

Regular Meeting of the Water Conservation Garden Authority
Tuesday, September 24, 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 3:33 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) (arrived at 3:45 p.m.)
 - Nicole Beaulieu DeSantis (City of San Diego)
 - Steve Castañeda (Sweetwater)
- Guests, Presenters, and Staff Members Present:
 - Brian Olney (Acting Administrator and General Manager of Helix)
 - 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 Castañeda. The motion was approved unanimously, with Director Neault absent.

4. Public Comments

4.1 Public Comments

There were no public comment on items not on the agenda, but see Item 5.4 for public comment on that agenda item.

5. Action and Discussion Items

5.1 Approval of the Minutes of the August 6, 2024, Special Meeting

There were no corrections to the minutes.

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Director Hedberg moved for approval of the Minutes of the August 6, 2024, Special Meeting. The motion was seconded by Director Castañeda. The motion was approved unanimously, with Director Neault absent.

5.2 Update on Garden Operations/Finances and Volunteer Efforts

Lauren Magnuson provided an update on Garden Operations/Finances as follows:

- The Garden's website is being updated.
- It has been very useful having a purchase card.
- A new web-based donation platform is being developed.
- A new point-of-sale terminal has been ordered for the gift shop.
- The volunteers have been going above and beyond, including working at the admission booth and the gift shop. Volunteer hours for July were 616, and 704 for August.
- Events revenue is up considerably. Word is spreading that the Garden is a nice East County venue for events and meetings.
- A status report on the upcoming 25th anniversary celebration included the following:
 - Speakers are all lined up.
 - The program is almost complete.
 - Attendance is expected to be between 1,500 and 2,000.
 - There will be multiple garden talks, and some of the topics were shared.
 - There will be food trucks and other vendors.
 - Historic photos will be exhibited.
 - There will be crafts in the gazebo area.
 - The Heritage of Americas Museum will also be open the day of the event with multiple vendors present.
 - There will be live music in the large amphitheater, including the choir from Cuyamaca College.
 - The pamphlet for the event will be shared at the next meeting. A draft version was passed around and reviewed by the Board.
 - Commemorative magnets and keychains will be given out at the event.
- The numbers of Garden visitors from the various water districts was reviewed.
- The Garden was awarded a \$1,000 grant from the El Cajon Rotary Club for maintenance of the tortoise exhibit.
- A \$15,000 Rice Family Foundation grant was applied for.
 - This is an annual grant which would be used for educational programs for the community.
 - Lauren should hear back in November whether the grant is being awarded.
 - Lauren will track the use of the funds so that the Garden is in compliance with the terms of the grant.
- Sustainable Living Sessions, which are community adult classes through Nature Needs San Diego, are going to be offered in October, November and December. The instructor gets paid \$50, and the course fees will be revenue to the Garden.

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- The Solana Center will be coming to the Garden to teach a free composting class.
- The County of San Diego Waterscape Rebate Program attended Free Friday.
- The Garden is working with the County of San Diego to offer courses on the Watershed Protection Program. Lauren will have more information on this at the next meeting.
- The financial reports for July and August 2024 presented with this agenda item were reviewed, including an activity report, a report on budget versus actual figures, and a report on revenues and expenses.
- There is one more full-time employee in the budget that has not been hired yet. This employee will be hired once the Director of Garden Operations position has been made permanent.
- The HVAC in the Multipurpose Room is now working properly.
- The rental fee for the Multipurpose Room is \$200/hour. The prices for other areas of the Garden available for rent are listed on the Garden's event sheet.
- There have been some issues with staff members not being able to access the checking account with US Bank.
- All purchases made with the debit card are entered on a spreadsheet. All receipts are saved, and the account is reconciled weekly.
- It was recommended that there be an in-house approver for all purchases made with the debit card.
- It was requested that the check register be included in the JPA board meeting packets.
- The East County Chamber's "Politics in Paradise" was a successful event. The CEO of the Chamber even signed up for a Garden membership.
- The status of educational programs for children was discussed:
 - There is additional volunteer training needed before this can begin.
 - There needs to be an Education Director and a Volunteer Coordinator before these programs can begin.
 - Such programs will not be scheduled to begin before January, and they will be in more of a self-guided format.

5.3 Recording of Board Meetings of the Water Conservation Garden Authority

The Board discussed whether the board meetings should be recorded. The discussion included the following:

- A recording would capture a more detailed record and history of the meetings.
- The Multipurpose Room lacks audio and video equipment, and is not ideal for making a good recording.
- The logistics of storing and making recordings available to the public was discussed.

Director Castañeda moved that the Board continue its current policy of not making an official recording of the meetings. The motion was seconded by Director Neault.

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Director Hedberg requested that she be allowed to make a substitute motion. Director Castañeda did not object.

In a substitute motion, Director Hedberg moved that the Board shall direct staff to look into the logistics and cost of recording board meetings, and report their findings to the Board at a future meeting. The motion was seconded by Director Robak. The motion was approved unanimously.

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

Using the Board Report attached to this agenda item, Director McMillan provided an update from the Ad Hoc Committee.

