

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

February 23, 2023

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 February 23, 2023.

**WATERMASTER BOARD MEMBERS PRESENT AT WATERMASTER**

|                               |   |
|-------------------------------|---|
| James Curatalo, Chair         | Appropriative Pool – Minor Representative |
| Jeff Pierson, Vice Chair      | Agricultural Pool – Crops                 |
| Bob Kuhn, Secretary/Treasurer | Three Valleys Municipal Water District    |
| Bob Bowcock                   | Non-Agricultural Pool – CalMat Co.        |
| Scott Burton                  | City of Ontario                           |
| Bob Feenstra for Paul Hofer   | Agricultural Pool – Dairy                 |
| Mike Gardner                  | Western Municipal Water District          |
| Manny Martinez                | Monte Vista Water District                |

**WATERMASTER BOARD MEMBERS PRESENT ON ZOOM**

|                           |                                |
|---------------------------|--------------------------------|
| Marco Tule for Steve Elie | Inland Empire Utilities Agency |
|---------------------------|--------------------------------|

**WATERMASTER BOARD MEMBERS ABSENT**

|            |                                |
|------------|--------------------------------|
| Steve Elie | Inland Empire Utilities Agency |
| Paul Hofer | Agricultural Pool – Crops      |

**WATERMASTER STAFF PRESENT**

|                      |   |
|----------------------|---|
| Peter Kavounas       | General Manager                           |
| Joseph Joswiak       | Chief Financial Officer                   |
| Edgar Tellez Foster  | Water Resources Mgmt. & Planning Director |
| Anna Nelson          | Director of Administration                |
| Justin Nakano        | Water Resources Technical Manager         |
| Frank Yoo            | Data Services and Judgment Reporting Mgr. |
| Alexandria Moore     | Executive Assistant I/Board Clerk         |
| Ruby Favela Quintero | Administrative Analyst                    |
| Kelli Hills          | Office Specialist/Receptionist            |
| Alonso Jurado        | Senior Field Operations Specialist        |
| David Huynh          | Senior Field Operations Specialist        |

**WATERMASTER CONSULTANTS PRESENT AT WATERMASTER**

|              |                                      |
|--------------|--------------------------------------|
| Scott Slater | Brownstein Hyatt Farber Schreck, LLP |
| Andy Malone  | West Yost                            |

**WATERMASTER CONSULTANTS PRESENT ON ZOOM**

|              |                                      |
|--------------|--------------------------------------|
| Brad Herrema | Brownstein Hyatt Farber Schreck, LLP |
| Garrett Rapp | West Yost                            |

**OTHERS PRESENT AT WATERMASTER**

|                 |                                    |
|-----------------|------------------------------------|
| Gino Filippi    | Agricultural Pool – Crops          |
| Jimmy Medrano   | Agricultural Pool – State of CA    |
| Leon Kazandjian | Agricultural Pool – State of CA    |
| Ron Craig       | City of Chino Hills                |
| Chris Diggs     | City of Pomona                     |
| Amanda Coker    | Cucamonga Valley Water District    |
| Jiwon Seung     | Cucamonga Valley Water District    |
| Chris Berch     | Jurupa Community Services District |
| Alyssa Coronado | Santa Ana River Water Company      |
| Laura Roughton  | Western Municipal Water District   |

**OTHERS PRESENT ON ZOOM**

|                      |   |
|----------------------|---|
| Marilyn Levin        | Agricultural Pool – State of CA           |
| Dave Crosley         | City of Chino                             |
| Christopher Quach    | City of Ontario                           |
| Braden Yu            | City of Upland                            |
| Eduardo Espinoza     | Cucamonga Valley Water District           |
| Mark Gibboney        | Cucamonga Valley Water District           |
| Rob Hills            | Cucamonga Valley Water District           |
| Tarren Alicia Torres | Egoscue Law Group, Inc.                   |
| Derek Hoffman        | Fennemore Law                             |
| Marty Zvirbulis      | Fontana Union Water Company               |
| Ben Lewis            | Golden State Water Company                |
| Christiana Daisy     | Inland Empire Utilities Agency            |
| Marty Zvirbulis      | Nicholson Family Trust                    |
| Brian Geye           | Non-Agricultural Pool – CA Speedway Corp. |
| Kevin O’Toole        | Orange County Water District              |
| John Lopez           | Santa Ana River Water Company             |
| Bill Wyatt           | Sheppard, Mullin, Richter & Hampton       |
| David De Jesus       | Three Valleys Municipal Water District    |
| Sylvie Lee           | Three Valleys Municipal Water District    |
| Matt Litchfield      | Three Valleys Municipal Water District    |
| Nicole deMoet        | West End Consolidated Company             |
| Richard Rees         | WSP                                       |

**FLAG SALUTE**

Chair Curatalo led the Board in the flag salute.

