

**MINUTES**  
**CHINO BASIN WATERMASTER**  
**ANNUAL NON-AGRICULTURAL POOL MEETING**  
January 10, 2019

The Annual 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 January 10, 2019.

**NON-AGRICULTURAL POOL MEMBERS PRESENT AT WATERMASTER**

Brian Geye, Chair	California Speedway Corporation
Bob Bowcock, Vice-Chair	CalMat Co.

**NON-AGRICULTURAL POOL MEMBERS PRESENT ON CALL**

Kathleen Brundage for Ramsey Haddad	California Steel Industries, Inc.
Andrew Silva for Bob Page	County of San Bernardino (Non-Ag)
Tom O'Neill	City of Ontario (Non-Ag)

**WATERMASTER STAFF PRESENT AT WATERMASTER**

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

**WATERMASTER CONSULTANTS PRESENT AT WATERMASTER**

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

**OTHERS PRESENT ON CALL**

Christopher Quach	City of Ontario (Non-Ag)
Jeanina Romero	City of Ontario (Non-Ag)

**NON-AGRICULTURAL POOL LEGAL COUNSEL PRESENT ON CALL**

Allen Hubsch	Loeb & Loeb, LLP
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**CALL TO ORDER**

Mr. Geye, 2018 Chair, called the Non-Agricultural Pool meeting to order at 11:07 a.m.

**ROLL CALL**

Ms. Nelson conducted the roll call.

**AGENDA – ADDITIONS/REORDER**

(0:01:47) Ms. Nelson announced that the revised Page 8.1 from Fiscal Year 2018/19 Assessment Package will be added to the agenda as Business Item - Routine II.F.

(0:02:31) Mr. Geye stated that a legal budget review will be discussed during confidential session.

**I. ANNUAL ELECTIONS (ACTION)**

- A.** Elect the following Calendar Year 2019 Officers of the Pool: Chair, Vice-Chair, Secretary, Treasurer, and Assistant Secretaries and Treasurers as may be appropriate.

Chair	<u>Brian Geye</u>
Vice-Chair	<u>Bob Bowcock</u>
Secretary	<u>Peter Kavounas</u>

Treasurer Peter Kavounas

**B. Election of Calendar Year 2019 Advisory Committee Members**

According to the Non-Agricultural Pool Pooling Plan, the Pool shall designate at least three members of the Pool Committee, and their alternates, to serve on the Advisory Committee.

Member: Brian Geye Alternate: Bob Bowcock

Member: Tom O'Neill Alternates: Christopher Quach and Jeanina Romero

Member: Ramsey Haddad Alternate: Kathleen Brundage

**C. Calendar Year 2019 Non-Agricultural Pool Member Appointed to Serve as Advisory Committee Officer**

Based on the rotation sequence established among the Pools, the members of the Non-Agricultural Pool will be asked to appoint a designated representative to serve as Vice-Chair of the Advisory Committee during Calendar Year 2019.

Non-Agricultural Pool Officer (Vice-Chair) Appointment to the Advisory Committee:

Brian Geye

**D. Appointment of Calendar Year 2019 Non-Agricultural Pool Representation on Watermaster Board**

According to the Board rotation schedule filed with the Court in 2000 and updated on November 17, 2015, the Non-Agricultural Pool is to appoint one representative and alternate(s) to serve on the Board for the Calendar Year.

Member: Bob Bowcock Alternate(s): Brian Geye

(0:04:50)

*Motion by Mr. Andrew Silva, 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 approve calendar year 2019 Non-Agricultural Pool appointments (Items IA – ID) to be the same as in calendar year 2018 Non-Agricultural Pool appointments, with changes to Mr. O'Neill's alternates as indicated above.***

A revised action was taken on Item I.B. after confidential session, and is shown in sequence below.

