

MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL MEETING

June 11, 2020

The Agricultural Pool meeting was held by GoToMeeting (conference call and web meeting) on June 11, 2020.

AGRICULTURAL POOL MEMBERS PRESENT ON CALL

Bob Feenstra, Chair	Dairy
Jeff Pierson, Vice-Chair	Crops
Ron LaBrucherie, Jr.	Crops
Geoffrey Vanden Heuvel	Dairy
Nathan deBoom	Dairy
John Huitsing	Dairy
Henry De Haan	Dairy
Ron Pietersma	Dairy
Bob Page	County of San Bernardino
Carol Boyd	State of California – CIM
Pete Hall	State of California – CIM
Marilyn Levin for Jimmy Medrano	State of California – DOJ

WATERMASTER STAFF PRESENT AT WATERMASTER

Peter Kavounas	General Manager
Janine Wilson	Senior Accountant
Vanessa Aldaz	Administrative Assistant

WATERMASTER STAFF PRESENT ON CALL

Joseph Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. and Planning Dir.
Anna Nelson	Executive Services Director
Justin Nakano	Water Resources Technical Manager

WATERMASTER CONSULTANTS PRESENT ON CALL

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	Wildermuth Environmental, Inc.

OTHERS PRESENT ON CALL

Tracy Egoscue	Egoscue Law Group, Inc.
Richard Rees	Wood plc
Gino Filippi	Crops

CALL TO ORDER

Chair Feenstra called the meeting to order at 1:39 p.m.

ROLL CALL

(0:01:27) Ms. Nelson conducted the roll call.

AGENDA – ADDITIONS/REORDER

The Agricultural Pool took its Confidential Session at the beginning of the meeting starting at 1:45 p.m.

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 Agricultural Pool Special Meeting held on May 8, 2020
2. Minutes of the Agricultural Pool Meeting held on May 14, 2020
3. Minutes of the Agricultural Pool Special Meeting held on May 22, 2020

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of April 2020
2. Watermaster VISA Check Detail for the month of April 2020
3. Combining Schedule for the Period July 1, 2019 through April 30, 2020
4. Treasurer's Report of Financial Affairs for the Period April 1, 2020 through April 30, 2020
5. Budget vs. Actual Report for the Period July 1, 2019 through April 30, 2020
6. Cash Disbursements for May 2020 (Information Only)

C. APPLICATION: CONSIDERATION OF LOCAL STORAGE AGREEMENT

Recommend to the Advisory Committee to recommend the Watermaster Board to approve the Overlying (Non-Agricultural) Pool storage agreements.

D. APPLICATION: WATER TRANSACTION

Provide advice and assistance to the Watermaster Board on the proposed transaction:

The transfer of 4.0 acre-feet of water from Nicholson Trust to Fontana Water Company. This transfer is made from Nicholson Trust's Annual Production Right. Date of application: May 4, 2020. Provide advice and assistance to the Watermaster Board on the proposed transaction.

(0:08:42) A motion was made by Mr. deBoom and seconded by Mr. De Haan to approve the Consent Calendar.

(0:09:21) A roll call vote was taken.

Motion by Mr. Nathan deBoom, seconded by Mr. Henry De Haan, and by unanimous roll call vote as attached to these minutes

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

A. 2019 PRADO BASIN HABITAT SUSTAINABILITY COMMITTEE ANNUAL REPORT

Recommend Advisory Committee to recommend the Watermaster Board to receive and file.

(0:10:35) Mr. Malone gave a report.

(0:12:18) A motion was made by Mr. deBoom and seconded by Mr. LaBrucherie, Jr. to approve Business Item II.A.

(0:12:40) A roll call vote was taken.

Motion by Mr. Nathan deBoom, seconded by Mr. Ron LaBrucherie Jr., and by unanimous roll call vote as attached to these minutes

Moved to recommend to the Advisory Committee to approve Business Item II.A. as presented.

