



**REGULAR MEETING
OF THE BOARD OF DIRECTORS**

**Chino Basin Water Conservation District
4594 San Bernardino Street
Montclair, CA 91763**

Monday, April 10, 2023

MINUTES

INVOCATION – Director Ligtenberg gave the invocation.

CALL TO ORDER AND FLAG SALUTE – President Ligtenberg called the meeting to order at 2:00 p.m. and led the audience in the flag salute.

ROLL CALL

Board Members Present: President Ligtenberg
Vice President Kati Parker
Treasurer Gil Aldaco
Director Amanda Coker
Director Teri Layton
Director Hanif Gulmahamad
Director Ryan Sonnenberg

Board Members Absent: None

General Counsel Present: Leland McElhaney, Esq.

Staff Present: General Manager Elizabeth Skrzat
Board Clerk/Administrative Coordinator Dena Lamarque
Conservation Programs Manager Scott Kleinrock
Community Services Manager Maia Dean
Facilities Maintenance Manager Dave Schroeder

Guests: General Manager Shivaji Deshmukh
Mayor Pro Tem Tenice Johnson, City of Montclair

ADDITIONS OR CHANGES TO THE AGENDA

In accordance with Section 54954.2 of the Government Code (Brown Act), a two-thirds vote (or unanimous vote if less than two-thirds are present), is required to add an item for action, provided that there is a need to take immediate action and that the need for action came to the attention of the agency after the agenda was posted.

PRESENTATIONS

“Solve the Water Crisis” Advocacy Group – Shivaji Deshmukh

General Manager Shivaji Deshmukh presented a brief explanation and report on the Advocacy Group “Solve the Water Crisis” and their efforts.

Conservation Department Metrics for July 1st – June 30th – Waterwise Garden Planner Website and CBWCD Web Videos

Conservation Program Manager Scott Kleinrock presented the Conservation Department metrics, and gave an update on Waterwise Garden Planner Website, and CBWCD Web Videos.

CONSENT CALENDAR

At this time, members of the public may present testimony as to why an item should be removed from the Consent Calendar for separate discussion. Unless a member of the public or a Director request that an item be removed from the Consent Calendar, all items will be acted upon as a whole and by one vote. Items removed from the Consent Calendar will be acted upon separately, following the Public Hearing procedures.

1. **Minutes.**
 - a. **March 13, 2023 – Regular Board Meeting.** Approve.
 - b. **March 15, 2023 – Personnel Committee Meeting.** Approve.

2. **Financial Reports.**
 - a. **February 2023.** Approved.

3. **AB 1234.**
 - a. **Director Travel, Training, and Meeting Report.** Approved.
 - b. **Compensation & Reimbursement Report.** Approved.

A motion was made by Vice President Parker, seconded by Director Sonnenberg, and carried on the following vote:

Motion carried on 7-0-0-0 vote to approve items #1-4 of the Consent Calendar.

MOVED: Parker

SECONDED: Aldaco

APPROVED: 7-0-0-0

AYES: Ligtenberg, Parker, Aldaco, Coker, Layton, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS

Prior to the vote of the Board of Directors any member of the audience will have the opportunity to address the Board on any item listed under public hearings. The Board requests, but it is not required, that members of the public state their name and address.

4. Ordinance 23-01.

General Manager Skrzat reported that the proposed Ordinance 23-01 is to allow directors to have 10 days of service instead of 6 days of service per month, and to raise the compensation per day from \$175 to \$200. The fiscal impact of this change is variable and difficult to predict because it is based on how many days of service each Director may perform. In the past, most Directors typically used between 70 – 85% of their allotment of days of service, but a small number tended to use all six days on most months. Staff would expect to see a similar pattern, with only a small number exceeding six days per month. Concerning the wage per day of service, according to Water Code 2200 the base wage can be raised 5% per calendar year. In consultation with legal counsel, Ordinance 23-01 would need take effect on October 1, 2023 in order to allow for the full calendar year to pass since the last implementation of the \$175 per day wage to allow for an even wage of \$200.

