

MINUTES
CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING
June 22, 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 June 22, 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
Steve Elie	Inland Empire Utilities Agency
Paul Hofer	Agricultural Pool – Crops
Mike Gardner	Western Municipal Water District
Manny Martinez	Monte Vista Water District

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
Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	West Yost
Veva Weamer	West Yost

OTHERS PRESENT AT WATERMASTER

Bob Feenstra	Agricultural Pool – Dairy
Liz Skrzat	Chino Basin Water Conservation District
Dave Crosley	City of Chino
Ron Craig	City of Chino Hills
Amanda Coker	Cucamonga Valley Water District
Jiwon Seung	Cucamonga Valley Water District
John Russ	Inland Empire Utilities Agency
Chris Berch	Jurupa Community Services District
Jesse Pompa	Jurupa Community Services District
Bryan Smith	Jurupa Community Services District
Alyssa Coronado	Santa Ana River Water Company
Kati Parker	Chino Basin Water Conservation District
Jimmy Medrano	State of California – CDCR
Laura Roughton	Western Municipal Water District

OTHERS PRESENT ON ZOOM

Gino Filippi
Tariq Awan
Carol A.Z. Boyd
Gregor Larabee
Brian Geye
Natalie Avila
Courtney Jones
Nicole deMoet
Braden Yu
Mark Gibboney
Tarren Alicia Torres
Marty Zvirbulis
Ben Lewis
Christiana Daisy
Shivaji Deshmukh
Stephanie Reimer
Stephanie Reimer
Marty Zvirbulis
John Lopez
David De Jesus
Nicole deMoet
Braden Yu
Joshua Aguilar
Richard Rees

Agricultural Pool – Crops
Agricultural Pool – State of CA
Agricultural Pool – State of CA
Agricultural Pool – State of CA
California Speedway Corporation
City of Chino
City of Ontario
City of Upland
City of Upland
Cucamonga Valley Water District
Egoscue Law Group, Inc.
Fontana Union Water Company
Golden State Water Company
Inland Empire Utilities Agency
Inland Empire Utilities Agency
Monte Vista Irrigation Company
Monte Vista Water District
Nicholson Family Trust
Santa Ana River Water Company
Three Valleys Municipal Water District
West End Consolidated Water Company
West End Consolidated Water Company
Western Municipal Water District
WSP USA

FLAG SALUTE

Chair Curatalo led the Board in the flag salute.

CALL TO ORDER

Chair Curatalo called the Watermaster Board meeting to order at 11:03 a.m.

ROLL CALL

(00:01:05) Ms. Moore conducted the roll call and announced that a quorum was present.

PUBLIC COMMENTS

None

AGENDA – ADDITIONS/REORDER

(00:02:37) Mr. Kavounas stated that the Board Member Burton would like to pull Item I.C. for separate discussion.

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 May 25, 2023

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of April 2023
2. Watermaster VISA Check Detail for the month of April 2023
3. Combining Schedule for the Period July 1, 2022 through April 30, 2023
4. Treasurer's Report of Financial Affairs for the Period April 1, 2023 through April 30, 2023
5. Budget vs. Actual Report for the Period July 1, 2022 through April 30, 2023
6. Cash Disbursements for May 2023 (Information Only)

C. APPLICATION: RECHARGE – CHINO BASIN WATER CONSERVATION DISTRICT

Approve Chino Basin Water Conservation District's application for recharge and direct Watermaster staff to account for the same.

D. APPLICATION: LOCAL STORAGE AGREEMENT – ONAP

Approve the proposed agreements.

E. 2022 ANNUAL REPORT OF THE PRADO BASIN HABITAT SUSTAINABILITY COMMITTEE

Receive and file.

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. 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.

H. FISCAL YEAR 2023/24 PROPOSED PAY SCHEDULE AND AMENDMENT TO MISSION SQUARE 401(a) QUALIFIED RETIREMENT PLAN ID 107757 EFFECTIVE JULY 1, 2023

Adopt the Fiscal Year 2023/24 Pay Schedule and Resolution 2023-04 as presented.

(00:03:08)

Motion by Mr. Bob Kuhn, seconded by Vice-Chair Jeff Pierson, there being no dissent, the item passed unanimously.