B. OLD BUSINESS

None

III. REPORTS/UPDATES

A. LEGAL COUNSEL REPORT

1. San Bernardino County Superior Court Emergency Order
2. June 26, 2020 Hearing

(0:14:08) Mr. Herrema gave a report and showed a video regarding the COVID-19 pandemic and related requirements at the San Bernardino County Superior Court. A discussion ensued.

B. ENGINEER REPORT

1. Equipping Extensometers at PX
2. Responding to Various RFIs

(0:18:45) Mr. Malone gave a report. A discussion ensued.

C. CFO REPORT

1. Status of Exhibit "G" Transaction
2. FY 2019/20 Ongoing Auditing Activity by Fedak & Brown, LLP

(0:25:43) Mr. Joswiak gave a report.

D. GM REPORT

1. Status Report: OBMP IP Update
2. Status Report: OAP Contest
3. Other

(0:28:48) Mr. Kavounas gave a report. A discussion ensued.

IV. POOL DISCUSSION

1. Chairman's Update
2. Pool Member Comments

None

V. OTHER BUSINESS

None

VI. CONFIDENTIAL SESSION - POSSIBLE ACTION

A Confidential Session may be held during the Pool Committee meeting for the purpose of discussion and possible action.

Chair Feenstra called for a confidential session at 1:45 p.m. to discuss the following:

1. Ag Pool Budget
2. Watermaster Safe Yield Motion
3. Ag Pool Contest
4. June 26, 2020 Hearing on Pooling Plan Amendment

(0:05:58) Ms. Nelson conducted the roll call following confidential session for purposes of quorum.

(0:07:11) Confidential session concluded at 2:56 p.m. with the following reportable actions:

(0:07:22)

Motion by Ms. Carol Boyd, seconded by Mr. Henry De Haan, and passed as shown in the attachment provided by Pool Counsel and attached to these minutes

Moved to direct counsel to file an opposition to Watermaster's motion to reset the Safe Yield.

ADJOURNMENT

Chair Feenstra adjourned the Agricultural Pool meeting at 3:37 p.m.

Secretary: _____

Approved: _____ July 9, 2020

Attachments:

1. 20200611 Roll Call Vote Outcome for Consent Calendar
2. 20200611 Roll Call Vote Outcome for Business Item II.A.
3. 20200611 Reportable Action Following Confidential Session (as provided by Pool Counsel)

**June 11, 2020 Agricultural Pool Meeting Roll Call Vote for
Consent Calendar Items I.A., I.B., I.C., and I.D.**

Member	Alternate	Vote
Feenstra, Robert, Chair		yes
Pierson, Jeff, Vice-Chair		yes
LaBrucherie, Jr., Ron		yes
Vanden Heuvel, Geoffrey		yes
deBoom, Nathan		yes
Huitsing, John		yes
DeHaan, Henry		yes
Pietersma, Ron		yes
Page, Bob		yes
Boyd, Carol		yes
Hall, Pete		yes
Medrano, Jimmy		yes
	OUTCOME:	Passed Unanimously

**June 11, 2020 Agricultural Pool Meeting Roll Call Vote for
Business Item II.A. 2019 Prado Basin Habitat Sustainability Committee Annual Report**

Member	Alternate	Vote
Feenstra, Robert, Chair		yes
Pierson, Jeff, Vice-Chair		yes
LaBrucherie, Jr., Ron		yes
Vanden Heuvel, Geoffrey		yes
deBoom, Nathan		yes
Huitsing, John		yes
DeHaan, Henry		yes
Pietersma, Ron		yes
Page, Bob		yes
Boyd, Carol		yes
Hall, Pete		yes
Medrano, Jimmy		yes
	OUTCOME:	Passed Unanimously

Ag Pool Closed Session
June 11, 2020

Motion by: Deputy Attorney General Carol A.Z. Boyd
Second by: Henry DeHaan

The Agricultural Pool directed counsel to file an opposition to Watermaster's motion to reset the Safe Yield.

Motion passed.