

**MINUTES**  
**CHINO BASIN WATERMASTER**  
**WATERMASTER BOARD MEETING**  
November 16, 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 November 16, 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 – Dairy
Mike Gardner	Western Municipal Water District
Manny Martinez	Monte Vista Water District

**WATERMASTER STAFF PRESENT**

Edgar Tellez Foster	Acting General Manager
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
Rudy Nunez	Office Specialist/Receptionist
Alonso Jurado	Water Resources Associate
Jordan Garcia	Senior Field Operations Specialist
Erik Vides	Field Operations Specialist

**WATERMASTER CONSULTANTS PRESENT AT WATERMASTER**

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

**WATERMASTER CONSULTANTS PRESENT ON ZOOM**

Scott Nelsen	Eide Bailly, LLP
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**OTHERS PRESENT AT WATERMASTER**

Bob Feenstra	Agricultural Pool - Dairy
Tariq Awan	Agricultural Pool – State of CA
Jimmy Medrano	Agricultural Pool – State of CA
Brian Geye	California Speedway Corporation
Kati Parker	Chino Basin Water Conservation District
Natalie Avila	City of Chino
Dave Crosley	City of Chino
Hye Jin Lee	City of Chino
Ron Craig	City of Chino Hills
Debra Dorst Porada	City of Ontario
Melissa Cansino	City of Pomona
Chris Diggs	City of Pomona
Amanda Coker	Cucamonga Valley Water District
Eduardo Espinoza	Cucamonga Valley Water District

Mikayla Coleman  
Cris Fealy  
Oscar Ramos  
Marty Zvirbulis  
Bryan Smith  
Justin Scott-Coe  
Justin Scott-Coe  
Marty Zvirbulis  
Alyssa Coronado  
Laura Roughton  
Richard Rees

CV Strategies  
Fontana Water Company  
Fontana Union Water Company  
Fontana Union Water Company  
Jurupa Community Services District  
Monte Vista Irrigation Company  
Monte Vista Water District  
Nicholson Family Trust  
Santa Ana River Water Company  
Western Municipal Water District  
WSP USA

**OTHERS PRESENT ON ZOOM**

Gino Filippi  
Carol Boyd  
Diana Frederick  
Gregor Larabee  
Marilyn Levin  
Steven Raughley  
Eunice Ulloa  
Alexis Mascarinas  
Courtney Jones  
Nicole deMoet  
Braden Yu  
Mark Gibboney  
Rob Hills  
Randall Reed  
Peter Dopulos  
Ben Lewis  
Christiana Daisy  
Shivaji Deshmukh  
Eddie Lin  
Cathy Pieroni  
Jesse Pompa  
Stephanie Reimer  
Stephanie Reimer  
John Lopez  
Jennifer Farrel  
David De Jesus  
Nicole deMoet  
Braden Yu  
Mallory O'Connor

Agricultural Pool – Crops  
Agricultural Pool – State of CA  
Agricultural Pool – State of CA  
Agricultural Pool – State of CA  
Agricultural Pool – State of CA  
Agricultural Pool – County of San Bernardino  
City of Chino  
City of Ontario  
City of Ontario  
City of Upland  
City of Upland  
Cucamonga Valley Water District  
Cucamonga Valley Water District  
Cucamonga Valley Water District  
Egoscue Law Group, Inc.  
Golden State Water Company  
Inland Empire Utilities Agency  
Inland Empire Utilities Agency  
Inland Empire Utilities Agency  
Inland Empire Utilities Agency  
Jurupa Community Services District  
Monte Vista Irrigation Company  
Monte Vista Water District  
Santa Ana River Water Company  
State of CA - CDCR  
Three Valleys Municipal Water District  
West End Consolidated Water Co.  
West End Consolidated Water Co.  
Western Municipal Water District

**CALL TO ORDER**

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

**FLAG SALUTE**

Chair Curatalo led the Board in the flag salute.

