

**MINUTES**  
**CHINO BASIN WATERMASTER**  
**WATERMASTER BOARD MEETING**

October 22, 2020

The Watermaster Board meeting was held via GoToMeeting (conference call and web meeting) on October 22, 2020.

**WATERMASTER BOARD MEMBERS PRESENT ON CALL**

Jeff Pierson, Chair	Agricultural Pool – Crops
James Curatalo, Vice-Chair	Fontana Union Water Company
Bob Kuhn, Secretary/Treasurer	Three Valleys Municipal Water District
Bob Bowcock	CalMat Co.
Steve Elie	Inland Empire Utilities Agency
Don Galleano	Western Municipal Water District
Ron Pietersma for Paul Hofer	Agricultural Pool – Dairy
Victor Preciado	City of Pomona
Peter Rogers	City of Chino Hills

**WATERMASTER STAFF PRESENT AT WATERMASTER**

Peter Kavounas	General Manager
Janine Wilson	Senior Accountant
Vanessa Aldaz	Administrative Assistant

**WATERMASTER STAFF PRESENT ON CALL**

Joseph Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. and Planning Dir.
Anna Nelson	Executive Services Director/Board Clerk
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Water Resources Senior Associate

**WATERMASTER CONSULTANTS PRESENT ON CALL**

Scott Slater	Brownstein Hyatt Farber Schreck, LLP
Mark Wildermuth	Wildermuth Environmental, Inc.
Andy Malone	Wildermuth Environmental, Inc.
Samantha Adams	Wildermuth Environmental, Inc.

**OTHERS PRESENT ON CALL**

Ron Craig	City of Chino Hills
David De Jesus	Three Valleys Municipal Water District
Gino Filippi	Agricultural Pool – Crops
Pete Hall	Agricultural Pool – State of CA – CIM/CDCR
Brian Geye	California Speedway Corporation
Marilyn Levin	Agricultural Pool – State of CA – DOJ
Courtney Jones	City of Ontario
Dave Crosley	City of Chino
Joshua Aguilar	Inland Empire Utilities Agency
Richard Rees	Wood plc
John Bosler	Cucamonga Valley Water District
Steven Ledbetter	City of Upland
Steven Ledbetter	West End Consolidated Water Company
Scott Burton	City of Ontario
Betty Anderson	Jurupa Community Services District
Brian Lee	San Antonio Water Company
Chris Berch	Jurupa Community Services District
Cris Fealy	Fontana Water Company
John Lopez	Santa Ana River Water Company

Justin Scott-Coe  
Justin Scott-Coe  
Randall Reed  
Shivaji Deshmukh  
Sylvie Lee  
Ben Lewis  
Chris Diggs  
Christiana Daisy  
Craig Miller  
Denise Garzaro  
Jimmy Gutierrez  
Praseetha Krishnan  
Todd Minten  
Christopher Brown

Monte Vista Water District  
Monte Vista Irrigation Company  
Cucamonga Valley Water District  
Inland Empire Utilities Agency  
Inland Empire Utilities Agency  
Golden State Water Company  
City of Pomona  
Inland Empire Utilities Agency  
Western Municipal Water District  
Inland Empire Utilities Agency  
City of Chino  
Cucamonga Valley Water District  
Santa Ana River Water Company  
Fedak & Brown, LLP

**CALL TO ORDER**

Chair Pierson called the Watermaster Board meeting to order at 11:00 a.m.

(0:03:24) Ms. Nelson conducted the roll call and announced that a quorum was present.

**PUBLIC COMMENTS**

None

**AGENDA - ADDITIONS/REORDER**

(0:04:56) Mr. Kavounas suggested that the Board take Business Item II.D. immediately following the Consent Calendar. Chair Pierson agreed.

**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 Watermaster Board Meeting held September 24, 2020

**B. FINANCIAL REPORTS**

Receive and file as presented:

1. Cash Disbursements for the month of August 2020
2. Watermaster VISA Check Detail for the month of August 2020
3. Combining Schedule for the Period July 1, 2020 through August 31, 2020
4. Treasurer's Report of Financial Affairs for the Period August 1, 2020 through August 31, 2020
5. Budget vs. Actual Report for the Period July 1, 2020 through August 31, 2020
6. Cash Disbursements for September 2020 (Information Only)

(0:05:54) Mr. Kavounas reminded the Board of the revised September 24, 2020 that were distributed after the packet was distributed.

(0:06:08) A motion was introduced by Mr. Elie and seconded by Mr. Kuhn.

(0:06:36) A roll call vote was taken.

*Motion by Mr. Steve Elie, seconded by Mr. Bob Kuhn, and by unanimous roll call vote as attached to these minutes*

***Moved to approve the Consent Calendar including the revisions to the minutes.***

## **II. BUSINESS ITEMS**

### **A. CONSIDERATION OF THE 2020 OPTIMUM BASIN MANAGEMENT PROGRAM**

Adopt Resolution 2020-06 related to the 2020 Optimum Basin Management Program Report.

(0:15:10) Mr. Kavounas gave a presentation, adding that all three municipalities also adopted the resolutions in support. A discussion ensued.

