

MINUTES
CHINO BASIN WATERMASTER
APPROPRIATIVE POOL COMMITTEE MEETING
November 10, 2022

The Appropriative 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 November 10, 2022.

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Amanda Coker	Cucamonga Valley Water District
Christopher Quach	City of Ontario
Eric Tarango	Fontana Union Water Company
Cris Fealy	Fontana Water Company
Chris Berch	Jurupa Community Services District
Cris Fealy	Nicholson Family Trust

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Dave Crosley	City of Chino
Ron Craig	City of Chino Hills
Braden Yu	City of Upland
Julie Craver	City of Pomona
Justin Scott-Coe	Monte Vista Irrigation Company
Justin Scott-Coe	Monte Vista Water District
John Lopez	Santa Ana River Water Company
Braden Yu	West End Consolidated Water Company

WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

James Curatalo	Appropriative Pool – Minor Representative
Mike Gardner	Western Municipal Water District

WATERMASTER STAFF PRESENT

Peter Kavounas	General Manager
Joe Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. & Planning Dir.
Anna Nelson	Director of Administration
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Janine Wilson	Senior Accountant
Denise Morales	Executive Assistant II/Board Clerk
Ruby Favela	Administrative Assistant
Alex Moore	Administrative Assistant
David Huynh	Senior Field Operations Specialist
Alonso Jurado	Senior Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

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

WATERMASTER CONSULTANTS PRESENT ON ZOOM

Garrett Rapp	West Yost
--------------	-----------

OTHERS PRESENT AT WATERMASTER

Bryan Smith	Jurupa Community Services District
Jeff Davis	Provost & Pritchard Consulting

OTHERS PRESENT ON ZOOM

Natalie Avila	City of Chino
Eunice Ulloa	City of Chino
Nicole deMoet	City of Upland
Luis Cetina	Cucamonga Valley Water District
Tarren Alicia Torres	Egoscue Law Group, Inc
Christiana Daisy	Inland Empire Utilities Agency
Stephanie Reimer	Monte Vista Irrigation Company
Manny Martinez	Monte Vista Water District
Stephanie Reimer	Monte Vista Water District
Brian Lee	San Antonio Water Company
Tariq Awan	State of California - CIM
Nicole deMoet	West End Consolidated Water Company

CALL TO ORDER

Chair Espinoza called the Appropriative Pool committee meeting to order at 9:00 a.m.

ROLL CALL

(0:00:18) Ms. Morales conducted the roll call and announced that a quorum was present.

AGENDA - ADDITIONS/REORDER

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:

1. Minutes of the Appropriative Pool Committee Meeting held on October 13, 2022

B. FINANCIAL REPORTS

Receive and file as presented:

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

C. ANNUAL FINDING OF SUBSTANTIAL COMPLIANCE WITH THE RECHARGE MASTER PLAN

Recommend to Advisory Committee to recommend to the Watermaster Board to adopt the finding that Watermaster is in substantial compliance with the Recharge Master Plan.

D. 2021/22 ANNUAL REPORT OF THE GROUND-LEVEL MONITORING COMMITTEE

Recommend to the Advisory Committee to recommend to the Watermaster Board to approve the 2021/22 Annual Report of the Ground-Level Monitoring Committee, and direct staff to file a copy with the Court.

E. CALENDAR YEAR 2023 APPROPRIATIVE POOL COMMITTEE VOLUME VOTE

Approve the Calendar Year 2023 Appropriative Pool Volume Vote as presented, subject to Watermaster Board approval of the Fiscal Year 2022/23 Assessment Package at the November 17, 2022 meeting.

(0:03:21)

Motion by Mr. Chris Berch, seconded by Mr. Cris Fealy, and passed unanimously by roll call vote as attached to these minutes.

Moved to approve the Consent Calendar as presented

II. BUSINESS ITEMS

A. FISCAL YEAR 2022/23 BUDGET AMENDMENT (A-22-11-01) PROPOSAL FOR ENGINEERING SERVICES FOR CHINO BASIN WATERMASTER TO DEVELOP A PLAN FOR RECHARGE PROJECTS

Recommend Advisory Committee approval of the Budget Amendment (A-22-11-01) as presented.

(0:06:48) Mr. Kavounas gave a report. A discussion ensued.

