

MINUTES
CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING

July 22, 2021

The Watermaster Board meeting was held via Zoom (conference call and web meeting) on July 22, 2021.

WATERMASTER BOARD MEMBERS PRESENT ON CALL

James Curatalo, Chair	Fontana Union Water Company
Jeff Pierson, Vice-Chair	Agricultural Pool – Crops
Bob Kuhn, Secretary/Treasurer	Three Valleys Municipal Water District
Bob Bowcock	CalMat Co.
Steve Elie	Inland Empire Utilities Agency
Betty Folsom	Jurupa Community Services District
Mike Gardner	Western Municipal Water District
Paul Hofer	Agricultural Pool – Crops
Peter Rogers	City of Chino Hills

WATERMASTER STAFF PRESENT ON CALL

Peter Kavounas	General Manager
Joseph Joswiak	Chief Financial Officer
Anna Nelson	Executive Services Director/Board Clerk
Frank Yoo	Data Services and Judgment Reporting Mgr.
Janine Wilson	Senior Accountant
Vanessa Aldaz	Administrative Assistant

WATERMASTER CONSULTANTS PRESENT ON CALL

Scott Slater	Brownstein Hyatt Farber Schreck, LLP
Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	West Yost
Garrett Rapp	West Yost

OTHERS PRESENT ON CALL

Carol Boyd	Agricultural Pool – State of CA – CIM
Nathan deBoom	Agricultural Pool – Dairy
Bob Feenstra	Agricultural Pool – Dairy
Gino Filippi	Agricultural Pool – Crops
Pete Hall	Agricultural Pool – Crops
Brian Geye	California Speedway Corporation
Amanda Coker	City of Chino
Dave Crosley	City of Chino
Eunice Ulloa	City of Chino
Daniel Bobadilla	City of Chino Hills
Ron Craig	City of Chino Hills
Debra Dorst-Porada	City of Ontario
Chris Diggs	City of Pomona
Nicole deMoet	City of Upland
Braden Yu	City of Upland
John Bosler	Cucamonga Valley Water District
Eduardo Espinoza	Cucamonga Valley Water District
Mark Gibboney	Cucamonga Valley Water District
Gidti Ludesirishoti	Cucamonga Valley Water District
Jiwon Seung	Cucamonga Valley Water District
Tarren Torres	Egoscue Law Group, Inc.
Ben Lewis	Golden State Water Company
Joshua Aguilar	Inland Empire Utilities Agency
Michael Camacho	Inland Empire Utilities Agency

Christiana Daisy
Shivaji Deshmukh
Sylvie Lee
Andrew Gagen
Justin Scott-Coe
Justin Scott-Coe
Jeff Davis
John Lopez
Todd Minten
David De Jesus
Danie Soto
Craig Miller
Craig Stewart

Inland Empire Utilities Agency
Inland Empire Utilities Agency
Inland Empire Utilities Agency
Kidman Gagen Law, LLP
Monte Vista Irrigation Company
Monte Vista Water District
Provost & Pritchard Consulting Group
Santa Ana River Water Company
Santa Ana River Water Company
Three Valleys Municipal Water District
Triangle Consulting Group, Inc.
Western Municipal Water District
Wood plc

CALL TO ORDER

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

FLAG SALUTE

ROLL CALL

(0:01:08) Ms. Nelson conducted the roll call and announced that a quorum was present.

PUBLIC COMMENTS

None

AGENDA - ADDITIONS/REORDER

None

AGENDA - ADDITIONS/REORDER

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 June 24, 2021

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of May 2021
2. Watermaster VISA Check Detail for the month of May 2021
3. Combining Schedule for the Period July 1, 2020 through May 31, 2021
4. Treasurer's Report of Financial Affairs for the Period May 1, 2021 through May 31, 2021
5. Budget vs. Actual Report for the Period July 1, 2020 through May 31, 2021
6. Cash Disbursements for June 2021 (Information Only)

C. APPLICATION: WATER TRANSACTION

Approve the proposed transaction:

The purchase of 6.5 acre-feet of water from Nicholson Family Trust-Exempt Marital Trust by Fontana Water Company. This purchase is made from Nicholson Family Trust-Exempt Marital Trust's Annual Production Right/Operating Safe Yield.

D. APPLICATION: RECHARGE – SAN ANTONIO WATER COMPANY

Approve San Antonio Water Company's Application for Recharge and direct Watermaster staff to account for up to 2,500 AFY of supplemental water to be recharged in San Antonio Water Company's existing Local Supplemental Storage account from July 2021 to July 2026.

(0:05:14) A roll call vote was taken.

Motion by Mr. Bob Kuhn, seconded by Mr. Bob Bowcock, and passed by unanimous roll call vote as attached to these minutes.

