

MINUTES
CHINO BASIN WATERMASTER
NON-AGRICULTURAL POOL COMMITTEE MEETING*
November 10, 2021

The Non-Agricultural Pool Committee meeting was held via Zoom (conference call and web meeting) on November 10, 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)
Michael Adler	Hamner Park Associates, a California Limited Partnership

WATERMASTER BOARD MEMBERS PRESENT ON CALL

Mike Gardner	Western Municipal Water District
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WATERMASTER STAFF PRESENT ON CALL

Peter Kavounas	General Manager
Joe Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. & Planning Dir.
Anna Nelson	Executive Services Director
Janine Wilson	Sr. Accountant
Frank Yoo	Data Services and Judgment Reporting Mgr.
Ruby Favela	Administrative Assistant

WATERMASTER CONSULTANTS PRESENT ON CALL

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Garrett Rapp	West Yost

NON-AGRICULTURAL POOL COMMITTEE LEGAL COUNSEL PRESENT ON CALL

Allen Hubsch	Loeb & Loeb, LLP
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OTHERS PRESENT

Pete Hall	Agricultural Pool – State of CA
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CALL TO ORDER

Chair Geye called the Non-Agricultural Pool Committee meeting to order at 11:10 a.m.

ROLL CALL

(0:00:22) 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 October 14, 2021

(0:02:30)

Motion by Mr. Christopher Quach, seconded by Ms. Kathleen Brundage. 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 September 2021
2. Watermaster VISA Check Detail for the month of September 2021
3. Combining Schedule for the Period July 1, 2021 through September 30, 2021
4. Treasurer's Report of Financial Affairs for the Period September 1, 2021 through September 30, 2021
5. Budget vs. Actual Report for the Period July 1, 2021 through September 30, 2021
6. Cash Disbursements for October 2021 (Information Only)

(0:03:07)

Motion by Mr. Christopher Quach, seconded by Ms. Kathleen Brundage. 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. ANNUAL FINDING OF SUBSTANTIAL COMPLIANCE WITH THE RECHARGE MASTER PLAN

Recommend to Advisory Committee to recommend to the Watermaster Board to adopt the finding that Watermaster is in substantial compliance with the Recharge Master Plan.

Motion by Mr. Christopher Quach, seconded by Ms. Kathleen Brundage. 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.

D. 2020/21 ANNUAL REPORT OF THE GROUND-LEVEL MONITORING COMMITTEE

Recommend to the Advisory Committee to recommend to the Watermaster Board to approve the 2020/21 Annual Report of the Ground-Level Monitoring Committee, along with filing a copy with the Court.

Motion by Mr. Christopher Quach, seconded by Ms. Kathleen Brundage. 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.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. CALENDAR YEAR 2022 NON-AGRICULTURAL POOL VOLUME VOTE (Page 203)

Receive and file the Calendar Year 2022 Overlying (Non-Agricultural) Pool Volume Vote as presented, subject to Watermaster Board approval of the 2021/22 Assessment Package at the November 18, 2021 meeting.

Motion by Mr. Christopher Quach, seconded by Ms. Kathleen Brundage. 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.E., and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings conditioned upon the approval of the Fiscal Year 2021/22 Assessment Package, and changes which they deem appropriate.

II. BUSINESS ITEMS

A. FISCAL YEAR 2021/22 SCOPE AND BUDGET FOR THE SAFE YIELD RESET METHODOLOGY UPDATE (DISCUSSION ONLY)

A discussion ensued.

B. FISCAL YEAR 2021/22 BUDGET AMENDMENT (FORM A-21-11-01)

Recommend to the Advisory Committee to approve the Fiscal Year 2021/22 Budget Amendment (Form A-21-11-01).

Motion by Vice-Chair Bob Bowcock, seconded by Mr. Christopher Quach. 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. Pool approval is conditioned on support for the item from the Appropriative Pool.

C. DRY YEAR YIELD PROGRAM (DISCUSSION ONLY)

Mr. Tellez Foster gave a report. A discussion ensued.

D. FISCAL YEAR 2021/22 ASSESSMENT PACKAGE

Review Fiscal Year 2021/22 Assessment Package as presented and offer advice to Watermaster.

Motion by Vice-Chair Bob Bowcock, seconded by Mr. Christopher Quach. 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 Pool representatives to support at the Advisory Committee and Watermaster Board meetings conditioned on City of Ontario (Non-Ag) being in agreement to move the item forward based on discussions to take place prior to the Advisory meeting. If Ontario is not in favor of supporting the item, the Pool requests it be returned to the Pool for further consideration.

E. RESOLUTION TO LEVY REPLENISHMENT AND ADMINISTRATIVE ASSESSMENTS FOR FISCAL YEAR 2021/22

Review Resolution 2021-05 as presented and offer advice to Watermaster.

Motion by Vice-Chair Bob Bowcock, seconded by Mr. Christopher Quach. 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.E., and to direct Pool representatives to support at the Advisory Committee and Watermaster Board meetings conditioned on City of Ontario (Non-Ag) being in agreement to move the item forward based on discussions to take place prior to the Advisory meeting. If Ontario is not in favor of supporting the item, the Pool requests it be returned to the Pool for further consideration.

F. 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.

Staff had no changes to note.

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino County Superior Court Emergency Order
2. November 5, 2021 Hearing

3. Rules & Regulations Update
4. Evergreen Storage Agreements
5. Kaiser Permanente Lawsuit

Mr. Herrema gave a report.

B. ENGINEER

1. Data Collection and Evaluation Workshop #1
2. Plan to Mitigate for Loss of Hydraulic Control
3. Responses to Storage Questions

Mr. Rapp gave a report.

C. CHIEF FINANCIAL OFFICER

1. Fiscal Year 2021/22 Assessment Invoicing

Mr. Joswiak gave a report.

D. GENERAL MANAGER

1. Personnel and Compensation Items
2. Chino Basin Sustainability Report (Page 328)
3. Watermaster's Holiday Charity Event
4. December Meetings
5. Other

Mr. Kavounas gave a report.

IV. POOL MEMBER COMMENTS

V. OTHER BUSINESS

VI. CONFIDENTIAL SESSION - POSSIBLE ACTION

A Confidential Session may be held during the Pool Committee meeting for the purpose of discussion and possible action.

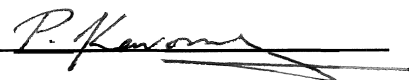
Chair Geye called for a Confidential Session at 12:02 p.m. to discuss the Exhibit G – Section 9 Transfer Rate. Confidential Session concluded at 12:12 p.m. with the following reportable action:

The Non-Ag Pool set the Exhibit G – Section 9 transfer rate at \$715.00/AF for the 2021-2022 transfer/sale cycle.

ADJOURNMENT

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

Secretary: _____



Approved: _____ January 13, 2022

*NOTE: This meeting was started late due to the Appropriative Pool meeting running long. As a result, the recording will only contain a partial record.