



CHINO BASIN

**Water
Conservation
District**

**REGULAR MEETING
OF THE BOARD OF DIRECTORS**

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

Monday, June 12, 2023

MINUTES

INVOCATION – *Director Layton led the Board in 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 Mark Ligtenberg
Vice President Kati Parker
Treasurer Gil Aldaco
Director Teri Layton
Director Hanif Gulmahamad
Director Ryan Sonnenberg – arrived at 3:36 p.m.*

Board Members Absent: *Director Amanda Coker*

General Counsel Present: *Leland McElhaney, Esq.*

Staff Present: *General Manager Elizabeth Skrzat
Board Clerk/Administrative Coordinator Dena Lamarque
Conservation Programs Manager Scott Kleinrock
Facilities Maintenance Manager Dave Schroeder
Administrative Services Manager Alicia Fernandez*

Guest: *Kristi Even, Manager Government Advisory Services, Eide Bailly LLP*

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 – None.

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. **May 8, 2023 – Regular Board Meeting.** *Approved.*
 - b. **May 24, 2023 – Finance Committee Meeting.** *Approved.*

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

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

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

Motion carried on 5-0-0-2 vote to approve the Consent Calendar.		
MOVED: Gulmahamad	SECONDED: Layton	APPROVED: 5-0-0-2
AYES:	Ligtenberg, Parker, Aldaco, Layton, Gulmahamad	
NOES:	None	
ABSTAIN:	None	
ABSENT:	Coker, Sonnenberg	

PUBLIC HEARINGS – 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. The Board Clerk stated there were no public communications received.

DISCUSSION ITEMS

4. **Approve Agreement No. 2023-06 with North American Weather Consultants, Inc. (NAWC) and the Santa Ana Watershed Project Authority (SAWPA) for Cloud Seeding Program Equipment Lease**

General Manager Elizabeth Skrzat presented the staff report explaining that in 2022 the Board approved an agreement between NAWC and CBWCD, but SAWPA was not named in the agreement. ACWA/JPIA wanted to ensure that SAWPA was also a party to the agreement as this is a pilot program created by SAWPA and they have hired NACW to carry out the Cloud Seed Program. The purpose of this agreement is to allow cloud nuclei generators to be installed and operate on district property.

A motion was made by Vice President Parker to approve this item as recommended by staff, seconded by Treasurer Aldaco, and carried on the following vote:

Director Gulmahamad expressed his opposition in the approval of the agreement.

Motion carried on 4-1-0-2 vote to approve Agreement No. 2023-06 with North American Weather Consultants, Inc. (NAWC) and the Santa Ana Watershed Project Authority (SAWPA) for Cloud Seeding Program Equipment Lease.

MOVED: Parker

SECONDED: Aldaco

APPROVED: 4-1-0-2

AYES: Ligtenberg, Parker, Aldaco, Layton

NOES: Gulmahamad

ABSTAIN: None

ABSENT: Coker, Sonnenberg

5. **Ratify a Work Order with DJL Audio Visual Specialists to Replace Outdoor "Overflow" Speakers**

Facilities & Operations Manager Dave Schroeder gave a brief description of the ratification of the work order to include the replacement of outdoor speakers and additional cost.

Vice President Parker made a motion to approve this item as recommended by staff, seconded by Director Layton, and carried on the following vote:

Motion carried on 5-0-0-2 vote to approve the Ratification of the Work Order with DJL Audio Visual Specialists to Replace Outdoor "Overflow" Speakers.

MOVED: Parker

SECONDED: Layton

APPROVED: 5-0-0-2

AYES: Ligtenberg, Parker, Aldaco, Layton, Gulmahamad

NOES: None

ABSTAIN: None

ABSENT: Coker, Sonnenberg

6. Designate a Voting Representative for ACWA Elections

General Manager Elizabeth Skrzat presented the staff report stating that the General Manager has been the representative to vote for ACWA Elections because the ACWA elections were held during the November fall conference that she attended. Due to changes to ACWA bylaws, the elections are now online prior to the fall conference. Furthermore, it was explained that if the Board does not designate a representative to vote by the deadline of June 16, 2023, then the agency's General Manager will be the authorized voter by default.

Vice President Parker expressed interest in being designated the voting representative.

Director Aldaco made a motion that for consistency the General Manager remain as the representative to vote for ACWA Elections. Because Vice President Parker expressed interest in being the representative, Director Aldaco withdrew the motion.

A motion was made by Director Layton to designate Vice President Parker as the voting representative, seconded by President Ligtenberg, and carried on the following vote:

Motion carried on 5-0-0-2 vote to Designate Vice President Parker as the CBWCD Representative for ACWA Elections.

