

MINUTES
CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING

June 23, 2022

The Watermaster Board meeting was held at the offices of the Chino Basin Watermaster located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) on June 23, 2022.

WATERMASTER BOARD MEMBERS PRESENT AT WATERMASTER

James Curatalo, Chair	Minor Representative
Bob Kuhn, Secretary/Treasurer	Three Valleys Municipal Water District
Bob Feenstra for Jeff Pierson	Agricultural Pool – Dairy
Betty Folsom	Jurupa Community Services District
Mike Gardner	Western Municipal Water District

WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

Pete Hall	Agricultural Pool – State of CA, CIM
Brian Geye for Bob Bowcock	California Speedway Corporation
Steve Elie	Inland Empire Utilities Agency
Scott Burton	Monte Vista Water District

WATERMASTER STAFF PRESENT

Peter Kavounas	General Manager
Joseph 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
Alonso Jurado	Senior Field Operations Specialist
David Huynh	Senior Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

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

OTHERS PRESENT AT WATERMASTER

Ron Craig	City of Chino Hills
Amanda Coker	Cucamonga Valley Water District
Eduardo Espinoza	Cucamonga Valley Water District
Jiwon Seung	Cucamonga Valley Water District
Shivaji Deshmukh	Inland Empire Utilities Agency
Bryan Smith	Jurupa Community Services District
Kati Parker	Minor Representative

OTHERS PRESENT ON ZOOM

Gino Filippi	Agricultural Pool – Crops
Jeff Pierson (participated via zoom, but did not vote)	Agricultural Pool – Crops
Tariq Awan	Agricultural Pool – State of CA
Dave Crosley	City of Chino
Eunice Ulloa	City of Chino
Courtney Jones	City of Ontario
Alexis Mascarinas	City of Ontario
Nicole deMoet	City of Upland

Braden Yu
John Bosler
Mark Gibboney
Rob Hills
Tarren Alicia Torres
Joshua Aguilar
Christiana Daisy
William McDonnell
Andrew Gagen
Manny Martinez
Justin Scott-Coe
Justin Scott-Coe
Fred Fudacz
Bob DiPrimio
John Lopez
Brian Lee
David De Jesus
Laura Roughton
Braden Yu
Nichole deMoet
Richard Rees

City of Upland
Cucamonga Valley Water District
Cucamonga Valley Water District
Cucamonga Valley Water District
Egoscue Law Group, Inc.
Inland Empire Utilities Agency
Inland Empire Utilities Agency
Inland Empire Utilities Agency
Kidman Gagen Law, LLP
Monte Vista Water District
Monte Vista Water District
Monte Vista Irrigation Company
Nossaman LLP
San Gabriel Valley Water Company
Santa Ana River Water Company
San Antonio Water Company
Three Valleys Municipal Water District
Western Municipal Water District
West End Consolidated Co.
West End Consolidated Co.
Wood plc

FLAG SALUTE

Chair Curatalo led the Board in the flag salute.

CALL TO ORDER

Chair Curatalo called the Watermaster Board meeting to order at 11:02 a.m.

ROLL CALL

(00:00:43) Ms. Morales conducted the roll call and announced that a quorum was present.

PUBLIC COMMENTS

(00:02:33) Members of the public addressed the Board. A discussion ensued

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 Watermaster Board Meeting held May 26, 2022
2. Minutes of the Watermaster Board Special Meeting held May 26, 2022

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of April 2022
2. Watermaster VISA Check Detail for the month of April 2022
3. Combining Schedule for the Period July 1, 2021 through April 30, 2022

4. Treasurer's Report of Financial Affairs for the Period April 1, 2022, through April 30, 2022
5. Budget vs. Actual Report for the Period July 1, 2021 through April 30, 2022
6. Cash Disbursements for May 2022 (Information Only)

C. APPLICATION: LOCAL STORAGE AGREEMENTS (ONAP)

Approve the proposed agreements.