Moved to approve the Consent Calendar without Item I.C. as presented.

(00:03:33) Mr. Burton raised a question regarding Item I.C. Mr. Kavounas gave a report. A discussion ensued.

(00:19:20)

Motion by Mr. Steve Elie, seconded by Mr. Mike Gardner, there being no dissent, the item passed unanimously.

Moved to approve Consent Calendar Item I.C. as presented.

II. BUSINESS ITEMS

A. TASK ORDER NO. 7 UNDER MASTER AGREEMENT FOR COLLABORATIVE PROJECTS: CHINO CREEK REACH 1B MONITORING PROGRAM

Approve Task Order No. 7 as presented and authorize the General Manager to execute.

(00:20:23) Mr. Tellez Foster gave a report.

(00:22:08)

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

Moved to approve Task Order No. 7 (Business Item II.A.) as presented.

B. AMENDMENT NUMBER 3 TO AMENDED AND RESTATED EMPLOYMENT AGREEMENT, GENERAL MANAGER

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

(00:23:38) Mr. Slater gave a report. A discussion ensued.

(00:30:48)

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

Moved to approve the amended and restated employment agreement, General Manager (Business Item II.B.) with the modification of extending the contract to a five-year term.

A no vote was cast by Mr. Scott Burton representing the City of Ontario.

Mr. Kavounas thanked the Board and Pool Chairs for their continued support through his evaluation process. He indicated that managing the tremendous resource in the Chino Basin to ensure reliability while staying resilient through drought conditions and addressing PFAS and other emerging contaminants is paramount. He stands committed to meeting with parties and providing information as requested. He hopes that reconvening the water quality committee, hosting workshops for the 2025 Safe Yield Reset effort, and hosting monthly educational workshops for parties, regional collaboration with the IEUA, the Regional Board, SAWPA, and the CDA, among others, will serve the basin and parties well. He also thanked staff and consultants stating that that his success is a validation of his able team.

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

(00:50:36) Mr. Slater gave a report. A discussion ensued.

B. ENGINEER

1. 2022 Prado Basin Habitat Sustainability Committee Annual Report
2. Planning and Coordination on the EPA Proposed MCLs for PFAS

(01:11:18) Ms. Weamer gave a presentation. A discussion ensued.

C. CHIEF FINANCIAL OFFICER

1. FY 2022/23 Ongoing Auditing Activity by C.J. Brown & Company CPAs

(01:23:38) Mr. Joswiak gave a report.

D. GENERAL MANAGER

1. Recharge Activities
2. OBMP CEQA Update
3. July Meeting Schedule
4. Other

(01:25:33) Mr. Kavounas introduced Mr. Nakano to give a report on item 1, Mr. Tellez Foster gave a report on item 2. On item 3, Mr. Kavounas gave a report indicating Watermaster will be dark in July and staff can assist with special meetings as needed.

IV. BOARD MEMBER COMMENTS

(01:28:56) Chair Curatalo thanked Mr. Kavounas indicating he continues to do a great job and stated his evaluation is very comprehensive and that Pool Chairs are included. Mr. Kavounas has done well on all accounts.

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 12:34 p.m. to discuss the following:

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

Confidential Session concluded at 12:47 p.m. with no reportable action.

ADJOURNMENT

Chair Curatalo adjourned the Watermaster Board meeting at 12:48 p.m.

Secretary:  _____

Approved: _____ August 24, 2023

Attachments:

1. 20230622 Roll Call Vote Outcome for Business Item II.A.
2. 20230622 Roll Call Vote Outcome for Business Item II.B.

ATTACHMENT 1

June 22, 2023 Watermaster Board Meeting Roll Call Vote Outcome

Member	Alternate	II.A.
Burton, Scott		Yes
Bowcock, Bob		Yes
Elie, Steve		Yes
Gardner, Mike		Yes
Hofer, Paul		Yes
Kuhn, Bob, Secretary/Treasurer		Yes
Martinez, Manny		Yes
Pierson, Jeff, Vice-Chair		Yes
Curatalo, James, Chair		Yes
	OUTCOME:	Passed Unanimously

ATTACHMENT 2

June 22, 2023 Watermaster Board Meeting Roll Call Vote Outcome

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