

**A REGULAR MEETING  
OF THE  
SAN GABRIEL BASIN WATER QUALITY AUTHORITY  
MARCH 22, 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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**CALL TO ORDER**

The 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, Lynda Noriega, Valerie Munoz, Michael Whitehead, Bob Kuhn, Ed Chavez, and Jeffery Maloney (Alternate)

**BOARD MEMBERS ABSENT**

Robert Gonzales

**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; Jackie Montgomery, Admin/Accounting Assistant; Michelle Sanchez, Admin/Accounting Assistant; Richard Padilla, Legal Counsel

**MEMBERS OF THE PUBLIC PRESENT**

Gabriel Monares, The Monares Group

**MEMBERS OF THE PUBLIC THAT PARTICIPATED VIA ONLINE/TELECONFERENCE**

Lenet Pacheco, Valley County Water District; Garry Hofer, California American Water Company; Jessica Taylor, California American Water Company; Chris Lancaster, Civic Publications

**PUBLIC COMMENT**

None.

**ITEMS TOO LATE TO BE AGENDIZED**

None.

**LEGISLATIVE WORKSHOP**

*The Gulaco Group  
Kadesh & Associates  
The Monares Group*

Mr. Gualco thanked the WQA for being a co-Sponsor of the Bear Flag Republic Seminar and Reception. He indicated the event went well and was attended by many legislators and staff. He reported that Sacramento is adjusting from a budget surplus to a deficit. He reported that the WQA bill AB 279 is moving forward. He noted that it passed out of its first Assembly committee hearing unanimously and is set to be

heard on the Assembly floor very soon. He indicated that the bill should go to the Senate Environmental Quality Committee sometime in April. Finally, he reported that the Board and staff begin considering what WQA's future needs are so they can be included in the forthcoming Climate Natural Resources Bond.

Mr. Kuhn asked if there was anything specific the WQA needs to do to qualify for the Bond.

Mr. Gualco replied that it is essential that WQA be very specific on what level of funding is needed and its use.

Mr. Monares commented that historically what we have done is determine what the San Gabriel Valley needs are and express those needs to San Gabriel Valley Legislative Caucus. The Caucus then advocates those needs be included in any upcoming Bond.

Ms. Noriega commented that given the current state of the deficit, we at the very least have to attempt to get what we can.

Mr. Whitehead commented that we need to be at that table like we have been in the past.

Mr. Maloney asked how much funding was in Prop 68 and how much was WQA awarded.

Mr. Schoellerman replied that ultimately Prop 68 made \$80M available for certain treatment and remediation projects across the state. He indicated that after applying to the WQA received \$35M. He added that there was about \$27M that remained unallocated so there may be some additional funding available.

Mr. Chavez commented that WQA should focus on their needs because it is going to be a challenge getting a water Bond passed considering how much rain we have received recently.

Mr. Kierig from the Kadesh & Associates reported that he just received word from Senator Feinstein's office that she would be putting in a FY 2024 budget request for additional Restoration Funds for the WQA. He noted that the Congress will continue with earmarks despite the change in House leadership. He also reported that they have been working with Congresswoman Napolitano's office to increase the authorization of the San Gabriel Basin Restoration Fund.

Mr. Schoellerman asked for clarification on the different budget levels between the house and the senate and if they were still focused on moving ahead with the appropriations.

Mr. Kierig commented that it was fair to say that they were both moving forward. He noted that because we have an

authorized project in an earmarkable account keeps us in good shape. He also noted that it was unclear how the budget battle will be resolved.

Mr. Schoellerman asked Mr. Kierig if he felt that WQA should make arrangements for its annual visit to Washington, D.C. to meet with legislators.

Mr. Kierig commented that it was up to the Board if they would like to attend meetings with the legislators in-person or via Zoom. He noted that many of the legislators have been very receptive to Zoom meetings.

Mr. Kuhn commented that Senator Feinstein will not be seeking reelection and it would be a good time to start engaging with Senator Padilla and get him more familiar with the WQA.

Mr. Schoellerman commented that we would like to get Senator Padilla out here for a briefing and tour as soon as he is available.

## **CONSENT CALENDAR**

Ms. Munoz moved to approve the consent calendar as presented. Ms. Noriega seconded the motion, and it was approved with the following abstentions:

Mr. Whitehead abstained from Project Demand Nos. E91811.

Ms. Noriega abstained from Project Demand No. E91810.

## **COMMITTEE REPORTS**

### ***Legislative/Public Information Committee***

Mr. Schoellerman reported that the minutes for the committee meeting were enclosed for review. He noted that staff was working on an advertorial for Earth Day.

### ***Administrative/Finance Committee***

Mr. Schoellerman reported that the minutes for the committee meeting were enclosed for review.

### ***Discussion/Action Regarding Board of Directors Cost of Living Adjustment ("COLA") for Fiscal Year 2023-2024***

Ms. Saenz reported that each year at this time the Board considers a cost-of-living (CPI) adjustment for the daily stipend per WQA procedures. She reported that staff presented this to the Administrative/Finance Committee on March 14<sup>th</sup>. She indicated that the Administrative/Finance Committee recommended increasing the board stipend by \$7.00, from \$150.00 per meeting to \$157.00 per meeting and requested that it go to the full Board for discussion.

Mr. Whitehead commented while he feels that the modest increase may be appropriate because the board members do put in a good deal of time and deserve to be compensated, however, the optics were not right to approve a Board stipend increase while the WQA is currently working to pass legislation to increase the limitation on the assessment.

