



**REGULAR MEETING
OF THE BOARD OF DIRECTORS**

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

Monday, September 13, 2021

M I N U T E S

INVOCATION – Director Sonnenberg gave the invocation.

CALL TO ORDER – President King called the meeting to order at 2:02 p.m.

ROLL CALL

Board Members Present: President Terry King
Vice President Margaret Hamilton
Treasurer Marc Grupposo
Director Gil Aldaco
Director Hanif Gulmahamad
Director Mark Ligtenberg
Director Ryan Sonnenberg

Board Members Absent: None.

General Counsel Present: Steve Kennedy

Staff Present: General Manager Elizabeth Skrzat
Administrative Services Manager Toyasha Sebbag
Conservation Programs Manager Scott Kleinrock
Facilities and Operations Manager Dave Schroeder
Senior Administrative Assistant Jerry Mireles
Community Programs Manager Maia Dean
Program Educator Jenna Hoover
Community Programs Specialist Monica Curiel
Administrative Assistant II Judith Taylor
Conservation Specialist I Brandon Burgess
Facilities & Basin Technician Robert Sotomayor

Landscape Maintenance Worker II James Salcido

Visitors Present: Jessica Sotomayor
Joe McTarsney
Kati Parker
Justin Scott-Coe
Ruben Meza

ADDITIONS OR CHANGES TO THE AGENDA

General Manager Elizabeth Skrzat announced a request from a Board Member to pull item #4 and employee salaries/benefits be removed from the closed session.

PRESENTATIONS

A PowerPoint presentation was given by Conservation Programs Manager Scott Kleinrock. Mr. Kleinrock summarized the metrics of audits for the design assistance program for fiscal year 2020-2021.

President King asked if the landscape audit program is reimbursable by Inland Empire Utilities Agency. Mr. Kleinrock noted if it is in the District's Service Area, the District covers the cost, but if it is in the wider Sphere of Influence, then IEUA reimburses the District through an ongoing contract.

CONSENT CALENDAR

1. **Minutes**
 - a. **August 9, 2021 – Regular Board Meeting.** Approve.
 - b. **August 16, 2021 – Personnel Committee Meeting.** Approve.
 - c. **August 19, 2021 – Finance Committee Meeting.** Approve.
2. **Financial Reports.**
 - a. **July 2021.** Approve.
 - b. **Quarterly Q4 Financial Reports.** Approve.
3. **AB 1234**
 - a. **Director Travel, Training, and Meeting Report.** Approve.
 - b. **Compensation & Reimbursement Report.** Approve.

Director Aldaco made a comment about minutes for the Regular Board meeting held on August 9, 2021, regarding the Native American Land Acknowledgement. President King recommended to General Manager Elizabeth Skrzat to follow up with Director Aldaco via

email to respond to his comment. Director Aldaco highlighted the meetings he attended and the attachments he included as part of the AB 1234 Report.

A motion was made by Director Gulmahamad and seconded by Director Sonnenberg to approve the consent calendar.

Motion carried on 7-0-0-0 vote to approve items #1-3 of the Consent Calendar.

MOVED: Gulmahamad

SECONDED: Sonnenberg

APPROVED: 7-0-0-0

AYES: King, Hamilton, Gruposso, Aldaco, Gulmahamad, Ligtenberg, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS – None.

PUBLIC COMMUNICATIONS

President King opened the Public Comment period and requested that Senior Administrative Assistant Jerry Mireles announce any requests received to provide public comment.

Members of the public Monica Curiel, Robert Sotomayor, Joe McTarsney and Jenna Hoover addressed the Board of Directors via Zoom Communications under the Public Comment period.

Mr. Mireles read into the record two emails received from George Jimenez and Luis Fernandez.

No additional requests were received; therefore, President King closed the Public Comment period.

DISCUSSION ITEMS

4. **Employee Appreciation Committee**

The item was pulled from discussion and no motions or actions were taken.

5. **RFP for Interpretive Signage/Exhibitory Concept Design Services**

A PowerPoint presentation was given by Conservation Programs Manager Scott Kleinrock.

A motion was made by Director Aldaco and seconded by Director Grupposo to approve the release of the RFP.

President King recommended to schedule an Education Committee meeting before October 18, 2021, to discuss the questions and ranking criteria in addition to the proposed Education Committee Meeting after October 18, 2021 to interview the candidates. General Manager Skrzat confirmed that staff will schedule an additional meeting to determine interview questions and criteria.

Motion carried on 7-0-0-0 vote to approve the release of the Request for Proposals (RFP) for Interpretive Signage/Exhibitory Concept Design Services and the list of approved consultants invited to bid based on the results of the District's RFQ process.