MOVED: Layton

SECONDED: Ligtenberg

APPROVED: 5-0-0-2

AYES: Ligtenberg, Parker, Aldaco, Layton, Gulmahamad

NOES: None

ABSTAIN: None

ABSENT: Coker, Sonnenberg

7. Approval of the Positions and Job Descriptions for Administrative Assistant I, Landscape Maintenance Worker III, and Part-Time Receptionist

General Manager Elizabeth Skrzat presented the staff report recommending the approval of the positions and job descriptions as recommended by the Finance and Personnel Committees and was available for questions.

There was no further discussion from the Board.

A motion was made by Treasurer Aldaco to approve this item as recommended by staff, seconded by Director Layton, and carried on the following vote:

Motion carried on 5-0-0-2 vote to approve the Positions and Job Descriptions for Administrative Assistant I, Landscape Maintenance Worker III, and Part-Time Receptionist as recommended by the Finance and Personnel Committees.

MOVED: Aldaco SECONDED: Layton APPROVED: 5-0-0-2
AYES: Ligtenberg, Parker, Aldaco, Layton, Gulmahamad
NOES: None
ABSTAIN: None
ABSENT: Coker, Sonnenberg

8. Approve Compensation Schedule and Salary Step Chart for Fiscal Year 2023-2024

General Manager Elizabeth Skrzat presented a staff report and PowerPoint recommending the approval of the Compensation Schedule and Step Chart for Fiscal Year 2023-2024 as recommended by the Finance and Personnel Committees and was available for questions.

Director Layton asked a clarifying question related to how long it takes an employee to move a step, and General Manager Skrzat explained that an employee is moved one step at a time. Director Layton recommended consideration to minimize steps. Vice President Parker recommended consideration for an employee to move two steps at a time at the General Manager's discretion.

A motion was made by Treasurer Aldaco to approve this item as recommended by staff, seconded by Director Gulmahamad, and carried on the following vote:

Motion carried on 5-0-0-2 vote to approve the Compensation Schedule and Salary Step Chart for Fiscal Year 2023-2024 as recommended by the Finance and Personnel Committees.

MOVED: Aldaco SECONDED: Gulmahamad APPROVED: 5-0-0-2
AYES: Ligtenberg, Parker, Aldaco, Layton, Gulmahamad

NOES: None
ABSTAIN: None
ABSENT: Coker, Sonnenberg

9. **Approve the Implementation of a Cost-of-Living Adjustment (COLA) for Fiscal Year 2023-2024**

General Manager Elizabeth Skrzat presented the staff report recommending the approval of the Cost-of-Living Adjustment for Fiscal Year 2023-24 as recommended by the Finance and Personnel Committees.

A motion was made by Treasurer Aldaco to approve this item as recommended by staff, seconded by Director Gulmahamad, and carried on the following vote:

Motion carried on 5-0-0-2 vote to approve a Cost-of-Living Adjustment (COLA) for Fiscal Year 2023-2024 as recommended by the Finance and Personnel Committees.

MOVED: Aldaco SECONDED: Gulmahamad APPROVED: 5-0-0-2

AYES: Ligtenberg, Parker, Aldaco, Layton, Gulmahamad

NOES: None

ABSTAIN: None

ABSENT: Coker, Sonnenberg

10. **Adopt the Annual Budget for Fiscal Year 2023-2024**

General Manager Elizabeth Skrzat presented the staff report and explained that after the Board budget review session in May, suggestions were made and taken to the Finance Committee for further review. Further revisions were made to the proposed Fiscal Year 2023-2024 budget as recommended by the Finance Committee; therefore, staff is recommending adoption of the annual budget for Fiscal Year 2023-2024.

A motion was made by Director Gulmahamad to approve this item as recommended by staff, seconded by Treasurer Aldaco, and carried on the following vote:

Motion carried on 5-0-0-2 vote to Adopt the Annual Budget for Fiscal Year 2023-2024 as recommended by the Finance Committee.

MOVED: Gulmahamad SECONDED: Aldaco APPROVED: 5-0-0-2

AYES: Ligtenberg, Parker, Aldaco, Layton, Gulmahamad

NOES: None

ABSTAIN: None

ABSENT: Coker, Sonnenberg

11. Approve Amendment to Policy No. 36: Sick Leave

General Manager Elizabeth Skrzat presented the staff report recommending approval to amend Policy No. 36, Sick Leave, as recommended by the Personnel Committee.

