

MINUTES
CHINO BASIN WATERMASTER
ANNUAL AGRICULTURAL POOL COMMITTEE MEETING
January 12, 2023

The Annual Agricultural Pool Committee meeting was held at the Watermaster offices located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) on January 12, 2023.

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Bob Feenstra, Chair	Dairy
Jeff Pierson, Vice-Chair	Crops
Ron Pietersma	Crops
Steven Raughley	County of San Bernardino
Nathan deBoom	Dairy
John Huitsing	Dairy
Jimmy Medrano	State of California – CIM
Leon Kazandjian	State of California - CDCR

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Gino Filippi	Crops
Ron LaBrucherie, Jr.	Crops
Ruben Llamas	Crops
Henry DeHaan	Dairy
Geoffrey Vanden Heuvel	Dairy
Tariq Awan	State of California – CDCR

WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

Mike Gardner	Western Municipal Water District
--------------	----------------------------------

WATERMASTER STAFF PRESENT

Peter Kavounas	General Manager
Joe Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. and Planning Dir.
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	Administrative Analyst
Adaisel Rosales	Administrative Assistant
David Huynh	Senior Field Operations Specialist
Alonso Jurado	Senior Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Andy Malone	West Yost
-------------	-----------

WATERMASTER CONSULTANTS PRESENT ON ZOOM

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Garrett Rapp	West Yost

OTHERS PRESENT AT WATERMASTER

Tracy Egoscue	Egoscue Law Group, Inc.
---------------	-------------------------

OTHERS PRESENT ON ZOOM

Carol Boyd
Diana Frederick
Marilyn Levin

State of California – DOJ
State of California – CIM
State of California – DOJ

CALL TO ORDER

Mr. Feenstra called the Agricultural Pool committee meeting to order at 1:36 p.m. and invited Mr. Gino Filippi to read the Metropolitan Water District article regarding the memorial dedication of the late Mr. Don Galleano which is housed at the Lake Mathews Overlook.

ROLL CALL

(0:04:44) Ms. Moore conducted the roll call and announced that a quorum was present.

AGENDA – ADDITIONS/REORDER

None

I. ANNUAL ELECTIONS (ACTION)

A. CALENDAR YEAR 2023 AGRICULTURAL POOL MEMBERS

According to the Overlying (Agricultural) Pool Rules and Regulations the Agricultural Pool membership shall consist of not less than nine (9) representatives selected at large by members of the Pool. Pool members will be asked to make any necessary changes to the following list to establish pool membership and alternates during Calendar Year 2023:

(0:08:37) Mr. Feenstra turned the meeting over to Ms. Egoscue, the Agricultural Pool Committee's counsel, to run the annual elections. The 2023 representatives and alternates for Dairy, State, and County are approved as shown below.

2022 Agricultural Pool Members

Dairy: Robert Feenstra
Nathan deBoom
John Huitsing
Henry De Haan
Ron Pietersma
Geoffrey Vanden Heuvel

Crops: Jeff Pierson
Ron LaBrucherie, Jr.

State: Pete Hall
Jimmy Medrano
Tariq Awan

County: Steven Raughley

2022 Alternates

Crops: Paul Hofer
Gino Filippi
Ruben Llamas

State: Carol Boyd
Diana Frederick
Noah Golden-Krasner

2023 Agricultural Pool Members

Dairy: Robert Feenstra
Nathan deBoom
John Huitsing
Henry De Haan
Ron Pietersma

Crops: Jeff Pierson
Ron LaBrucherie Jr.
Ruben Llamas

State: Leon Kazandjian
Jimmy Medrano
Tariq Awan

County: Steven Raughley

2023 Alternates

Crops: Gino Filippi
Geoffrey Vanden Heuvel

State: Carol Boyd
Diana Frederick
Noah Golden-Krasner

Gregor Larabee
Marilyn Levin
County: Bradley Jensen

Gregor Larabee
Marilyn Levin
County: Bradley Jensen

Motion by Mr. Nathan deBoom, seconded by Mr. Jeff Pierson, and passed by unanimous roll call vote as attached to these minutes.

