



**REGULAR MEETING OF THE BOARD OF DIRECTORS  
PICO WATER DISTRICT**

4843 S. Church Street  
Pico Rivera, California, 90660

**5:30 PM Wednesday, February 15, 2023**

**AGENDA**

Pursuant to the provisions of Government Code Section 54953(e), as amended by AB 361, any Board member and any member of the public who desires to participate in the open session items of this meeting may do so by accessing the Zoom link below to join by webcam or teleconference.

Any member of the public wishing to make any comments to the Board may do so through that Zoom link. The meeting Chair will acknowledge such individual(s) at the appropriate time in the meeting prior to making his or her comment. Members of the public wishing to make a comment are asked to state their name for the record and will be provided three (3) minutes to comment, the Board secretary will alert those commenting when they only have 30 seconds remaining. All members of the public will be disconnected from the Zoom link immediately before the Board of Directors adjourns into Closed Session.

**Join Zoom Meeting**

<https://us06web.zoom.us/j/9521779948?pwd=dGNxcXh3YitEc2NlVVdrUzVvNm4rZz09>

Join by Telephone: +1 669 900 6833

Meeting ID: 952 177 9948 Passcode: **421745**

- 1. ROLL CALL.**
- 2. PLEDGE OF ALLEGIENCE.**
- 3. INVOCATION.**

**4. TIME RESERVED FOR PUBLIC COMMENTS.**

*Members of the public shall be allowed three minutes to address the Board on any matter on the agenda and/or within the jurisdiction of the District, which is not on the Agenda. All comments should be addressed to the presiding officer of the meeting. Additional public comments shall be allowed when a listed agenda item is being considered, but such comments made at that time must be confined to the subject that is being discussed at the time such comments are made. Members of the public are asked to state their name for the record. Due to all Board Meetings being run as Zoom Meetings all participants will be placed on mute at the start of the meeting and when the meeting is open for public comment the participant will be asked to raise their hand through the button on the video conference screen if participating by video conference or by pressing \*9 on their phone if participating by teleconference.*

**5. ADOPTION OF AGENDA.**

**6. APPROVAL OF CONSENT CALENDAR.**

(All matters on the Consent Calendar are to be approved on one motion, unless a Board Member requests a separate action on a specific item).

A. Consider approval of February 01, 2023 Regular Board Meeting Minutes.

**7. ACTION/DISCUSSION ITEMS.**

A. Consider Board Discussion and Approval of amendment to General Manager Contract for Section 4 Benefits and Special Compensation – The District to provide / Compensate General Manager for a suitable vehicle for use at all times on District Business. – *Recommended action – that Board Discussion and Approve.*

**8. REPORTS.**

A. General Manager.

B. Legal Counsel.

**9. INFORMATIONAL ITEMS**

A. Production & Water Level Report.

B. Monthly Activity Report.

C. Reservoir Conditions – February 8, 2023

D. Special Election Results; LAFCO Commissioner

**10. DIRECTOR’S REQUEST OF FUTURE AGENDA ITEMS.**

**11. BOARD MEMBER COMMENTS.**

A. Report on Meetings Attended/Comments.

**12. CLOSED SESSION.**

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
[Government Code Section 54956.9(d)(1)]: *Pico Water District v. City of Pico Rivera*, Los Angeles County Superior Court Case No. 22NWCV00967.

**13. CLOSED SESSION REPORT.**

**14. ADJOURNMENT.**

**AGENDA POSTED ON:** February 10, 2023

**Next regularly scheduled meeting:** March 01, 2023

***NOTE: To comply with the Americans with Disabilities Act, if you need special assistance to participate in any Board meeting, please contact the District office at (562) 692-3756 at least 48 hours prior to a Board meeting to inform the District of your needs and to determine if accommodation is feasible.***

***Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public review at the District office, located at 4843 S. Church Street, Pico Rivera, California.***

## CONSENT ITEMS

**REGULAR MEETING OF THE BOARD OF DIRECTORS  
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(All matters on the Consent Calendar are to be approved on one motion, unless a Board Member requests a separate action on a specific item).

