



**REGULAR MEETING
OF THE BOARD OF DIRECTORS**

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

Monday, August 14, 2023

MINUTES

INVOCATION – *President Ligtenberg 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 Amanda Coker
Director Hanif Gulmahamad*

Board Members Absent: *Director Ryan Sonnenberg – excused*

General Counsel Present: *Leland McElhaney, Esq.*

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

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.

General Manager Elizabeth Willis requested that the Metrics Presentation: LEAP Commercial & LEAP Residential be pulled from the Agenda.

PRESENTATIONS

1. Metrics Presentation – Infiltration Report: Dave Schroeder, Facilities & Operations Manager

The presentation was received and filed.

2. Metrics Presentation- LEAP Commercial & LEAP Residential: Scott Kleinrock, Conservation Programs Manager

General Manager Liz Willis pulled Presentation No. 2 from the Agenda.

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.

3. Minutes

- a. July 10, 2023 – Regular Board Meeting. *Approved.*
- b. July 31, 2023 – Finance Committee Meeting. *Approved.*
- c. August 1, 2023 – Recharge Committee Meeting. *Approved.*

4. Financial Reports.

- a. June 2023. *Approved.*

5. AB 1234

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

6. Committee Reassignment. *Received and filed.*

- a. 2022-2024 CBWCD Committee Assignments & Representative Positions.

7. Revised FY 2023-2024 Classification and Compensation Chart. *Approved.*

A motion to approve the Consent Calendar was made by Vice President Parker seconded by Treasurer Aldaco; the motion passed unanimously.

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 no public communication was received.

DISCUSSION ITEMS

8. Consideration of a Pilot Program to Update the Lobby to Better Suit Current Facility Needs

Report by: Monica Curiel, Program Educator II
Scott Kleinrock, Conservation Programs Manager

RECOMMENDATION: Review, discuss, and provide direction to staff regarding a pilot program to update the lobby to better suit current facility needs.

Conservation Programs Manager Scott Kleinrock presented the staff report. He explained how the lobby update would improve the Conservation and Community Programs departments operationally. The improvements would accommodate the landscape professional workshops that the District now offers by freeing up the Board Room during rainy day field trips. Additionally, the exhibits in the lobby are visibly showing wear with peeling corners and faded materials, and the informational materials are starting to sound dated. Mr. Kleinrock introduced Program Educator II Monica Curiel to explain staff's vision of creating quarterly revolving exhibits that speak to all age groups and give constituents and community groups a more engaging and memorable experience.

Director Coker commended staff for their enthusiasm and going above and beyond by taking space constraints and turning it into an opportunity to create a more interactive and engaging space.

A motion was made by Vice President Parker to budget \$11,000 for Community Programs staff to plan and implement the proposed pilot program as presented. The motion was seconded by Treasurer Aldaco; the motion passed unanimously.

9. Approve 75th Anniversary Proposal and CV Strategies Contract Amendment No. 4

Report by: Elizabeth Willis, General Manager

RECOMMENDATION: Review, discuss, and approve 75th Anniversary Proposal and CV Strategies Contract Amendment No. 4.

General Manager Willis presented the staff report. Ms. Willis explained that CV Strategies has suggested a full year of events and presented the timeline of events, including an event planned for elected and appointed officials. In addition, near the date of the District's actual founding date of December 6, 1949, a community-based event is planned. It was explained that Contract Amendment No. 4 was written to modify the existing contract to include the costs associated with the 75th Anniversary events, and to extend the contract to June 30, 2025.

A motion was made by Director Layton to approve 75th Anniversary Proposal and Contract Amendment No. 4 with CV Strategies as recommended by staff. The motion was seconded by Director Aldaco; the motion passed unanimously.

10. Provide Direction to Staff Regarding the Construction of Enhanced Security Fencing at Brooks Basin

Report by: Dave Schroeder, Facilities and Operations Manager

RECOMMENDATION: Review, discuss, and provide direction to staff regarding the construction of enhanced security fencing at Brooks Basin.

Facilities and Operations Manager Dave Schroeder presented the staff report. Mr. Schroeder explained that the project was approved as part of the District's Capital Plan for completion in FY 23-24. Due to the recent sharp increase of trespassing and vandalism, and complaints from the neighboring homeowner's association it has become an issue the District needs to prioritize immediately.

Discussion ensued amongst the Board regarding whether there should be more law enforcement involvement to assist the District with these issues.

Mr. Schroeder explained that although the Police Department and Code Enforcement do respond when they are called to assist staff with these issues it is not always a top priority for law enforcement. Therefore, clearing homeless encampments and debris, and fixing fences is taking up a lot of staff time.

Director Gulmahamad recommended that staff request increased patrolling from the Montclair Police Department.

A motion was made by Vice President Parker to approve Phase 1 of enhanced security fencing at Brooks Basin and move forward on Notice to Invite Bids for the fence construction. The motion was seconded by Treasurer Aldaco; the motion passed unanimously.

11. Update on CBWCD “Drought Piggy Bank” Concept

Report by: Elizabeth Willis, General Manager

RECOMMENDATION: Review, discuss, and provide direction to staff regarding the “Drought Piggy Bank” concept to bring additional imported water resources to the Chino Groundwater Basin.