Moved to approve the 2023 Agricultural Pool Committee membership and alternates, as shown above in I.A.

B. ANNUAL ELECTIONS

Elect the following Calendar Year 2023 Officers of the Pool: Chair, Vice-Chair, Secretary, Treasurer, and Assistant Secretaries and Treasurers as may be appropriate.

Chair	<u>Bob Feenstra</u>
Vice-Chair	<u>Jeff Pierson</u>
Secretary/Treasurer	<u>Watermaster General Manager</u>

(0:13:41) Ms. Egoscue, the Agricultural Pool Committee's counsel conducted the annual election of officers.

(0:13:54)

Motion by Mr. Nathan deBoom, seconded by Mr. John Huitsing, and by unanimous roll call vote as attached to these minutes.

Moved to approve the Calendar Year 2023 appointment of Agricultural Pool Committee Chair and Vice-Chair as shown above in I.B.

(0:15:16)

Motion by Vice-Chair Jeff Pierson, seconded by Mr. Steven Raughley, and by unanimous roll call vote as attached to these minutes.

Moved to approve the Calendar Year 2023 appointment of the Agricultural Pool Committee Secretary/Treasurer as shown above in I.B.

C. ELECTION OF CALENDAR YEAR 2023 ADVISORY COMMITTEE MEMBERS

According to the Agricultural Pool Pooling Plan, the Pool shall designate up to 10 members of the Pool Committee, and their alternates, to serve on the Advisory Committee.

(0:31:18) This item was taken out of sequence and considered after item I.E.

Motion by Mr. Nathan deBoom, seconded by Mr. Jimmy Medrano, and by unanimous roll call vote as attached to these minutes.

Moved to approve the Calendar Year 2023 appointment of the Agricultural Pool Committee members and their alternates to serve on the 2023 Advisory Committee excluding Messrs. Raughley and Llamas, who may serve as alternates. There are 10 members and 10 alternates who may serve in the place of any member.

D. CALENDAR YEAR 2023 AGRICULTURAL POOL MEMBER APPOINTED TO SERVE AS ADVISORY COMMITTEE OFFICER

Appoint a designated representative to serve as an officer of the Advisory Committee during Calendar Year 2023. According to the rotation sequence established among the Pools, the Agricultural Pool appointee will be filling the position of Vice-Chair.

Agricultural Pool Officer (Vice-Chair) Appointment to the Advisory Committee:
Jeff Pierson

(0:18:13)

Motion by Mr. Nathan deBoom, seconded by Mr. Henry De Haan, and by unanimous roll call vote as attached to these minutes.

Moved to approve the Calendar Year 2023 Agricultural Pool Committee member appointed to serve as the Advisory Committee Officer as shown above in I.D.

E. APPOINTMENT OF CALENDAR YEAR 2023 POOL REPRESENTATION ON WATERMASTER BOARD

According to the Board rotation schedule filed with the Court in 2000 and updated on November 17, 2015, for calendar year 2023, the Agricultural Pool is to appoint two (2) representatives and alternate(s), one Crop and one Dairy seat, to serve on the Board for the Calendar Year.

Member: Jeff Pierson Alternate: Robert Feenstra

Member: Paul Hofer Alternate: Ron Pietersma

(0:20:13)

Motion by Mr. Nathan deBoom, seconded by Mr. John Huitsing, and by unanimous roll call vote as attached to these minutes.

Moved to approve the Calendar Year 2023 Agricultural Pool Committee members and alternates appointed to serve on the Watermaster Board as shown above in I.E. Alternates may serve for either Member.