MOVED: Aldaco

SECONDED: Grupposo

APPROVED: 7-0-0-0

AYES: King, Hamilton, Grupposo, Aldaco, Gulmahamad, Ligtenberg, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

6. **Policy & Procedure Manual Update – Policy No. 59 Public Records Request Policy**

Staff report and PowerPoint presentation was given by Senior Administrative Assistant Jerry Mireles.

A motion was made by Director Aldaco and seconded by Vice President Hamilton to approve the District Policy No. 59.

Motion carried on 7-0-0-0 vote to approve District Policy No. 59, Public Record Request.

MOVED: Aldaco

SECONDED: Hamilton

APPROVED: 7-0-0-0

AYES: King, Hamilton, Grupposo, Aldaco, Gulmahamad, Ligtenberg, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

7. **Resolution No. 2021-XX – A Resolution of the Board of Directors of the Chino Basin Water Conservation District Authorizing the District to Enter into a Financial Assistance Agreement Under the Stormwater for Recharge Pilot Program for Fiscal Year 2021 with the Metropolitan Water District of Southern California and the Inland Empire Utilities Agency**

Staff report and PowerPoint presentation was given by General Manager Elizabeth Skrzat.

A motion was made by Director Aldaco and seconded by Director Sonnenberg to adopt Resolution No. 2021-XX authorizing the General Manager to enter into the Stormwater for Recharge Pilot Program Agreement.

Director Sonnenberg wanted to clarify that the District would have access to Inland Empire Utilities Agency's reporting information. Ms. Skrzat confirmed that the District would have access to all project reporting.

Motion carried on 7-0-0-0 vote to adopted Resolution No. 2021-XX authorizing the General Manager to enter into the Stormwater for Recharge Pilot Program Agreement with the Metropolitan Water District of Southern California and the Inland Empire Utilities Agency

MOVED: Aldaco

SECONDED: Sonnenberg

APPROVED: 7-0-0-0

AYES: King, Hamilton, Gruposso, Aldaco, Gulmahamad, Ligtenberg, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

8. **Resolution No. 2021-XX – A Resolution of the Board of Directors of the Chino Basin Water Conservation District Requiring COVID-19 Vaccination as a condition of Employment and Adopting Policy No. 60 – COVID-19 Vaccination & Mask Requirement Policy**

Staff report and PowerPoint presentation was given by General Manager Elizabeth Skrzat.

A motion was made by President King and seconded by Director Aldaco to adopt Resolution No. 2021-XX regarding vaccination and masking requirements.

Director Aldaco stated he respects the opinions of everyone and expressed his condolences for everyone affected by COVID-19. President King noted legal has reviewed the policy and resolution and vetted all documentation. Director Gulmahamad voiced empathy for kids under the age of 12 who cannot get vaccinated and encouraged adults to get vaccinated.

Motion carried on 4-2-1-0 vote to adopted Resolution No. 2021-XX regarding vaccination and masking requirements, thereby Policy No. 60, requiring vaccination against COVID-19 as a condition of employment at the Chino Basin Water Conservation District.

MOVED: King

SECONDED: Aldaco

APPROVED: 4-2-1-0

AYES: King, Grupposo, Aldaco, Ligtenberg

NOES: Hamilton, Sonnenberg

ABSTAIN: Gulmahamad

ABSENT: None

Director Hamilton made a comment after the vote and commended staff how well they been working under the current conditions.

9. **Resolution No. 2021-XX – A Resolution of the Board of Directors of the Chino Basin Water Conservation District Requiring a Return to District Headquarters for Board Members and Employees**

Staff report and PowerPoint presentation was given by General Manager Elizabeth Skrzat.

A motion was made by President King and seconded by Director Aldaco to adopt Resolution No. 2021-XX requiring a return to District Headquarters.

Director Ligtenberg expressed concerns to have staff return to work with cases high from the Delta variant. Director Sonnenberg asked to clarify if the Resolution fails, if all employees will be required to be fully vaccinated. Ms. Skrzat responded that regardless of the outcome, staff is required to be fully vaccinated.

Director Gulmahamad recommended to vote on the item at the next Board meeting on October 11, 2021. General Counsel Steve Kennedy stated it would make sense to move forward with the Resolution.

President King noted that it is their mission to help people with water conservation and recommends staff to return to work.

Director Sonnenberg asked if an unvaccinated Board member can attend an in-person Board meeting. Mr. Kennedy stated the relationship between a government and its employees is fundamentally different than between a government entity and its elected officials. A government agency can not bar its elected officials from office due to lack of vaccination.

Motion carried on 4-3-0-0 vote to adopted Resolution No. 2021-XX, requiring a return to District Headquarters for Board Members and employees.

