

**Special Meeting of the Water Conservation Garden Authority**  
**Tuesday, August 6, 2024, 3:30 p.m., Water Conservation Garden Multipurpose Room**

**1. Call to Order and Roll Call**

**1.1 Call to Order**

The meeting was called to order at 3:34 p.m.

**1.2 Roll Call**

Attendance was as follows:

- Voting Members Present:
  - Mark Robak, President (Otay)
  - Kathleen Hedberg (Helix)
  - Dan McMillan (SDCWA)
  - Lynn Neault, Secretary (GCCCD)
  - Nicole Beaulieu DeSantis (City of San Diego)
  - Steve Castañeda (Sweetwater)
- Guests, Presenters, and Staff Members Present:
  - Brian Olney (Helix, General Manager)
  - Jeremy Jungreis (JPA Counsel)
  - Lauren Magnuson (The Garden)
  - Stephen Zolezzi (The Garden)

**2. Pledge of Allegiance**

**2.1 Pledge of Allegiance**

The Pledge of Allegiance was led by Board President Robak.

**3. Approval of Agenda**

**3.1 Approval of Today's Agenda**

*Director Hedberg moved to approve the agenda. The motion was seconded by Director McMillan. The motion was approved unanimously.*

**4. Public Comments**

**4.1 Public Comments**

There were none.

**5. Action and Discussion Items**

**5.1 Approval of the Minutes of the July 10, 2024, Special Meeting**

There were no corrections to the minutes.

*Director McMillan moved for approval of the Minutes of the July 10, 2024, Special Meeting. The motion was seconded by Director Castañeda. The motion was approved unanimously, with Director Neault abstaining.*

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**5.2 Update on Garden Operations/Finances and Volunteer Efforts**

Lauren Magnuson provided an update on Garden Operations ([Attachment](#)) as follows:

- Attendance data is being collected and tracked.
- Attendance has been around 1,000 per month, with June attendance at over 2,500.
- Helix rate-payers had the highest attendance in July.
- All the attendance figures will be shared in the next report.
- New more streamlined financial processes have been implemented.
- Working hard on point-of-sale so it better integrates with QuickBooks.
- The Garden's financials are being reconciled twice monthly.
- There is now a volunteer coordinator.
- Fundraising is not in full swing, but some efforts are being made.
- Information throughout the Garden is being made available via QR codes.
- There are a lot of events being booked, including weddings, meetings, etc.
- Events revenue has already exceeded expectations and will be a good source of funds in the future.
- The Statement of Activity March-June 2024 was reviewed.
- Gift shop revenue is all profit, as all the merchandise is donated, and it is run by volunteers.
- The Budget v. Actual March-June 2024 statement was reviewed.
- Budget projections were off, but in the right direction; revenues were higher than expected, and expenses were lower than expected.
- The sustainability of the current optimistic financial situation of the Garden was discussed.
- The water agencies are disappointed that the education programs are not currently active.
- Community education programs are being planned and will be implemented in the fall. Some field trips are already scheduled. Lauren will inform the water districts when schools requests programs from their areas. Youth education programs are not actively being advertising.
- Director Neault noted that property insurance and sexual assault insurance still need to be secured, which will increase the Garden's expenses. The additional insurance costs need to be considered when assessing financial sustainability, and those costs are not currently included.
- Director McMillan noted that the accounting fees reported on the March-June 2024 Statement of Activity are disproportionately high.
- The statement of Agency Contributions for Interim Funding Period March-June 2024 was reviewed.

Stephen Zolezzi provided an update on the volunteer program at the Garden as follows:

- Over 600 volunteer hours were worked last month.
- Seven (7) new volunteers were brought on and trained.
- Training is being scheduled regularly.

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- Almost every employee and volunteer has reviewed and signed the volunteer/employee handbook.
- Over 95% of volunteers have completed the Live Scan process. There are just a few who need to redo their fingerprints.
- There are now 26 volunteer teams.
- There are 13 volunteers trained to work admissions in the kiosk. All shifts should be adequately covered. Several of those volunteers are also cross-trained to work in the gift shop.
- There will be pathway naming activities at 25th anniversary event.

