



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, July 10, 2023

MINUTES

INVOCATION – *Director Sonnenberg led the Board in the invocation.*

CALL TO ORDER AND FLAG SALUTE – *Vice President Parker called the meeting to order at 2:01 p.m. and led the audience in the flag salute.*

ROLL CALL

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

Board Members Absent: *President Mark Ligtenberg
Director Teri Layton*

General Counsel Present: *Leland McElhaney, Esq.*

Staff Present: *General Manager Elizabeth Skrzat
Conservation Programs Manager Scott Kleinrock
Facilities Maintenance Manager Dave Schroeder
Administrative Services Manager Alicia Fernandez*

Guest: *Scott Nelsen, 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

Presentation of Certificate from the International Institute of Municipal Clerks of Certified Municipal Clerk to Alicia Fernandez. – Presented by Vice President Parker

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. June 12, 2023 – Regular Board Meeting. *Approved.*
2. Financial Reports.
 - a. May 2023. *Approved.*
3. AB 1234.
 - a. Director Travel, Training, and Meeting Report. *Approved.*
 - b. Compensation & Reimbursement Report. *Approved.*
4. Approve Director Attendance at the CSDA Annual Conference and the ACWA (Association of California Water Agencies) Fall Conference. *Approved.*

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

Motion carried on 5-0-0-2 vote to approve the Consent Calendar.

MOVED: Gulmahamad

SECONDED: Aldaco

APPROVED: 5-0-0-2

AYES: Parker, Aldaco, Coker, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: Ligtenberg, Layton

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 Parker opened the Public Comment period. The Board Clerk stated there were no public communications received.

DISCUSSION ITEMS

5. Approve Amendments to Contracts with the Inland Empire Utilities Agency (IEUA), including Amendment 9 of the IEUA Contract (#460002246-009) for the Landscape Evaluations, and Audit Programs, Amendment 10 of the IEUA Contract (#4600000861-010) for the Residential Landscaping Program, and Amendment 4 of the IEUA Contract (#460002827-004) for the Gardens in Every School Program

General Manager Elizabeth Skrzat introduced Scott Kleinrock, Conservation Programs Manager, to present the staff report. Mr. Kleinrock explained the IEUA Programs and that all three amendments were presented at the same time for expediency. The Gardens in Every School Program was supposed to be closed, but two schools have thus far not met the requirements to finish installation and IEUA requested that the District continue the contract so that they can extend the deadline for the schools.

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

Motion carried on 5-0-0-2 vote to approve Amendments to Contracts with the Inland Empire Utilities Agency (IEUA), including Amendment 9 of the IEUA Contract (#460002246-009) for the Landscape Evaluations, and Audit Programs, Amendment 10 of the IEUA Contract (#4600000861-010) for the Residential Landscaping Program, and Amendment 4 of the IEUA Contract (#460002827-004) for the Gardens in Every School Program.

MOVED: Aldaco

SECONDED: Sonnenberg

APPROVED: 5-0-0-2

AYES: Parker, Aldaco, Coker, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: Ligtenberg, Layton

6. **Approve Amendment No. 1 to Employment Agreement between the Chino Basin Water Conservation District (District) and Elizabeth Skrzat, General Manager**

Legal Counsel Lee McElhaney presented the staff report and stated that this item was previously discussed by the Board in closed session where input from staff and the Board was considered. Based on the input, modifications were recommended to increase the annual compensation and to extend the contract term to 2027.

Vice President Parker understood that the contract term had been extended to 2028.

The Board unanimously agreed that the term discussed in closed session was for an additional three years, extending the term of the agreement to 2028.

Director Sonnenberg made a motion to approve the General Manager's Contract as discussed by the Board and Counsel, to increase the annual compensation, and extend the contract to 2028, seconded by Treasurer Aldaco, and carried on the following vote:

Motion carried on 5-0-0-2 vote to approve Amendment No. 1, to Employment Agreement between the Chino Basin Water Conservation District (District) and Elizabeth Skrzat, General Manager.

MOVED: Sonnenberg

SECONDED: Aldaco

APPROVED: 5-0-0-2

AYES: Parker, Aldaco, Coker, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: Ligtenberg, Layton

7. **Approve Participation in the Solve the Water Crisis Coalition**

General Manager Elizabeth Skrzat presented the staff report. Ms. Skrzat explained that Shivaji Deshmukh, IEUA General Manager, provided a "Solve the Water Crises Coalition" presentation at a previous Board meeting. As a result of the Board's expressed interest in participating, Ms. Skrzat further explained the online application form needed to become a supporter of the coalition.

Treasurer Aldaco made a motion to approve participation in the Solve the Water Crisis Coalition, and instruct staff as to how the District should participate, with the exception of financial support, seconded by Director Gulmahamad, and carried on the following vote:

Motion carried on 5-0-0-2 vote to Approve Participation in the Solve the Water Crisis Coalition without Supporting Financially.

MOVED: Aldaco

SECONDED: Gulmahamad

APPROVED: 5-0-0-2

AYES: Parker, Aldaco, Coker, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: Ligtenberg, Layton

8. Approve Participation in the California CLASS Prime Fund Investment Program and Amendments to Policy No. 18 and Policy No. 19

General Manager Elizabeth Skrzat presented the staff report recommending approval of participating in the California CLASS Prime Fund Investment Program and amendments to Policy No. 18 and 19. Policy No. 18 would add 3 signatories and allow the Administrative Services Manager to access and download monthly balance sheets which are needed to prepare financial reports. Policy No. 19 would update the rule that the District should not invest more than \$100,000 in an institution that is less than three years old to include an exception that allows the District to establish an account and fund the investment as reviewed and approved by Counsel.

