meeting Format.

FUTURE BOARD AND COMMITTEE MEETINGS

The next Administrative/Finance Committee meeting was scheduled for Tuesday, September 13, 2022, at 10 a.m.

The next Legislative/Public Information Committee meeting was scheduled for Wednesday, September 14, 2022, at 11:00 a.m.

The next WQA Board meeting is scheduled for Wednesday, September 21, 2022, at 12:00 p.m.

CLOSED SESSION

- (a) Closed Session Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation
Title: Executive Director

A closed session was not held.

- (b) Closed Session Pursuant to Government Code Section 54957.6 – Confer with Labor Negotiator
Unrepresented Employee: Executive Director
Authority's Negotiator: Richard Padilla, General Legal Counsel

BOARD MEMBERS' COMMENTS/REPORTS

Mr. Kuhn commented on the check presentation by Congresswomen Chu and Napolitano and noted that this was long time coming and commended staff on their work to secure the \$10M.

Mr. Whitehead concurred with Mr. Kuhn and indicated that we have much more to do. He also commended Mr. Schoellerman on a job well done.

Ms. Noriega commended the work that has been done to bring the funding into the San Gabriel Valley and congratulated Mr. Schoellerman on his employment agreement.

Mr. Gonzalez thanked Mr. Schoellerman for his hard work.

Mr. Chavez congratulated Mr. Schoellerman and encouraged him to keep up the great work.

Mr. Paulson congratulated Mr. Schoellerman and commended him and the WQA staff.


Ms. Noriega requested that the meeting be adjourned in the memory of Mr. Chavez's father who had passed away.

ADJOURNMENT

The Vice-Chairman asked if there were any other items of business to come before the Board. There being none, the meeting was adjourned in memory of Abenicio P. Chavez, who survived by his wife of 77 years of marriage. Mr. Chavez was the youngest of his 7 children.



Valerie Munoz
Chairwoman



Bob Kuhn
Secretary