- The bulleted items on page two of the report attached to this agenda item lay out some of the issues of concern regarding management of future Garden operations by the Grossmont-Cuyamaca Community College District (GCCCD).
- Volunteers would be able to participate under a GCCCD management scenario; however, certain functions may be off limits to volunteers due to labor agreements GCCCD has with its employee groups.
- The role of the JPA would become advisory only if GCCCD takes control of Garden operations.
- If GCCCD takes control of Garden operations, the lease agreement between the JPA and GCCCD would become null and void.

- **Public comment** was made by **Mary Jane Bailey**, an active volunteer and Garden member since 2011. Her concerns included the following:
 - Transitioning the Garden operations to the college district seems to be the only future model being contemplated.
 - The second bullet in the attachment to this agenda item is tantamount to a gag order.
 - A cost/benefit analysis of other alternatives for management of the Garden is needed.
 - Public access to the Garden would be curtailed under college district management.
 - The Ad Hoc Committee should have more members, possibly including a staff member and a volunteer.

- It was explained that the Ad Hoc Committee's one and only goal is to figure out what would be needed for GCCCD to take over Garden operations. Other alternatives would need to envision a different financial plan.
- Concern was expressed regarding the second bullet in the attachment to this agenda item, which states, "No outside lobbying or advocacy efforts on the part of JPA/Agency members outside of subcommittee and JPA during the planning/negotiation period."

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- Directors McMillan and Castañeda, as well as Administrative Officer Olney, noted that the intent of the second bullet was in the spirit of working together rather than going around the JPA Board members.
- Director Neault noted that she did not request this bullet point be added, and that it is not a requirement of GCCCD.
- Director Hedberg noted that she strongly disagrees with the second bullet.
- It was clarified that GCCCD is not endeavoring to take over the Garden. Rather, that GCCCD is being asked by the JPA what it would take for GCCCD to do so.
- Because it is mandated that GCCCD's funding be aligned with its mission, which is education, if GCCCD takes over the Garden, operations would need to align with the needs of the instructional program.
- In response to an inquiry by JPA Counsel Jeremy Jungreis, it was clarified that potential conflicts would only come into play when and if GCCCD takes over Garden operations, but would not come into play during the transition period while the JPA is managing operations.
- Director Robak likes the idea of exploring some other alternatives for Garden operations other than GCCCD.
- Director Neault stated that GCCCD needs to know before the end of January 2025 whether the water agencies intend to follow through with their withdrawal from the JPA on June 30, 2025, so that GCCCD has time to respond in a manner that does not result in the closure of the Garden.
- Counsel Jungreis noted there are several ways that the water agencies could work together to "buy some time" and extend the deadline on their withdrawal notices.
- Acting Administrator Brian Olney suggested a memorandum of understanding could be crafted agreeing to extend the withdrawal date of the water agencies. He will work with Counsel Jungreis to get that done by end of January 2025.
- Members of the Ad Hoc Committee are now going to be Director McMillan, Director Castañeda, a volunteer representative (to be determined), and a staff member (to be determined). The updated membership will be reflected in the October Board Report.

5.5 Acting Administrator Comments

Acting Administrator Brian Olney reviewed upcoming board meeting dates:

- The October 22 meeting is a good date and should take place as scheduled.
- The November and December meetings are currently scheduled very close to the Thanksgiving and Christmas holidays, and the Board should consider alternative date(s).
- It was suggested that the Board may want to consider holding a special meeting which consolidates the November and December meetings into a single meeting.
- Proposed alternatives to the existing November and December meeting dates will be explored and brought back to the Board at the October 22, 2024, regular meeting for further discussion.

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- Prior to the close of 2024, the Board should discuss the election of officers, which will take place at the first regular meeting in January 2025.

5.6 Legal Counsel Comments

JPA Counsel Jeremy Jungreis had nothing further to report.

(The Board took a recess from 5:17 p.m., until 5:25 p.m.)

6. Closed Session

6.1 Recess to Closed Session

The Board convened in Closed Session at 5:25 p.m.

6.2 Adjourn Closed Session

The Board adjourned Closed Session at 5:31 p.m.

7. Reconvene in Open Session

7.1 Announcement of Action Taken in Closed Session

At 5:32 p.m., the Board reconvened in Open Session and announced that action would be taken on the items discussed in Closed Session under Item 8.1 below.

8. Action/Discussion Items

8.1 Appointment of Director of Garden Operations

Director Castañeda moved to offer the position of Director of Garden Operations to Lauren Magnuson. The motion was seconded by Director Hedberg. The motion was approved unanimously.

Director Hedberg moved to approve the employment letter attached to this agenda which sets forth the terms of employment for Lauren Magnuson as the Director of Garden Operations. The motion was seconded by Director Neault. The motion was approved unanimously.

9. Adjournment

9.1 Meeting Adjourned

- The meeting adjourned at 5:35 p.m.

ATTEST:



Michael Williamson
Recording Secretary

DocuSigned by:
Mark Robak
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10/24/2024

Mark Robak
Board President