(0:35:26) A motion was introduced by Mr. Elie and seconded by Mr. Kuhn.

(0:35:43) Multiple Board members thanked staff and consultants for their various efforts in this process.

(0:39:17) A roll call vote was taken.

*Motion by Mr. Steve Elie, seconded by Mr. Bob Kuhn, and by unanimous roll call vote as attached to these minutes*

***Moved to approve Business Item II.A., Consideration of the 2020 Optimum Basin Management Program as presented.***

### **B. PROCEDURE AND FEE SCHEDULE FOR REQUESTING INFORMATION AND DOCUMENTS RELATED TO THE CHINO VALLEY MODEL**

Adopt Resolution 2020-05 related to the Procedure and Fee Schedule for Requesting Information and Documents Related to the Chino Valley Model.

(0:41:38) Mr. Kavounas gave a report.

(0:43:30) A motion was introduced by Mr. Rogers and seconded by Mr. Curatalo.

(0:43:56) A roll call vote was taken.

*Motion by Mr. Peter Rogers, seconded by Mr. James Curatalo, and by unanimous roll call vote as attached to these minutes*

***Moved to approve Business Item II.B., Procedure and Fee Schedule for Requesting Information and Documents Related to the Chino Valley Model as presented.***

### **C. APPROPRIATIVE POOL AUGUST 25, 2020 INVOICES FOR \$165,694.75**

Provide direction to Watermaster staff to institute a show-cause proceeding to collect payments, interest, and attorney's fees thereunder from the one Appropriative Pool member who has not paid the August 25, 2020 invoice.

(0:45:08) Mr. Kavounas gave a report. A discussion ensued.

(1:06:54) A motion was introduced by Mr. Bowcock and seconded by Mr. Rogers. Further discussion ensued.

(1:09:42) A roll call vote was taken.

*Motion by Mr. Bob Bowcock, seconded by Mr. Peter Rogers, and by unanimous roll call vote as attached to these minutes*

***Moved to continue Business Item II.C., Appropriative Pool August 25, 2020 Invoices for \$165,694.75 and bring it back to the Board in November.***

**D. CHINO BASIN WATERMASTER ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2020; AND THE CHINO BASIN WATERMASTER MANAGEMENT REPORT FOR JUNE 30, 2020**

Receive and file (1) the Chino Basin Watermaster Annual Financial Report for the Fiscal Years Ended June 30, 2020 and 2019 dated October 22, 2020; and (2) the Chino Basin Watermaster Management Report for June 30, 2020 dated October 22, 2020.

Business Item II.D. was taken directly following the Consent Calendar.

(0:07:49) Mr. Joswiak introduced Mr. Christopher Brown, senior partner at Fedak & Brown, LLP, the Watermaster's auditing firm.

(0:08:20) Mr. Brown, from Fedak & Brown, LLP, gave a presentation.

(0:13:23) A motion was introduced by Mr. Bowcock and seconded by Mr. Rogers.

(0:13:56) A roll call vote was taken.

*Motion by Mr. Bob Bowcock, seconded by Mr. Peter Rogers, and by unanimous roll call vote as attached to these minutes*

***Moved to approve Business Item II.D., Chino Basin Watermaster Annual Financial Report for the Fiscal Year Ended June 30, 2020; and the Chino Basin Watermaster Management Report for June 30, 2020 as presented.***

**III. REPORTS/UPDATES**

**A. LEGAL COUNSEL REPORT**

1. San Bernardino County Superior Court Emergency Order
2. September 25, 2020 Hearing
3. Motion of Appropriative Pool Member Agencies Re: Agricultural Pool Legal and Other Expenses
4. January 8, 2021 Hearing

(1:11:37) Mr. Herrema gave a report adding that there was an Ex Parte Hearing on calendar for October 22, 2020 requesting a continuance for the October 23, 2020 Hearing to give Watermaster time to file a response.

**B. ENGINEER REPORT**

1. Status Report: Local Storage Limitation Solution
2. GLMC Annual Report Summary

(0:14:52) Mr. Malone gave a report.

**C. CFO REPORT**

1. FY 2020/21 Assessment Package Update

(1:21:20) Mr. Joswiak gave a report.

**D. GM REPORT**

1. Status Report: OAP Contest
2. San Sevaine Project Award
3. First Organization Performance Status Report FY 2020/21 (Oct. 2020)
4. Holiday Meeting Schedule
5. Other

(1:22:23) Mr. Kavounas gave a report and invited Mr. Nakano to address the Board regarding GM Report Item 2.

(1:22:57) Mr. Nakano gave a report and announced that the San Sevaine Basin Project had been awarded the American Society of Engineer’s Sustainable Engineering Project of the Year for the Los Angeles region in addition to winning for the Riverside region last month.

(1:25:01) Mr. Kavounas continued his report. A discussion ensued.

**VI. INFORMATION**

- 1. Plumes Status Reports
- 2. Ground-Level Monitoring Status Report

**V. BOARD MEMBER COMMENTS**

None

**VI. OTHER BUSINESS**

None

**VII. CONFIDENTIAL SESSION**

Pursuant to Article 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.