A motion was made by Vice President Parker, seconded by Treasurer Aldaco, and carried on the following vote:

Motion carried on 6-1-0-0 vote to approve Ordinance 23-01 to allow Directors to have 10 days of service instead of 6 days of service per month, and to raise the compensation per day of service from \$175 to \$200, effective October 1, 2023.

MOVED: Parker

SECONDED: Aldaco

APPROVED: 6-1-0-0

AYES: Ligtenberg, Parker, Aldaco, Coker, Layton, Sonnenberg

NOES: Gulmahamad

ABSTAIN: None

ABSENT: None

PUBLIC COMMUNICATIONS

This is the time and place for the general public to address the Board of Directors. Due to the Brown Act requirements, action will not be taken on any issues not on the agenda; however, the Board of Directors may refer comments and concerns to staff or request the item be placed on a future agenda. In accordance with District Resolution No. 2020-05: Decorum During Public Meetings, each speaker shall be allotted five (5) minutes of time to address the Board.

President Ligtenberg opened the Public Comment period and asked staff if there were any requests received to provide public comment. No requests were received and no one in the audience indicated a desire to speak; therefore, President Ligtenberg closed the Public Comment Period.

DISCUSSION ITEMS

5. Facilities Use Agreement – Montclair Chamber of Commerce

Community Services Manager Maia Dean presented the report. The Montclair Chamber of Commerce to host their fundraising event. Since the Board has expressed interest in the board workshop for the District to be used as a venue for community-based organizations, staff believe that this event would be a good pilot opportunity to see how those events would be executed. The District has worked with the Montclair Chamber of Commerce to host two other previous events in the board room and staff experience with the Chamber was positive. In lieu of a facility use fee, the chamber would list the District as a sponsor of the event at \$1,000 level or above. The sponsorship would include the District's name and logo, including advertising and tickets. The Chamber will comply with all insurance requirements.

Montclair Mayor Pro-Tem and Montclair Chamber Board Member Tenice Johnson spoke in support of the event. As a Chamber Board member, they showcase businesses in the community and is something she would like to do for the District. She is very hopeful that the Board will approve this exciting event.

Director Layton asked legal counsel if the Board can approve on a case-by-case basis future events.

Counsel Lee affirmed. His job is to look at liability issues and there is a provision in this use agreement in liquor liability insurance for 2 million dollars. It sounds like this event will be well regulated all the precautions seem to be taken.

General Manage Skrzat stated that during the Board workshop the Board was interested in pursuing this type of activity at District headquarters. However, before staff crafts policies, staff would like to use this event as a test case. Staff has been in conversation

with our insurer ACWA JPIA, and they are very pleased in how we are approaching this event.

Vice President Parker added that she believed this was a great opportunity and she appreciates that the Chamber of Commerce is willing to work with the District to make this a successful event. She believes that the decision of future events from limited community-based events should be left at the discretion of the General Manager and not have to be approved by the Board.

Director Gulmahamad asked if there was ever an event held at the District where alcohol was served.

General Manager Skrzat stated that there had been two events in 2017 the past where alcohol was served.

A motion was made by Treasurer Aldaco, seconded by Director Coker, and carried on the following vote:

Motion carried on 7-0-0-0 vote to approve Facilities Use Agreement – Montclair Chamber of Commerce to host the “Night Under the Stars” fundraising event in August 2023 at District Headquarters.

MOVED: Aldaco

SECONDED: Coker

APPROVED: 7-0-0-1

AYES: Ligtenberg, Parker, Aldaco, Coker, Layton, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

6. Facilities Use Agreement – Boy Scouts of America

Community Services Manager Maia Dean presented the report for the Boys Scouts of America to hold their Cub Scout Day in June. The annual event was held last year in June 2022. The camp hosted about 120 children and adults. The staff experience was extremely positive. The Boy Scouts of America left the District property in good shape and respected all rules outlined in the agreement. They will comply with fees and insurance requirements as stipulated in the Facilities Use Agreement.

A motion was made by Director Sonnenberg, seconded by Vice President Parker, and carried on the following vote:

Motion carried on 7-0-0-0 vote to approve a Facilities Use Agreement with the Boys Scouts of America to host Cub Scout Day in June 2023 at District Headquarters.