A. Consider approval of February 01, 2023 Regular Board Meeting Minutes.



## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PICO WATER DISTRICT

A regular meeting of the Board of Directors of the Pico Water District was held in the District's Boardroom located at 4843 South Church Street, Pico Rivera, California, on Wednesday, February 1, 2023 at 5:30 p.m.

The District's General Manager, Mr. Joe Basulto proceeded with the roll call of the attending Board members. Present from the beginning of the meeting was Director David Angelo, Director David Gonzales, Director Victor Caballero, Vice President Raymond Rodriguez and President Pete Ramirez. Mr. Jim Ciampa, Legal Counsel for the District was also present.

Director Caballero led everyone in the Pledge of Allegiance.

Vice President Rodriguez gave the invocation.

President Ramirez led the Board in a moment of silence for the 11 victims of the mass shooting in Monterey Park along with the act of police brutality in Memphis, Tennessee.

President Ramirez proceeded to the next item on the Agenda, Public Comments. There were none.

President Ramirez proceeded to the adoption of the Agenda. Legal Counsel informed the Board that an item needed to be added to close session, as the District just received a claim from our customer Manny Munoz that the Board needs to consider. President Ramirez made the motion to amend the agenda adding Closed Session Item C and Director Gonzales seconded the motion. The General Manager announced that the motion passed by roll-call vote, 5 – 0. President Ramirez then made the motion to adopt the agenda as amended and Vice President Rodriguez seconded the motion. The General Manager announced that the motion passed by roll-call vote, 5 – 0.

President Ramirez proceeded to the next item on the Agenda, approval of Consent Calendar. Director Angelo made the motion to approve and it was seconded by Director Gonzales. The General Manager announced that the motion passed by roll-call vote, 5 – 0.

President Ramirez proceeded to the next item on the Agenda, approval of Resolution 241-R proclaiming a state of emergency persists, re-ratifying the proclamation of a state of emergency by Governor Gavin Newsom, and authorizing continued remote teleconference meetings. President Pete Ramirez made the motion to approve and Vice President Rodriguez seconded the motion. The General Manager announced the motion passed by roll-call vote, 5 – 0.

President Ramirez proceeded to the next item on the Agenda, approval of agreement with Virginia Country Club to lease 120 Acre Ft. per year for the next three water years, starting cycle 1 - July 01, 2022 to June 30, 2023, cycle 2 - July 01, 2023 to June 30, 2024, cycle 3 – July 01, 2024 to June 30, 2025. The General Manager informed the Board that staff made contact with Virginia Country Club and they are in agreement to purchase 120 acre feet of pumping rights, each year for the next 3 water years at a rate of \$180/acre foot. Current water lease rates are ranging from \$120 - \$150/acre foot. Director Gonzales made the motion to approve and Director Caballero seconded the motion. The General Manager announced that the motion passed by roll-call vote, 5 – 0.

President Ramirez proceeded to the next item on the Agenda, approval of Capital Improvement Project of the purchase of the two new field vehicles. The General Manager informed the Board that secured quoted for two trucks from Chevrolet, Ford, and Dodge. Staff met with our Fleet Manager at Chevrolet and he worked with the District on costs for the two trucks. The Chevy Colorado came in at a cost of \$33,130 and the Chevy Silverado at a cost of \$45,140 which is under the budgeted amount of \$80,000. After a brief discussion Director Gonzales made the motion to approve and Vice President Rodriguez seconded the motion. The General Manager announced that the motion passed by roll-call vote, 5 – 0.

