

**EXEMPT FROM FILING FEES
GOVERNMENT CODE § 6103**

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8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF LOS ANGELES
11

12 UPPER SAN GABRIEL VALLEY
MUNICIPAL WATER DISTRICT,

13 Plaintiff,

14 vs.

15 CITY OF ALHAMBRA, et al.

16 Defendant.
17

Case No: C 924 128

Assigned for all purposes to:
Honorable Maureen Duffy-Lewis, Dept. 38

**PETITION FOR APPOINTMENT OF
WATERMASTER MEMBERS FOR
CALENDAR YEAR 2023 TERM**

Hearing

Date: December 16, 2022
Time: 9:30 a.m.
Place: Dept. 38
RES ID: 200385828162

1 The Main San Gabriel Basin Watermaster (“Watermaster”) respectfully petitions this
2 Court for Appointment of Watermaster members for Calendar Year 2023, as follows:

3 1. Pursuant to Section 29 (b) of the Amended Judgment herein, a meeting of all
4 parties herein was held on November 2, 2022, wherein six producer representatives were
5 elected as producer representative nominees to Watermaster for the calendar year 2023,
6 namely, DAVID DE JESUS, BENJAMIN LEWIS, JR., DAVID MICHALKO, LYNDA
7 NORIEGA, ANTENEH TESFAYE and MARTIN ZVIRBULIS.

8 Attached hereto, marked **Exhibit "A"** and by this reference incorporated herein and
9 made a part hereof as though fully set forth herein, is the Certificate of Anthony Zampielo,
10 Executive Officer of Main San Gabriel Basin Watermaster, certifying said elected producer
11 representative nominees.

12 2. Pursuant to Section 29(c) of the Amended Judgment herein, on October 12,
13 2022, the Board of Directors for the Upper San Gabriel Valley Municipal Water District
14 (“Upper District”) selected two of its members, namely, JENNIFER SANTANA and
15 ANTHONY R. FELLOW, as public representative nominees to Watermaster for the calendar
16 year 2023.

17 Attached hereto, marked **Exhibit “B”** and by this reference incorporated herein and
18 made a part hereof as though fully set forth herein, is the Certification of Thomas A. Love,
19 Upper District General Manager, certifying said public representative member nominations.

20 3. Pursuant to Section 29(c) of said Judgment, on October 10, 2022, the Board of
21 Directors of the San Gabriel Valley Municipal Water District (“SGVMWD”) selected one of its
22 members, namely, STEVEN T. PLACIDO, DDS, as a public representative nominee to
23 Watermaster for the calendar year 2023.

24 Attached hereto, marked **Exhibit “C”** and by this reference incorporated herein and
25 made a part hereof as though fully set forth herein, is Resolution No. 10-2022-810 of the
26 San Gabriel Valley Municipal Water District, certifying said public representative member
27 nomination.

28

1 Pursuant to section 29(d) of the Amended Judgment herein, Watermaster
2 nominations may be promptly certified by the Court upon 10 calendar days' notice thereof.

3 WHEREFORE, WATERMASTER PRAYS:

4 1. For an Order of the Court confirming the appointments of DAVID DE JESUS,
5 BENJAMIN LEWIS, JR., DAVID MICHALCO, LYNDA NORIEGA, ANTENEH TESFAYE and
6 MARTIN ZVIRBULIS as producer representatives to Watermaster;

7 2. For an Order of the Court confirming the appointment of JENNIFER SANTANA
8 and ANTHONY R. FELLOW as Upper District's public representatives to Watermaster;

9 3. For an Order of the Court confirming the appointment of STEVEN T.
10 PLACIDO, DDS as SGVMWD's public representative to Watermaster; and,

11 4. For such other and further orders as the Court deems just and proper.