**CALL TO ORDER**

Chair Curatalo called the Watermaster Board meeting to order at 11:01 a.m.

**ROLL CALL**

(00:00:53) Ms. Moore conducted the roll call and announced that a quorum was present.

**PUBLIC COMMENTS**

None

**AGENDA – ADDITIONS/REORDER**

None

**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 January 26, 2023

**B. FINANCIAL REPORTS**

Receive and file as presented:

1. Cash Disbursements for the month of December 2022
2. Watermaster VISA Check Detail for the month of December 2022
3. Combining Schedule for the Period July 1, 2022 through December 31, 2022

4. Treasurer's Report of Financial Affairs for the Period December 1, 2022 through December 31, 2022
5. Budget vs. Actual Report for the Period July 1, 2022 through December 31, 2022
6. Cash Disbursements for January 2023 (Information Only)

**C. WATER TRANSACTION – CITY OF UPLAND TO FONTANA WATER COMPANY**

Approve the proposed transaction:

The purchase of 10,000 acre-feet of water from City of Upland by Fontana Water Company. This purchase is made from City of Upland's Excess Carryover Account.

**D. WATER TRANSACTION – CITY OF CHINO TO CUCAMONGA VALLEY WATER DISTRICT**

Approve the proposed transaction:

The purchase of 7,500 acre-feet of water from City of Chino by Cucamonga Valley Water District. This purchase is made from City of Chino's Excess Carryover Account.

**E. WATER TRANSACTION – CITY OF CHINO TO FONTANA WATER COMPANY**

Approve the proposed transaction:

The purchase of 10,000 acre-feet of water from City of Chino by Fontana Water Company. This purchase is made from City of Chino's Excess Carryover Account.

(00:03:45)

*Motion by Mr. Bob Kuhn, seconded by Vice-Chair Jeff Pierson, and passed unanimously by roll call vote as attached to these minutes.*

***Moved to approve the Consent Calendar as presented.***

**II. BUSINESS ITEMS**

**A. BUDGET AMENDMENT TO THE EXISTING SAFE YIELD COURT ORDER IMPLEMENTATION PLAN**

Adopt the budget amendment as presented.

(00:05:03) Mr. Kavounas invited Mr. Garrett Rapp to give a presentation. A discussion ensued.

(00:21:35)

*Motion by Mr. Scott Burton, seconded by Vice-Chair Jeff Pierson, and passed unanimously by roll call vote as attached to these minutes.*

***Moved to approve staff's recommendation of Business Item II.A. as presented.***

**B. OPTIMUM BASIN MANAGEMENT PROGRAM (OBMP) UPDATE ESSENTIAL MANAGEMENT ACTIONS**

Provide direction to staff to proceed with the identified management actions.

(00:22:32) Mr. Kavounas gave a report. A discussion ensued.

(01:05:55)

*Motion by Mr. Scott Burton, seconded by Mr. Manny Martinez to direct staff to proceed to provide the estimated costs for these management actions as part of the annual budget process.*

(01:19:15)

*Substitute motion by Mr. Mike Gardner, seconded by Mr. Manny Martinez, and passed by majority vote as attached to these minutes.*

***Moved to approve staff's recommendation and advancing the effort with advice from the Committees.***

**IV. REPORTS/UPDATES**

**A. WATERMASTER LEGAL COUNSEL**

1. January 20, 2023 Hearing
2. March 17, 2023 Hearing
3. April 5, 2023 Hearing
4. Court of Appeal Case No. E079052
5. Court of Appeal Case No. E080457
6. Court of Appeal Case No. E080533
7. Kaiser Permanente Lawsuit
8. Rules and Regulations Update

(01:25:20) Mr. Slater gave a report. A discussion ensued.

**B. ENGINEER**

1. Ground-Level Monitoring Committee
2. Prado Basin Habitat Sustainability Committee (PBHSC)

(01:28:25) Mr. Malone gave a report. A discussion ensued.

**C. CHIEF FINANCIAL OFFICER**

1. Fiscal Year 2023/24 Budget Schedule

(01:31:19) Mr. Joswiak gave a report.

**D. GENERAL MANAGER**

1. OBMP CEQA – Project Description Comments Deadline
2. OBMP Implementation Plan Update
3. Other

(01:34:01) Mr. Kavounas gave a report and reminded the Board about the new Brown Act Rule and to reach out to Mr. Herrema with any questions. He also gave a report on the staffing and compensation philosophy that is currently being developed. The item will be brought to the March Board meeting if it is ready by then. A discussion ensued.