(0:10:55)

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

Moved to approve Business Item II.A. as presented

B. FISCAL YEAR 2022/23 BUDGET AMENDMENT (A-22-11-02) FOR TOM DODSON AND ASSOCIATES SERVICES

Recommend Advisory Committee approval of the Budget Amendment (A-22-11-02) as presented.

(0:15:00) Mr. Kavounas gave a report. A discussion ensued.

(0:20:26)

Motion by Mr. Ron Craig, seconded by Mr. Chris Berch; a volume vote was taken, and the item passed by majority 60.484 votes as attached to these minutes.

Moved to approve Business Item II.B. as presented

C. FISCAL YEAR 2022/23 ASSESSMENT PACKAGE

Review Fiscal Year 2022/23 Assessment Package as presented and offer advice to Watermaster.

(0:25:09) Mr. Yoo gave a presentation. A discussion ensued. No action was taken on this item.

D. RESOLUTION TO LEVY REPLENISHMENT AND ADMINISTRATIVE ASSESSMENTS FOR FISCAL YEAR 2022/23, BASED ON PRODUCTION YEAR 2021/22

Review Resolution 2022-10 as presented and offer advice to Watermaster.

(0:38:42) Mr. Kavounas reported on this item. A discussion ensued. No action was taken on this item.

III. REPORTS/UPDATES

A. WATERMASTER LEGAL COUNSEL

1. November 3, 2022 Hearing
2. November 18, 2022 Hearing
3. December 16, 2022 Hearing
4. Kaiser Permanente Lawsuit
5. Rules and Regulations Update

(0:40:07) Mr. Herrema gave a report.

B. ENGINEER

1. Ground Level Monitoring Committee
2. Safe Yield Court Order Implementation

(00:45:05) Mr. Malone gave a report. A discussion ensued.

(00:47:52) Mr. Rapp gave a report. A discussion ensued.

C. CHIEF FINANCIAL OFFICER

1. Fiscal Year 2022/23 Assessment Invoicing

(00:53:06) Mr. Joswiak gave a report.

D. GENERAL MANAGER

1. Status Report: 2020 OBMP
2. Board Workshop IV: December 5th at 8:30am
3. Watermaster Holiday Charity Event
4. December Meetings
5. Other

(0:54:20) Mr. Kavounas reported on Item 1 stating that the project description was nearly complete and that it would be distributed next week, followed by a workshop two weeks after. Mr. Kavounas gave an update regarding the Board's direction to seek the services of an external facilitator for the OBMP Implementation Plan effort. He stated that he would be recommending Mr. Dave Ceppos (Director and Managing Senior Mediator of the Consensus and Collaboration Program (CCP), of California State University, Sacramento) and would soon circulate his CV. After parties have had a chance to review Mr. Ceppos' CV and ask any questions, Mr. Ceppos would then be invited to Watermaster for a meet and greet session with the stakeholders. Mr. Kavounas reported on Item 2 and reminded the Pools of the upcoming Board workshop #4 on December 5th. Mr. Kavounas invited Ms. Morales to give a presentation on the Watermaster Holiday Charity (Little Heart Warriors). Mr. Kavounas mentioned that Watermaster would be dark in December and staff will stand ready to assist with any special meetings as requested.

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.

None

ADJOURNMENT

Chair Espinoza adjourned the Appropriative Pool Committee meeting at 10:03 a.m.

Secretary: 

Approved: January 12, 2023

Attachment:

1. 20221110 Appropriative Pool Committee Meeting (Roll Call Vote for Consent Calendar.)
2. 20221110 Appropriative Pool Committee Meeting (Roll Call Vote for Business Item II.A.)
3. 20221110 Appropriative Pool Committee Meeting (Volume Vote for Business Item II.B.)