**ROLL CALL**

(00:00:52) Ms. Moore conducted the roll call and announced that a quorum was present.

**PUBLIC COMMENTS**

(00:02:00) Ms. Kati Parker representing CBWCD presented the District's 75<sup>th</sup> anniversary event burying a time-capsule and will be digging it up in another 75 years, she stated that Watermaster can bring a small item to be buried. She also gifted the Board with its 2024 calendar.

**AGENDA – ADDITIONS/REORDER**

(00:05:58) Vice-Chair Pierson requested Business Item II.E. is deferred to an indefinite time until parties have had the chance to fully review the document.

(00:06:36)

*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 the Agenda – Addition/Reorder as shown above.***

11:05 a.m. Mr. Martinez arrived during the roll call vote for the agenda addition/reorder item removing Business Item II.E.

**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 October 26, 2023
2. Minutes of the Watermaster Board Special Meeting held November 2, 2023

**B. FINANCIAL REPORTS**

Receive and file as presented:

Monthly Financial Report for the Reporting Period Ended September 30, 2023.

**C. 2022/23 ANNUAL REPORT OF THE GROUND-LEVEL MONITORING PROGRAM**

Approve the 2022/23 Annual Report of the Ground-Level Monitoring Program, and direct staff to file a copy with the Court.

**D. APPLICATION: RECHARGE – FONTANA WATER COMPANY**

Recommend to the Board to approve Fontana Water Company's application for recharge and direct staff to account for this recharge.

(00:11:20)

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

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

**II. BUSINESS ITEMS**

**A. WATERMASTER REAPPOINTMENT**

Recommend future Watermaster appointment and direct Legal Counsel to prepare and file a motion with the Court.

(00:11:46) Mr. Tellez Foster gave a report. A discussion ensued.

(00:16:01)

*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 a five-year Watermaster reappointment (Business Item II.A.) as presented.***

**B. FISCAL YEAR 2023/24 ASSESSMENT PACKAGE**

Approve the Fiscal Year 2023/24 Assessment Package as presented.

(00:16:42) Mr. Tellez Foster invited Mr. Yoo to give a presentation. A discussion ensued.

(00:28:15)

*Motion by Mr. Steve Elie, seconded by Mr. Scott Burton, and passed unanimously by roll call vote as attached to these minutes.*

***Moved to approve Fiscal Year 2023/24 Assessment Package (Business Item II.B.) as presented.***

**C. RESOLUTION 2023-07 TO LEVY REPLENISHMENT AND ADMINISTRATIVE ASSESSMENTS FOR FISCAL YEAR 2023/24, BASED ON PRODUCTION YEAR 2022/23**

Adopt Resolution 2023-07 as presented.

(00:28:48) Mr. Yoo gave a report.

(00:29:07)

*Motion by Mr. Steve Elie, seconded by Mr. Scott Burton, there being no dissent, the item passed unanimously.*

***Moved to approve Resolution 2023-07 To Levy Replenishment and Administrative Assessments for Fiscal Year 2023/24, Based on Production Year 2022/23 (Business Item II.C.) as presented.***

**D. PROFESSIONAL SERVICES AGREEMENT BETWEEN WAVE HR SOLUTIONS AND CHINO BASIN WATERMASTER**

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

(00:29:33) Mr. Tellez Foster invited Ms. Nelson to give a report. A discussion ensued.

(00:33:59)

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

***Moved to approve Watermaster Reappointment (Business Item II.D.) as presented.***

**E. CHINO BASIN WATERMASTER NOVEMBER 2023 REVISED EMPLOYEE MANUAL**

Adopt the updated Chino Basin Watermaster Employee Manual.

(00:34:06) Vice-Chair Pierson requested this item to be pulled from the agenda as shown under Agenda Additions/Reorders above.

