

**A REGULAR MEETING  
OF THE  
SAN GABRIEL BASIN WATER QUALITY AUTHORITY  
JANUARY 18, 2023 AT 12:00 P.M.**

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*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.*

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<b>CALL TO ORDER</b>	The Chairwoman 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.
<b>ROLL CALL OF BOARD MEMBERS</b>	Valerie Munoz, Mark Paulson, Bob Kuhn, Lynda Noriega, Michael Whitehead, Ed Chavez, and Robert Gonzales
<b>BOARD MEMBERS ABSENT</b>	None
<b>STAFF MEMBERS PRESENT</b>	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
<b>MEMBERS OF THE PUBLIC PRESENT</b>	None.
<b>MEMBERS OF THE PUBLIC THAT PARTICIPATED VIA ONLINE/TELECONFERENCE</b>	Gabriel Monares, The Monares Group; Steve Kiggins, San Gabriel Valley Municipal Water District; David Muse, Valley County Water District; Robert Di Primio, San Gabriel Valley Water Company; Oscar Ramos; San Gabriel Valley Water Company; Marty Zivirbulis San Gabriel Valley Water Company; Kelly Gardner, Watermaster; Don Nguyen, City of El Monte; Mathew Kun, Covina Irrigating Company; Javier Vargas, Valley County Water District; Che Venegas; California Domestic Water Company; Tony Zampiendo, Watermaster; Antenah Tesfaye, City of South Pasadena; Ben Lewis, California American Water; Chisom Obegolu, City of Glendora; Paul Cramer, City of Arcadia; Roy Frausto, La Puente County Water District; Jasmine Leos, Valley County Water District; Raymond Cardoza, City of Whittier Victor Magana, City of South Pasadena; Jose Martinez, Valley County Water District; Tara Robinson, Valley County Water District
<b>PUBLIC COMMENT</b>	None.
<b>ITEMS TOO LATE TO BE</b>	None.

## AGENDIZED

### ELECTION OF OFFICERS

Ms. Munoz moved to elect Mr. Paulson as Chairman. Mr. Kuhn seconded the motion.

Ms. Munoz moved to elect Ms. Noriega as Vice-Chairwoman. Mr. Whitehead seconded the motion.

Ms. Munoz moved to elect Mr. Whitehead as Treasurer. Mr. Gonzales seconded the motion.

Ms. Noriega moved to elect Ms. Munoz as Secretary. Mr. Gonzales seconded the motion.

All motions were approved by the following roll call vote:

AYES: MUNOZ, PAULSON, KUHN, NORIEGA,  
WHITEHEAD, CHANVEZ, GONZALES

NO: NONE

ABSTAIN: NONE

### APPOINTMENT OF COMMITTEE MEMBERS

The Chairman requested that the committee appointments remain the same as the previous year.

Administrative/Finance Committee Members:  
Michael Whitehead, Lynda Noriega, and Mark Paulson

Legislative/Public Information Committee Members:  
Valerie Munoz, Bob Kuhn, and Robert Gonzales

### WORKSHOP

#### ***“Proposed Pumping Right Assessment Limitation Adjustment”***

Mr. Schoellerman reported that with the extension of the WQA to July 1, 2050, it was appropriate to review WQA’s \$10/acre-foot (AF) assessment limit to assure sufficient funding capacity moving forward. He noted that this discussion should not be confused with the actual assessment that the WQA Board adopts annually, and this discussion is not about raising the current assessment of \$12/AF.

He reported that the assessment is WQA’s sole source of income and is assessed on prescriptive pumping right holders within the Main San Gabriel Basin administered by the Watermaster. He indicated that the maximum assessment WQA can impose is set by legislation, but the actual annual assessment is adopted by WQA Board of Directors.

He reported that currently under existing section 605 of the WQA act, WQA may not impose an assessment that exceeds \$10/acre-foot. He indicated that this limitation was established in 2003 and has not been updated for 20 years. He noted that

the assessment is based on a fixed amount of prescriptive pumping rights.

He reported that staff has proposed to modify the act to change the limitation from \$10 to \$20/AF. He noted that this legislation is expected to be introduced any day now by Assemblymember Rubio.

He indicated that the proposed changes to the legislation would provide for additional clarity and transparency going forward. He also noted that it would provide an acceptable future assessment capacity for sustaining WQA's mission and goals.

Mr. Kuhn asked how staff came up with \$20/AF as the maximum.

Mr. Schoellerman commented that staff updated its assessment projections and determined that \$20/AF would be supportive of the agencies mission and goals.

Mr. Kuhn expressed his concern with the assessment capacity going forward.

Mr. Paulson commented that WQA needs to continue to watch inflation moving forward.

Ms. Noriega commented that the San Gabriel Valley Water Association originally raised concerns regarding the inflation escalator in the WQA Act. She state that with the recent extension of WQA's sunset date it is prudent to reevaluate its current assessment cap limitation. She expressed that staff did a thorough job in its evaluation of future assessment use. She noted that with additional federal funds coming in it will stabilize the assessment going forward for the time being.

