

MINUTES
CHINO BASIN WATERMASTER
APPROPRIATIVE POOL COMMITTEE MEETING

October 14, 2021

The Appropriative Pool Committee meeting was held via Zoom (conference call and web meeting) on October 14, 2021.

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT

John Bosler, Chair	Cucamonga Valley Water District
Bob Bowcock*	BlueTriton Brands, Inc.
Bob Bowcock*	CalMat Co.
Dave Crosley	City of Chino
Ron Craig	City of Chino Hills
Courtney Jones for Scott Burton	City of Ontario
Chris Diggs	City of Pomona
Braden Yu	City of Upland
Josh Swift	Fontana Union Water Company
Cris Fealy	Fontana Water Company
Chris Berch	Jurupa Community Services District
Justin Scott-Coe	Monte Vista Irrigation Company
Justin Scott-Coe	Monte Vista Water District
Cris Fealy	Nicholson Family Trust
Brian Lee	San Antonio Water Company
John Lopez	Santa Ana River Water Company
Braden Yu	West End Consolidated Water Company

WATERMASTER BOARD MEMBERS PRESENT ON CALL

Bob Kuhn	Three Valleys Municipal Water District
Mike Gardner	Western Municipal Water District

WATERMASTER STAFF PRESENT ON CALL

Peter Kavounas	General Manager
Joseph Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. & Planning Dir.
Anna Nelson	Executive Services Director
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Vanessa Aldaz	Administrative Assistant

WATERMASTER CONSULTANTS PRESENT ON CALL

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	West Yost

OTHERS PRESENT ON CALL

Nicole deMoet	City of Upland
Luis Cetina	Cucamonga Valley Water District
Eduardo Espinoza	Cucamonga Valley Water District
Rob Hills	Cucamonga Valley Water District
Kevin Kenley	Cucamonga Valley Water District
Gidti Ludesirishoti	Cucamonga Valley Water District
Jiwon Seung	Cucamonga Valley Water District
Tarren Torres	Egoscue Law Group, Inc.
Joshua Aguilar	Inland Empire Utilities Agency

Bill Schwartz
Jeff Davis
Todd Minten
Pete Hall
David De Jesus

Monte Vista Water District
Provost & Pritchard Consulting Group
Santa Ana River Water Company
State of California – CIM
Three Valleys Municipal Water District

*Joined after confidential session and did not cast vote.

CALL TO ORDER

Chair Bosler called the Appropriative Pool Committee meeting to order at 9:10 a.m.

ROLL CALL

(0:00:20) Ms. Aldaz conducted the roll call and announced that a quorum was present.

AGENDA - ADDITIONS/REORDER

None

I. CONSENT CALENDAR

Note: 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:

1. Minutes of the Appropriative Pool Committee Meeting held September 9, 2021
2. Minutes of the Appropriative Pool Committee Special Meeting held September 16, 2021

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of August 2021
2. Watermaster VISA Check Detail for the month of August 2021
3. Combining Schedule for the Period July 1, 2021 through August 31, 2021
4. Treasurer's Report of Financial Affairs for the Period August 1, 2021 through August 31, 2021
5. Budget vs. Actual Report for the Period July 1, 2021 through August 31, 2021
6. Cash Disbursements for the month of September 2021

C. APPLICATION: WATER TRANSACTION

Provide advice and assistance to the Advisory Committee on the proposed transaction:

The transfer of 1,000.0 acre-feet of water from Santa Ana River Water Company to Blue Triton Brands, Inc. This transfer is made from Santa Ana River Water Company's Excess Carryover Account.

(0:02:53) A roll call vote was taken.

Motion by Mr. Ron Craig, seconded by Mr. Chris Diggs, and passed by unanimous roll call vote as attached to these minutes.

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

**A. TASK ORDER NO. 6 UNDER MASTER AGREEMENT FOR COLLABORATIVE PROJECTS:
LOSS OF HYDRAULIC CONTROL MITIGATION PLAN UPDATE**

Recommend Advisory Committee approval of Task Order No. 6 as presented.

(0:05:33) Mr. Kavounas introduced Mr. Tellez Foster, who gave a report.

(0:07:56)

Motion by Mr. Chris Berch, seconded by Mr. Chris Diggs; there were no objections, and no vote was taken.