President Ramirez proceeded to the next item on the Agenda, consider Board discussion and approval of amendment to General Manager Contract for Section 4 Benefits and Special Compensation – The District to provide / Compensate General Manager for a suitable vehicle for use at all times on District Business. The General Manager read to the Board the original language in the employment contract regarding vehicle use and compensation presented to him when he accepted the General Manager position offered to him by the Board. He continued to inform the Board that this allowance is taxable as wages to his biweekly compensation, he is required to expend \$85/month to name the District as an additional insured on his private insurance policy, the prior General Manager received vehicle allowance of \$400/month, other agencies within the Public Water Agency Group compensate their General Manager's in amounts ranging from \$500 - \$900. As it was agreed, and contracted was amended, to state that this item would be revisited once a Field Superintendent was hired, the General Manager surrender his District vehicle in November 2022 and had been using his private vehicle to conduct District business and requests that any allowance be retroactive to that date. After a lengthy discussion, Vice President made a motion to approve a car allowance in the amount of \$650/month and Director Gonzales seconded the motion. The General Manager announced that the motion failed by roll-call vote, 2 – 3, with Director Angelo, Director Caballero and President Ramirez voting "No".

President Ramirez asked Legal Counsel if he could make a suggestion, he would like to suggest that they have a special meeting on this to provide further information regarding how many employees each of these water agencies employ and what their salaries are, what the amount for mileage reimbursement is for distances driven for the District, and be happy to include Legal Counsel and/or Vice President Ramirez to attempt to resolve this issue. Legal Counsel inquired if President Ramirez meant a Special Meeting of the Board or just a meeting with the General Manager, the Vice President, and himself, and it was clarified as to the latter. Director Gonzales brought up his concerns the number of times this matter has been brought to the Board and how each time the rules seem to change and continue to prolong this matter. Director Angelo stated that

the reason he voted no was because he feels that we need to deal with real facts. Director Caballero stated that he would like to see “comparable” Districts.

President Ramirez proceeded to the next item on the Agenda, General Manager’s Report. The General Manager stated that operations have been going well with the weather we had. On January 22, 2023 we had a major pipe rupture at the southwest corner of Citronell Avenue and Rex Road. District staff mobilized to make repairs and we utilized Doty Bros. to assist and the following day staff worked on another service line leak which precluded staff from going back out to cleanup debris, which was completed on Friday, January 27, 2023; RC Foster continues treatment facility work at Well #11 and are currently waiting on delivery of concrete that is scheduled for February 13, 2023; on Wednesday, January 25, 2023 District staff visited San Gabriel Water Company to tour their newly built PFAS treatment facility. It was an informative experience to view the facility in action and build a working relationship with them.

President Ramirez proceeded to the next item on the Agenda, Legal Counsel Report. There was none.

President Ramirez proceeded to the next item on the Agenda, Informational Items.

President Ramirez proceeded to the next item on the Agenda, Future Agenda Items. Vice President Rodriguez requested at the next meeting, if no resolution happens in the meantime with payment of a car allowance to the General Manager, that it be on the agenda that the District purchase a suitable vehicle for use on District business.

President Ramirez proceeded to the next item on the Agenda, Board Member Comments. Director Gonzales stated that he attended the City Council meeting and they approved the Mercury project, next step is to submit blueprints for approval and should break ground in about a year and half.

The Board retreated to Closed Session at 6:47 p.m. for three matters,

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
[Government Code Section 54956.9(d)(1)]: *Pico Water District v. City of Pico Rivera*, Los Angeles County Superior Court Case No. 22NWCV00967.
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
[Government Code Section 54956.9(d)(1)]: *Rita Hernandez v. Pico Water District*, Los Angeles County Superior Court Case No. 22BFSC01410.
- C. CONFERENCE WITH LEGAL COUNSEL – CLAIM filed by Manny Munoz.

The Board reconvened at 6:56 p.m. Legal Counsel reported that closed session was held regarding two matters:

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
[Government Code Section 54956.9(d)(1)]: *Pico Water District v. City of Pico Rivera*, Los Angeles County Superior Court Case No. 22NWCV00967.



B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
[Government Code Section 54956.9(d)(1)]: *Rita Hernandez v. Pico Water District*, Los Angeles County Superior Court Case No. 22BFSC01410.

