

**A REGULAR MEETING
OF THE
SAN GABRIEL BASIN WATER QUALITY AUTHORITY
AUGUST 16, 2023 AT 12:00 P.M.**

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.
REMOTE PARTICIPATION DECLARATION – Ab 2449	None.
ROLL CALL OF BOARD MEMBERS	Mark Paulson, Lynda Noriega, Margaret Clark (alternate), Robert Gonzales, Bob Kuhn, Ed Chavez, and Robert DiPrimio
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; Jackie Montgomery, Admin/Accounting Assistant; Michelle Sanchez, Admin/Accounting Assistant; Richard Padilla, Legal Counsel
MEMBERS OF THE PUBLIC PRESENT	Gabriel Monares, The Monares Group and Greg Galindo, Suburban Water Systems
MEMBERS OF THE PUBLIC THAT PARTICIPATED VIA ONLINE/TELECONFERENCE	Chris Lancaster, Civic Publications; Jody Roberto, Three Valleys MWD; Garry Hofer, California American Water; Lenet Pacheco, Valley County Water District; Steve Kiggins, San Gabriel Valley MWD; Mike Phillips, California American Water; Jose Martinez, Valley County Water District
PUBLIC COMMENT	None.
ITEMS TOO LATE TO BE AGENDIZED	None.
PUBLIC HEARING	
<i>To Receive Comments on the Proposed 2023/2024 Fiscal Year \$12.00/Acre-Foot Assessment on the Those Holding Prescriptive Pumping Rights in the San Gabriel Basin</i>	The Chairman opened the public hearing to receive comments. There being none, the public hearing was closed.
CONSENT CALENDAR	Mr. Kuhn moved to approve the consent calendar as presented.

Mr. Gonzales seconded the motion, and it was approved with the following abstentions:

Mr. DiPrimio abstained from Project Demand Nos. E91933 and E911956. Ms. Noriega abstained from Project Demand Nos. E91934 and E91957.

COMMITTEE REPORTS

Administrative/Finance Committee

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

Discussion Regarding Updates to WQA Election Procedures

Ms. Moreno reported that staff has reviewed the WQA election procedures for the City Members and has recommended some updates. She indicated that the first update aims to modernize the nomination and voting process by allowing members to submit nominations and cast votes via email. She reported that the second update was to incorporate the language regarding how to fill a vacancy pursuant to SB 413 enacted in 2019. She indicated that all the text that is italicized indicates language that was included by staff and all the text that was in regular (non-italicized) font was language taken straight from WQA's enabling act. She noted that the Administrative/Finance Committee recommended approval of the updates to the WQA election procedures.

After brief discussion, Mr. DiPrimio moved to approve the updates to the WQA election Procedures. Mr. Gonzales seconded the motion and it was approved.

OTHER ACTION/INFORMATION ITEMS

Discussion Regarding 2nd Quarter 2023 Cash Report

Ms. Saenz reported that enclosed with the agenda was the quarterly report on cash and investments as of June 30, 2023. She noted that the LAIF quarterly rate for April to June 2023 is 3.15%, with interest income of \$121,919 for the quarter.

Adopt Resolution No. 23-009

Mr. Gonzales moved to adopt Resolution No. 23-009, A Resolution Of The San Gabriel Basin Water Quality Authority Imposing An Annual Prescriptive Pumping Right Assessment To Pay For The Authority Budget For Fiscal Year 2023/2024. Ms. Noriega seconded the motion and it was adopted by the following roll call vote:

AYES: PAULSON, NORIEGA, CLARK (alternate),
GONZALES, KUHN, CHAVEZ, DIPRIMIO

NO: NONE

ABSTAIN: NONE

Discussion/Action Regarding

Mr. Schoellerman reported that the monitoring well MW5-05

Monitoring Well MW5-05 Access Agreement Extension with the Baldwin Park Unified School District

was constructed in 1995 within BPUSD's Kenmore Annex Adult Education Center parking lot located at 3818 Monterey Avenue in Baldwin Park. He indicated that the current access agreement was executed in 2013 and allows for two consecutive ten-year extensions upon request. Therefore, there is still a need to have access to the well for the BPOU groundwater monitoring program so staff is recommending extending the agreement for another ten years. The cost is \$1 per year and is reimbursable under the BPOU Agreement.

After some discussion, Mr. Kuhn moved to approve the ten-year extension of Monitoring Well MW5-05 site lease agreement with the Baldwin Park Unified School District. Mr. Gonzales seconded the motion, and it was approved.

