



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.

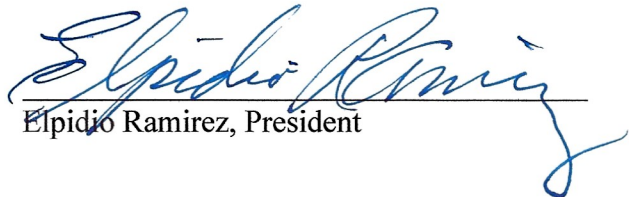
B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
[Government Code Section 54956.9(d)(1)]: *Rita Hernandez v. Pico Water District*, Los Angeles County Superior Court Case No. 22BFSC01410.

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

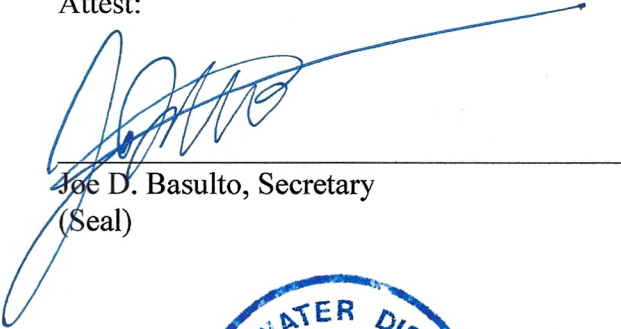
C. CONFERENCE WITH LEGAL COUNSEL – CLAIM filed by Manny Munoz.

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.


Elpidio Ramirez, President

Attest:


Joe D. Basulto, Secretary
(Seal)

