

MINUTES
CHINO BASIN WATERMASTER
NON-AGRICULTURAL POOL MEETING

October 8, 2015

The Non-Agricultural Pool meeting was held at the offices of Chino Basin Watermaster and via conference call using the Chino Basin Watermaster conference call number on October 8, 2015.

NON-AGRICULTURAL POOL MEMBERS PRESENT AT WATERMASTER

Brian Geye, Chair	Auto Club Speedway
Bob Bowcock, Vice-Chair	Calmat Company (Vulcan Materials Co.)
Bob Page	County of San Bernardino
Mark Kinsey	Monte Vista Water District

NON-AGRICULTURAL POOL MEMBERS PRESENT ON CALL

David Penrice	Aqua Capital Management, LP
Tom O'Neill	Ontario City Non-Agricultural
Ken Jeske	California Steel Industries (CSI)

WATERMASTER STAFF PRESENT AT WATERMASTER

Peter Kavounas	General Manager
Danielle Maurizio	Assistant General Manager
Joseph Joswiak	Chief Financial Officer
Anna Truong	Recording Secretary
Janine Wilson	Recording Secretary

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

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

NON-AGRICULTURAL POOL LEGAL COUNSEL PRESENT ON CALL

Allen Hubsch	Non-Agricultural Pool Attorney
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OTHERS PRESENT AT WATERMASTER

Pete Hall	State of California – CIM
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CALL TO ORDER

Chair Geye called the Non-Agricultural Pool meeting to order at 11:00 a.m.

ROLL CALL

Ms. Wilson conducted the roll call.

AGENDA – ADDITIONS/REORDER

None

I. BUSINESS ITEMS - ROUTINE

A. MINUTES

1. Minutes of the Non-Agricultural Pool Meeting held September 1 2015

(0:02:07)

Motion by Mr. Bob Bowcock, seconded by Mr. Bob Page. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to receive and file Business Item I.A.1 as presented.

2. Minutes of the Non-Agricultural Pool Special Meeting held September 15, 2015

(0:02:24) Mr. Page provided clarification and requested that the September 15, 2015 Special Meeting Minutes reflect that he joined the conference call late and did not participate in the vote coming out of confidential session.

(0:03:06)

Motion by Mr. Bob Page, seconded by Mr. Bob Bowcock. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to receive and file Business Item I.A.2 with revisions indicated above.

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of August 2015
2. Watermaster VISA Check Detail for the month of August 2015
3. Combining Schedule for the Period July 1, 2015 through August 31, 2015
4. Treasurer's Report of Financial Affairs for the Period August 1, 2015 through August 31, 2015
5. Budget vs. Actual Report for the Period July 1, 2015 through August 31, 2015

(0:03:32)

Motion by Mr. Bob Page, seconded by Mr. Mark Kinsey. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to receive and file Business Item I.B. without approval as presented.

II. BUSINESS ITEMS

A. WATERMASTER REAPPOINTMENT (DISCUSSION ONLY)

(0:03:57) Mr. Kavounas gave a report. A discussion ensued.

B. WILDERMUTH ENVIRONMENTAL, INC. CONTRACT EXTENSION

(0:06:07) Mr. Kavounas gave a report. A discussion ensued.

C. INTERIM 2015/16 ASSESSMENT (INFORMATION ONLY)

(0:21:36) Mr. Kavounas gave a report. A discussion ensued.

D. 2015 SAFE YIELD RESET AGREEMENT APPROVAL

(0:27:55) Mr. Kavounas gave a report. The Pool will take the matter into Confidential Session for discussion.

E. MEMBER STATUS CHANGES (For Discussion and Possible Action)

1. Any proposed transfer of Safe Yield by a Member.
2. Any transfer of Safe Yield that has actually closed or been completed.
 - City of Ontario/Aqua Capital Management transaction completion.
3. Any change in name or corporate identity of a Member (such as results from a merger or filing of a change of name certificate).
4. Any change in the name of a representative or alternate representative of a Member, or a change in e-mail address for either such person.

(0:29:05) Mr. Kavounas reported that the permanent transfer to the City of Ontario by Aqua Capital Management (ACM) of 282.981 AF was completed with the closing date of October 1, 2015. Chair Geye raised the question of whether or not Aqua Capital Management intends to remain a member of the Non-Agricultural Pool. Mr. Penrice responded that ACM intends to remain in the Pool.

III. REPORTS/UPDATES**A. LEGAL COUNSEL REPORT**

1. Watermaster Resolution 2015-06
2. Motion for Approval of Temporary Substitute Rate, Receipt and Filing of Semi Annual Report
3. Santa Ana Sucker Critical Habitat Designation Litigation

(0:30:10) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER REPORT

1. Ground Level Monitoring Report

(0:36:05) Mr. Kavounas gave a report and offered Mr. Malone's presentation. The Pool declined the presentation.

C. CFO REPORT

None

D. GM REPORT

1. Business Plan Update
2. Storage
3. Request for Information Process
4. Volume Vote
5. Holiday Meeting Schedule
6. Other

(0:37:50) Mr. Kavounas gave a report.

IV. INFORMATION

1. Cash Disbursements for September 2015
2. Recharge Investigations and Projects Committee (RIPCom)
3. Ground Level Monitoring Report
4. RMPU Status Report

V. POOL MEMBER COMMENTS

(0:45:57) Mr. Kinsey commented on preparing for the wet year and how the Pool could participate in efforts to capture water.

VI. OTHER BUSINESS

None

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

The Non-Agricultural Pool went into confidential session at 11:47 a.m. to discuss the Watermaster Reappointment and Safe Yield Reset Agreement. Confidential session concluded at 12:33 p.m. (0:47:10) with the following reportable actions:

1. Watermaster Reappointment: Guidance was provided by the Pool for Chair Geye to represent the Pool on the ad hoc committee as it relates to this item.
2. Safe Yield Reset Agreement:
 - a) Direction was given to the Pool Chair and Legal Counsel to sign the Agreement and Chair Geye will work with staff and counsel to get that accomplished.
 - b) Guidance was provided to Pool Counsel regarding the City of Chino's discovery request.

ADJOURNMENT

Chair Geye adjourned the Non-Agricultural Pool meeting at 12:34 p.m.

Secretary: _____

Approved: _____ November 12, 2015