The Board was briefed about the facts and circumstances regarding these cases and no reportable action was taken.

C. CONFERENCE WITH LEGAL COUNSEL – CLAIM filed by Manny Munoz.

The Board was briefed about the facts and circumstances regarding this matter and rejected Mr. Munoz's claim.

There being no further business to come before the Board, the Board meeting adjourned at 6:56 p.m.

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Elpidio Ramirez, President

Attest:

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Joe D. Basulto, Secretary  
(Seal)

## **ACTION/DISCUSSION ITEMS**

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**7. ACTION/DISCUSSION ITEMS.**

- A. Consider Board Discussion and Approval of amendment to General Manager Contract for Section 4 Benefits and Special Compensation – The District to provide / Compensate General Manager for a suitable vehicle for use at all times on District Business. – *Recommended action – that Board Discussion and Approve.*

## ***STAFF REPORT***

**To:** Honorable Board of Directors

**From:** Joe D. Basulto, General Manager

**Meeting Date:** February 15, 2023

**Subject:** Consider Board Discussion and Approval of amendment to General Manager Contract for Section 4 Benefits and Special Compensation – The District to provide / Compensate General Manager for a suitable vehicle for use at all times on District Business. – *Recommended action – that Board Discussion and Approve.*

### **Recommendation**

To be discuss / considered at the Board Meeting for Approval

### **Fiscal Impact**

Recommend allowance of \$500.00 – \$700.00 (Negotiable)

### **Background**

General Manager Contract Amendment:

3.5 Vehicle for District Business. General Manager shall use his own vehicle for District business and in that regard shall be responsible for all operating expenses of that vehicle, including gasoline, maintenance and insurance, in such amounts as are recommended by the District's insurer; provided, however, that the District shall provide the General Manager with a car allowance of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) per month, payable in equal installments on the District's regular paydays. The District shall be named as an additional insured on the General Manager's automobile insurance policy.

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The District Shall be added to General Managers automobile insurance policy.

To add Pico Water District to current General Managers personal insurance policy I would cost \$85.00 per. month

Given the vehicle expenses an allowance should cover – gas, maintenance, depreciation, insurance, etc.

If agreement cannot be made, I recommend the District purchase a separate vehicle for use of District business or provide an alternative proposal.

Recommend a one monthly payment of \$700.00 as a vehicle allowance.  
Of that amount 41% is taxed and would receive \$413.00

Breakdown of \$413.00 usage:

Cost of adding the Pico Water District to Insurance is -	\$85.00
Average monthly fuel cost for District Business with Avg Gas Price of (\$4.63)	\$166.68
Additional expenses registration and licenses fees, maintenance, repairs, normal wear & tear -	<u>\$160.32</u>
	<b>\$413.00</b>

- As stated in original contract the General Manager shall not be entitled to reimbursement for mileage or other expenses incurred for the use of said vehicle.
- Personal travel to/from home is explicitly excluded from this agreement
- District business use includes meetings (WRD, PWAG, City of Pico Rivera, Central Basin, etc.), events, Court Hearings, Operations in the Field, Project Meetings, all manner of District Business that require travel.
- All Vehicle maintenance is responsibility of the Owner General Manager to maintain.

#### Comparable Districts Attached

##### **Pico water District – 5,400 Service Connections**

La Puente Water District – 2,500 Service Connections – Number of Employees - 21  
GM Salary – \$175,000                      Vehicle Allowance – \$500.00 (Waiting for Update)

Orchdale Water District – 4,325 Service Connections – Number of Employees - 14  
GM Annual Salary – \$209,930                      Vehicle Allowance – \$600

Valley County Water District – 12,758 Service Connections – Number of Employees – 36  
GM Annual Salary – \$218,400                      Vehicle Allowance – \$700

Montebello Land & Water – 3,932 Service Connections – Number of Employees – 12  
GM Annual Salary – \$213,600                      Vehicle Allowance – Company Provides Vehicle