ATTACHMENT 1**November 10, 2022 Appropriative Pool Committee Meeting Roll Call Vote Outcome**

Member	Alternate	Consent Calendar
BlueTriton Brands, Inc.		Absent
CalMat Co.		Absent
City of Chino		Yes
City of Chino Hills		Yes
Cucamonga Valley Water District		Yes
Fontana Union Water Company	Yes	
Fontana Water Company		Yes
City of Fontana		Absent
Golden State Water Company		Absent
Jurupa Community Services District		Yes
Marygold Mutual Water Company		Absent
Monte Vista Water District		Yes
Monte Vista Irrigation Company		Yes
NCL Co., LLC		Absent
Niagara Bottling Company		Absent
Nicholson Family Trust		Yes
City of Norco		Absent
City of Ontario	Yes	
City of Pomona	Yes	
San Antonio Water Company		Yes
County of San Bernardino		Absent
Santa Ana River Water Company		Yes
City of Upland		Yes
West End Consolidated Water Co.		Yes

ATTACHMENT 2**November 10, 2022 Appropriative Pool Committee Meeting Roll Call Vote Outcome**

Member	Alternate	Business Item II.A.
BlueTriton Brands, Inc.		Absent
CalMat Co.		Absent
City of Chino		Yes
City of Chino Hills		Yes
Cucamonga Valley Water District		Yes
Fontana Union Water Company		Yes
Fontana Water Company		Yes
City of Fontana		Absent
Golden State Water Company		Absent
Jurupa Community Services District		Yes
Marygold Mutual Water Company		Absent
Monte Vista Water District		Yes
Monte Vista Irrigation Company		Yes
NCL Co., LLC		Absent
Niagara Bottling Company		Absent
Nicholson Family Trust		Yes
City of Norco		Absent
City of Ontario		Yes
City of Pomona		Yes
San Antonio Water Company		Yes
County of San Bernardino		Absent
Santa Ana River Water Company		Yes
City of Upland		Yes
West End Consolidated Water Co.		Yes

ATTACHMENT 3

Fiscal Year 2022/23 Budget Amendment (A-22-11-02) Proposal for Tom Dodson and Associates Services

QUORUM MET? **YES**

2022 APPROPRIATIVE POOL VOLUME VOTE
Assessment Year 2021-2022 (Production Year 2020-2021)



Enter Y or N in Each Cell

Party	Present (Y/N)	Vote (Y/N)	Assigned	Avail Votes	Quorum	Total Yes
BlueTriton Brands, Inc.	N	N	1.847	0.000	0.000	0.000
CalMat Co. (Appropriative)	N	N	0.000	0.000	0.000	0.000
Chino Hills, City Of	Y	Y	36.004	36.004	36.004	36.004
Chino, City Of	Y	N	55.596	55.596	55.596	0.000
Cucamonga Valley Water District	Y	Y	71.996	71.996	71.996	71.996
Fontana Union Water Company	Y	Y	58.285	58.285	58.285	58.285
Fontana Water Company	Y	Y	75.362	75.362	75.362	75.362
Fontana, City Of	N	N	0.000	0.000	0.000	0.000
Golden State Water Company	N	N	11.066	0.000	0.000	0.000
Jurupa Community Services District	Y	Y	91.046	91.046	91.046	91.046
Marygold Mutual Water Company	N	N	11.701	0.000	0.000	0.000
Monte Vista Irrigation Company	Y	N	6.170	6.170	6.170	0.000
Monte Vista Water District	Y	N	95.217	95.217	95.217	0.000
NCL Co, LLC	N	N	0.000	0.000	0.000	0.000
Niagara Bottling, LLC	N	N	11.928	0.000	0.000	0.000
Nicholson Family Trust	Y	Y	0.035	0.035	0.035	0.035
Norco, City Of	N	N	1.840	0.000	0.000	0.000
Ontario, City Of	Y	N	220.641	220.641	220.641	0.000
Pomona, City Of	Y	Y	164.866	164.866	164.866	164.866
San Antonio Water Company	Y	Y	18.347	18.347	18.347	18.347
San Bernardino, County of (Shooting Park)	N	N	0.117	0.000	0.000	0.000
Santa Ana River Water Company	Y	Y	13.060	13.060	13.060	13.060
Upland, City Of	Y	Y	40.358	40.358	40.358	40.358
West End Consolidated Water Co	Y	Y	8.640	8.640	8.640	8.640
West Valley Water District	N	N	5.875	0.000	0.000	0.000
TOTAL			1,000.000	955.625	955.625	578.000

"YES" VOTES
60.484%

"NO" VOTES
39.516%

PASSED

CALCULATE QUORUM

CALCULATE VOTES

RESET ALL

RESET VOTES