Moved to recommend Advisory Committee approval of Business Item II.A., Task Order No. 6 as presented.

B. FISCAL YEAR 2021/22 BUDGET AMENDMENT (FORM A-21-10-01)

Recommend to the Advisory Committee to approve the Fiscal Year 2021/22 Budget Amendment (Form A-21-10-01).

(0:08:48) Mr. Kavounas gave a report.

(0:09:20)

Motion by Mr. Justin Scott-Coe, seconded by Mr. Cris Fealy; there were no objections, and no vote was taken.

Moved to recommend Advisory Committee approval of Business Item II.B., the Fiscal Year 2021/22 Budget Amendment (Form A-21-10-01).

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino County Superior Court Emergency Order
2. October 8, 2021 Hearing
3. Rules & Regulations Update
4. Evergreen Storage Agreements
5. Kaiser Permanente Lawsuit

(0:10:07) Mr. Herrema gave a report.

B. ENGINEER

1. Ground-Level Monitoring Committee Update
2. Annual Streamflow Monitoring Report
3. Safe Yield Reset Methodology Workshop

(0:13:18) The Pool Committee opted to receive the Engineer Report next week during the Advisory Committee meeting. Mr. Malone reminded the Appropriative Pool that written comments for the Ground-Level Monitoring Committee Annual Report were due by tomorrow and that the Safe Yield Methodology Peer Review Workshop would be held on October 26, 2021 at 1:30pm.

C. CHIEF FINANCIAL OFFICER

None

D. GENERAL MANAGER

1. Chino Basin Management – Board Discussion (Workshop)
2. Storage Q&A
3. Drinking Water Well Principles and Strategies
4. Other

(0:14:26) Mr. Kavounas gave a report. A discussion ensued.

IV. POOL MEMBER COMMENTS

None

V. OTHER BUSINESS

None

VI. CONFIDENTIAL SESSION – POSSIBLE ACTION

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

Chair Bosler called for a confidential session at 9:32 a.m. to discuss the following:

1. October 8 Court Hearing
2. AP Budget
3. Strategic Planning

(0:22:06) Confidential session concluded at 11:00 a.m. with the following reportable action reported out by Mr. Espinoza, on behalf of Chair Bosler:

Motion passed by majority vote with the City of Ontario, Monte Vista Water District, and Monte Vista Irrigation Company voting against.

The Appropriative Pool approved a legal budget of \$200,000 for this fiscal year; a commitment by AP members to meet on clarifying the use of legal counsel and consultants; legal counsel expenses will be assessed semi-annually; and authorization of AP chair to negotiate legal counsel's rate.

ADJOURNMENT

Mr. Espinoza, on behalf of Chair Bosler, adjourned the Appropriative Pool Committee meeting at 11:02 a.m.

Secretary: _____

Approved: _____ November 10, 2021 _____

Attachments:

1. 20211014 Roll Call Vote Outcome for the Consent Calendar
2. 20211014 Reportable Action out of Confidential Session as provided by Pool Leadership