Scott Nelsen, Eide Bailey Representative, gave a brief summary of the California CLASS Prime Fund Investment Program and how the District will be maximizing their investment based on recommendations made by Kristi Even, Manager Government Advisory Services, Eide Bailly LLP, which will redistribute funds from CalTrust (15%) and LAIF (85%), to CLASS (50%) and LAIF (50%) to maximize the District's investments. As of May 2023, the CLASS annual percent yield is 4.83%, and LAIF is just over 2.0%.

Ms. Skrzat presented another option that emptied the CalTrust account into CLASS and moved a smaller amount out of LAIF.

Discussion ensued from the Board on the amount of funds that should be transferred based on the report and recommendations.

A motion was made by Treasurer Aldaco to approve participating in the California CLASS Prime Fund Investment Program, assign a dollar amount to zero out Cal Trust and \$2 million to invest, and amend Policy No 18 and Policy No 19 as recommended by staff; motion died for lack of a second.

A motion was made by Vice President Parker to approve participating in the California CLASS Prime Fund Investment Program, invest \$4 million from LAIF and all funds from CalTrust as recommended by Kristi Even, seconded by Treasurer Aldaco, and carried on the following vote:

Motion carried on 5-0-0-2 vote to approve participation in the California CLASS Prime Fund Investment Program and Amendments to Policy No. 18 and Policy 19.

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

AYES: Parker, Aldaco, Coker, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: Ligtenberg, Layton

Director Gulmahamad asked for quarterly investment reports to be given to the Board to monitor investment; consensus was received. General Manager Skrzat stated that she could report quarterly.

9. Approve Amendment to Policy No. 30-1

General Manager Elizabeth Skrzat presented a staff report and explained as the District transitioned from PayChex to Eide Bailey's MyGo the entire Employee Manual had to be uploaded in the system. As a result, staff realized that the overtime policy only specified overtime hours for employees who work alternative work weeks and did not directly address employees working traditional work weeks. The updated policy includes the traditional work week schedule and overtime pay, including part-time employees and interns. It is consistent with California state law.

General Manager Elizabeth Skrzat thanked Administrative Services Manager Alicia Fernandez for pointing out the issue and updating the policy.

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

Motion carried on 5-0-0-2 vote to approve Amendment to Policy No. 30-1.

MOVED: Sonnenberg SECONDED: Coker APPROVED: 5-0-0-2

AYES: Parker, Aldaco, Coker, Gulmahamad, Sonnenberg

NOES: None

ABSTAIN: None

ABSENT: Ligtenberg, Layton

10. Select a Candidate for the Southern California Network Seat C of the 2024-2026 California Special Districts Association (CSDA) Board of Directors

General Manager Elizabeth Skrzat presented the staff report. She stated that there are three candidates and received one letter of support from one of the candidates, the incumbent's application, supportive information, and a third candidate's application.

Vice President Parker recommended that the Board remain neutral and not cast a vote. Consensus was reached and no action was taken.

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 act on any of the subject matters listed below.

Vice President Parker – *Attended meetings as itemized in Item 3 – AB 1234 of the Agenda. She added that IEUA is hosting the Women in Water Conference on July 27, 2023, and was asked to represent the District on the panel.*

Treasurer Aldaco – *Attended meetings as itemized in Item 3 – AB 1234 of the Agenda and in his written report.*

Director Coker – *Invited the Board to attend the Chino Fair Auction on Friday, at 6:00 p.m. at the Chino Fair Grounds.*

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.*

STAFF ORAL REPORTS

General Manager/Secretary Report – Thanked the Board for approving her contract and appreciates the Board and Staff very much. Thanked Judy for ordering the name tags, and thanked Maia for purchasing the swag. Congresswoman Norma Torres had a round table and asked questions about what local water districts need. There might be federal money for security problems around water infrastructure.

Board Attorney Report – None.

CLOSED SESSION

Vice President Parker recessed the meeting to Closed Session at 2:59 p.m. to consider the following Closed Session items:

11. 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

12. CONFERENCE WITH LEGAL COUNSEL

Government Code section 54956.8. Possible acquisition of property rights for underground storage of supplemental water.

Vice President Parker reconvened the meeting at 3:33 p.m.

Board Attorney, Leland McElhaney, stated that there was no reportable action taken.

Vice President Parker reported on the 75th Anniversary Ad Hoc Committee meeting discussion and commended Staff on a great presentation of the various events. The Finance Committee will review the recommendations and will be brought back to the Board for approval.


ADJOURN

Vice President Parker adjourned the meeting at 3:36 p.m. to the next Regular Board Meeting of the Chino Basin Water Conservation District to be held on Monday, August 14, 2023, at 2:00 p.m. at District Headquarters, located at 4594 San Bernardino Street, Montclair, CA 91763.

APPROVED AND ADOPTED THIS 14th DAY OF AUGUST, 2023.


Elizabeth Skrzat, General Manager

ATTEST:



Dena Y. Lamarque, Board Clerk/Administrative Coordinator