

MINUTES
CHINO BASIN WATERMASTER
ADVISORY COMMITTEE MEETING
November 16, 2023

The Advisory Committee meeting was held at the Chino Basin Watermaster offices located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) on November 16, 2023.

ADVISORY COMMITTEE MEMBERS PRESENT

- **NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER**
Brian Geye, Chair California Speedway Corporation
Bob Bowcock CalMat Co.
- **NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM**
Alexis Mascarinas City of Ontario
- **AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER**
Jeff Pierson, Vice-Chair Crops
Bob Feenstra Dairy
Tariq Awan State of California – CDCR
Jimmy Medrano State of California – CDCR
- **AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM**
Marilyn Levin for Leon Kazandjian State of California – DOJ
- **APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER**
Chris Berch, Second Vice-Chair Jurupa Community Services District
Dave Crosley City of Chino
Ron Craig City of Chino Hills
Courtney Jones City of Ontario
Chris Diggs City of Pomona
Eduardo Espinoza Cucamonga Valley Water District
Marty Zvirbulis Fontana Union Water Company
Cris Fealy Fontana Water Company
Justin Scott-Coe Monte Vista Irrigation Company
Justin Scott-Coe Monte Vista Water District
Marty Zvirbulis Nicholson Family Trust
- **APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT ON ZOOM**
Nicole deMoet for Braden Yu City of Upland
Nicole deMoet for Braden Yu West End Consolidated Water Company

WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

James Curatalo Appropriative Pool – Minor Representative

WATERMASTER STAFF PRESENT

Edgar Tellez Foster	Acting General Manager
Anna Nelson	Director of Administration
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Alexandria Moore	Executive Assistant I/Board Clerk
Ruby Favela Quintero	Administrative Analyst
Rudy Nunez	Office Specialist/Receptionist

Alonso Jurado
Jordan Garcia
Erik Vides

Water Resources Associate
Senior Field Operations Specialist
Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Brad Herrema
Andy Malone
Garrett Rapp

Brownstein Hyatt Farber Schreck, LLP
West Yost
West Yost

WATERMASTER CONSULTANTS PRESENT ON ZOOM

Scott Nelsen

Eide Bailly, LLP

OTHERS PRESENT AT WATERMASTER

Melissa Cansino
Amanda Coker
Oscar Ramos
Jean Cihigoyenetché
Bryan Smith
Alyssa Coronado
David De Jesus
Laura Roughton
Richard Rees

City of Pomona
Cucamonga Valley Water District
Fontana Union Water Company
JC Law Firm
Jurupa Community Services District
Santa Ana River Water Company
Three Valleys Municipal Water District
Western Municipal Water District
WSP USA

OTHERS PRESENT ON ZOOM

Carol Boyd
Gregor Larabee
Hye Jin Lee
Braden Yu
John Bosler
Rob Hills
Ben Roden
Jiwon Seung
Peter Dopulos
Derek Hoffman
Ben Lewis
Shivaji Deshmukh
Christiana Daisy
Michael Hurley
Eddie Lin
Cathy Pieroni
John Schatz
Jesse Pompa
Kevin O'Toole
John Lopez
Jennifer Farrell
Sylvie Lee
Braden Yu
Mallory Gandara

Agricultural Pool – State of CA
Agricultural Pool – State of CA
City of Chino
City of Upland
Cucamonga Valley Water District
Cucamonga Valley Water District
Cucamonga Valley Water District
Cucamonga Valley Water District
Egoscue Law Group, Inc.
Fennemore Law
Golden State Water Company
Inland Empire Utilities Agency
Inland Empire Utilities Agency
Inland Empire Utilities Agency
Inland Empire Utilities Agency
Inland Empire Utilities Agency
John J. Schatz, Attorney at Law
Jurupa Community Services District
Orange County Water District
Santa Ana River Water Company
State of California
Three Valleys Municipal Water District
West End Consolidated Water Company
Western Municipal Water District

CALL TO ORDER

Chair Geye called the Advisory Committee meeting to order at 9:00 a.m.

ROLL CALL

(0:00:08) Ms. Moore conducted the roll call and announced that a quorum was present.

AGENDA – ADDITIONS/REORDER

None

I. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and non-controversial and will be acted upon by one motion in the form listed below. There will be no separate discussion on these items prior to voting unless any members, staff, or the public requests specific items be discussed and/or removed from the Consent Calendar for separate action.

A. MINUTES

Approve as presented:

Minutes of the Advisory Committee Meeting held October 19, 2023

B. FINANCIAL REPORTS

Receive and file as presented:

Monthly Financial Report for the Reporting Period Ended September 30, 2023.

C. 2022/23 ANNUAL REPORT OF THE GROUND-LEVEL MONITORING PROGRAM

Recommend to the Watermaster Board to approve the 2022/23 Annual Report of the Ground-Level Monitoring Program, and direct staff to file a copy with the Court.

D. APPLICATION: RECHARGE – FONTANA WATER COMPANY

Recommend to the Board to approve Fontana Water Company's application for recharge and direct staff to account for this recharge.

E. CALENDAR YEAR 2024 ADVISORY COMMITTEE VOLUME VOTE

Approve the Calendar Year 2024 Advisory Committee Volume Vote as presented subject to Board approval of the Fiscal Year 2023/24 Assessment Package.

(0:01:58)

Motion by Vice-Chair Jeff Pierson, seconded by Mr. Ron Craig, Chair Geye called for dissent, and, none being noted, the motion was deemed passed unanimously among those present.