A motion was made by Director Layton to approve this item as recommended by staff, seconded by Vice President Parker, and carried on the following vote:

Motion carried on 5-0-0-2 vote to approve Amendment to Policy No. 36: Sick Leave, as recommended by the Personnel Committee.

MOVED: Layton	SECONDED: Parker	APPROVED: 5-0-0-2
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AYES: Ligtenberg, Parker, Aldaco, Layton, Gulmahamad
 NOES: None
 ABSTAIN: None
 ABSENT: Coker, Sonnenberg

12. Approve Amendment to Policy No. 38: Vacations

General Manager Elizabeth Skrzat presented the report and PowerPoint presentation recommending amending Policy No. 38, Vacations, as recommended by the Personnel Committee. Director Layton suggested possibly reducing the number of levels considered in the months of service.

A motion was made by Treasurer Aldaco to approve this item as recommended by staff, seconded by Vice President Parker, and carried on the following vote:

Motion carried on 5-0-0-2 vote to approve Amendment to Policy No. 38: Vacations as recommended by the Personnel Committee to be effective July 1, 2023.

MOVED: Aldaco	SECONDED: Parker	APPROVED: 5-0-0-2
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AYES: Ligtenberg, Parker, Aldaco, Layton, Gulmahamad
 NOES: None
 ABSTAIN: None
 ABSENT: Coker, Sonnenberg

13. Consideration of the California CLASS Prime Fund Investment Program

General Manager Elizabeth Skrzat presented the staff report and introduced Kristi Even, Manager at Eide Bailly, to present a PowerPoint overview of the California CLASS Prime Fund Investment Program.

Director Gulmahamad asked Counsel McElhaney, if he had any concerns about the three-year stipulation. Counsel McElhaney responded that he did not at this point.

A motion was made by Vice President Parker to amend Policies No. 18 and No. 19 to further consider Eide Bailly's recommendations at the next Board meeting, seconded by Treasurer Aldaco, and carried on the following vote:

Motion carried on 5-0-0-2 vote to direct the General Manager to amend Policies No. 18 and No. 19 and bring back to the Board to date certain of July 10, 2023, and to be prepared to open an account and transfer funds as recommended by Eide Bailly.

MOVED: Parker

SECONDED: Aldaco

APPROVED: 5-0-0-2

AYES: Ligtenberg, Parker, Aldaco, Layton, Gulmahamad

NOES: None

ABSTAIN: None

ABSENT: Coker, Sonnenberg

INFORMATIONAL ITEMS – None

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 – Attended meetings as itemized in Item 3 – AB 1234 of the Agenda.

Vice President Parker - Attended meetings as itemized in Item 3 – AB 1234 of the Agenda but stated that she had a family emergency and did not attend the Chino Hills State of the Union after all.

Treasurer Aldaco – Attended meetings as itemized in Item 3 – AB 1234 of the Agenda.

Director Layton – Attended meetings as itemized in Item 3 – AB 1234 of the Agenda.

Director Coker – Attended meetings as itemized in Item 3 – AB 1234 of the Agenda.

Director Gulmahamad – Attended meetings as itemized in Item 3 – AB 1234 of the Agenda.

Director Sonnenberg – Attended meetings as itemized in Item 3 – AB 1234 of the Agenda with the exception of the Chino Basin Stakeholders BBQ on May 15th. The Director's report was amended.

STAFF ORAL REPORTS

General Manager/Secretary Report – *Thanked staff for the Basin Tour event. It is the best example of how well staff works together. Acknowledged Dave, Billy, Dena, and Judy for all their efforts to make this a successful event.*

Board Attorney Report – *None.*

CLOSED SESSION

President Ligtenberg recessed the meeting to Closed Session at 3:45 p.m. to consider the following Closed Session items:

14. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

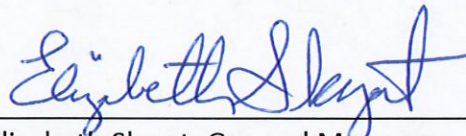
15. PUBLIC EMPLOYEE PERFORMANCE REVIEW

Government Code Section 54957
Title: General Manager

President Ligtenberg reconvened the meeting at 4:58 p.m. Board Attorney, Leland McElhaney, stated that there was no reportable action taken.

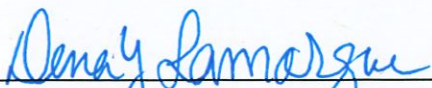
ADJOURN

President Ligtenberg adjourned the meeting at 4:59 p.m. to the next Regular Board Meeting of the Chino Basin Water Conservation District to be held on Monday, July 10, 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