12
13 DATED: November 7, 2022

NOSSAMAN LLP
Frederic A. Fudacz
Alfred E. Smith

14
15
16
17 By: 

Frederic A. Fudacz

Attorneys for Main San Gabriel Basin Watermaster

EXHIBIT A

1 STATE OF CALIFORNIA
2 COUNTY OF LOS ANGELES
3 MAIN SAN GABRIEL BASIN WATERMASTER
4

SS

5
6 I, ANTHONY ZAMPIELLO, Executive Officer of the Main San Gabriel Basin
7 Watermaster, do hereby certify that at the annual meeting of defendants in Los Angeles
8 Superior Civil Action No. 924128, entitled *Upper San Gabriel Valley Municipal Water*
9 *District vs. City of Alhambra, et al.*, held November 2, 2022, in accordance with
10 Judgment therein, the following persons were elected producer representative
11 nominees of Watermaster for the calendar year 2023.
12

13 David DeJesus

Lynda Noriega

14 Benjamin Lewis, Jr.

Anteneh Tesfaye

15 David Michalko

Martin Zvirbulis

16
17
18 Dated: November 2, 2022

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22 Anthony C. Zampielo
23 Executive Officer
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EXHIBIT B

1 STATE OF CALIFORNIA)
2 COUNTY OF LOS ANGELES)
3 UPPER SAN GABRIEL VALLEY)
4 MUNICIPAL WATER DISTRICT)

5
6 I, Thomas A. Love, General Manager of Upper San Gabriel Valley Municipal
7 Water District, do hereby certify that at a regular meeting of the Board of Directors of
8 said District held via teleconference, pursuant to the newly adopted provisions of the
9 Brown Act and consistent with the Board's resolution ratifying the declaration of a state
10 of emergency by the State of California in response to the COVID-19 pandemic, on
11 October 12, 2022, the following action was taken:

12
13 "Director Fellow nominated Vice President Santana and Director
14 Santana nominated Director Fellow, to serve as the Upper
15 District's representatives to the Main San Gabriel Basin
16 Watermaster for Calendar Year 2023. On motion by Director
17 Garcia, seconded by Director Fellow, the motion was
18 unanimously approved by a roll call vote.

19 This action was taken in accordance with provisions of the Judgment in Los
20 Angeles Superior Court Case #924128, "Upper San Gabriel Valley Municipal Water
21 District, plaintiff, vs. City of Alhambra, et al, defendants."

22 
23 **Thomas A. Love**
24 **General Manager**

25 Dated this 26th day of
26 October, 2022, at
27 Monrovia, California

28 (SEAL)

EXHIBIT C

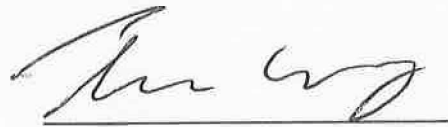
RESOLUTION NO. 10-2022-810

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
APPOINTING WATERMASTER REPRESENTATIVE**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SAN GABRIEL
VALLEY MUNICIPAL WATER DISTRICT** that Steven T. Placido, DDS, is appointed to
Represent the District as a member of the Main San Gabriel Basin Watermaster
for the 2023 calendar year.

BE IT FURTHER RESOLVED that the Secretary shall transmit a certified copy of
this resolution to the Secretary at the Main San Gabriel Basin Watermaster with a
request that Steven T. Placido, DDS appointment be confirmed.

PASSED, APPROVED AND ADOPTED on October 10, 2022.



President

ATTEST:



Secretary



Make a Reservation

UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT vs CITY OF ALHAMBRA

Case Number: C924128 Case Type: Civil Unlimited Category: Other Complaint (non-tort/non-complex)

Date Filed: 1972-01-03 Location: Stanley Mosk Courthouse - Department 38

Reservation

Case Name:

UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT vs CITY OF ALHAMBRA

Case Number:

C924128

Type:

Motion re: (Petition for Appointment of 2023 Watermaster Board Members)

Status:

RESERVED

Filing Party:

Main San Gabriel Basin Watermaster (Real Party in Interest)

Location:

Stanley Mosk Courthouse - Department 38

Date/Time:

12/16/2022 9:30 AM

Number of Motions:

1

Reservation ID:

200385828162

Confirmation Code:

CR-PWTPJPKHCRBNMMQCM

Fees

Description	Fee	Qty	Amount
Motion re: (name extension) *** Fees Exempted by Fee Waiver ***	60.00	1	0.00
TOTAL			\$0.00

Payment

Amount:

\$0.00

Type:

FEE_WAIVER

Account Number:

n/a

Authorization:

n/a

Print Receipt

Reserve Another Hearing