Attachment 1 to 20211014 Appropriative Pool Committee Meeting Minutes

October 14, 2021 Appropriative Pool Committee Meeting Roll Call Vote Outcome for Consent Calendar			
Agency	Member	Alternate	Consent Calendar
BlueTriton Brands, Inc.	Sage, Kevin		
		Bowcock, Bob	
CalMat Co.	Sage, Kevin		
		Bowcock, Bob	
City of Chino Hills	Craig, Ron		yes
		Wiley, Mark	
City of Chino	Crosley, Dave		yes
		Coker, Amanda	
		Jakher, Amer	
		Castro, Vivian	
Cucamonga Valley Water District	Bosler, John, Chair		yes
		Espinoza, Eduardo	
		Krishnan, Praseetha	
Fontana Union Water Company	Swift, Josh		yes
		Tarango, Eric	
		Zielke, Seth	
Fontana Water Company	Fealy, Cris		yes
		Tarango, Eric	
City of Fontana	Kramer, Keith		
		Martinez, Armando	
Golden State Water Company	Lewis, Ben		
		Moore, Toby	
Jurupa Community Services District	Berch, Chris		yes
		Letulle, Chander	
		Popelar, Steven	
Marygold Mutual Water Company	Andrews, Steven		
		Brokaw, Justin	
Monte Vista Irrigation Company	Scott-Coe, Justin		yes
		Reimer, Stephanie	
Monte Vista Water District	Scott-Coe, Justin		yes
		Reimer, Stephanie	
NCL Co., LLC	Bowcock, Bob		
		Sage, Kevin	
Niagara Bottling Company	Kamansky, Geoffrey		
		Hooks, Cassandra	
Nicholson Family Trust	Fealy, Cris		yes
		Swift, Josh	
City of Norco	Blais, Chad		
		Nelson, Sam	
City of Ontario	Burton, Scott, Vice Chair		
		Jones, Courtney	yes
City of Pomona	Diggs, Chris		yes
		Horton, Nichole	
San Antonio Water Company	Lee, Brian		yes
		Layton, Teri	
County of San Bernardino	Raughley, Steven		
		Meere, Amanda	
Santa Ana River Water Company	Lopez, John		yes
		Minten, Todd	
City of Upland	Yu, Braden		yes
		Ledbetter, Steven	
		deMoet, Nicole	
West End Consolidated Water Co.	Yu, Braden		yes
		Ledbetter, Steven	
		deMoet, Nicole	
West Valley Water District	Manbahal, Rickey S.		
		Jew, Van	
		Chan, Joanne	
OUTCOME:			Passed Unanimously by those present

Attachment 2 to 20211014 Appropriate Pool Committee Meeting Minutes

From: Eduardo Espinoza <EduardoE@cvwdwater.com>
Sent: Thursday, October 14, 2021 11:18 AM
To: Anna Nelson; John Bosler; Scott Burton (sburton@ontarioca.gov); Courtney Jones - City of Ontario (cjones@ontarioca.gov); John Schatz (Jschatz13@cox.net)
Cc: Vanessa Aldaz; Frank Yoo; Peter Kavounas
Subject: RE: Please REPLY ALL when out of Confidential Session

Hi Anna,
Here are the details of today's AP confidential session reportable action:

The Appropriate Pool approved a legal budget of \$200,000 for this fiscal year; a commitment by AP members to meet on clarifying the use of legal counsel and consultants; legal counsel expenses will be assessed semi-annually; and authorization of AP chair to negotiate legal counsel's rate.

No votes: Ontario, MVWD, MVIC

Please let John or I know if you have any questions. Thanks!

Eduardo

Eduardo Espinoza, PE
Assistant General Manager
Cucamonga Valley Water District
909-987-2591

From: Eduardo Espinoza
Sent: Thursday, October 14, 2021 10:54 AM
To: Anna Nelson <atruongnelson@cbwm.org>; John Bosler <JohnB@cvwdwater.com>; Scott Burton (sburton@ontarioca.gov) <sburton@ontarioca.gov>; Courtney Jones - City of Ontario (cjones@ontarioca.gov) <cjones@ontarioca.gov>
Cc: Vanessa Aldaz <valdaz@cbwm.org>; Frank Yoo <FrankY@cbwm.org>; Peter Kavounas <PKavounas@cbwm.org>
Subject: RE: Please REPLY ALL when out of Confidential Session

Hi Anna,
We're ready to come back to open session. Let me know when ready. I'll be coming in for John. Thanks!

Eduardo

Eduardo Espinoza, PE
Assistant General Manager
Cucamonga Valley Water District
909-987-2591

From: Anna Nelson <atruongnelson@cbwm.org>
Sent: Thursday, October 14, 2021 9:35 AM
To: John Bosler <JohnB@cvwdwater.com>; Eduardo Espinoza <EduardoE@cvwdwater.com>; Scott Burton (sburton@ontarioca.gov) <sburton@ontarioca.gov>; Courtney Jones - City of Ontario (cjones@ontarioca.gov) <cjones@ontarioca.gov>

Cc: Vanessa Aldaz <valdaz@cbwm.org>; Frank Yoo <FrankY@cbwm.org>; Peter Kavounas <PKavounas@cbwm.org>

Subject: Please REPLY ALL when out of Confidential Session

Thank you!

Anna

Anna Truong Nelson, CAP, OM, TA

Executive Services Director

Board Clerk

Chino Basin Watermaster

9641 San Bernardino Road

Rancho Cucamonga, CA 91730

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