MOVED: Sonnenberg SECONDED: Layton APPROVED: 7-0-0-0

AYES: Ligtenberg, Parker, Aldaco, Coker, Layton, Gulmahamad, Sonnenberg
NOES: None
ABSTAIN: None
ABSENT: None

7. FY 2022-2023 Budget Adjustments

General Manager Elizabeth Skrzat presented the staff report. She reviewed some of the highlights in areas of savings such as staff changes and several adjustments that we chose to make in personnel in response to the tight labor market, and the CalPERS UAL was paid off.

A motion was made by Director Layton, seconded by Director Sonnenberg, and carried on the following vote:

Motion carried on 7-0-0-0 vote to approve the FY 2022-2023 Mid-Year Budget Adjustments

MOVED: Layton SECONDED: Sonnenberg APPROVED: 7-0-0-0

AYES: Ligtenberg, Parker, Aldaco, Coker, Layton, Gulmahamad, Sonnenberg
NOES: None
ABSTAIN: None
ABSENT: None

8. Eide Bailly Payroll Agreement

General Manager Elizabeth Skrzat presented the report. The current payroll process is taking a lot of staff time and the District currently works with the accounting team at Eide Bailly to calculate CalPERS each pay period. Traditionally, the Board Clerk and the Administrative Services Manager are the two people on staff who process payroll, which has been a practice that predates her term as General Manager. Payroll is a technical job with many facets, and it is crucial to have someone that is immersed in payroll to understand all of its intricacies. Eide Bailly has a payroll department that could take over the technical duties of processing payroll. This would take the pressure off staff that are not technically trained to process payroll. Staff will still have to enter their time in the system, but Eide Bailey has the payroll software to complete processing payroll in a timely manner. The local Eide Bailly accounting team could still process CalPERS payments for the District.

A motion was made by Vice President Parker, seconded by Director Layton, and carried on the following vote:

Motion carried on 7-0-0-0 vote to approve the payroll agreement with Eide Bailly, pending legal counsel approval.

MOVED: Parker SECONDED: Layton APPROVED: 7-0-0-0

AYES: Ligtenberg, Parker, Aldaco, Coker, Layton, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

9. Wagner & Bonsignore Contract Amendment No. 4

General Manager Elizabeth Skrzat presented the report. She stated that after Contract Amendment No. 3 was approved, Engineering & Environmental submitted change orders that would have increased the overall cost of the project, which Wagner & Bonsignore needed to review. Wagner's firm denied the change orders, but they spent time on them and exceeded their contracted amount. Wagner & Bonsignore suggested that they spend additional time to create an organized cache of records for the project. Staff recommend amending the contract with an additional \$6,000. Staff believes this is a wise investment.

A motion was made by Treasurer Aldaco, seconded by Vice President Parker, and carried on the following vote:

Motion carried on 7-0-0-0 vote to approve Wagner & Bonsignore Contract Agreement No. 4 for an additional \$6,000 for a total not-to-exceed amount of \$148,000.

MOVED: Aldaco SECONDED: Parker APPROVED: 7-0-0-0

AYES: Ligtenberg, Parker, Aldaco, Coker, Layton, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

10. Ad Hoc Committee on the District's 75th Anniversary Celebration and Set Date for Evening Event

Report by: Elizabeth Skrzat, General Manager

General Manager ES presented the report. She stated that during the Board Workshop the Board indicated a strong interest in celebrating the District's 75th anniversary in 2024.

Staff recommends a series of events throughout the year ending on December 6, 2024. In order to steer the year of celebrations, staff is recommending an ad hoc committee to come up with ideas and recommendations to the Board for events and budgets.

Director Layton posed the question of why the evening event for local elected officials is not being held at the District.

General Manager Skrzat responded that it is dark and difficult to see the garden in the evening, and the garden cannot accommodate a large number of attendees.

The volunteers for the Ad Hoc Committee are Vice President Parker, Directors Coker and Layton.

