

MINUTES
CHINO BASIN WATERMASTER
NON-AGRICULTURAL POOL COMMITTEE MEETING

February 11, 2021

The Non-Agricultural Pool Committee meeting was held by GoToMeeting (conference call and web meeting) on February 11, 2021.

NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON CALL

Brian Geye, Chair	California Speedway Corporation
Bob Bowcock, Vice-Chair	CalMat Co.
Christopher Quach	City of Ontario (Non-Ag)
Amanda Meere	County of San Bernardino (Non-Ag)

WATERMASTER STAFF PRESENT ON CALL

Peter Kavounas	General Manager
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
Frank Yoo	Water Resources Senior Associate
Janine Wilson	Senior Accountant
Vanessa Aldaz	Administrative Assistant

WATERMASTER CONSULTANTS PRESENT ON CALL

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	West Yost

OTHERS PRESENT ON CALL

Christina Valencia	Inland Empire Utilities Agency
Pete Hall	State of California – CIM

NON-AGRICULTURAL POOL COMMITTEE LEGAL COUNSEL PRESENT ON CALL

Allen Hubsch	Loeb & Loeb, LLP
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CALL TO ORDER

Chair Geye called the Non-Agricultural Pool Committee meeting to order at 11:01 a.m.

ROLL CALL

(0:02:08) 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 January 14, 2021

(0:04:32)

Motion by Mr. Christopher Quach, seconded by Ms. Amanda Meere. 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 December 2020
2. Watermaster VISA Check Detail for the month of December 2020
3. Combining Schedule for the Period July 1, 2020 through December 31, 2020
4. Treasurer's Report of Financial Affairs for the Period December 1, 2020 through December 31, 2020
5. Budget vs. Actual Report for the Period July 1, 2020 through December 31, 2020
6. Cash Disbursements for January 2021 (Information Only)

(0:05:14)

Motion by Mr. Christopher Quach, seconded by Ms. Amanda Meere. 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. 2013 RMPU PROJECTS FINANCING OPTIONS

Recommend to Advisory Committee to recommend Watermaster Board approval of the preferred loan term.

(0:05:53) Mr. Kavounas gave a report. A discussion ensued.

(0:08:35)

Motion by Mr. Christopher Quach, seconded by Vice-Chair 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 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. MEMBER STATUS CHANGES

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.
 - Southern Service Company, having been acquired by 9W Halo Western OpCo L.P., notified Watermaster of its desire to opt out of the Watermaster Active Party List. They have since been removed from the Non-Agricultural Pool meeting roll call and membership rosters. A copy of the opt-out forms are attached.

(0:09:30) Ms. Nelson gave a report and indicated that Mr. Dennis Dooley, on behalf of Southern Service Company, having been acquired by 9WHalo Western OpCo L.P., submitted Waiver of Notice forms and opted out of the Watermaster Active Party List. The forms are attached to these minutes. A discussion ensued.

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino County Superior Court Emergency Order
2. Motion of Appropriative Pool Member Agencies Re: Agricultural Pool Legal and Other Expenses
3. March 26, 2021 Hearing
4. Kaiser Permanente Lawsuit

(0:13:03) Mr. Herrema gave a report.

B. ENGINEER

1. Local Storage Limitation Solution – Engineering Analysis Results
2. History of Basin Storage Estimates – Errata
3. 2023 RMPU Scope of Work
4. GLMC – CY 2021 Schedule
5. PBHSC – CY 2021 Schedule

(0:16:18) Mr. Malone gave a report.

C. CHIEF FINANCIAL OFFICER

1. Fiscal Year 2020/21 Mid-Year Review
2. Fiscal Year 2021/22 Budget Schedule

(0:22:50) Mr. Joswiak gave a report. A discussion ensued.

D. GENERAL MANAGER

1. Proposed Changes to the Chino Basin Peace Agreement (2000)
2. San Sevaine Project Recognition
3. Richard Anderson Overlying (Agricultural) Pool Intervention Request
4. Status of Overlying (Agricultural) Pool Expenses and Assessments and Appropriative Pool Members' Nonpayment
5. Discussion Regarding Possible Overlying (Agricultural) Pool Assessments
6. Other

(0:37:27) Mr. Kavounas gave a report and added that the rulemaking process for Evapotranspiration Adjustment Factor is ongoing and DWR is working with agencies on outdoor water demand. He indicated that this process may affect the next Safe Yield Recalculation of the Basin. Mr. Kavounas asked that each agency confirm that they have received their GIS data packet to review.

IV. 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 Geye called for a confidential session at 11:42 a.m. to discuss the following:

1. Storage Implementation Plan
2. Review of Assessments

(0:43:22) Confidential session concluded at 12:20 p.m. with no reportable action.

ADJOURNMENT

Chair Geye adjourned the Non-Agricultural Pool Committee meeting at 12:22 p.m.

Secretary: _____

Approved: _____ March 11, 2021 _____

Attachments:

1. 20210121 Waiver of Notice/Removal from Active Party List for Southern Service Company
2. 20210121 Withdrawal from Non-Agricultural Pool Committee for Southern Service Company

Attachment 1 to 20210211 Non-Agricultural Pool Committee Meeting Minutes

**WAIVER OF NOTICE/
REMOVAL FROM ACTIVE PARTY LIST**

Pursuant to Paragraph 58 of the Chino Basin Restated Judgment, "[a]ny party desiring to be relieved of receiving notices of Watermaster or committee activity may file a waiver of notice on a form to be provided by Watermaster. Thereafter such party shall be removed from the Active Party list."

By way of execution of this form, the Party to the Chino Basin Judgment listed below waives any further notice of Watermaster activities, including the activities of the Watermaster Pool Committees, the Advisory Committee and the Watermaster Board, as well as any court filing in the San Bernardino County Superior Court Case No. RCV RS51010, *Chino Basin Municipal Water District v. City of Chino, et al.*, and directs Watermaster to remove it from the Active Party list.

Party: Southern Service Company

Pool: Non-Agricultural

Mailing address: 300 E. Commercial St.

E-mail address: didooley@angelica.com = wuorena@angelica.com

Date 1-21-21

Signature: Dennis Dooley

Printed name: Dennis Dooley

Attachment 2 to 20210211 Non-Agricultural Pool Committee Meeting Minutes

WITHDRAWAL FROM NON-AGRICULTURAL POOL COMMITTEE

The undersigned hereby withdraws from and terminates its membership and participation in the Non-Agricultural Pool and Pool Committee of the Chino Basin Watermaster. Among other things, the withdrawing member shall have no right to appoint a representative to the Committee, to attend meetings of the Committee as a member or to vote on matters presented to the Committee for a vote.

Withdrawing Member:

Southern Service Company
Type or print name of withdrawing member above

By: Dennis Dooley
Name: DENNIS DOOLEY
Its: Chief Engineer
Dated: 1-21-21

[NOTE: THIS FORM SHOULD BE USED BY ANY MEMBER OF THE NON-AGRICULTURAL POOL THAT (A) SELLS ALL OF ITS WATER RIGHTS IN THE POOL AND (B) DOES NOT INTEND TO PRODUCE POOL WATER FROM THE BASIN.]