



**REGULAR MEETING
OF THE BOARD OF DIRECTORS**

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

Monday, March 8, 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 2:05 p.m.

ROLL CALL

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

Board Members Absent: None.

General Counsel Present: Leland McElhaney, Esq.

Staff Present: Executive Director Elizabeth Skrzat
Conservation Programs Manager Scott Kleinrock
Facilities and Operations Manager Dave Schroeder
Administrative Services Manager Toyasha Sebbag
Facilities & Basin Technician Robert Sotomayor
Landscape Maintenance Worker II George Jimenez
Landscape Maintenance Worker I Luis Fernandez

Visitors Present: Bob Wagner, Wagner & Bonignore

ADDITIONS OR CHANGES TO THE AGENDA – None.

PRESENTATIONS – None.

CONSENT CALENDAR

1. **Minutes**
 - a. **January 29, 2021 – Recharge Committee Meeting.** Approve.
 - b. **February 8, 2021 – Regular Board Meeting.** Approve.
 - c. **February 9, 2021 – Education Committee Meeting.** Approve.
 - d. **February 12, 2021 – Special Board Meeting.** Approve.
 - e. **February 18, 2021 – Personnel Committee Meeting.** Approve.
 - f. **February 22, 2021 – Finance Committee Meeting.** Approve.
2. **Financial Reports.**
 - a. **February 2021.** Approve.
3. **AB 1234**
 - a. **Director Travel, Training, and Meeting Report.** Approve.
 - b. **Compensation & Reimbursement Report.** Approve.

Director Aldaco pulled items 1A, 1E and 3A for comment and question. It was moved by Director Aldaco and seconded by Director Gruposso to approve the remainder of the Consent Calendar. A motion was made to approve Items 1B, 1C, 1D, 1F, 2A and 3B of the Consent Calendar.

Motion carried on 7-0-0-0 vote to approve items #1B, 1C, 1D, 1F, 2A, and 3B of the Consent Calendar.

MOVED: Aldaco

SECONDED: Gruposso

APPROVED: 7-0-0-0

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

NOES: None

ABSTAIN: None

ABSENT: None

Director Aldaco spoke on Item 1A of the Recharge Committee meeting. He wanted, to reiterate the Committee's recommendation to permanently stop moving forward with the Confluence Pumping Project, to hold the property as an asset, to continue to lease the property, and that the Board of Directors (Board) continue to research other options.

Director Aldaco discussed Item 1E of the Personnel Committee meeting and requested that the entire Board and not just the Personnel Committee discuss the Executive Directors performance evaluation. General Counsel McElhaney agreed with Director

Aldaco, that the position of the Executive Director should be evaluated by the entire Board. Director Grupposo clarified that the Personnel Committee does an evaluation for the mid-year review and the Board does one annually.

Executive Director Skrzat suggested to have the Board discuss the evaluation during closed session in May or June. Director Grupposo agreed with Ms. Skrzat's recommendation to move forward with discussing that item in Closed Session and to have the item added to May's Regular Board Meeting.

Director Aldaco discussed Item 3A to remind staff to have the virtual meeting report as part of the consent calendar. Director Aldaco stressed the importance of providing information on what occurred during the meeting's to be part of the public record.

It was moved by Director Aldaco and seconded by Director Grupposo to approve Items 1A, 1E, and 3A.

Motion carried on 7-0-0-0 vote to pull approve items 1A, 1E and 3A of the Consent Calendar.

MOVED: Aldaco

SECONDED: Grupposo

APPROVED: 7-0-0-0

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

NOES: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS – None.

PUBLIC COMMUNICATIONS – None.

DISCUSSION ITEMS

4. **Confluence Project Review.**

Executive Director Elizabeth Skrzat presented the item to the Board of Directors (Board) and recommended that the Board review, discuss and provide direction to staff regarding the Confluence Pumping project. The District purchased the Confluence Pumping project property in March of 2018 for a purchase price of \$4.5 million and has so far invested \$5,022,922. On October 8, 2018, the District contracted with Wagner & Bonsignore for contract services and estimated the cost to complete the project would be between \$16.9 and \$21.3 million.

The next step would be for Wagner & Bonsignore to complete the preliminary engineering design for the total cost estimated at \$375,000. On January 29, 2021, the Recharge

Committee heard and discussed several options and recommended the District to halt all work on the pipeline and pumping project and hold the property as an asset.

Engineer Bob Wagner commended staff on its report. It was moved by Director Sonnenberg and seconded by Director Aldaco.