**II. BUSINESS ITEMS - ROUTINE**

**A. MINUTES**

1. Minutes of the Non-Agricultural Pool Meeting held November 8, 2018
2. Minutes of the Non-Agricultural Pool Special Meeting held December 4, 2018
3. Minutes of the Non-Agricultural Pool Special Meeting held December 20, 2018

(0:06:02)

*Motion by Vice-Chair Bob Bowcock, seconded by Mr. Andrew Silva. The Chair called for dissent, and, none being noted, the motion was deemed passed by majority vote of those present.*

***Moved to receive and file Business Item II.A. as presented.***

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of October 2018
2. Watermaster VISA Check Detail for the month of October 2018
3. Combining Schedule for the Period July 1, 2018 through October 31, 2018
4. Treasurer's Report of Financial Affairs for the Period October 1, 2018 through October 31, 2018
5. Budget vs. Actual Report for the Period July 1, 2018 through October 31, 2018
6. Cash Disbursements for the month of November 2018
7. Watermaster VISA Check Detail for the month of November 2018
8. Combining Schedule for the Period July 1, 2018 through November 30, 2018
9. Treasurer's Report of Financial Affairs for the Period November 1, 2018 through November 30, 2018
10. Budget vs. Actual Report for the Period July 1, 2018 through November 30, 2018

(0:06:40)

*Motion by Vice-Chair Bob Bowcock, 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 receive and file Business Item II.B. without approval as presented.***

**C. CHINO BASIN WATERMASTER INVESTMENT POLICY**

Recommend that the Advisory Committee recommends approval of Resolution 2019-01 – Resolution of the Chino Basin Watermaster, San Bernardino County, California, Re-Authorizing the Watermaster's Investment Policy.

(0:07:23)

*Motion by Vice-Chair Bob Bowcock, 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.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. LOCAL AGENCY INVESTMENT FUND**

Recommend that the Advisory Committee recommends approval of Resolution 2019-02 – Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF).

(0:07:45)

*Motion by Vice-Chair Bob Bowcock, 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.D., and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.***

**E. CHINO BASIN WATERMASTER 41<sup>ST</sup> ANNUAL REPORT**

Recommend that the Advisory Committee recommend to the Watermaster Board to adopt the 41<sup>st</sup> Annual Report, along with filing a copy with the Court, subject to any necessary non-substantive changes.

(0:08:06) Chair Geye gave an update and announced that Item II.E. will be taken during confidential session. Mr. Herrema reported that the Appropriative Pool, at its earlier meeting, approved the item unanimously. A discussion ensued.

The reportable action is shown under Confidential Session below.

**F. REVISED PAGE 8.1 OF FISCAL YEAR 2018/19 ASSESSMENT PACKAGE**

(0:08:48) Chair Geye introduced Item II.F. A discussion ensued.

(0:09:19) Mr. O'Neill joined the meeting via conference call. Further discussion ensued.

(0:10:00)

*Motion by Vice-Chair Bob Bowcock, 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.F. and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.***

### **III. BUSINESS ITEMS**

#### **A. 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.
  - January 3, 2019: Watermaster received an executed Waiver of Notice form from Mr. Matthew Robey, Asst. General Counsel for Ameron International Corporation waiving any further notice of Watermaster activities. Watermaster has since removed Ameron's representatives from its Active Party List.

(0:10:21) Ms. Nelson gave a report on Business Item III.A.4. A discussion ensued.

(0:11:18) Chair Geye requested to add Non-Agricultural Pool Non-Producer Notice to the next Pool agenda. Additional discussion ensued.

(0:13:20) Ms. Nelson added a report indicating that some Non-Ag Pool parties were not responsive to requests for 2019 Representatives and Alternates. A discussion ensued.

### **IV. REPORTS/UPDATES**

#### **A. LEGAL COUNSEL REPORT**

1. Appeal from April 28, 2017 Order
2. December 28, 2018 Court Hearing

(0:15:22) Mr. Herrema gave a report.

#### **B. ENGINEER REPORT**

1. Salinity Management Update
2. 2020 Safe Yield Recalculation
3. Chino Basin Project
4. Pomona Extensometer
5. Chino Airport Remediation Project Evaluation

(0:19:23) Mr. Malone gave a report.