**5.3 Resolution 24-02 Establishing the Frequency and Time of a Regular Board Meetings**

- Brian Olney recommended that the regular meeting schedule for the Board be on the fourth Tuesday of each month, at 3:30 p.m., at the Garden Multipurpose Room, beginning September 24, 2024.
- JPA Attorney Jeremy Jungreis explained the importance of having “regular” meetings scheduled, as certain business can only take place at a regular meeting.
- *Director Hedberg made a motion to adopt Resolution 24-02 Establishing the Frequency and Time of a Regular Board Meetings as the fourth Tuesday of each, beginning on September 24, 2024, at the Water Conservation Garden Multipurpose Room. The motion was seconded by Director McMillan. The motion was approved unanimously, with Director Castañeda absent.*

**5.4 Resolution 24-03 Amending the Water Conservation Garden Authority Conflict of Interest Code Pursuant to the Political Reform Act of 1974**

- Brian Olney noted that he worked with the law firm of BBK to update the Conflict of Interest Code, pointing out the redlined changes. It was noted that the title of the Executive Director position may change based on future action of the Board.
- *Director Hedberg made a motion to adopt Resolution 24-03 amending the Water Conservation Garden Authority Conflict of Interest Code pursuant to the Political Reform Act of 1974. The motion was seconded by Director Robak. The motion was approved unanimously, with Director Castañeda absent.*

**5.5 Updating the Job description for the Executive Director of the Water Conservation Garden**

- It was recommended that the “director” portion be removed so the job description aligns better with the salary level.
- Lauren Magnuson concurs with the redlined changes.
- It was recommended that additional verbiage be added regarding supervision of volunteers.
- *Director Neault made a motion to approve the Job Description of the Executive Director of the Water Conservation Garden, as amended. The motion was seconded by Director Hedberg. The motion was approved unanimously, with Director Castañeda absent.*

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**5.6 Notices of Intent to Withdraw from the Water Conservation Garden Authority from Member Agencies**

- Brian Olney reviewed the stipulation in the JPA Agreement regarding withdrawal of member agencies.
- Notices of withdrawal have been received from all five water agencies, effective June 30, 2025.
- JPA Attorney Jeremy Jungreis noted that withdrawal of the water agencies does not automatically terminate the JPA, and that a vote would be required to do that.
- Director Neault reported that the College District's mission is education, and public funds are allocated for that purpose. Therefore, until the group is resolved to terminate the JPA, the College District cannot commit to taking over Garden operations.
- For the College District to take over Garden operations, there would need to be an extended period for planning to incorporate an instructional program.
- The College District would need to know definitively whether the water districts plan to withdraw from the JPA or not in order to begin the complex planning process for taking over Garden operations.
- Director Hedberg noted that the water agencies want to know if the Garden is going to succeed before committing to continue on with the JPA beyond June 30, 2025, and is hopeful that the Ad Hoc Committee to Review and Discuss Operating Plans and Future Development of the Water Conservation Garden can work through issues so that the JPA can continue.
- Director DeSantis noted that it is unreasonable to expect the College District to fly blind, not knowing whether the water agencies are in or out of the JPA, particularly when very little progress has been made by the Ad Hoc Committee thus far.
- Attorney Jungreis suggested that perhaps the withdrawal period in the JPA Agreement could be extended to two years, and recommended this be discussed by the Ad Hoc Committee.

**5.7 Update from the Ad Hoc Committee to Review and Discuss Operating Plans and Future Development of the Water Conservation Garden**

- Members of the Ad Hoc Committee are now going to be Director McMillan, Director Castañeda, and Director Neault. The updated membership will be reflected in the September report.

**5.8 Acting Administrator Comments**

- Brian Olney had nothing further to report.

**5.9 Legal Counsel Comments**

Jeremy Jungreis, counsel for the JPA, reported as follows:

- Discussed another JPA he is familiar with that has a foundation component. It has member agencies who contribute, but also a separate foundation for additional

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funding. He offered to have his contact at that JPA connect with the Ad Hoc Committee.

- The IRS ERC check for \$234,000 has been received by the Garden. The Friends Board is making efforts for those funds to be used to repay the College District for the emergency loan made to the Garden.
- Correspondence was received regarding how the endowment will be handled. This issue was not agendized for today's meeting, as the information was just received today.
- The Friends of the Water Conservation Garden will continue as a non-profit entity until resolution of their bankruptcy.

**6. Adjournment**

**6.1 Meeting Adjourned**

The meeting adjourned at 5:01 p.m.

ATTEST:



Michael Williamson  
Recording Secretary

DocuSigned by:  
*Mark Robak*  
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Mark Robak  
Board President