**IV. BOARD MEMBER COMMENTS**

(01:36:52) Mr. Scott Burton expressed his appreciation for the discussion on item II.B. and stated that it is important to have open and honest dialogue. He thanked the Board members.

(01:37:11) Mr. Mike Gardner requested Watermaster staff to email the 2023 Brown Act Memorandum to all Board members and alternates electronically.

(01:37:46) Mr. Bob Bowcock introduced his niece, Ms. Alyssa Coronado, who works at the Santa Ana River Water Company.

**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 12:40 p.m.

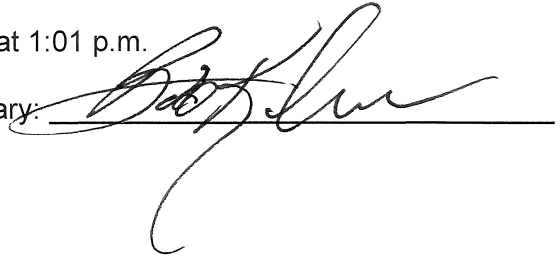
1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION: a) Chino Basin Municipal Water District v. City of Chino et al., San Bernardino County Superior Court Case No: RCVRS51010

(01:39:16) Confidential session concluded at 12:59 p.m. with no reportable action.

**ADJOURNMENT**

Chair Curatalo adjourned the Watermaster Board meeting at 1:01 p.m.

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



Approved: \_\_\_\_\_ March 23, 2023

Attachments:

1. 20230223 Roll Call Vote Outcome for Consent Calendar
2. 20230223 Roll Call Vote Outcome for Business Item II.A.
3. 20230223 Roll Call Vote Outcome for Business Item II.B.

## ATTACHMENT 1

### February 23, 2023 Watermaster Board Meeting Roll Call Vote Outcome

| Member                         | Alternate       | Consent Calendar          |
|--------------------------------|-----------------|---------------------------|
| Burton, Scott                  |                 | Yes                       |
| Bowcock, Bob                   |                 | Yes                       |
| Marco Tule for Elie, Steve*    | Yes             |                           |
| Gardner, Mike                  |                 | Yes                       |
| Bob Feenstra for Hofer, Paul   | Yes             |                           |
| Kuhn, Bob, Secretary/Treasurer |                 | Yes                       |
| Martinez, Manny                |                 | Yes                       |
| Pierson, Jeff, Vice-Chair      |                 | Yes                       |
| Curatalo, James, Chair         |                 | Yes                       |
|                                | <b>OUTCOME:</b> | <b>Passed Unanimously</b> |

\* Participated via Zoom.

**ATTACHMENT 2**

**February 23, 2023 Watermaster Board Meeting Roll Call Vote Outcome**

| <b>Member</b>                  | <b>Alternate</b> | <b>II.A.</b>              |
|--------------------------------|------------------|---------------------------|
| Burton, Scott                  |                  | Yes                       |
| Bowcock, Bob                   |                  | Yes                       |
| Marco Tule for Elie, Steve*    | Yes              |                           |
| Gardner, Mike                  |                  | Yes                       |
| Bob Feenstra for Hofer, Paul   | Yes              |                           |
| Kuhn, Bob, Secretary/Treasurer |                  | Yes                       |
| Martinez, Manny                |                  | Yes                       |
| Pierson, Jeff, Vice-Chair      |                  | Yes                       |
| Curatalo, James, Chair         |                  | Yes                       |
|                                | <b>OUTCOME:</b>  | <b>Passed Unanimously</b> |

\* Participated via Zoom.

**ATTACHMENT 3**

**February 23, 2023 Watermaster Board Meeting Roll Call Vote Outcome**

| <b>Member</b>                  | <b>Alternate</b> | <b>II.B.</b>              |
|--------------------------------|------------------|---------------------------|
| Burton, Scott                  |                  | No                        |
| Bowcock, Bob                   |                  | Yes                       |
| Marco Tule for Elie, Steve*    | No               |                           |
| Gardner, Mike                  |                  | Yes                       |
| Bob Feenstra for Hofer, Paul   | Yes              |                           |
| Kuhn, Bob, Secretary/Treasurer |                  | No                        |
| Martinez, Manny                |                  | Yes                       |
| Pierson, Jeff, Vice-Chair      |                  | No                        |
| Curatalo, James, Chair         |                  | Yes                       |
|                                | <b>OUTCOME:</b>  | <b>Passed by Majority</b> |

\* Participated via Zoom.