Motion carried on 7-0-0-0 vote to recommended to halt work on the pipeline and pumping project and hold the property as an asset for a future project or sale.

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

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

NOES: None

ABSTAIN: None

ABSENT: None

5. **Change Order to Contract by the CBWCD for Montclair Basins No. 2 and 3 Erosion Repairs – Project No. 2021-001.**

Executive Director Elizabeth Skrzat and Facilities Operations Manager Dave Schroeder presented the item to the Board of Directors (Board) to review, discuss and approve the change order to the contract by CBWCD for Montclair Basins No. 2 and 3 Erosion Repairs and to authorize additional expenditures. Mr. Schroeder discussed three main issues staff is experiencing on the erosion project and the contractor made staff aware of those issues along with the repair cost.

Director Aldaco questioned the need for a change order and suggested that staff document/maintain a list of all pipes and apparatus found in each basin, to prevent the need for change orders in the future.

It was moved and seconded to approve the change order to the contract by CBWCD for Montclair Basins No. 2 and 3.

Motion carried on 7-0-0-0 vote to approve the change order to the contract by CBWCD for Montclair Basins No. 2 and 3 Erosion Repairs and authorize the transfer of funds.

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

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

NOES: None

ABSTAIN: None

ABSENT: None

6. **Resolutions Concurring Nominations to the Executive Committee of the ACWA-JPIA.**

Executive Director Elizabeth Skrzat presented the item to the Board of Directors (Board) to review, discuss and approve Resolution No. 2021-01 and No. 2021-02. Resolution No. 2021-01 proposed to nominate Randall James Reed to the Executive Committee of the ACWA-JPIA and Resolution No. 2021-02 proposed to nominate Melody A. McDonald to the Executive Committee of the ACWA-JPIA.

It was moved by Director Aldaco and seconded by Director Sonnenberg to approve Resolution No. 2021-01 and No. 2021-02.

Motion carried on 7-0-0-0 vote to approve Resolution No. 2021-01 nomination Randall James Reed to the Executive Committee of the ACWA-JPIA and Resolution No. 2021-02 concurring with the nomination of Melody A. McDonald to the Executive Committee of the ACWA-JPIA.

MOVED: Aldaco

SECONDED: Sonnenberg

APPROVED: 7-0-0-0

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

NOES: None

ABSTAIN: None

ABSENT: None

7. **California Special Districts Association Board Nominations and Resolution No. 2021-03.**

Executive Director Elizabeth Skrzat presented the item to the Board of Directors (Board) and recommended that the Board review and discuss the potential nomination to the California Special District Association (CSDA) Board of Directors and provide direction to staff. If the item is approved, it would cost the District approximately \$6,600 annually in Directors wages. The CSDA is requesting nominations for the term 2022-2024 and if any Board members are interested then the Board is required to submit the candidate information sheet by March 29, 2021.

Director Aldaco recommended proceeding forward by nominating a Director as a candidate for the CSDA Board of Directors. Ms. Skrzat requested the Board of Directors to assert if they were interested in being nominated and no one was interested.

No motions or actions were taken.

8. **Fiscal Year 2020/21 Mid-year Budget Adjustments.**

Executive Director Elizabeth Skrzat presented the item to the Board of Directors (Board) to review, discuss, and approve mid-year budget adjustments for Fiscal Year 2020-2021.

Ms. Skrzat detailed that the District successfully shifted some of its costs by reducing planned expenditures in certain programs that contained inherent risk to the spread of the infection due to Covid-19. Due to Covid-19 the District had to make budget adjustments throughout the year and detailed the largest shift in funds include an estimated \$89,700 assigned to the Community Programs Account that has been moved to Accounts 58000, Capital Clearing and 60200. Ms. Skrzat is proposing at the end of the year to pass a resolution requesting to use the remaining unused funds for major structural failures and place the money in the reserve that will help fund the spillway.

Director Aldaco commended staff on its report. Director King questioned how the District decided to order 250 butterfly gardens and questioned the need and reasoning for giving out plants for earth day. Conservation Program Manager Scott Kleinrock detailed how the District has a plan if they do not give away 250 plants then staff would move the plants if necessary to other locations such as school sites and community gardens thereby ensuring that the plants would not go to waste. Mr. Kleinrock explained the link between providing the plants for butterfly gardens and water conservation by detailing that the plants are good for butterflies and require less than a quarter of water per year than a lawn does.

It was moved by Director Aldaco and seconded by Director Gruppiso to approve mid-year budget adjustments.

