

**CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING**

11:00 a.m. – August 24, 2023

Mr. Jim Curatalo, Chair

Mr. Jeff Pierson, Vice-Chair

Mr. Bob Kuhn, Secretary/Treasurer

At The Offices Of

Chino Basin Watermaster

9641 San Bernardino Road

Rancho Cucamonga, CA 91730

AGENDA

FLAG SALUTE

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

This is an opportunity for members of the public to address the Board on any short non-agenda items that are within the subject matter jurisdiction of the Chino Basin Watermaster. No discussion or action can be taken on matters not listed on the agenda, per the Brown Act. Each member of the public who wishes to comment shall be allotted three minutes, and no more than three individuals shall address the same subject.

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 Watermaster Board Meeting held June 22, 2023 (*Page 1*)

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of May 2023 (*Page 8*)
2. Watermaster VISA Check Detail for the month of May 2023 (*Page 20*)
3. Combining Schedule for the Period July 1, 2022 through May 31, 2023 (*Page 23*)
4. Treasurer's Report of Financial Affairs for the Period May 1, 2023 through May 31, 2023 (*Page 26*)
5. Budget vs. Actual Report for the Period July 1, 2022 through May 31, 2023 (*Page 30*)
6. Cash Disbursements for the month of June 2023 (*Page 61*)
7. Watermaster VISA Check Detail for the month of June 2023 (*Page 76*)
8. Combining Schedule for the Period July 1, 2022 through June 30, 2023 (*Page 79*)
9. Treasurer's Report of Financial Affairs for the Period June 1, 2023 through June 30, 2023 (*Page 82*)
10. Budget vs. Actual Report for the Period July 1, 2022 through June 30, 2023 (*Page 86*)
11. Cash Disbursements for July 2023 (Information Only) (*Page 121*)

C. APPLICATION: WATER TRANSACTION – NICHOLSON FAMILY TRUST TO FONTANA WATER COMPANY

Approve the proposed transaction:

The purchase of 3.5 acre-feet of water from Nicholson Family Trust by Fontana Water Company. This purchase is made from Nicholson Family Trust's Annual Production Right/Operating Safe Yield first, then any additional from Storage. *(Page 131)*

D. APPLICATION: WATER TRANSACTION – SAN ANTONIO WATER COMPANY TO CUCAMONGA VALLEY WATER COMPANY

Approve the proposed transaction:

The purchase of 403.02 acre-feet of water from San Antonio Water Company by Cucamonga Valley Water District. This purchase is made from San Antonio Water Company's Excess Carryover Account. Cucamonga Valley Water District is utilizing this transaction to produce its San Antonio Water Company shares. *(Page 138)*

E. APPLICATION: WATER TRANSACTION – WEST END CONSOLIDATED WATER COMPANY TO CITY OF UPLAND

Approve the proposed transaction:

The purchase of 708.3 acre-feet of water from West End Consolidated Water Company by City of Upland. This purchase is made from West End Consolidated Water Company's Excess Carryover Account. The City of Upland is utilizing this transaction to produce its West End Consolidated Water Company shares. *(Page 145)*

F. APPLICATION: LOCAL STORAGE AGREEMENT – APPROPRIATIVE POOL

Approve the Application for Local Storage Agreement submitted on behalf of the Appropriative Pool members as presented. *(Page 152)*

G. PROFESSIONAL SERVICES AGREEMENT BETWEEN EIDE BAILLY LLP AND WATERMASTER

Approve the attached Professional Services Agreement and authorize the General Manager to execute on behalf of Watermaster, subject to any non-substantive changes. *(Page 158)*

H. LOCAL AGENCY INVESTMENT FUND (LAIF) RESOLUTION 2023-05 TO RESCIND RESOLUTION 2023-02

Adopt Resolution 2023-05 – Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF) and rescinding Resolution 2023-02. *(Page 180)*

II. BUSINESS ITEMS

A. WATERMASTER AMENDED AND RESTATED LEASE AGREEMENT

Approve the Amended and Restated Lease Agreement and authorize the General Manager to execute on behalf of Watermaster, subject to any non-substantive changes. *(Page 182)*

B. BROWNSTEIN HYATT FARBER SCHRECK, LLP CONFLICT WAIVER

Approve the attached Conflict Waiver allowing BHFS to serve the County of San Bernardino in unrelated litigation. *(Page 229)*

III. REPORTS/UPDATES

A. WATERMASTER LEGAL COUNSEL

1. August 4, 2023 Hearing (City of Ontario Motion re 2022-23 Assessment Package; Court Tour of Chino Basin)
2. Court Tour of Chino Basin
3. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)

4. Court of Appeal Case No. E080457 (City of Ontario appeal re 2021-22 Assessment Package)
5. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
6. Kaiser Permanente Lawsuit

B. ENGINEER

1. 2025 Safe Yield Reevaluation
2. Board-Requested Recharge Project Analysis
3. Ground-Level Monitoring Committee
4. 2022 State of the Basin Report

C. CHIEF FINANCIAL OFFICER

None

D. GENERAL MANAGER

1. Long Term Planning Efforts
2. RMPU Project 23A Potential Change of Scope
3. Other

IV. BOARD MEMBER COMMENTS

V. OTHER BUSINESS

VI. CONFIDENTIAL SESSION – POSSIBLE ACTION

Pursuant to Article II, Section 2.6, of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster Board meeting for the purpose of discussion and possible action.

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: *Initiation of litigation: one case*
2. CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTERS

VII. FUTURE MEETINGS AT WATERMASTER

08/22/23	Tue	9:00 a.m.	Groundwater Recharge Coordinating Committee (GRCC)
08/22/23	Tue	1:00 p.m.	2023 Recharge Master Plan Update (RMPU)
08/24/23	Thu	9:30 a.m.	Watermaster Orientation*
08/24/23	Thu	11:00 a.m.	Watermaster Board
08/30/23	Wed	9:00 a.m.	2025 Safe Yield Reevaluation – Workshop #1 **
09/14/23	Thu	9:00 a.m.	Appropriative Pool Committee
09/14/23	Thu	11:00 a.m.	Non-Agricultural Pool Committee
09/14/23	Thu	1:30 p.m.	Agricultural Pool Committee
09/21/23	Thu	9:00 a.m.	Advisory Committee
09/28/23	Thu	9:30 a.m.	Watermaster Orientation*
09/28/23	Thu	11:00 a.m.	Watermaster Board

* The Watermaster Orientation sessions are held in person with no remote access.

** The 2025 Safe Yield Reevaluation Workshop #1 will only be held virtually.

ADJOURNMENT