### III. **REPORTS/UPDATES**

#### A. **WATERMASTER LEGAL COUNSEL**

1. December 1, 2023 Court Hearing (OBMP Semi-Annual Status Report and 2023 Recharge Master Plan Update)
2. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
3. Court of Appeal Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021-22 and 2022-23 Assessment Packages)
4. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
5. Kaiser Permanente Lawsuit

(00:35:18) Mr. Slater gave a report. A discussion ensued.

#### B. **ENGINEER**

1. Water Quality Committee
2. 2025 Safe Yield Reevaluation
3. Storage and Recovery Master Plan

(00:40:54) Mr. Rapp gave a report.

#### C. **GENERAL MANAGER**

1. OBMPU CEQA Process
2. Annual Finding of Substantial Compliance with the Recharge Master Plan
3. December Meeting Schedule
4. Other

(00:45:18) Mr. Tellez Foster reported on item 1 informing the stakeholders that the comment period for the OBMP CEQA process has ended; IEUA has received all comments and will review and consider. For item 2, this is generally presented annually except for calendar year 2023 due to Watermaster having recently updated the Recharge Master Plan and the Board approved Resolution 2022-10 in November 2022, and thus Watermaster is currently in compliance. For Item 3, he mentioned that Watermaster plans to be dark for the month of December and staff stands ready to assist with any special meetings as needed. He invited Mr. Nakano to give an update on basin recharge. A discussion ensued.

### IV. **BOARD MEMBER COMMENTS**

(00:54:08) Mr. Burton raised questions about recharge projects and stated that perhaps Watermaster could partner more with the CBWCD to achieve recharge goals.

(00:55:59) Mr. Feenstra commented about the OAP's finances and will be working with counsel to separate and control its own monies.

(0:58:33) Chair Curatalo commended Mr. Tellez Foster and congratulated him on role as Acting General Manager. Mr. Tellez Foster thanked the Board for having confidence in him.

### 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 12:00 p.m. to discuss the following:

1. Personnel Matters

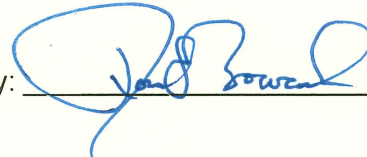
Confidential session concluded at 1:40 p.m. with the reportable action:

Mr. Slater reported that the Board met in closed session to deliberate and authorized Counsel to extend a proposal on the General Manager position.

**ADJOURNMENT**

Chair Curatalo adjourned the Watermaster Board meeting at 1:42 p.m.

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



Approved: \_\_\_\_\_ January 25, 2024

**Attachments:**

1. 20231116 Roll Call Vote Outcome for Business Item II.A.
2. 20231116 Roll Call Vote Outcome for Business Item II.B.
3. 20231116 Roll Call Vote Outcome for Business Item II.D.
4. 20231116 Roll Call Vote Outcome for Business Item II.E.

**ATTACHMENT 1****November 16, 2023 Watermaster Board Meeting Roll Call Vote Outcome**

<b>Member</b>	<b>Alternate</b>	<b>II.A.</b>
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
	<b>OUTCOME:</b>	<b>Passed Unanimously</b>

**ATTACHMENT 2**

**November 16, 2023 Watermaster Board Meeting Roll Call Vote Outcome**

<b>Member</b>	<b>Alternate</b>	<b>II.B.</b>
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
	<b>OUTCOME:</b>	<b>Passed Unanimously</b>



**ATTACHMENT 3**

**November 16, 2023 Watermaster Board Meeting Roll Call Vote Outcome**

<b>Member</b>	<b>Alternate</b>	<b>II.D.</b>
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
	<b>OUTCOME:</b>	<b>Passed Unanimously</b>

**ATTACHMENT 4**

**November 16, 2023 Watermaster Board Meeting Roll Call Vote Outcome**

<b>Member</b>	<b>Alternate</b>	<b>Removal of II.E. from the Agenda</b>
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
	<b>OUTCOME:</b>	<b>Passed Unanimously</b>