After detailed discussion, the Board did not take any action on this item.

*Discussion/Action Regarding How  
WQA Committee Meetings are  
Classified*

Mr. Schoellerman reported that Assembly Bill 2449 effectively creates four periods with differing options for remote access to, and member attendance of, local agency public meetings under the Ralph M. Brown Act (Brown Act). He noted that On December 21, 2022, the WQA Board approved Procedure No. 43 Teleconferencing Policy. This policy affirms the WQA's acknowledgment of the requirements and restrictions set forth under the Brown Act (Government Code Section 54950 et seq.) that permit members of legislative bodies to participate remotely (via teleconference) for meetings of such bodies. He reported that in order to distinguish between Board meetings and Committee meetings as distinct legislative bodies, and to improve compliance with AB2449 and Procedure No. 43, a re-classification of Committee meetings is recommended. He indicated that the Administrative/Finance committee recommended that the WQA no longer classify committee meetings as "Joint Special Meetings", and that the full Board discuss if non-committee board members may continue to receive compensation if they attend a WQA Committee meeting.

Ms. Munoz asked if there was a desire to hold all of the committee meetings on one day instead of two different days. She indicated that she would like to discuss this further at the Legislative/Public Information Committee when Board Member Gonzales is present for the discussion.

Mr. Whitehead commented that the intent behind combining the meetings was to encourage board members especially new board members to participate and get up to date with WQA activities and he believes it to be beneficial to have non-committee members attend and participate. He commented that it was important to consider the benefits of inviting non-committee members to attend committee meetings and compensating them for it because the benefits out way the cost.

Ms. Noriega agreed with many of the comments and agreed that it was important to encourage participation and it could be done by offering compensation. She also commented that compensation should be offered to non-committee members to attend committee meetings in person or via Zoom.

Mr. Paulson asked if a board member would like to be compensated for attending a meeting, shouldn't they attend in person rather than Zoom.

Ms. Noriega commented that compensation has been given for the past three years for attending via Zoom and she didn't feel that attending a meeting via Zoom now is any different.

Mr. Chavez commented that most of the real work is done at the committee level and participation is important whether it is in person or via Zoom.

After detailed discussion, Ms. Munoz moved to no longer classify committee meetings as “Joint Special Meetings”. Ms. Noriega seconded the motion, and it was unanimously approved.

Mr. Whitehead moved to direct staff to bring back an amended policy that would allow board members to receive compensation for attending committee meetings in person or via zoom that they are not a member of.

Ms. Munoz commented that the Legislative/Public Information Committee members will discuss changing the meeting day at their next meeting.

**OTHER  
ACTION/INFORMATION  
ITEMS**

None.

**PROJECT REPORTS**

Mr. Colby reported that the staff expects to send out FFPA Award Letters this week. He anticipates that the first reimbursement will be given out at the April Board meeting. He reported that if WQA is successful in securing \$10M for FY 2024 from the Federal requests, that staff will have to hold another credit building exercise to build additional credit to maximize future Restoration Fund awards. He lastly noted that WQA did receive a preliminary award letter for the Proposition 1 Round 3 for the Whitmore Street Groundwater Remediation Facility expansion. It is a \$1.8M grant that requires a 50% match and staff is working with the Division of Financial Assistance to access the funds.

**ATTORNEY’S REPORT**

Mr. Padilla reported that the PFAS litigation lawsuit has been filed on March 17, 2023. He indicated that staff would have a copy of the complaint if any of the Board Members would like a copy for review.

**LEGISLATIVE REPORT**

None

**EXECUTIVE DIRECTOR’S  
REPORT**

Mr. Schoellerman reported that EPA announced a draft MCL for PFAS at 4ppt. He reported that the Coalition for Environmental Restoration and Development group has been discussing improving the state’s method of establishing regulations of emerging contaminants with DDW including PFAS. He reported that he provided a brief presentation to the City of Irwindale among with Director Gonzales on March 22nd. He noted the initial budget review and draft budget schedule were reviewed at the Admin/Finance committee meeting on March 14<sup>th</sup>, and that a full review of the budget with 5-year projections was scheduled for the April 11<sup>th</sup>

Admin/Finance committee meeting. He lastly reported that staff along with the San Gabriel Valley Water Company provided a tour of the B6 treatment facility on Monday for Three Valleys Director Hanlon and his Whittier College class of students along with Director Bob Kuhn.

**FUTURE AGENDA ITEMS**

None.

**FUTURE BOARD AND COMMITTEE MEETINGS**

The next Administrative/Finance Committee meeting was scheduled for Tuesday, April 11, 2023, at 10 a.m.

The next Legislative/Public Information Committee meeting was scheduled for Wednesday, April 12, 2023, at 11:00 a.m.

The next WQA Board meeting was scheduled for Wednesday, April 19, 2023, at 12:00 p.m.

**CLOSED SESSION**

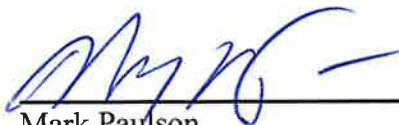
None.

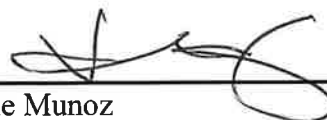
**BOARD MEMBERS' COMMENTS/ REPORTS**

Mr. Maloney commented that it was nice to meet everyone.

**ADJOURNMENT**

The Chairman asked if there were any other items of business to come before the Board the meeting was adjourned to April 19, 2023.

  
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Mark Paulson  
Chairman

  
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Valerie Munoz  
Secretary