South Montebello Irrigation District – 2,374 Service Connections – Number of Employees – 15  
GM Annual Salary – \$176,998                      Vehicle Allowance – \$650

Quartz Hill Water District – 5,814 Service Connections – Number of Employees - 21  
GM Annual Salary – \$231,282                      Vehicle Allowance – Company Provides Vehicle

Bellflower Somerset Mutua Water Co. – 6,998 Service Connections – Number of Employees – 14  
GM Annual Salary – \$180,806                      Vehicle Allowance – (Offered \$600 or Company Vehicle)

Sunny Slope Water Co. – 6,334 Service Connections – Number of Employees - 25  
GM Annual Salary – \$205,000                      Vehicle Allowance – Company Provides Vehicle Monthly Lease of \$500 - \$600

San Gabriel County Water District – 9,569 Service Connections – Number of Employees - 21  
GM Annual Salary – \$174,720                      Vehicle Allowance – \$500

## **INFORMATIONAL ITEMS**

**REGULAR MEETING OF THE BOARD OF DIRECTORS  
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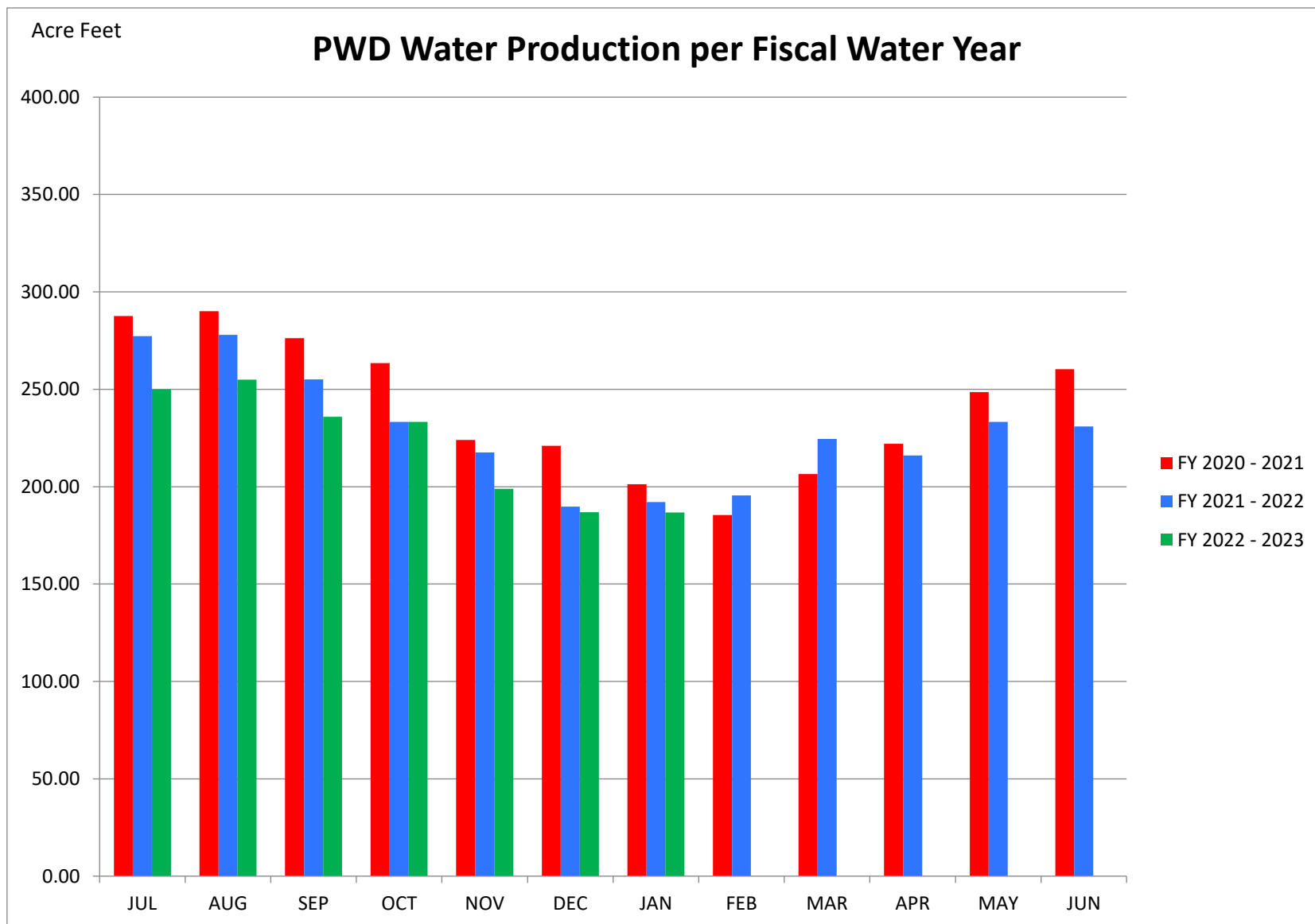
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**9. INFORMATIONAL ITEMS.**