II. CONSENT CALENDAR

A. MINUTES

Approve as presented:

1. Minutes of the Agricultural Pool Committee Meeting held November 10, 2022

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of October 2022
2. Watermaster VISA Check Detail for the month of October 2022
3. Combining Schedule for the Period July 1, 2022 through October 31, 2022
4. Treasurer's Report of Financial Affairs for the Period October 1, 2022 through October 31, 2022
5. Budget vs. Actual Report for the Period July 1, 2022 through October 31, 2022
6. Cash Disbursements for the month of November 2022
7. Watermaster VISA Check Detail for the month of November 2022
8. Combining Schedule for the Period July 1, 2022 through November 30, 2022
9. Treasurer's Report of Financial Affairs for the Period November 1, 2022 through November 30, 2022
10. Budget vs. Actual Report for the Period July 1, 2022 through November 30, 2022
11. Cash Disbursements for December 2022 (Information Only)

C. CHINO BASIN WATERMASTER INVESTMENT POLICY

Recommend that the Advisory Committee recommends approval of Resolution 2023-01 – Resolution of the Chino Basin Watermaster, San Bernardino County, California, Re-Authorizing the Watermaster's Investment Policy.

D. LOCAL AGENCY INVESTMENT FUND

Recommend that the Advisory Committee recommends approval of Resolution 2023-02 – Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF).

E. CHINO BASIN WATERMASTER 45TH ANNUAL REPORT (FISCAL YEAR 2021/22)

Recommend to the Advisory Committee to recommend to the Watermaster Board to adopt the 45th Annual Report, along with filing a copy with the Court, subject to any necessary non-substantive changes.

F. WATER TRANSACTION – CITY OF UPLAND TO FONTANA WATER COMPANY

Provide advice and assistance to the Advisory Committee on the proposed transaction: The purchase of 10,000 acre-feet of water from City of Upland by Fontana Water Company. This purchase is made from City of Upland's Excess Carryover Account.

G. WATER TRANSACTION – CITY OF CHINO TO CUCAMONGA VALLEY WATER DISTRICT

Provide advice and assistance to the Advisory Committee on the proposed transaction: The purchase of 7,500 acre-feet of water from City of Chino by Cucamonga Valley Water District. This purchase is made from City of Chino's Excess Carryover Account.

H. WATER TRANSACTION – CITY OF CHINO TO FONTANA WATER COMPANY

Provide advice and assistance to the Advisory Committee on the proposed transaction: The purchase of 10,000 acre-feet of water from City of Chino by Fontana Water Company. This purchase is made from City of Chino's Excess Carryover Account.

(0:37:12)

Motion by Vice-Chair Jeff Pierson, seconded by Mr. Steven Raughley, and passed by unanimous roll call vote as attached to these minutes.

Moved to approve the Consent Calendar as presented.

III. BUSINESS ITEMS

A. OPTIMUM BASIN MANAGEMENT PROGRAM (OBMP) PROJECT DESCRIPTION TRANSMITTAL

Provide advice and assistance.

(0:39:37) Mr. Kavounas invited Mr. Tellez Foster to give a report. A discussion ensued.

B. OPTIMUM BASIN MANAGEMENT PROGRAM (OBMP) IMPLEMENTATION PLAN UPDATE

Recommend to the Advisory Committee to recommend Watermaster Board approval of a purchase order for Mr. Ceppos' services.

(0:43:49) Mr. Kavounas gave a report. A discussion ensued.

IV. REPORTS/UPDATES

A. LEGAL COUNSEL

1. November 18, 2022 Hearing
2. December 16, 2022 Hearing
3. Court of Appeal Case No. E079052
4. City of Ontario Notice of Appeal of November 3, 2022 Ruling
5. Kaiser Permanente Lawsuit
6. Rules and Regulations Update

(01:02:03) Mr. Herrema gave a report on the above items and also reported on a scheduled hearing on January 20, 2023, to receive and file the Annual Ground-Level Monitoring Report.

B. ENGINEER

1. Measurement and Reporting of Diversions for Water Year 2022
2. Ground-Level Monitoring Committee
3. Safe Yield Court Order Implementation
4. Ambient Water Quality

(01:10:46) Mr. Malone gave a report on items 1 and 2. Mr. Rapp gave a report on items 3 and 4. A discussion ensued.