Chair Pierson called for a confidential session at 12:32 p.m. to discuss the following:

**PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

- 1. Kaiser Foundation Health Plan, et al. v. Chino Basin Water Conservation District, et al., San Bernardino County Superior Court Case No: CIVDS1933655

Confidential Session concluded at 12:45 p.m. with no reportable action.

**ADJOURNMENT**

Chair Pierson adjourned the Watermaster Board meeting at 12:49 p.m.

Secretary: \_\_\_\_\_

Approved: \_\_\_\_\_ November 19, 2020

**Attachments:**

- 1. 20201022 Roll Call Vote Outcome for Consent Calendar
- 2. 20201022 Roll Call Vote Outcome for Business Item II.A.
- 3. 20201022 Roll Call Vote Outcome for Business Item II.B.
- 4. 20201022 Roll Call Vote Outcome for Business Item II.C.
- 5. 20201022 Roll Call Vote Outcome for Business Item II.D.

**Attachment 1 to 20201022 Watermaster Board Minutes  
Consent Calendar Items I.A.-I.B.**

<b>October 22, 2020 Watermaster Board Meeting Roll Call Vote for Consent Calendar Items I.A.-I.B.</b>
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<b>Member</b>	<b>Alternate</b>	<b>I.A.-I.B.</b>
Bowcock, Bob		yes
Curatalo, James, Vice-Chair		yes
Elie, Steve		yes
Galleano, Don		yes
Hofer, Paul		
	Pietersma, Ron	yes
Kuhn, Bob, Secretary/Treasurer		yes
Preciado, Victor		yes
Rogers, Peter		yes
Pierson, Jeff, Chair		yes
<b>OUTCOME:</b>		<b>Passed Unanimously</b>

**Attachment 2 to 20201022 Watermaster Board Minutes  
Business Item II.A.- Consideration of the 2020 OBMP**

<b>October 22, 2020 Watermaster Board Meeting Roll Call Vote for Business Item II.A.- Consideration of the 2020 Optimum Basin Management Program</b>
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<b>Member</b>	<b>Alternate</b>	<b>II.A.</b>
Bowcock, Bob		yes
Curatalo, James, Vice-Chair		yes
Elie, Steve		yes
Galleano, Don		yes
Hofer, Paul		
	Pietersma, Ron	yes
Kuhn, Bob, Secretary/Treasurer		yes
Preciado, Victor		yes
Rogers, Peter		yes
Pierson, Jeff, Chair		yes
<b>OUTCOME:</b>		<b>Passed Unanimously</b>

**Attachment 3 to 20201022 Watermaster Board Minutes  
Business Item II.B.- Procedure and Fee Schedule for Chino Valley Model**

<b>October 22, 2020 Watermaster Board Meeting Roll Call Vote for Business Item II.B.- Procedure and Fee Schedule for Requesting Information and Documents Related to the Chino Valley Model</b>
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<b>Member</b>	<b>Alternate</b>	<b>II.B.</b>
Bowcock, Bob		yes
Curatalo, James, Vice-Chair		yes
Elie, Steve		yes
Galleano, Don		yes
Hofer, Paul		
	Pietersma, Ron	yes
Kuhn, Bob, Secretary/Treasurer		yes
Preciado, Victor		yes
Rogers, Peter		yes
Pierson, Jeff, Chair		yes
<b>OUTCOME:</b>		<b>Passed Unanimously</b>



**Attachment 4 to 20201022 Watermaster Board Minutes  
Business Item II.C.- Appropriative Pool August 25, 2020 Invoices for \$165,694.75**

<b>October 22, 2020 Watermaster Board Meeting Roll Call Vote for Business Item II.C.- Appropriative Pool August 25, 2020 Invoices for \$165,694.75</b>
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<b>Member</b>	<b>Alternate</b>	<b>II.C.</b>
Bowcock, Bob		yes
Curatalo, James, Vice-Chair		yes
Elie, Steve		yes
Galleano, Don		no
Hofer, Paul		
	Pietersma, Ron	no
Kuhn, Bob, Secretary/Treasurer		no
Preciado, Victor		yes
Rogers, Peter		yes
Pierson, Jeff, Chair		no
<b>OUTCOME:</b>		<b>Passed by Majority</b>

**Attachment 5 to 20201022 Watermaster Board Minutes  
Business Item II.D.- Chino Basin Watermaster Annual Financial Report and Management Report**

<p><b>October 22, 2020 Watermaster Board Meeting Roll Call Vote for Business Item II.D.- Chino Basin Watermaster Annual Financial Report for the Fiscal Year Ended June 30, 2020; and the Chino Basin Watermaster Management Report for June 30, 2020</b></p>
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<b>Member</b>	<b>Alternate</b>	<b>II.B.</b>
Bowcock, Bob		yes
Curatalo, James, Vice-Chair		yes
Elie, Steve		yes
Galleano, Don		yes
Hofer, Paul		
	Pietersma, Ron	yes
Kuhn, Bob, Secretary/Treasurer		yes
Preciado, Victor		yes
Rogers, Peter		yes
Pierson, Jeff, Chair		yes
<b>OUTCOME:</b>		<b>Passed Unanimously</b>