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

**A. FISCAL YEAR 2021/22 SCOPE AS RECOMMENDED BY THE GLMC
(BUDGET AMENDMENT FORM A-21-07-01)**

Adopt the Fiscal Year 2021/22 Budget Amendment for the scope recommended by the GLMC in the amount of \$147,031.

(0:06:36) Mr. Kavounas gave a report. A discussion ensued.

(0:09:35) A roll call vote was taken.

Motion by Mr. Peter Rogers, seconded by Mr. Mike Gardner, and passed by unanimous roll call vote as attached to these minutes.

Moved to adopt the Fiscal Year 2021/22 Budget Amendment for the scope recommended by the GLMC, as presented.

**B. FISCAL YEAR 2021/22 SCOPE AND BUDGET FOR THE SAFE YIELD RECALCULATION
METHODOLOGY EVALUATION (BUDGET AMENDMENT FORM A-21-07-02)**

Adopt the \$276,761 budget amendment (Form A-21-07-02) approved by the Advisory Committee; direct staff to work with the Advisory Committee members toward resolution by the Advisory Committee within four weeks, or August 19, 2021; and provide direction to Legal Counsel to prepare a filing seeking the Court's direction as to the propriety of the inclusion of items [1] – [4] in the FY 2021/22 budget and to file a such a motion with the Court seeking the Court's direction if items [1] – [3] are not resolved and item [4] is not clarified and agreed to by August 19, 2021.

(0:11:00) Mr. Kavounas gave a report. A discussion ensued.

(0:25:24) A motion was introduced by Mr. Bowcock, and seconded by Mr. Kuhn, to direct staff to engage in the negotiation process as recommend by the General Manager without the approval of the budget amendment, and without prejudicial determination to go to court.

(0:27:57) Mr. Elie moved to amend the motion and adopt the \$276,761 budget amendment as approved by the Advisory Committee and work with the Advisory Committee within four weeks to finalize and hold a special meeting of the Board as appropriate and deemed necessary by staff. The motion to amend the main motion was seconded by Mr. Rogers. Further discussion ensued.

(0:39:01) A roll call vote was taken to amend the motion.

Motion by Mr. Steve Elie, seconded by Mr. Peter Rogers, and passed by unanimous roll call vote as attached to these minutes.

Moved to amend the main motion proposed by Mr. Bob Bowcock and seconded by Mr. Bob Kuhn.

(0:42:01) A roll call vote was taken on the amended main motion.

Motion by Mr. Steve Elie, seconded by Mr. Peter Rogers, and passed by unanimous roll call vote as attached to these minutes.

Moved to adopt the \$276,761 budget amendment as approved by the Advisory Committee and work with the Advisory Committee within four weeks to finalize subject to a special meeting of the Board as appropriate and deemed necessary by staff.

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino County Superior Court Emergency Order
2. June 25, 2021 Hearing
3. Rules & Regulations Update
4. Evergreen Storage Agreements
5. Kaiser Permanente Lawsuit

(0:44:35) Mr. Slater gave a report.

B. ENGINEER

None

C. CHIEF FINANCIAL OFFICER

None

D. GENERAL MANAGER

1. DWR Executive Drought Proclamation
2. August Meeting Schedule
3. Other

(0:51:25) Mr. Kavounas gave a report.

IV. BOARD MEMBER COMMENTS

(0:55:40) Mr. Elie thanked staff for being flexible when dealing with difficult issues and continuously reevaluating where things are and the best way to move forward .

V. OTHER BUSINESS

None

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.

None

ADJOURNMENT

Chair Curatalo adjourned the Watermaster Board meeting 11:58 a.m.

Secretary: _____

Approved: _____ September 23, 2021

Attachments:

1. 20210722 Roll Call Vote Outcome for Consent Calendar and Business Items II.A. & II.B.

Attachment 1 to 20210722 Watermaster Board Meeting Minutes

July 22, 2021 Watermaster Board Meeting Roll Call Vote Outcome
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Member	Alternate	Consent Calendar	Business Item II.A.	Business Item II.B. Vote to Amend the Main Motion	Business Item II.B.
Bowcock, Bob		yes	yes	yes	yes
Elie, Steve		yes	yes	yes	yes
Folsom, Betty		yes	yes	yes	yes
Gardner, Mike		yes	yes	yes	yes
Hofer, Paul		yes	yes	yes	yes
Kuhn, Bob, Secretary/Treasurer		yes	yes	yes	yes
Pierson, Jeff, Vice-Chair		yes	yes	yes	yes
Rogers, Peter		yes	yes	yes	yes
Curatalo, James, Chair		yes	yes	yes	yes
OUTCOME:		Passed Unanimously	Passed Unanimously	Passed Unanimously	Passed Unanimously