MOVED: King

SECONDED: Aldaco

APPROVED: 4-3-0-0

AYES: King, Grupposo, Aldaco, Gulmahamad

NOES: Hamilton, Ligtenberg, Sonnenberg

ABSTAIN: None

ABSENT: None

10. **FY 21-22 Classification and Labor Grade Schedule Update and Program Educator I/II Job Description**

Staff report and PowerPoint presentation was given by General Manager Elizabeth Skrzat.

A motion was made by Director Ligtenberg and seconded by Director Sonnenberg to approve proposed updates to FY 21-22 Classification and Labor Grade Schedule.

Motion carried on 7-0-0-0 vote to approve proposed updates to the FY 21-22 Classification and Labor Grade Schedule and the Program Educator I/II Job Description.

MOVED: Ligtenberg

SECONDED: Sonnenberg

APPROVED: 7-0-0-0

AYES: King, Hamilton, Grupposo, Aldaco, Gulmahamad, Ligtenberg, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

11. **COVID-19 Safety Protocols for In Person Boards Meetings**

Staff report and PowerPoint presentation was given by Administrative Services Manager Toyasha Sebbag.

Ms. Sebbag presented the Board with three options to consider for COVID-19 protocols. A motion was made by Director Aldaco to approve Option C, with an expenditure of \$15,000 for wireless microphones. The motion was not seconded.

Director Gulmahamad suggested that the Board consider other options before approving the expenditure. A motion was made by President King and seconded by Director Gulmahamad to approve Option A, which outlines a protocol using plexiglass to separate Board Members on the dais during in-person Board meetings.

Motion carried on 5-2-0-0 vote to approve recommendation to use Plexiglass for COVID-19 safety protocols for in-person Board meetings.

MOVED: King

SECONDED: Gulmahamad

APPROVED: 5-2-0-0

AYES: King, Gruposso, Aldaco, Gulmahamad, Ligtenberg

NOES: Hamilton, Sonnenberg

ABSTAIN: None

ABSENT: None

12. **Ratification/Approval of Changes to the Community Programs Department Programs for FY 21-22**

Staff report and PowerPoint presentation was given by Community Programs Manager Maia Dean and General Manager Elizabeth Skrzat.

A motion was made by Director Aldaco and seconded by President King to approve changes to the Community Programs Department's programs for Fiscal Year 2021-2022 and alternative program option for Fall 2021 or Spring 2022.

Motion carried on 7-0-0-0 vote to approve changes to the Community Programs Department's programs for Fiscal Year 2021-2022, including the Youth Volunteer Cohort, the Landscape and Water Conservation Festival, Scout Day, and Small Waterwise Community Center Events.

MOVED: Aldaco

SECONDED: King

APPROVED: 7-0-0-0

AYES: King, Hamilton, Gruposso, Aldaco, Gulmahamad, Ligtenberg, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: None

INFORMATIONAL ITEMS

13. Monthly update of Team Goals During COVID-19 Restrictions.

14. Letters in Support of State Funding for Recycled Water as Part of California's Drought Package.

DIRECTOR ORAL REPORTS

President King – Nothing to report.

Vice President Hamilton – Nothing to report.

Treasurer Grupposo – Treasurer Grupposo commended the public and staff for comments made earlier.

Director Aldaco reported on the following:

- ***See attached written report.***

Director Gulmahamad reported on the following:

- Director Gulmahamad reported on the Southern California Water Coalition meeting held on August 10, 2021.
- Director Gulmahamad reported on the BIA Southern California Water Conference held on August 13, 2021.

Director Ligtenberg – Nothing to report.

Director Sonnenberg reported on the following:

- Director Sonnenberg reported on the BIA Southern California Water Conference held on August 13, 2021, and commended Scott Kleinrock on his presentation.

STAFF ORAL REPORTS

General Manager - Elizabeth Skrzat reported on the BIA Southern California Water Conference held on August 13, 2021, and commended Scott Kleinrock on his presentation.

Board Attorney – Steve Kennedy thanked the Board for allowing him to fill in for Leland McElhaney during the September meeting.

CLOSED SESSION –Board recessed to closed session at 4:53 p.m. to consider the following closed session items:

CONFERENCE WITH LEGAL COUNSEL. Anticipated litigation. Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2).

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.

REPORTABLE ACTION – The meeting reconvened at 6:41 p.m. and had no reportable action.

ADJOURN

Vice President Hamilton adjourned the meeting at 6:41 p.m. to the next Regular Board Meeting of the Chino Basin Water Conservation District to be held on Monday, October 11, 2021, at 2:00 p.m.

APPROVED AND ADOPTED THIS 11th DAY OF October 2021.



Elizabeth Skrzat, General Manager

ATTEST:



Jerry Mireles, Sr. Administrative Assistant