C. CHIEF FINANCIAL OFFICER

1. FY 2022/23 Assessment Package Payments Status
2. Upcoming FY 2022/23 Mid-Year Review

(01:22:19) Mr. Joswiak gave a report.

D. GENERAL MANAGER

1. Exhibit "G" Physical Solution Transfers
2. Calendar Year 2023 Letters of CBWM Representation
3. Hearing Officer Panel
4. December 5, 2022 Board Workshop IV
5. 2022 Little Heart Warriors Fundraiser
6. Other

(01:29:12) Mr. Kavounas introduced Mr. Yoo to give a report on item 1, and Ms. Moore for item 2. He gave a report on item 3 indicating that staff will be recommending to the Board for same five individuals who served in 2022 to continue in 2023. Under item 4 he gave a recap of the December 5, 2022 Board Workshop and reminded the parties of the new Watermaster Orientation series beginning at 9:30 a.m. before every monthly Board meeting. Mr. Kavounas invited Ms. Moore to give an update on the 2022 Watermaster Annual Fundraiser (Little Heart Warriors), which was a huge success thanks to the Watermaster Stakeholders who supported. The \$10,000 goal was exceeded with a final tally of \$11,965 collected. With the recent storms, Mr. Kavounas announced that the Stormwater Recharge update will be brought to the Advisory Committee meeting.

V. POOL MEMBER COMMENTS

VI. OTHER BUSINESS

VII. CONFIDENTIAL SESSION – POSSIBLE ACTION

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

The Pool convened into Confidential Session at 3:14 p.m. to discuss the following:

1. Court of Appeal Matters
2. 2023 Actions and Initiatives

Confidential Session concluded at 3:26 p.m. with no reportable action.

ADJOURNMENT

Chair Feenstra did not wish to reconvene into open session, and the Annual Agricultural Pool Committee meeting was adjourned at 3:26 p.m. as provided by Pool counsel via email as attached to these minutes.

Secretary: _____ 

Approved: _____ February 9, 2023

Attachment:

1. 20220112 Roll Call Vote Outcome for Annual Elections I.A.
2. 20220112 Roll Call Vote Outcome for Annual Elections I.B.
3. 20220112 Roll Call Vote Outcome for Annual Elections I.B.
4. 20220112 Roll Call Vote Outcome for Annual Elections I.C.
5. 20220112 Roll Call Vote Outcome for Annual Elections I.D.
6. 20220112 Roll Call Vote Outcome for Annual Elections I.E.
7. 20220112 Roll Call Vote Outcome for Consent Calendar II.A.-H.
8. Adjournment (Email from Legal Counsel)

ATTACHMENT 1

20230112 Agricultural Pool Committee Meeting Roll Call Vote Outcome

Member	Alternate	Annual Elections I.A.
LaBrucherie, Jr., Ron		Absent
Pierson, Jeff, Vice-Chair		Yes
deBoom, Nathan		Yes
DeHaan, Henry *		Yes
Huitsing, John		Yes
Pietersma, Ron		Absent
Vanden Heuvel, Geoffrey		Yes
Raughley, Steven		Yes
Awan, Tariq		Absent
Kazandjian, Leon		Yes
Medrano, Jimmy		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously

*Participated via Zoom

ATTACHMENT 2

20230112 Agricultural Pool Committee Meeting Roll Call Vote Outcome

Member	Alternate	Annual Elections I.B. (Chair/Vice-Chair)
LaBrucherie, Jr., Ron		Absent
Pierson, Jeff, Vice-Chair		Yes
deBoom, Nathan		Yes
DeHaan, Henry *		Yes
Huitsing, John		Yes
Pietersma, Ron		Absent
Vanden Heuvel, Geoffrey		Yes
Raughley, Steven		Yes
Awan, Tariq		Yes
Kazandjian, Leon		Yes
Medrano, Jimmy		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously

*Participated via Zoom

ATTACHMENT 3

20230112 Agricultural Pool Committee Meeting Roll Call Vote Outcome

Member	Alternate	Annual Elections I.B. (Secretary/Treasurer)
LaBrucherie, Jr., Ron		Absent
Pierson, Jeff, Vice-Chair		Yes
deBoom, Nathan		Yes
DeHaan, Henry *		Yes
Huising, John		Yes
Pietersma, Ron		Absent
Vanden Heuvel, Geoffrey		Yes
Roughley, Steven		Yes
Awan, Tariq		Yes
Kazandjian, Leon		Yes
Medrano, Jimmy		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously

*Participated via Zoom

ATTACHMENT 4

20230112 Agricultural Pool Committee Meeting Roll Call Vote Outcome

Member	Alternate	Annual Elections I.C.
LaBrucherie, Jr., Ron		Absent
Pierson, Jeff, Vice-Chair		Yes
deBoom, Nathan		Yes
DeHaan, Henry *		Yes
Huitsing, John		Yes
Pietersma, Ron		Absent
Vanden Heuvel, Geoffrey		Yes
Raughley, Steven		Yes
Awan, Tariq		Yes
Kazandjian, Leon		Yes
Medrano, Jimmy		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously

*Participated via Zoom

ATTACHMENT 5

20230112 Agricultural Pool Committee Meeting Roll Call Vote Outcome

Member	Alternate	Annual Elections I.D.
LaBrucherie, Jr., Ron		Absent
Pierson, Jeff, Vice-Chair		Yes
deBoom, Nathan		Yes
DeHaan, Henry *		Yes
Huitsing, John		Yes
Pietersma, Ron		Absent
Llamas, Ruben		Yes
Raughley, Steven		Yes
Awan, Tariq		Yes
Kazandjian, Leon		Yes
Medrano, Jimmy		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously

*Participated via Zoom

ATTACHMENT 6

20230112 Agricultural Pool Committee Meeting Roll Call Vote Outcome

Member	Alternate	Annual Elections I.E.
LaBrucherie, Jr., Ron		Absent
Pierson, Jeff, Vice-Chair		Yes
deBoom, Nathan		Yes
DeHaan, Henry *		Yes
Huitsing, John		Yes
Pietersma, Ron		Absent
Llamas, Ruben		Yes
Raughley, Steven		Yes
Awan, Tariq		Yes
Kazandjian, Leon		Yes
Medrano, Jimmy		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously

*Participated via Zoom

ATTACHMENT 7

20230112 Agricultural Pool Committee Meeting Roll Call Vote Outcome

Member	Alternate	Consent Calendar II.A.-H.
LaBrucherie, Jr., Ron		Absent
Pierson, Jeff, Vice-Chair		Yes
deBoom, Nathan		Yes
DeHaan, Henry *		Yes
Huitsing, John		Yes
Pietersma, Ron		Absent
Llamas, Ruben		Yes
Raughley, Steven		Yes
Awan, Tariq		Yes
Kazandjian, Leon		Yes
Medrano, Jimmy		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously

*Participated via Zoom

ATTACHMENT 8

From: [Tracy Egoscue](#)
To: [Anna Nelson](#); [Alexandria Moore](#)
Cc: [Peter Kavounas](#); [Herrema, Brad](#)
Subject: Ag Pool
Date: Thursday, January 12, 2023 3:30:08 PM

The Agricultural Pool adjourned the closed session at 3:25 pm with no reportable action. No need to reconvene the public meeting.

Thank you.

Tracy J. Egoscue
562.988.5978 office
562.981.4866 cell
tracy@egoscuelaw.com
www.egoscuelaw.com

"CONFIDENTIALITY NOTICE: Do not read this e-mail if you are not the intended recipient. This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is prohibited. If you have received this transmission in error, please immediately advise us by reply e-mail, by forwarding this to tracy@egoscuelaw.com or by calling (562) 988-5978, and destroy the original transmission and its attachments without reading or saving them in any manner. Thank you."

--