## **CONSENT CALENDAR**

Mr. Paulson moved to approve the consent calendar as presented. Ms. Noriega seconded the motion, and it was approved by the following roll call vote:

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

NO: NONE

ABSENT: NONE

ABSTENTIONS:

Mr. Whitehead abstained from Project Demand Nos. E91749.  
Ms. Noriega abstained from Project Demand No. E91748.

## **COMMITTEE REPORTS**

None.

## **OTHER**

**ACTION/INFORMATION  
ITEMS**

*Discussion Regarding Report on  
Cash and Investments for 4<sup>th</sup>  
Quarter 2022*

Ms. Saenz reported that WQA holds its investment funds at the Local Agency Investment Fund (LAIF). The average monthly effective yield for the Pooled Money Investment Account (PMIA)/LAIF for October and November is 1.772% and 2.007%, respectively. She noted that the yield for December has not yet been reported. She also noted that the LAIF quarterly rate for October through December 2022 has not yet been issued.

*Adopt Resolution No. 23-002,  
Authorizing Board Officers to  
Contract for Services with Bank of  
the West*

Ms. Saenz reported that the Bank requires WQA adopt a resolution each time Board Officers are elected, authorizing the Board Officers to contract for service and establish accounts with the Bank, including checking signing authorization. Last year at the January 19, 2022, board meeting Resolution 22-002 was adopted, authorizing the newly elected Board Officers to contract for service with the Bank. She indicated that a draft resolution was enclosed with the agenda listing the Board's officer positions, but not the officers' names. She noted that once the election has taken place, the resolution will be updated with the information for the newly elected Board Officers.

After brief discussion, Ms. Noriega moved to adopt Resolution No. 23-002. Ms. Munoz seconded the motion, and it was adopted by the following roll call vote:

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

NO: NONE

ABSENT: NONE

*Draft San Gabriel Basin  
Groundwater Quality Management  
and Remediation Plan "§406  
Plan" for 2023*

Mr. Colby reported that Section 406 of WQA's enabling act requires the WQA to develop and adopt a basin wide groundwater quality management and remediation plan. He indicated that each year staff updates the §406 Plan and releases it for public comment prior to the Board adopting it. He noted that a proposed public review and board adoption scheduled was included in the agenda packet.

- *Open of 30-day Public  
Comment Period*

After brief discussion, Mr. Kuhn moved to open a 30-day public comment period. Ms. Noriega seconded the motion, and it was approved by the following roll call vote:

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

NO: NONE

ABSENT: NONE

**PROJECT REPORTS**

Mr. Colby reported that the South El Monte Operable Unit (SEMOU) Technical Meeting was held the previous day. He indicated that the city of Monterey Park was close to obtaining its 97-005 permit. He also reported that staff has executed 10 of the 12 access agreements related to the Proposition 1 SEMOU Regional Site Investigation Grant.

**ATTORNEY'S REPORT**

None.

**LEGISLATIVE REPORT**

Mr. Monares reported that he attended Senator Padilla's swearing in ceremony in Washington, DC. He also reported that it was early in the year and was waiting for the new legislative bills to drop.

Mr. Kuhn asked if the most recent \$10M that the WQA received from the Federal government was considered an earmark.

Mr. Monares commented that yes it was, and he anticipated that earmarks will be in place going forward.

**EXECUTIVE DIRECTOR'S REPORT**

Mr. Schoellerman reported that staff received confirmation on another \$10M for the Restoration Fund. He indicated that staff intends to revisit the Federal Funding Program Administration Awards that were given out in December 2022. He reported that the Gualco Group has scheduled their Bear Flag Legislative event on March 1, 2023, in Sacramento. He thanked Ms. Munoz for her service as Chairwoman and congratulated Mr. Paulson on his election as Chairman.

**FUTURE AGENDA ITEMS**

None.

**FUTURE BOARD AND COMMITTEE MEETINGS**

The next Legislative/Public Information Committee meeting was scheduled for Wednesday, February 8, 2023, at 11:00 a.m.

The next Administrative/Finance Committee meeting was scheduled for Tuesday, February 14, 2023, at 10 a.m.

The next WQA Board meeting is scheduled for Wednesday, February 22, 2023, at 12:00 p.m.

**CLOSED SESSION**

***Closed Session Pursuant to Government Code Section 54956.9(d)(4)***

***– Conference with Legal Counsel – Anticipated Litigation – One (1) potential matter***

**RECONVENE OPEN SESSION**

Mr. Padilla reported that the Board met in closed session where and update was provided. He noted that there was no

reportable action.

**BOARD MEMBERS'  
COMMENTS/  
REPORTS**

Ms. Munoz thanked everyone for their support while she was Chairwoman.


Mr. Gonzales wished everyone a happy new year.


Mr. Whitehead congratulated Mr. Paulson on becoming the WQA Chairman and thanked Ms. Munoz for her service as Chairwoman.

Mr. Paulson reported that Thomas Wong has resigned from the San Gabriel Valley Municipal Water District Board because he was elected to the Monterey Park city council, and that the District Board appointed Mike Eng to fill the remaining two years of his seat.

**ADJOURNMENT**

The Chairwoman asked if there were any other items of business to come before the Board the meeting was adjourned to February 22, 2023.

  
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Mark Paulson  
Chairman

  
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Valerie Munoz  
Secretary