

MINUTES
CHINO BASIN WATERMASTER
NON-AGRICULTURAL POOL MEETING

August 9, 2018

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 August 9, 2018.

NON-AGRICULTURAL POOL MEMBERS PRESENT AT WATERMASTER

Brian Geye, Chair	California Speedway Corporation
Bob Bowcock, Vice-Chair	CalMat Co.
Andrew Silva for Bob Page	County of San Bernardino (Non-Ag)

NON-AGRICULTURAL POOL MEMBERS PRESENT ON CALL

Ramsey Haddad	California Steel Industries
Tom O'Neill	City of Ontario (Non-Ag)

WATERMASTER STAFF PRESENT AT WATERMASTER

Peter Kavounas	General Manager
Joseph Joswiak	Chief Financial Officer
Edgar Tellez Foster	Senior Environmental Engineer
Anna Nelson	Executive Services Director/Board Clerk
Justin Nakano	Water Resources Senior Associate

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

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

OTHERS PRESENT AT WATERMASTER

Todd Corbin	Jurupa Community Services District
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NON-AGRICULTURAL POOL LEGAL COUNSEL PRESENT ON CALL

Allen Hubsch	Loeb & Loeb, LLP
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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. Nelson conducted the roll call.

AGENDA – ADDITIONS/REORDER

None

I. BUSINESS ITEMS - ROUTINE

A. MINUTES

Receive and file as presented:

1. Minutes of the Non-Agricultural Pool Meeting held July 19, 2018

(0:01:40)

Motion by Vice-Chair Bob Bowcock, seconded by Mr. Tom O'Neill. 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. as presented.

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of June 2018

2. Watermaster VISA Check Detail for the month of June 2018
3. Combining Schedule for the Period July 1, 2017 through June 30, 2018
4. Treasurer's Report of Financial Affairs for the Period June 1, 2018 through June 30, 2018
5. Budget vs. Actual Report for the Period July 1, 2017 through June 30, 2018

(0:02:08)

Motion by Vice-Chair Bob Bowcock, seconded by Mr. Tom O'Neill. 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.

C. WATER TRANSACTIONS

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

The purchase of 500.000 acre-feet of water from West Valley Water District by Cucamonga Valley Water District. This purchase is made from West Valley Water District's Excess Carryover Account. Date of application: July 11, 2018.

(0:02:39)

Motion by Mr. Tom O'Neill, seconded by Vice-Chair Bob Bowcock. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to approve staff recommendation of Business Item I.C. and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.

II. BUSINESS ITEMS

A. RIGHT OF ENTRY AGREEMENT BETWEEN CHINO BASIN WATERMASTER AND THE CITY OF POMONA FOR CONSTRUCTION AND OPERATION OF THE POMONA EXTENSOMETER

Recommend to the Advisory Committee to approve the Right of Entry Agreement between the Chino Basin Watermaster and the City of Pomona for Construction and Operation of the Pomona Extensometer.

(0:03:05) Mr. Tellez Foster gave a report.

(0:04:03)

Motion by Mr. Andrew Silva, seconded by Mr. Tom O'Neill. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to approve staff recommendation of Business Item II.A., and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.

B. TASK ORDER NO. 3 UNDER MASTER AGREEMENT FOR COLLABORATIVE PROJECTS: POMONA EXTENSOMETER CONTRACT ADMINISTRATION

Recommend to the Advisory Committee to approve Task Order No. 3 Under Master Agreement for Collaborative Projects: Pomona Extensometer Contract Administration.

(0:04:31) Mr. Tellez Foster gave a report.

(0:05:33)

Motion by Mr. Tom O'Neill, seconded by Mr. Andrew Silva. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to approve staff recommendation of Business Item II.B., and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.

C. RIGHT OF ENTRY AGREEMENT BETWEEN CHINO BASIN WATERMASTER AND CHINO REAL ESTATE 13799 LLC (MONITORING WELL PRESERVATION AT FORMER CROWN COACH FACILITY)

Recommend to the Advisory Committee to approve the Right of Entry Agreement between the Chino Basin Watermaster and Chino Real Estate 13799 LLC.

(0:06:08) Mr. Tellez Foster gave a report.

(0:07:24)

Motion by Mr. Tom O'Neill, seconded by Mr. Ramsey Haddad. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to approve staff recommendation of Business Item II.C., and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.

D. ADVISORY COMMITTEE REQUEST FOR CONTINUED WATERMASTER ASSISTANCE

Discuss and possibly take action.

(0:07:51) Mr. Kavounas prefaced Item II.D. and introduced Mr. Corbin who gave a report on behalf of the Appropriate Pool. A discussion ensued.

No action was taken on this item.

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.
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.
 - New primary representative for NRG California South LP as of July 16, 2018 is Mr. Jeffrey Edwards and his email is: jeffrey.edwards@genon.com, replacing Mr. Rick Fatten. Their alternate representative remains unchanged (Mr. Robert Rea – email: robert.rea@genon.com).

(0:28:57) Ms. Nelson gave a report.

III. REPORTS/UPDATES

A. LEGAL COUNSEL REPORT

1. Appeal of April 28, 2017 Order
2. August 17, 2018 Hearing
3. Overlying (Agricultural) Pool Committee's Consolidated and Amended Contests

(0:29:36) Mr. Herrema gave a report.

B. ENGINEER REPORT

1. Storage Framework
2. Fiscal Year 2017/18 GLMC Annual Report

(0:33:15) Mr. Malone gave a report. A discussion ensued.

C. CFO REPORT

None

D. GM REPORT

- 1. MOU Regarding Contributions of Safe Yield For Desalter Replenishment
- 2. 2018 RMPU
- 3. Storage Management Plan Development Schedule
- 4. Other

(0:36:52) Mr. Kavounas gave a report on Item III.D.1

(0:37:37) Mr. Nakano gave a report on Item III.D.2.

(0:38:14) Mr. Kavounas gave a report on Item III.D.3.

IV. INFORMATION

- 1. Cash Disbursements for July 2018
- 2. Recharge Investigations and Projects Committee (RIPCom)
- 3. Ground-Level Monitoring Committee Semi-Annual Status Report

V. POOL MEMBER COMMENTS

None

VI. OTHER BUSINESS

None

VII. CONFIDENTIAL SESSION – POSSIBLE ACTION

Chair Geye called for a confidential session at 11:41 a.m. to discuss Storage Application, Exhibit “G” Transfer Rate Amendment, Peace Agreement Paragraph 5.3(e) Interpretation, Amendments to Judgment and CAMA to Implement Settlement Agreement Regarding Appeal From April 28, 2017 Order, and Annual Report Appendices. Confidential session concluded at 12:33 p.m. with the following reportable action:

(0:40:50)

Storage Application:

Direct Pool legal counsel to file a Form 1 Application for Local Storage Agreement on behalf of the members of the Non-Agricultural Pool.

Exhibit “G” Transfer Rate Amendment:

Direct Pool legal counsel and Pool Chair to work with the six-pack attorneys to finalize language covering changes to Exhibit “G” regarding water transfer pricing and desalter transfers, including follow-up negotiations with the Appropriative Pool, Agricultural Pool, and Advisory Committee as necessary.

Direct Watermaster to begin the Pool process at the September 2018 meetings by agendizing changes to the Non-Agricultural Pool’s Pooling Plan.

ADJOURNMENT

Chair Geye adjourned the Non-Agricultural Pool meeting at 12:35 p.m.

Secretary: _____

Approved: _____ September 13, 2018 _____