

Minutes
CHINO BASIN WATERMASTER
ANNUAL APPROPRIATIVE POOL MEETING
January 6, 2011

The Annual Appropriative Pool Meeting was held at the offices of Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on January 6, 2011 at 1:00 p.m.

APPROPRIATIVE POOL MEMBERS PRESENT WHO SIGNED IN

John Mura, Chair 2011	City of Chino Hills
Mark Kinsey, Chair 2010	Monte Vista Water District
Robert Young	Fontana Union Water Company
Raul Garibay	City of Pomona
Anthony La	City of Upland
Ben Lewis	Golden State Water Company
Geoff Kamansky	Niagara Bottling Company
Robert DeLoach	Cucamonga Valley Water District
Mohamed El-Amamy	City of Ontario
Tom Harder	Jurupa Community Services District
Charles Moorrees	San Antonio Water Company
Dave Crosley	City of Chino

Watermaster Staff Present

Kenneth R. Manning	Chief Executive Officer
Ben Pak	Senior Project Engineer
Danielle Maurizio	Senior Engineer
Joe Joswiak	Chief Financial Officer
Sherri Lynne Molino	Recording Secretary

Watermaster Consultants Present

Andy Malone	Wildermuth Environmental Inc.
-------------	-------------------------------

Others Present Who Signed In

David DeJesus	Three Valleys Municipal Water District
Brad Buller	Community Garden
Marty Zvirbulis	Cucamonga Valley Water District
Ron Craig	City of Chino Hills
Shaun Stone	City of Upland
Gino L. Filippi	City of Upland
Scott Burton	City of Ontario
Eunice Ulloa	Chino Basin Water Conservation District
Jo Lynne Russo-Pereyra	Cucamonga Valley Water District
Steven G. Lee	Agricultural Pool Legal Counsel

Chair Kinsey called the Annual Appropriative Pool Meeting to order at 1:00 p.m.

AGENDA - ADDITIONS/REORDER

There were not additions or reorders made to the agenda.

I. ANNUAL ELECTIONS - ACTION

A. Calendar Year 2011 Appropriative Pool Officers

Nominations took place for the Appropriative Pool Chair to serve during calendar year 2011.
Appointees:

Chair	<u>John Mura, City of Chino Hills</u>
Vice-Chair	<u>Marty Zvirbulis, Cucamonga Valley Water District</u>
Secretary/Treasurer	<u>Watermaster Chief Executive Officer</u>

Chair Kinsey turned the annual Appropriative Pool meeting over to the newly appointed Chair Mura

B. Calendar Year 2011 Advisory Committee Members & Officers

Nominations took place to appoint a designated representative to serve on the Advisory Committee during calendar year 2011.
Appointee:

2nd Vice-Chair Appropriative Pool Robert Young, Fontana Union Water Company

C. Calendar Year 2011 Advisory Committee Minor Representatives

Nominations took place to elect two representatives to serve on the Advisory Committee during calendar year 2011.
Appointees:

Minor Rep #1	<u>Santa Antonio Water Company</u>
Minor Rep #2	<u>Santa Ana River Water Company</u>

II. CONSENT CALENDAR

A. MINUTES

1. Minutes of the Appropriative Pool Meeting held December 2, 2010

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of November 2010
2. Watermaster Visa Check Detail for the month of November 2010
3. Combining Schedule for the Period July 1, 2010 through November 30, 2010
4. Treasurer's Report of Financial Affairs for the Period November 1, 2010 through November 30, 2010
5. Budget vs. Actual July through November 2010

C. INTERVENTION INTO THE AGRICULTURAL POOL

Intervention of Restorative Justice Center (dba the Community Garden Project of Rancho Cucamonga) into the Agricultural Pool

Item C was pulled for discussion. A discussion regarding this intervention, the owner(s) of this property, the well on this property, and water quality issues ensued.

D. NOTICE OF INTENT

Annual Filing of Notice of Intent Regarding the Determination of Operating Safe Yield

E. CHINO BASIN WATERMASTER INVESTMENT POLICY

Resolution 11-01 – Resolution of the Chino Basin Watermaster, San Bernardino County, California, re-authorizing the Watermaster's Investment Policy

F. LOCAL AGENCY INVESTMENT FUND

Resolution 11-02 – Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF)

G. APPROPRIATIVE POOL VOLUME VOTE

Motion by DeLoach, second by Young, and by unanimous vote

Moved to approve Consent Calendar items A, B, D through G, as presented

Motion by Crosley, second by DeLoach, and by majority vote – Monte Vista Water District opposed

Moved to approve Consent Calendar item C, as presented

III. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Draft Restated Watermaster Judgment

Mr. Manning noted Watermaster legal counsel is absent due to cost cutting measures and both Scott and Michael had other functions they needed to attend. Mr. Manning stated he will give the legal counsel report; however, a more detailed report will be given at the upcoming Advisory Committee meeting. Mr. Manning stated the draft restated Judgment is still not ready for preview. Mr. Manning stated Counsel Fife is working with the attorneys from the other agencies to get their input on the documents. Mr. Manning noted it is staff's opinion this document will be ready for review shortly. A discussion regarding this matter ensued.

2. January 21, 2011 Hearing

Mr. Manning stated the only item that will be presented at the January 21st hearing is the nine-member board reappointment which went through the Watermaster process last month.