PROJECT REPORTS

Mr. Colby reported that in the Prop 1 Site Investigation they are currently investigating the 11th property. He indicated that there has been contact made with the owner of the former Barry Zwahlin property and will meet in September to do site walk and execute the access agreement. He reported that there was a fire at the Whitmore Street Project. He also reported that Aerojet has to resubmit the corrective measure study by September 8th. He noted that the corrective measure study is due on November 24th and will be collecting additional data to amend the human health risk assessment.

ATTORNEY'S REPORT

Mr. Padilla reported that there will be a closed session to receive an update on the PFAS lawsuit.

LEGISLATIVE REPORT

Mr. Monares reported that AB 279 was on the Senate floor waiting for vote. He noted that the House is out of session until September 15th and indicated that some of the caucus was looking to cut spending. He lastly noted that water bond discussions would start early next year.

EXECUTIVE DIRECTOR'S REPORT

Mr. Schoellerman reported that staff meet with Congresswoman Napolitano on July 19th to provide her with an update. He noted staff discussed with her the idea of increasing the authorization limit on the Restoration Fund and to also remove the 10-year limit as well.

Mr. Kuhn expressed his concern about seniority in the House once Congresswoman Napolitano retires.

FUTURE AGENDA ITEMS

None.

FUTURE BOARD AND COMMITTEE MEETINGS

The next Legislative/Public Information Committee meeting was scheduled for Tuesday, September 12, 2023, at 9:00 a.m.

The next Administrative/Finance Committee meeting was scheduled for Tuesday, September 12, 2023, at 10 a.m.

The next WQA Board meeting was scheduled for Wednesday,

September 20, 2023, at 12:00 p.m.

The Board decided to cancel all WQA Committee meetings and the Board meeting in the month of July.

CLOSED SESSION

A closed session was held on the following items:

- (a) Closed Session Pursuant to Government Code Section 54956.9(d)(1)
– Conference with Legal Counsel re: Existing Litigation - San Gabriel Basin Water Quality Authority v. 3M Company et al, USDC Case No. 2:23-av-55555-CIV
- (b) Closed Session Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation

Title: Executive Director.

RECONVENE OPEN SESSION

A closed session was held Pursuant to Government Code Section 54956.9(d)(1) Conference with Legal Counsel re: Existing Litigation - San Gabriel Basin Water Quality Authority v. 3M Company et al, USDC Case No. 2:23-av-55555-CIV

Mr. Padilla reported that a closed session was held where an update was provided and there was no reportable action.

A closed session was held Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation

Mr. Padilla reported that a closed session was held to discuss this item.

Title: Executive Director

Discussion and Potential Action to Approve 2023 Amended and Restated Executive Director Employment Agreement

Mr. Padilla presented the salient terms of the proposed agreement as:

1. This is an Amended and Restated contract.
2. The Employment term is now indefinite but remains at will and terminable for cause or without cause per Section 12.
3. The base salary is increased to \$277,725 per year (5% increase)
4. The Severance increased to 1 year. Prior severance was 9 months.

Approve the Finalized Amended and Restated Employment Agreement

Ms. Noriega moved to approve the finalized amended and restated employment agreement. Mr. Gonzales seconded the motion and it was approved by the following roll call vote:

AYES: PAULSON, NORIEGA, CLARK (alternate), GONZALES, KUHN, CHAVEZ, DIPRIMIO

NO: NONE

ABSTAIN: NONE

Authorize the Board Chairman to Execute the Written Agreement on Behalf of the Authority

Ms. Noriega moved to authorize the Board Chairman to execute the written agreement on behalf of the Authority. Mr. Gonzales seconded the motion and it was approved by the following roll call vote:

AYES: PAULSON, NORIEGA, CLARK (alternate), GONZALES, KUHN, CHAVEZ, DIPRIMIO

NO: NONE


ABSTAIN: NONE

BOARD MEMBERS' COMMENTS/ REPORTS

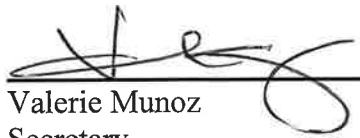
Ms. Noriega commented that the Pure Water Project would be named after Congresswoman Napolitano.

ADJOURNMENT

The Chairman asked if there were any other items of business to come before the Board, there being none, the meeting was adjourned to the next meeting on September 20, 2023.



Mark Paulson
Chairman



Valerie Munoz
Secretary