

MINUTES
CHINO BASIN WATERMASTER
NON-AGRICULTURAL POOL COMMITTEE MEETING
September 8, 2022

The Non-Agricultural Pool committee meeting was held at the Watermaster offices located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) on September 8, 2022.

NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Bob Bowcock, Vice-Chair	CalMat Co.
Christopher Quach	City of Ontario

NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Brian Geye, Chair	California Speedway Corporation
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WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

Mike Gardner	Western Municipal Water District
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WATERMASTER STAFF PRESENT AT WATERMASTER

Peter Kavounas	General Manager
Joe Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. & Planning Dir.
Anna Nelson	Director of Administration
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Janine Wilson	Senior Accountant
Denise Morales	Executive Assistant II/Board Clerk
Ruby Favela	Administrative Assistant
David Huynh	Sr. Field Operations Specialist
Alonso Jurado	Sr. Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Andy Malone	West Yost
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WATERMASTER CONSULTANTS PRESENT ON ZOOM

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

OTHERS PRESENT ON ZOOM

Natalie Avila	City of Chino
Alexis Mascarinas	City of Ontario
Tarren Alicia 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

(00:00:15) Ms. Morales 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 August 11, 2022

(00:02:32)

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 July 2022
2. Watermaster VISA Check Detail for the month of July 2022
3. Combining Schedule for the Period July 1, 2022 through July 31, 2022
4. Treasurer's Report of Financial Affairs for the Period July 1, 2022 through July 31, 2022
5. Budget vs. Actual Report for the Period July 1, 2022 through July 31, 2022
6. Cash Disbursements for August 2022 (Information Only)

(00:02:55)

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. OBMP SEMI-ANNUAL STATUS REPORT 2022-1

Recommend to the Advisory Committee to recommend to the Watermaster Board to adopt the Semi-Annual OBMP Status Report 2022-1, along with filing a copy with the Court, subject to any necessary non-substantive changes.

(00:03:44)

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 Items 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. SAFE YIELD RESET METHODOLOGY UPDATE

Provide advice and assistance.

(00:04:44) Mr. Kavounas prefaced the item and handed off to Mr. Rapp of West Yost who gave a presentation. A discussion ensued.

(00:22:55) Chair Geye stated that from a Pool perspective there would not be any specific advice and assistance at this point. No action was taken on this item.

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.

(0:24:16) Ms. Nelson reported a member change from December 2021 indicating that the primary representative for Monte Vista Water District changed from Mr. Justin Scott-Coe to Mr. Bill Schwartz effective January 2022. The Pool roster as uploaded to Watermaster's website was updated timely in January though staff missed providing the oral and written report. Mr. Schwartz is the Director of Engineering at Monte Vista Water District, and his email address is bschwartz@mvwd.org.

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino County Superior Court Emergency Order
2. September 30, 2022 Hearing
3. Motion Challenging Watermaster's Budget Action To Fund Unauthorized CEQA Review
4. Governor's Executive Order N-7-22
5. Kaiser Permanente Lawsuit
6. Rules and Regulations Update

(00:25:31) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER

1. Ground-Level Monitoring Committee Update

(00:30:03) Mr. Malone gave a report.

C. CHIEF FINANCIAL OFFICER

None

D. GENERAL MANAGER

1. 2020 OBMP
2. SNMP Presentation Date – October 27, 2022 at 9:30am
3. Workshop IV
4. Supplemental Water Flowchart
5. 2023 RMPU
6. Water Activity Reports
7. Other

(00:31:01) Mr. Kavounas reported on Item 1 and mentioned that pursuant to the Board's request 2 weeks ago, to explore the interest of the parties to the Judgment in Watermaster's facilitation of OBMP project level implementation, and that he is currently in the midst of doing so and will report back at a later date. Mr. Kavounas continued to report on Items 2-5 and Mr. Yoo reported on Item 6 and showed the committee how to navigate to the water activity reports section on the CBWM website. Mr. Kavounas then informed the committee that Watermaster has experienced an increase in workload for administrative staff in light of the uncertainty of payments and increasing litigation from some parties. As a result, he is contemplating additional resources to support the increased workload and will keep stakeholders apprised.

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.

None

ADJOURNMENT

Chair Geye adjourned the Non-Agricultural Pool Committee meeting at 11:42 a.m.

Secretary: 

Approved: October 13, 2022