3. January 26, 2011 Settlement Conference

Mr. Manning stated the settlement conference has been set for January 26, 2011 and discussions have taken place at the Pools, Advisory Committee, and Watermaster Board as to who will be appointed to represent each entity at the settlement conference. Mr. Manning stated the Board did designate three members of the Board to represent the Board which will be Charles Field, Geoff Vanden Heuvel, and Michael Camacho.

4. Santa Ana Sucker Critical Habitat Designation

Mr. Manning stated recently the decision was made to expand the habitat area and Watermaster has legal counsel looking at Watermaster joining with others or going on its own to file actions to try and stop that expansion from taking place. A more detailed report and discussion will take place at the upcoming Advisory Committee meeting.

B. ENGINEERING REPORT

1. MZ1 Progress Report

Mr. Malone stated there is a new committee forming which is called the Land Subsidence Committee. This committee is a continuation of the MZ1 Technical Committee; however, this new committee is not open to all parties to participate. The first meeting is scheduled for January 20, 2011 at 11:00 a.m. at Watermaster; an agenda will be sent out prior to the meeting. Mr. Malone stated there is a new webpage specifically for the MZ1 parties. Mr. Malone opened this new webpage from the Watermaster website. Mr. Malone explained what this new webpage does and how it works in detail. Mr. Malone reviewed several maps regarding the items what will be discussed at the January 20th meeting in detail.

2. Modeling of the Chino Desalter Well Field
No comment was made regarding this item.

C. CEO/STAFF REPORT

1. Legislative Update
Mr. Manning stated there is a handout on the back table regarding some of the comments Governor Brown had for his administration. Mr. Manning reviewed several of the Governor's appointees. Mr. Manning stated congress changed hands yesterday, and he will have a more detailed report for the Advisory Committee meeting.
2. Recharge Update
Mr. Manning commented on the recent storms and our ability to capture storm water in our basins; approximately 20 inches of rain in December in the foothills. Mr. Manning reviewed the most recent recharge spreadsheet in detail.
3. Notice of Availability - Non-Agricultural Water
Mr. Manning stated that the Notice of Availability was sent out regarding the Non-Agricultural water agencies. Mr. Manning stated Watermaster has received no affirmative notice that the Non-Agricultural Pool wants to sell any water. Mr. Manning stated Swan Lake Mobile Home Park did ask for an extension to declare whether or not they will have water available to the Appropriative Pool. Mr. Manning stated that every year before December 31st, the Non-Agricultural Pool members have to declare that they have water available to sell by January 31st and if there is water to sell, the Appropriative Pool has to declare they are going to buy it. Then, by the end of June, that water transaction has to take place.
4. New Board Member from the City of Pomona
Mr. Manning stated unofficially it has been heard that Paula Lantz will be the Pomona Board representative. Mr. Manning stated Ms. Lantz has served on the Watermaster Board previously. Mr. Manning noted Watermaster has not heard who the municipal appointees are going to be.
5. CDA Update
Mr. Manning stated the CDA has action on their agenda tonight to approve all of the agreements that have been negotiated amongst the parties, and they are also in the process of hiring their new General Manager.

Added Comment:

Mr. Manning stated Chino Basin Watermaster will be sending out an RFP for our outside auditing services.

IV. INFORMATION

1. Cash Disbursements for December 2010
No comment was made regarding this item.
2. Newspaper Articles
No comment was made regarding this item.

V. POOL MEMBER COMMENTS

No comment was made regarding this item.

VI. OTHER BUSINESS

No comment was made regarding this item.

The regular open Appropriative Pool meeting was convened to hold its confidential session at 1:30 p.m.

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

Pursuant to the Appropriative Pool Rules & Regulations, a Confidential Session will be held during the Watermaster Pool meeting for the purpose of discussion and possible action.

1. Settlement Conference

The confidential session was concluded at 2:05 p.m.

Action was taken to appoint Robert DeLoach, John Mura and Mark Kinsey as the representation for the Appropriative Pool at the Court of Appeal Settlement Conference on January, 26, 2011.

VIII. FUTURE MEETINGS

Thursday, January 6, 2011	1:00 p.m.	Annual Appropriative Pool Meeting @ CBWM
Thursday, January 6, 2011	2:30 p.m.	Annual Non-Agricultural Pool Meeting @ CBWM
Thursday, January 13, 2011	9:00 a.m.	Annual Agricultural Pool Meeting @ IEUA
Tuesday, January 18, 2011	9:00 a.m.	GRCC Committee Meeting @ CBWM
Thursday, January 20, 2011	8:00 a.m.	IEUA DYY Meeting @ CBWM
Thursday, January 20, 2011	9:00 a.m.	Annual Advisory Committee Meeting @ CBWM
Friday, January 21, 2011	10:30 a.m.	CBWM Court Hearing @ Chino Courthouse
Wednesday, January 26, 2011	9:30 a.m.	State Court of Appeal @ Riverside Courthouse
Thursday, January 27, 2011	11:00 a.m.	Annual Watermaster Board Meeting @ CBWM

The Annual Appropriative Pool meeting was dismissed by Chair Mura at 2:06 p.m.

Secretary: _____

Minutes Approved: February 3, 2011