- A. Production & Water Level Report.
- B. Monthly Activity Report.
- C. Reservoir Conditions – February 8, 2023
- A. Special Election Results; LAFCO Commissioner





## WATER LEVELS REPORT

### Water Levels for January 2023

Listed below are the water levels for the two key monitoring wells used by the Water Replenishment District of Southern California (WRD), and the District's active wells.

WRD is charged with monitoring the water levels in both the Central Basin and West Coast Basin, and with making sure both basins are replenished annually. As a means of monitoring the levels in both basins WRD measures the depth of water in two specific wells, 1601T located in between the San Gabriel River and the Rio Hondo spreading grounds, and the second Carson #1 located in the City of Carson. WRD compares the levels of these two wells month to month, and year to year as a means of gaging the reliability of both basins (levels listed are in feet below surface). As this report is specific to the Central Basin, we are only showing the Central Basin Monitoring Well results below.

	January 2023	January 2022
Central Basin 1601T	85.20	73.20
Carson Well	68.00	38.19

Listed below are the static and pumping levels (in feet below surface) for the District's five active wells, and pump settings (depth).

	January 2023		January 2022		Well Info:	
	<u>Static</u>	<u>Pumping</u>	<u>Static</u>	<u>Pumping</u>	<u>Well Depth</u>	<u>Pump Depth</u>
Well #4	97	N/A	86	N/A	420	150
Well #5	105	117	104	117	917	242
Well #8	96	101	93	N/A	445	243
Well #10	93	103	81	101	500	182
Well #11	109	139	80	87	1150	312

NOTE:



# Annual Activity Report

[illegible]

[illegible][illegible]