D. APPLICATION: WATER TRANSACTION

Approve the proposed transaction.

The Purchase of 500 acre-feet of water from City of Chino by Monte Vista Water District. The purchase is made from City of Chino's Excess Carryover account.

E. PROFESSIONAL SERVICES AGREEMENT BETWEEN RAUCH COMMUNICATION CONSULTANTS INC. AND CHINO BASIN WATERMASTER

Approve and authorize the General Manager to execute the contract on behalf of Watermaster.

F. PROFESSIONAL SERVICES AGREEMENT BETWEEN APPLIED COMPUTER TECHNOLOGIES AND CHINO BASIN WATERMASTER

Approve and authorize the General Manager to execute the contract on behalf of Watermaster.

G. FISCAL YEAR 2022/23 PAY SCHEDULE

Adopt the FY 2022/23 Pay Schedule.

H. RESOLUTION 2022-06 AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER BROWN ACT

Adopt Resolution 2022-06 Authorizing Remote Teleconference Meetings under the Ralph M. Brown Act.

(00:18:07)

Motion by Mr. Mike Gardner, seconded by Ms. Betty Folsom, and passed unanimously by roll call vote as attached to these minutes.

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

A. 2021 ANNUAL REPORT OF THE PRADO BASIN HABITAT SUSTAINABILITY COMMITTEE

Receive and file.

(00:20:01) Mr. Kavounas invited Mr. Malone of West Yost to give a presentation. A discussion ensued.

(00:33:22)

Motion by Mr. Mike Gardner, seconded by Mr. Bob Kuhn, and passed unanimously by roll call vote as attached to these minutes.

Moved to approve Business Item II.A. as presented.

B. AMENDMENT NUMBER 2 TO AMENDED AND RESTATED EMPLOYMENT AGREEMENT, GENERAL MANAGER

No recommendation. Public Board discussion, deliberation, and possible action on proposed employment agreement amendment.

(00:34:36) Chair Curatalo commented on this item and invited Mr. Scott Slater to give a report. Board members took turns commending Mr. Kavounas for his leadership to the Watermaster. Mr. Kavounas thanked the Board and indicated that the leadership of the Board, and efforts of staff and consultants contribute greatly to the success of the Watermaster. A discussion ensued.

(00:45:56)

Motion by Mr. Steve Elie, seconded by Mr. Mike Gardner, and passed by majority by roll call vote as attached to these minutes.

Moved to approve Business Item II.B. as presented.

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino Superior Court Emergency Order
2. August 31, 2022 Hearing
3. Governor's Executive Order N-7-22
4. Kaiser Permanente Lawsuit

(00:54:48) Mr. Slater gave a report which included an update on his initial outreach to Judge Reichert. The Board gave their approval to proceed with planning for a future event to celebrate Judge Reichert's Retirement.

B. ENGINEER

1. Safe Yield Reset Methodology Update

(01:00:52) Mr. Malone gave a report and presentation.

C. CHIEF FINANCIAL OFFICER

FY 2021/22 Ongoing Auditing Activity by Fedak & Brown, LLP

(01:02:22) Mr. Joswiak gave a report.

D. GENERAL MANAGER

1. Regional Supply/Drought Update
2. July Meeting Schedule
3. Other

(01:04:15) Mr. Kavounas introduced Mr. Deshmukh of IEUA who gave a report on Item 1. Mr. Kavounas reported on Item 2. Under Other (Item 3), Ms. Nelson introduced Watermaster's new Board Clerk, Ms. Denise Morales. A discussion ensued. Mr. Kavounas proceeded to discuss the June 21, 2022 letter that was sent to the Board members, a discussion ensued. Chair Curatalo requested that the June 21, 2022 letter be put on the next regularly scheduled Board meeting and including a staff report.

IV. BOARD MEMBER COMMENTS

None

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.