#### **C. CFO REPORT**

1. 2018/19 Assessment Invoicing

(0:24:32) Mr. Joswiak gave a report.

**D. GM REPORT**

1. SGMA Basin Prioritization
2. OBMP Update
3. Exhibit "G" Physical Solution Transfers
4. Updated Storage Agreements (Form 8)
5. 40<sup>th</sup> Judgment Anniversary Commemoration Event
6. Other

(0:26:38) Mr. Kavounas prefaced Item IV.D.1. and introduced Mr. Herrema to give a report.

(0:31:08) Mr. Tellez Foster gave a report on Item IV.D.2.

(0:33:13) Ms. Nelson gave reports on Items IV.D.3. and IV.D.4.

(0:36:37) Mr. Kavounas gave a report on Item IV.D.5. and asked parties to pick up their commemorative coins and glass water drops from Watermaster staff.

**V. INFORMATION**

1. Notice of Intent Regarding the Determination of Operating Safe Yield
2. Cash Disbursements for December 2018

**VI. POOL MEMBER COMMENTS**

None

**VII. OTHER BUSINESS**

(0:39:28) Chair Geye announced that an Advisory Committee Special meeting will be held on Friday, January 11, 2019 at 10:00 a.m. A discussion ensued.

**VIII. CONFIDENTIAL SESSION - POSSIBLE ACTION**

Chair Geye called for a confidential session at 11:47 a.m. to discuss the alternate appointments for Item I.B., Chino Basin Watermaster 41<sup>st</sup> Annual Report, and Legal Budget Review. Confidential session concluded at 12:18 p.m. with the following reportable actions:

(0:41:11)

1. The City of Ontario (Non-Ag) announced a correction that Mr. Christopher Quach and Ms. Jeanina Romero will serve as alternates to Mr. Tom O'Neill in calendar year 2019. Mr. Michael Sigsbee is no longer an alternate for the City of Ontario (Non-Ag).
2. Chair Geye announced that there is no additional advice from the Pool, and the Pool moved to approve staff's recommendation of the Chino Basin Watermaster 41<sup>st</sup> Annual Report, and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.
3. The Pool has approved an additional \$35,000 in legal assessment as part of the budget process. The Chair directed Watermaster to invoice Non-Agricultural Pool members using the same special assessment formula as the previous \$60,000.

(0:43:29) Vice-Chair Bowcock made comments regarding Item I.B. A discussion ensued.

(0:44:37)

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 approve a resolution that, from and after the date hereof, the alternate of any member of the Non-Agricultural Pool Committee who has been appointed to the Advisory Committee shall be considered eligible to serve as an alternate to any other member of the Non-Agricultural Pool Committee appointed to the Advisory Committee, at any meeting of the Advisory Committee. A discussion followed in which it was clarified and confirmed that the member so appointed has the sole authority to select from time to time his or her alternate for attendance at any meeting of the Advisory Committee.**

**IX. FUTURE MEETINGS AT WATERMASTER**

- 1/10/19 Thu 9:00 a.m. Annual & Election Appropriative Pool
- 1/10/19 Thu 11:00 a.m. Annual & Election Non-Agricultural Pool
- 1/10/19 Thu 1:30 p.m. Annual & Election Agricultural Pool
- 1/11/19 Fri 1:00 p.m. Watermaster Board Special Meeting
- 1/15/19 Tue 9:00 a.m. OBMP Update – Listening Session 1
- 1/17/19 Thu 9:00 a.m. Advisory Committee
- 1/17/19 Thu 9:30 a.m. Recharge Investigations and Projects Committee (RIPCom)
- 1/24/19 Thu 11:00 a.m. Watermaster Board

(0:45:40) Mr. Kavounas introduced the Watermaster Mechanics workshop, and announced that the first meeting will likely take place at the end of January 2019. A discussion ensued.

**ADJOURNMENT**

Chair Geye adjourned the annual Non-Agricultural Pool meeting at 12:26 p.m.

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

Approved: \_\_\_\_\_ February 14, 2019