Motion carried on 7-0-0-0 vote to approve mid-year budget adjustments.		
MOVED: Aldaco	SECONDED: Gruppiso	APPROVED: 7-0-0-0
AYES: King, Hamilton, Gruppiso, Aldaco, Gulmahamad, Ligtenberg, Sonnenberg		
NOES: None		
ABSTAIN: None		
ABSENT: None		

9. **Proposed Adjustments to the Five-Year Capital Plan.**

Executive Director Elizabeth Skrzat presented the item to the Board of Directors (Board) and recommended that the Board review, discuss and approve the proposed adjustments to the Five-Year Capital Plan. Ms. Skrzat reported on costs related to the Brooks Basin Fence Project which was estimated to cost \$300,000 and upon further investigation is estimated to cost \$ 400,000. Ms. Skrzat recommends splitting the project into two phases, with phase one built FY 23-24 and phase two to be built FY 24-25.

It was moved by Director Aldaco and seconded by Director King to approve proposed adjustments to the Five-Year Capital Plan.

Motion carried on 7-0-0-0 vote to approve proposed adjustments to the Five-Year Capital Plan.

MOVED: Aldaco

SECONDED: King

APPROVED: 7-0-0-0

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

NOES: None

ABSTAIN: None

ABSENT: None

INFORMATIONAL ITEMS

10. Monthly update of Team Goals During COVID-19 Restrictions.
11. "President's Special Recognition Award" from ACWA-JPIA.

ACWA JPIA recognized the District in particular David Schroeder for achieving the low ratio of "Paid Claims and Case Reserves" to "Deposit Premiums" in the Worker's Compensation program for the period 07/01/2016 – 6/30/2019.

Director Aldaco, Director Hamilton and Director Gruppосо commended staff on its award.

DIRECTOR ORAL REPORTS

President King – Nothing to Report.

Vice President Hamilton – Director Hamilton discussed the education virtual meeting for the poster contest and mentioned that a total of 514 posters were submitted. Director Hamilton wanted to reiterate the contest ended at the end of the week and commended everyone who participated in the event.

Treasurer Gruppосо – Director Gruppосо had nothing to report but stated that he is proud of the efforts of the state for getting people vaccinated and commended everyone who is engaged in those efforts.

Director Aldaco:

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

Director Aldaco requested staff to give an update on the goats and llama. Facilities and Operations Manager Dave Schroeder provided an update that staff have been investigating the goats and llama. Mr. Schroeder will report back to the Board of Directors with a comparative analysis on the pros and cons of contracting out at a future meeting.

Director Gulmahamad reported on the following:

- Director Gulmahamad reported on the Southern California Water Coalition Webinar. Director Gulmahamad discussed the impact of chemicals PFAS and PFOA are having on underground water. Director Gulmahamad further mentioned the Environmental Protection Agency efforts to investigate this subject matter.
- Director Gulmahamad reported on the Metropolitan Water District meeting about diversifying the water supplies to protect and enhance the natural systems. He mentioned the Metropolitan Water District efforts of modernizing the delta conveyance.

Director Ligtenberg – Nothing to report.

Director Sonnenberg – Nothing to report.

STAFF ORAL REPORTS

Executive Director Elizabeth Skrzat provided an update about a grant the District applied for with the Metropolitan Water District and the grant is still in progress. The U.S. Bureau of Reclamation grant was not accepted.

The Southern California water conference will provide an update in a week for the schedule for the conference.

Ms. Skrzat commended staff on its continuous effort with working through the pandemic.

Director Gulmahamad urged staff to not be discouraged for not getting the grant with the U.S. Bureau of Reclamation.

Board Attorney – Nothing to report.

CLOSED SESSION – The Board recessed to closed session at 4:08 p.m. to consider the following closed session items:

CONFERENCE WITH LEGAL COUNSEL. Government Code section 54956.8, Conference re request for real property easement.

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 4:14 p.m. and the Board motioned to reject the request for an easement for the portion of a property owned by the District in the College Heights area.

ADJOURN

Director Aldaco adjourned the meeting at 4:38 p.m. to the next Regular Board Meeting of the Chino Basin Water Conservation District to be held on Monday, April 12, 2021 at 2:00 p.m. online at: <https://zoom.us/j/98961622935>.

APPROVED AND ADOPTED THIS 12th DAY OF April 2021.



Elizabeth Skrzat, Executive Director

ATTEST:



Jerry Mireles, Sr. Administrative Assistant