General Manager explained the “Drought Piggy Bank” concept to the Board. The necessary steps that must be taken prior to purchasing and recharging water into the Chino Groundwater Basin were explained in detail. By following these steps, the District will be better prepared to store water when the opportunity arises. The District does not have to purchase water at this time but could choose to purchase water when ready.

The Board unanimously agreed with staff moving forward in the direction as presented.

There was no action taken at this time.

Director Coker requested that Item No. 14 be heard before Item No. 12 because she had to leave early.

The Board agreed to allow the reorder of Item No. 14 before Item No. 12.

12. Vote for Candidate in Association of California Water Agency Elections

Report by: Vice President Parker and General Manager Elizabeth Willis, General Manager

RECOMMENDATION: Review, discuss, and select candidates for the Association of California Water Agency Elections for the 2024-2025 term and direct the District’s elector to vote accordingly.

Vice President Parker provided an overview of the President and Vice President candidates and mentioned that the election committee of ACWA is in support of candidate Ernie Avila. After reviewing the qualifications of both candidates, Vice President Parker expressed her support for Ernie Avila.

Director Gulmahamad stated that he would abstain from voting.

A motion was made by Vice President Parker to vote for Kathy Green for ACWA President, and Ernesto "Ernie" Avila for Vice President, seconded by Treasurer Aldaco. The motion passed by the following vote:

| | | |
|---|-------------------------|--------------------------|
| MOVED: Parker | SECONDED: Aldaco | APPROVED: 4-0-1-2 |
| AYES: Ligtenberg, Parker, Aldaco, Layton | | |
| NOES: None | | |
| ABSTAIN: Gulmahamad | | |
| ABSENT: Sonnenberg, Coker | | |

13. Approve Amendment No. 10 to Inland Empire Utility A Contract (#460002246-10) for the Landscape Evaluation and Audits Program

Report by: Elizabeth Willis, General Manager
Scott Kleinrock, Conservation Programs Manager

RECOMMENDATION: Review, discuss, and approve Amendment No. 10 to the IEUA Contract (#460002246-10) for the Landscape Evaluation and Audits Program, updating rates charged by the District to better reflect current burdened staff costs.

Conservation Programs Manager Scott Kleinrock presented the staff report and explained that Amendment No. 10 better reflects the costs in conducting commercial and residential audits. These rates are updated as needed to account for shifts in staff costs including wages, benefits, and staff positions assigned to the program.

Director Layton asked approximately how many audits staff has completed. Mr. Kleinrock responded that approximately 114 audits had been completed.

A motion was made by Director Gulmahamad, seconded by Director Layton. The motion passed by the following vote:

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

14. Approve a Letter of Support for Monte Vista Water District's (MVWD) Application for the US Bureau of Reclamation 2024

General Manager Willis presented the staff report and explained that MVWD has been supportive of the District and believed that the District should reciprocate.

Director Coker pointed out that for these grants there is a quick turnaround for letters of support. She recommended that the General Manager be directed to sign future letters of support on behalf of the Board.

Director Layton suggested that the General Manager could add any letters of support she signs to the agenda for informational purposes. Vice President Parker added that if a letter of support is controversial, the General Manager discuss with the President of the Board.

A motion was made by Director Coker to approve the letter of support for MVWD, and direct staff to process future letters of support at staff level, seconded by Treasurer Aldaco. The motion passed unanimously.

Director Coker left the meeting at 3:42 p.m.

INFORMATIONAL ITEMS

15. Quarterly Metrics Report

Received and filed.

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.

President Ligtenberg - None

Vice President Parker - Attended meetings as itemized in Item 5 – AB 1234 of the Agenda.

Treasurer Aldaco - Attended meetings as itemized in Item 5 – AB 1234 of the Agenda.

Director Layton - Attended meetings as itemized in Item 5 – AB 1234 of the Agenda.

Director Coker – None

Director Gulmahamad - Attended meetings as itemized in Item 5 – AB 1234 of the Agenda.

Director Sonnenberg – None

STAFF ORAL REPORTS

Executive Director/Secretary Report – General Manager Willis thanked the Community Programs Team for the Dog Days of Summer Event. It was well organized and 111 people and 55 dogs enjoyed it. She also commended Community Programs Educator Billy Mercado for

increasing the attendance by posting on Instagram. She reminded the Board of the Montclair Chamber of Commerce Evening event on August 17th.

Board Attorney Report - None

CLOSED SESSION

President Ligtenberg recessed the meeting at 3:55 p.m., to consider the following Closed Session items:

16. 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

17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)
Cari McCormick vs. California Public Employees' Retirement System

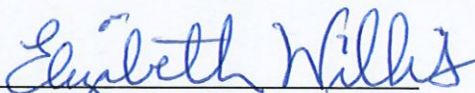
President Ligtenberg reconvened the meeting at 4:22 p.m.

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

ADJOURN

President Ligtenberg adjourned the meeting at 4:23 p.m. to the next Regular Board Meeting of the Chino Basin Water Conservation District to be held on Monday, September 11, 2023, at 2:00 p.m. at District Headquarters, located at 4594 San Bernardino Street, Montclair, CA 91763.

APPROVED AND ADOPTED THIS 11TH DAY OF SEPTEMBER, 2023.


Elizabeth Willis, General Manager

ATTEST:


Alicia Fernandez, Administrative Services Manager