The Board convened into Confidential Session at 12:37 p.m. to discuss the following:

1. General Manager Performance Evaluation
2. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION:

- a) Kaiser Foundation Health Plan, et al. v. Chino Basin Water Conservation District, et al., San Bernardino County Superior Court Case No: CIVDS1933655
- b) Chino Basin Municipal Water District v. City of Chino et al., San Bernardino County Superior Court Case No: RCVRS51010
- c) Chino Basin Municipal Water District et al. v. City of Ontario et al., California Court of Appeal 4th Appellate District Case No: E079052

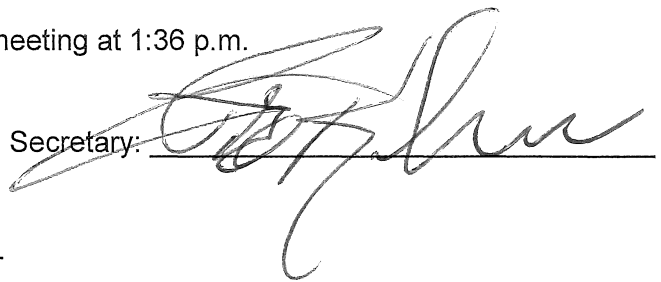
(01:34:41) Confidential Session concluded at 1:32 p.m. with no reportable action.

(01:35:16) Mr. Feenstra inquired about the upcoming CBWM Workshops. Mr. Kavounas informed the Board that Watermaster will be holding the 2020 OBMP Workshop on July 28, 2022 and that a Robert's Rules of Order Workshop is being planned, and once the agenda, date, and time are set, stakeholders will be notified.

ADJOURNMENT

Chair Curatalo adjourned the Watermaster Board meeting at 1:36 p.m.

Secretary: _____



Approved: _____ August 25, 2022

Attachments:

- 1. 20220623 Roll Call Vote Outcome for Consent Calendar
- 2. 20220623 Roll Call Vote Outcome for Business Item II.A.
- 3. 20220623 Roll Call Vote Outcome for Business Item II.B.

ATTACHMENT 1

June 23, 2022 Watermaster Board Meeting Roll Call Vote Outcome

Member	Alternate	Consent Calendar
Burton, Scott*		Yes
Elie, Steve*		Yes
Folsom, Betty		Yes
Gardner, Mike		Yes
Hall, Pete*		Yes
Kuhn, Bob, Secretary/Treasurer		Yes
Bob Feenstra for Pierson, Jeff, Vice-Chair	Yes	
Brian Geye* for Bowcock, Bob	Yes	
Curatalo, James, Chair		Yes
	OUTCOME:	Passed Unanimously

*Participated via Zoom

ATTACHMENT 2

June 23, 2022 Watermaster Board Meeting Roll Call Vote Outcome

Member	Alternate	Business Item II.A.
Burton, Scott*		Yes
Elie, Steve*		Yes
Folsom, Betty		Yes
Gardner, Mike		Yes
Hall, Pete*		Yes
Kuhn, Bob, Secretary/Treasurer		Yes
Bob Feenstra for Pierson, Jeff, Vice-Chair	Yes	
Brian Geye* for Bowcock, Bob	Yes	
Curatalo, James, Chair		Yes
	OUTCOME:	Passed Unanimously

*Participated via Zoom

ATTACHMENT 3

June 23, 2022 Watermaster Board Meeting Roll Call Vote Outcome

Member	Alternate	Business Item II.B.
Burton, Scott*		No
Elie, Steve*		Yes
Folsom, Betty		Yes
Gardner, Mike		Yes
Hall, Pete*		Yes
Kuhn, Bob, Secretary/Treasurer		Yes
Bob Feenstra for Pierson, Jeff, Vice-Chair	Yes	
Brian Geye* for Bowcock, Bob	Yes	
Curatalo, James, Chair		Yes
	OUTCOME:	Passed by Majority

*Participated via Zoom