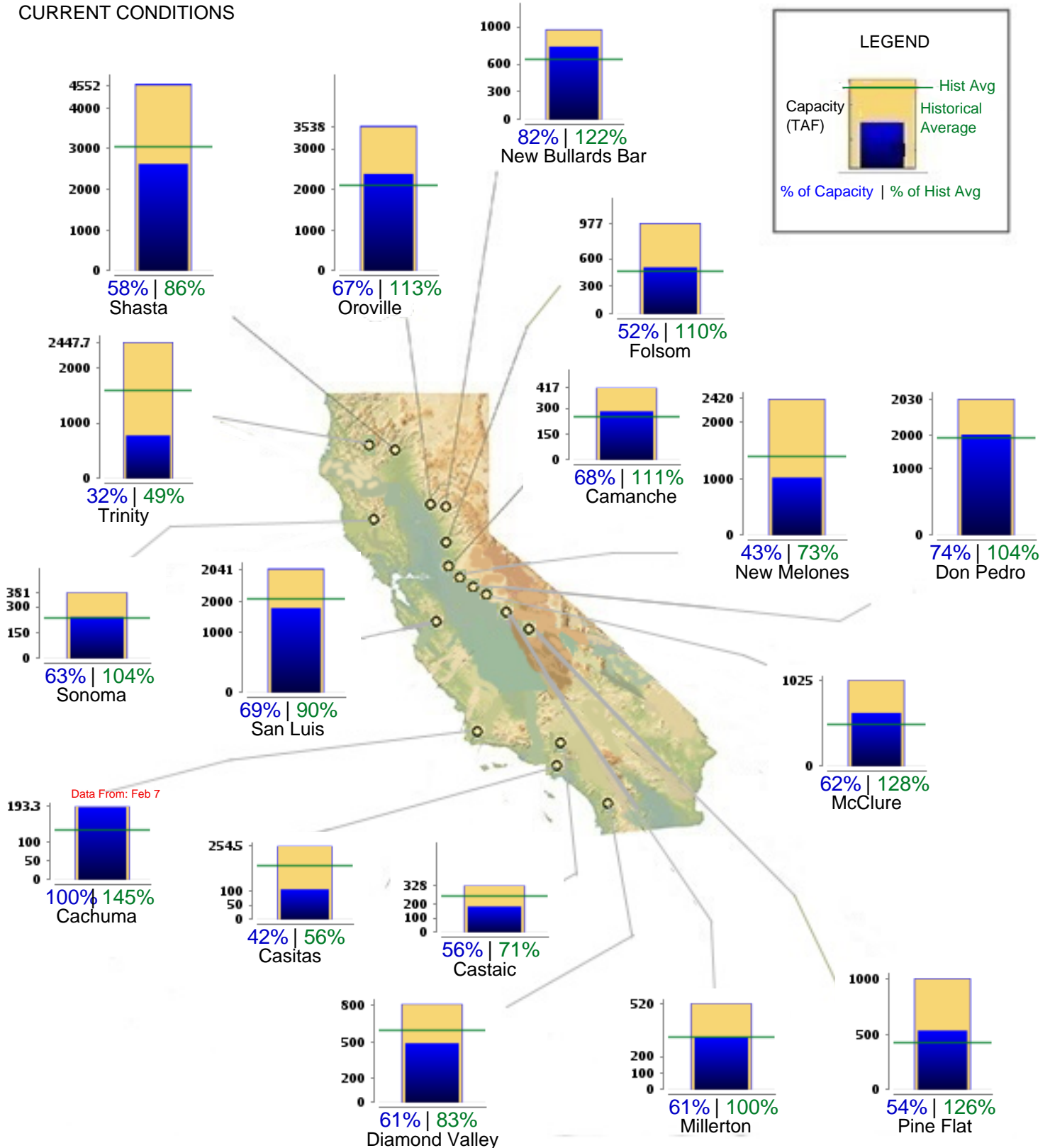


# CURRENT RESERVOIR CONDITIONS

## CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

Midnight - February 8, 2023

### CURRENT CONDITIONS






*Lagerlof, LLP*

PAID - REC'D  
PICO WATER DIST.  
155 NORTH LAKE AVENUE, 11TH FLOOR  
PASADENA, CALIFORNIA 91101  
PHONE: (626) 793-9400 ♦ FAX (626) 793-5900

William F. Kruse  
E-MAIL: WFKRUSE@lagerlof.com

**MEMORANDUM**

**To:** Los Angeles County Independent Special Districts  
**From:** William F. Kruse, Special Counsel   
**Date:** January 31, 2023  
**Subject:** Special Election Results; LAFCO Commissioner

The special election to fill the vacancy for LAFCO Commissioner closed as of 5:00 p.m. on January 27, 2023. Twenty-eight (28) valid ballots were received. The results are as follows:

1. For VOTING REPRESENTATIVE:

**STEVEN APPLETON** received 7 votes

**ROBERT W. LEWIS** received 11 votes

**SHARON S. RAGHAVACHARY** received 5 votes

**YVETTE STEVENSON-RODRIGUEZ** received 5 votes

**Mr. Lewis** will serve as LAFCO Voting Representative with his term ending May 4, 2026.

Thank you for participating in the election.