

MINUTES
CHINO BASIN WATERMASTER
NON-AGRICULTURAL POOL COMMITTEE MEETING

April 8, 2021

The Non-Agricultural Pool Committee meeting was held via Zoom (conference call and web meeting) on April 8, 2021.

NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON CALL

Brian Geye, Chair	California Speedway Corporation
Bob Bowcock, Vice-Chair	CalMat Co.
Kathleen Brundage	California Steel Industries, Inc.
Christopher Quach	City of Ontario (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
Sodavy Ou	West Yost
Garrett Rapp	West Yost

NON-AGRICULTURAL POOL COMMITTEE LEGAL COUNSEL PRESENT ON CALL

Allen Hubsch	Loeb & Loeb, LLP
Tarren Torres	Egoscue Law Group, Inc.

CALL TO ORDER

Chair Geye called the Non-Agricultural Pool Committee meeting to order at 11:02 a.m.

ROLL CALL

(0:01:08) 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 Committee Meeting held March 11, 2021

(0:03:08)

Motion by Mr. Christopher Quach, 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 receive and file Business Item I.A. as presented.

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of February 2021
2. Watermaster VISA Check Detail for the month of February 2021
3. Combining Schedule for the Period July 1, 2020 through February 28, 2021
4. Treasurer's Report of Financial Affairs for the Period February 1, 2021 through February 28, 2021
5. Budget vs. Actual Report for the Period July 1, 2020 through February 28, 2021
6. Cash Disbursements for March 2021 (Information Only)

(0:03:40)

Motion by Mr. Christopher Quach, 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 receive and file Business Item I.B. without approval as presented.

C. APPLICATION: WATER TRANSACTION

Provide advice and assistance to the Advisory Committee on the proposed transaction:

The purchase of 7,500 acre-feet of water from Cucamonga Valley Water District by Fontana Water Company. This purchase is made from Cucamonga Valley Water District's Annual Production Right.

(0:04:14)

Motion by Mr. Christopher Quach, 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. 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.

There were no changes to note.

Ms. Brundage joined the meeting at approximately 11:12 a.m.

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino County Superior Court Emergency Order
2. March 26, 2021 Hearing
3. April 30, 2021 Hearing
4. Kaiser Permanente Lawsuit

(0:05:03) Mr. Herrema gave a report.

B. ENGINEER

1. Maximum Benefit Annual Report
2. 2020 State of the Basin: Production and Recharge
3. Physical Storage Changes vs Managed Storage Changes

(0:08:21) At the request of the Pool, Mr. Malone gave a shortened version of the presentation on Item 1 and introduced Ms. Ou and Ms. Sather (West Yost staff) to do the same on Item 2.

(0:34:45) Mr. Rapp gave a presentation on Item 3.

C. CHIEF FINANCIAL OFFICER

1. Status Report: Fiscal Year 2021/22 Budget
2. March 31, 2021 OAP Special Meeting Action

(0:46:45) Mr. Joswiak gave a report. A discussion ensued.

(0:54:40) Mr. Joswiak added a presentation on carry-over funding.

D. GENERAL MANAGER

1. Status Report: Peace Agreement Amendment (PE8)
2. Annual Meeting with the RWQCB
3. Diversion Permits Annual Progress Reports
4. 2023 Recharge Master Plan Update
5. Other

(1:03:08) Mr. Kavounas gave a report.

IV. INFORMATION

1. Ground-Level Monitoring Committee Semi-Annual Status Report
2. Chino Airport and South Archibald Plumes Semi-Annual Status Reports

V. POOL MEMBER COMMENTS

None

VI. OTHER BUSINESS

None

VII. 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 12:08 p.m. to discuss the following:

1. March 26, 2021 Court Hearing – Tentative Ruling and Proposed Order
2. Storage Implementation Plan
3. Storage Application
4. Review of Assessments

(1:07:43) Confidential session concluded at 12:50 p.m. with the following reportable actions:

The Pool directs Pool Chair and Counsel to support the rights of individual pools to determine, budget, and assess for their pool administrative expenses, such as legal counsel, that are paid by their pool members.

The Pool also directs Pool Chair and Counsel to file a storage application on behalf of Non-Agricultural Pool members.

ADJOURNMENT

Chair Geye adjourned the Non-Agricultural Pool Committee meeting at 12:57 p.m.

Secretary: _____

Approved: _____ May 13, 2021 _____