A motion was made by Treasurer Aldaco, seconded by Vice President Parker, and carried on the following vote:

Motion carried on 7-0-0-0 vote to approve the creation of an Ad Hoc Committee on the District's 75th Anniversary Celebration, appoint Vice President Parker, and Directors Coker and Layton, and the General Manager may set the date for the evening celebration event.

MOVED: Aldaco

SECONDED: Parker

APPROVED: 7-0-0-0

AYES: Ligtenberg, Parker, Aldaco, Coker, Layton, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

11. ACWA Spring Conference and CSDA Legislative Days – Attendance

General Manager Elizabeth Skrzat presented the report. She asked the Board if anyone was interested in going to the conference.

No board member expressed an interest in attending the ACWA Spring Conference, or CSDA Legislative Days.

No action was taken.

12. Schedule for the Regular Meetings of the Chino Basin Water Conservation District Board of Directors

General Manager Elizabeth Skrzat presented the report. She stated that this was placed on the agenda by Director request. The Board meetings took place at 10:00 am. During

Program Manager Scott Kleinrock will be the guest speaker. The District is also in charge of the raffle. She thanked those Directors who contributed prizes to the raffle. She cancelled the photography session of the Board because the photos were going to be taken before the Board meeting. She spoke to the photographer who recommended that picture be taken at "golden hour" which would be at 6:00 pm.

Board Attorney Report – None.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: Pursuant to Government Code Section 54956.9(d)(1); KAISER FOUNDATION HEALTH PLAN, INC., et al. vs. CHINO BASIN WATER CONSERVATION DISTRICT; and DOES 1 through 10, inclusive; San Bernardino Superior Court Case No.: CIVDS 1933655.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Pursuant to Government Code Section 54957. Title: General Manager.

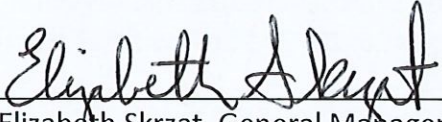
President Ligtenberg recessed the meeting to Closed Session at 4:16 pm.

President Ligtenberg reconvened the regular Board meeting at 4:40 pm.

There was no reportable action taken.

ADJOURN

President Ligtenberg adjourned the meeting at 4:55 pm to the next Regular Board Meeting of the Chino Basin Water Conservation District to be held on Monday, May 8, 2023, at 2:00 p.m. at District Headquarters, located at 4594 San Bernardino Street, Montclair, CA 91763.


Elizabeth Skrzat, General Manager

ATTEST:


Dena Lamarque, Board Clerk/Administrative Coordinator

the pandemic then the meetings were changed to the afternoon. The Board can choose any time it wishes or choose to keep the same time.

The majority of the Directors preferred to leave the meeting time at 2:00 pm.

No action was taken.

INFORMATIONAL ITEMS

13. **DWR State Water Project Allocation** – “Harnessing Series of Winter Storms, California Increases State Water Project Allocation” – March 24, 2023

DIRECTOR ORAL REPORTS

This is the time and place for the Board of Directors to report on any items of interest. Upon request by an individual Director, the Board may choose to take action on any of the subject matters listed below.

President Ligtenberg – None.

Vice President Parker – She is Board President and Executive Director of Upland Heritage, a local historical society of Upland for the Vintage Home Tours. She brought two free tickets for staff who may interested. She attended the Montclair Workshop where they discussed all the Parks in the City, and the District recharge basin as trail space. We were able to express our concerns. She also attended the Monte Vista Plant 30 ribbon cutting. Attended the Upland State of the City and networked with the Upland Unified School District Board members.

Treasurer Aldaco – The latest issue of Treatment Plant Operator magazine there is an article on the District’s fall event.

Director Layton – Attended the CSDA Leadership Academy. San Antonio Water Company has a cleanup date on August 5, 2023. She invited all to attend.

Director Coker – None.

Director Gulmahamad – Attended the Monte Vista Water District ribbon cutting ceremony.

Director Sonnenberg – Attended the Open House and it seemed everyone had a good time.

STAFF ORAL REPORTS

General Manager/Secretary Report – On Monday, April 17th, we will be hosting the San Bernardino County Special Districts meeting at the Old Spaghetti Factory. Conservation