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

A. WATERMASTER REAPPOINTMENT

Recommend future Watermaster appointment.

(0:02:30) Mr. Tellez Foster gave a report. A discussion ensued.

(0:03:43)

Motion by Mr. Justin Scott-Coe, seconded by Mr. Dave Crosley to approve Business Item II.A., the Watermaster Reappointment for a 1-year term. There being a substitute motion that passed, this motion was null and not revisited.

(0:32:11)

Substitute motion by Vice-Chair Jeff Pierson, seconded by Mr. Marty Zvirbulis, Chair Geye called for a volume vote and the results are attached to these minutes.

Moved to approve Business Item II.A., the Watermaster Reappointment for a 5-year term; the motion passed by 60.985 volume votes in favor.

B. FISCAL YEAR 2023/24 ASSESSMENT PACKAGE

Review Fiscal Year 2023/24 Assessment Package as presented and offer advice to Watermaster.

(0:53:30) Mr. Yoo stated that his report remained unchanged from those given at the Pool Committee meetings last week. A discussion ensued.

(0:54:01)

Motion by Mr. Chris Diggs, seconded by Mr. Cris Fealy, Chair Geye called for dissent, and, none being noted, the motion was deemed passed unanimously among those present.

Moved to approve Business Item II.B. as presented.

C. RESOLUTION 2023-07 TO LEVY REPLENISHMENT AND ADMINISTRATIVE ASSESSMENTS FOR FISCAL YEAR 2023/24, BASED ON PRODUCTION YEAR 2022/23

Recommend to the Watermaster Board to adopt Resolution 2023-07 as presented.

(0:55:01)

Motion by Vice-Chair Jeff Pierson, seconded by Mr. Marty Zvirbulis, Chair Geye called for dissent, and, none being noted, the motion was deemed passed unanimously among those present.

Moved to approve Business Item II.C. as presented.

III. REPORTS/UPDATES

A. WATERMASTER LEGAL COUNSEL

1. December 1, 2023 Court Hearing (OBMP Semi-Annual Status Report and 2023 Recharge Master Plan Update)
2. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
3. Court of Appeal Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021-22 and 2022-23 Assessment Packages)
4. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
5. Kaiser Permanente Lawsuit

(0:55:30) Mr. Herrema gave a report.

B. ENGINEER

1. Water Quality Committee
2. 2025 Safe Yield Reevaluation
3. Storage and Recovery Master Plan

(0:56:52) The Pool deferred the Engineer's report to the Board meeting.

C. GENERAL MANAGER

1. OBMPU CEQA Process
2. Annual Finding of Substantial Compliance with the Recharge Master Plan
3. December Meeting Schedule
4. Other

(0:57:05) The Pool deferred the GM's report to the Board meeting.

D. INLAND EMPIRE UTILITIES AGENCY

1. MWD Update (Written)
2. Water Supply Conditions (Written)
3. State and Federal Legislative Reports (Written)

None

E. METROPOLITAN MEMBER AGENCY REPORTS

None

IV. COMMITTEE MEMBER COMMENTS

None

V. OTHER BUSINESS

None

VI. CONFIDENTIAL SESSION – POSSIBLE ACTION

A Confidential Session may be held during the Advisory Committee meeting for the purpose of discussion and possible action.

None

ADJOURNMENT

Chair Geye adjourned the Advisory Committee meeting at 9:58 a.m.

Secretary: _____



Approved: _____ January 18, 2024

Attachment:

1. 20231116 Volume Vote Outcome for Business Item II.A.

Business Item II.A. Watermaster Reappointment

QUORUM MET?

YES



2023 ADVISORY COMMITTEE VOLUME VOTE

Enter Y or N in Each Cell

Party	Present (Y/N)	Vote (Y/N)	Assigned	Reallocated	Available	Quorum	Total Yes
Minor 1 - Nicholson Family Trust	Y	Y	3.283	0.000	3.283	3.283	3.283
Minor 2 - West End Consolidated Water Co	Y	N	3.283	0.000	3.283	3.283	0.000
Chino Hills, City Of	Y	Y	2.752	0.000	2.752	2.752	2.752
Chino, City Of	Y	N	4.281	0.000	4.281	4.281	0.000
Cucamonga Valley Water District	Y	N	7.135	0.000	7.135	7.135	0.000
Fontana Union Water Company	Y	Y	4.371	0.000	4.371	4.371	4.371
Fontana Water Company	Y	Y	5.664	0.000	5.664	5.664	5.664
Jurupa Community Services District	Y	Y	7.180	0.000	7.180	7.180	7.180
Monte Vista Water District	Y	N	6.778	0.000	6.778	6.778	0.000
Ontario, City Of	Y	N	14.935	0.000	14.935	14.935	0.000
Pomona, City Of	Y	Y	12.735	0.000	12.735	12.735	12.735
Upland, City Of	Y	N	2.603	0.000	2.603	2.603	0.000
AGRICULTURAL POOL	Y	Y	20.000	0.000	20.000	20.000	20.000
NON-AGRICULTURAL POOL	Y	Y	5.000	0.000	5.000	5.000	5.000
			100.000	0.000	100.000	100.000	60.985

CALCULATE QUORUM

CALCULATE VOTES

"YES" VOTES

60.985

"NO" VOTES

39.015

PASSED

RESET ALL

RESET VOTES