

**MINUTES  
CHINO BASIN WATERMASTER  
NON-AGRICULTURAL POOL COMMITTEE MEETING**

November 10, 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 November 10, 2022.

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

Brian Geye, Chair California Speedway Corporation

**NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM**

Bob Bowcock, Vice-Chair CalMat Co.  
Kathleen Brundage California Steel Industries Inc.  
Alexis Mascarinas City of Ontario

**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
Alex Moore	Administrative Assistant
David Huynh	Sr. Field Operations Specialist
Alonso Jurado	Sr. Field Operations Specialist

**WATERMASTER CONSULTANTS PRESENT AT WATERMASTER**

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

**WATERMASTER CONSULTANTS PRESENT ON ZOOM**

Garrett Rapp West Yost

**OTHERS PRESENT ON ZOOM**

Tarren Alicia Torres Egoscue Law Group, Inc.

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

Allen Hubsch Law Office of Allen W. Hubsch

**CALL TO ORDER**

Chair Geye called the Non-Agricultural Pool committee meeting to order at 11:00 a.m.

**ROLL CALL**

(00:00:12) 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 October 13, 2022

(00:02:15)

*Motion by Ms. Alexis Mascarinas, 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 September 2022
2. Watermaster VISA Check Detail for the month of September 2022
3. Combining Schedule for the Period July 1, 2022 through September 30, 2022
4. Treasurer's Report of Financial Affairs for the Period September 1, 2022 through September 30, 2022
5. Budget vs. Actual Report for the Period July 1, 2022 through September 30, 2022
6. Cash Disbursements for October 2022 (Information Only)

(00:02:45)

*Motion by Ms. Alexis Mascarinas, 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.

(00:03:22)

*Motion by Ms. Alexis Mascarinas, 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 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.***

**D. 2021/22 ANNUAL REPORT OF THE GROUND-LEVEL MONITORING COMMITTEE**

Recommend to the Advisory Committee to recommend to the Watermaster Board to approve the 2021/22 Annual Report of the Ground-Level Monitoring Committee, and direct staff to file a copy with the Court.

(00:03:58)

*Motion by Ms. Alexis Mascarinas, 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 Items 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 2023 OVERLYING (NON-AGRICULTURAL) POOL COMMITTEE VOLUME VOTE**

Receive and file the Calendar Year 2023 Overlying (Non-Agricultural) Pool Volume Vote as presented, subject to Watermaster Board approval of the 2022/23 Assessment Package at the November 17, 2022 meeting.

(00:05:08)

*Motion by Ms. Alexis Mascarinas, 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.E., as presented.***

**II. BUSINESS ITEMS**

**A. FISCAL YEAR 2022-23 BUDGET AMENDMENT (A-22-11-01) PROPOSAL FOR ENGINEERING SERVICES FOR CHINO BASIN WATERMASTER TO DEVELOP A PLAN FOR RECHARGE PROJECTS**

Recommend Advisory Committee approval of the Budget Amendment (A-22-11-01) as presented.

(0:05:40) Mr. Kavounas gave a report. A discussion ensued.

(00:07:59)

*Motion by Ms. Alexis Mascarinas, 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 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. FISCAL YEAR 2022/23 BUDGET AMENDMENT (A-22-11-02) FOR TOM DODSON AND ASSOCIATES SERVICES**

Recommend Advisory Committee approval of the Budget Amendment (A-22-11-02) as presented.

(0:08:29) Mr. Kavounas gave a report. A discussion ensued.

(00:11:17)

*Motion by Ms. Kathleen Brundage, seconded by Vice-Chair Bob Bowcock. The motion was passed by majority vote of those present; the City of Ontario opposed.*

***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.***

**C. FISCAL YEAR 2022/23 ASSESSMENT PACKAGE**

Review Fiscal Year 2022/23 Assessment Package as presented and offer advice to Watermaster.

(0:14:45) Mr. Yoo gave a report. A discussion ensued. No action was taken on this item.

**D. RESOLUTION TO LEVY REPLENISHMENT AND ADMINISTRATIVE ASSESSMENTS FOR FISCAL YEAR 2022/23, BASED ON PRODUCTION YEAR 2021/22**

Review Resolution 2022-10 as presented and offer advice to Watermaster.

(0:23:56) Mr. Kavounas gave a report. A discussion ensued. No action was taken on this item.



**E. 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.

(00:25:19) Ms. Morales reported the following:

Watermaster received an email on October 17, 2022 from Mr. Angelo Simoes at Linde Inc. stating that he was no longer managing the Ontario Hydrogen Facility, and that Mr. Jose Galindo has replaced him as Watermaster's representative on the Non-Agricultural Pool Committee. Mr. Galindo's email address is [jose.a.galindo@linde.com](mailto:jose.a.galindo@linde.com). Presently, Linde has not assigned an alternate representative.

**III. REPORTS/UPDATES**

**A. WATERMASTER LEGAL COUNSEL**

1. November 3, 2022 Hearing
2. November 18, 2022 Hearing
3. December 16, 2022 Hearing
4. Kaiser Permanente Lawsuit
5. Rules and Regulations Update

(00:26:47) Mr. Herrema gave a report. A discussion ensued.

**B. ENGINEER**

1. Ground-Level Monitoring Committee
2. Safe Yield Court Order Implementation

(00:32:12) Mr. Malone gave a report. A discussion ensued.

(00:33:45) Mr. Rapp gave a report.

**C. CHIEF FINANCIAL OFFICER**

1. Fiscal Year 2022/23 Assessment Invoicing

(00:36:45) Mr. Joswiak gave a report. A discussion ensued.

**D. GENERAL MANAGER**

1. Status Report: 2020 OBMP
2. Board Workshop IV: December 5<sup>th</sup> at 8:30am
3. Watermaster Holiday Charity Event
4. December Meetings
5. Other

(0:38:37)

Mr. Kavounas reported on Item 1 stating that the project description was nearly complete and that it would be distributed next week, followed by a workshop two weeks after. Mr. Kavounas gave an update regarding the Board's direction to seek the services of an external facilitator for the OBMP Implementation Plan effort. He stated that he would be recommending Mr. Dave Ceppos (Director and Managing Senior Mediator of the Consensus and Collaboration Program (CCP), of California



State University, Sacramento) and would soon circulate his CV. After parties have had a chance to review Mr. Ceppos' CV and ask any questions, Mr. Ceppos would then be invited to Watermaster for a meet and greet session with the stakeholders. Mr. Kavounas reported on Item 2 and reminded the Pools of the upcoming Board workshop #4 on December 5<sup>th</sup>. Mr. Kavounas invited Ms. Morales to give a presentation on the Watermaster Holiday Charity (Little Heart Warriors). Mr. Kavounas mentioned that Watermaster would be dark in December and staff will stand ready to assist with any special meetings as requested.

**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.

1. Exhibit G – Section 9 Transfer Rate
2. Rules & Regulations Update

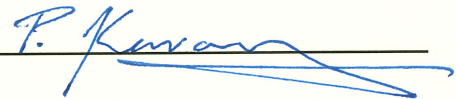
Chair Geye called for a Confidential Session at 11:48 a.m. to discuss the Exhibit G – Section 9 Transfer Rate. Confidential Session concluded at 12:26 p.m. with the following reportable action:

*The Non-Ag Pool set the Exhibit G – Section 9 transfer rate at \$727.00/AF for the 2022-2023 transfer/sale cycle.*

**ADJOURNMENT**

Chair Geye adjourned the Non-Agricultural Pool Committee meeting at 12:31 p.m.

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



Approved: \_\_\_\_\_ January 12, 2023