

MINUTES
CHINO BASIN WATERMASTER
ANNUAL NON-AGRICULTURAL POOL COMMITTEE MEETING

January 12, 2023

The Annual 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 January 12, 2023.

NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Brian Geye, Chair	California Speedway Corporation
Christopher Quach	City of Ontario
Justin Scott-Coe	Monte Vista Water District

NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Bob Bowcock, Vice-Chair	CalMat Co.
Kathleen Brundage	California Steel Industries Inc.

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.
Alexandria Moore	Executive Assistant I/Board Clerk
Ruby Favela	Administrative Analyst
Adaisel Rosales	Administrative Assistant
David Huynh	Sr. Field Operations Specialist
Alonso Jurado	Sr. Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Andy Malone	West Yost
-------------	-----------

WATERMASTER CONSULTANTS PRESENT ON ZOOM

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

OTHERS PRESENT ON ZOOM

Alexis Mascarinas	City of Ontario
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 Annual Non-Agricultural Pool committee meeting to order at 11:04 a.m.

ROLL CALL

(00:00:20) Ms. Moore conducted the roll call.

AGENDA – ADDITIONS/REORDER

None

I. ANNUAL ELECTIONS (ACTION)

- A.** Elect the following Calendar Year 2023 Officers of the Pool: Chair, Vice-Chair, Secretary, Treasurer, and Assistant Secretaries and Treasurers as may be appropriate.

Chair	<u>Brian Geye</u>
Vice-Chair	<u>Bob Bowcock</u>
Secretary	<u>Watermaster General Manager</u>
Treasurer	<u>Watermaster General Manager</u>

- B. Election of Calendar Year 2023 Advisory Committee Members**

According to the Non-Agricultural Pool Pooling Plan, the Pool shall designate at least three (3) members of the Pool Committee, and their alternates, to serve on the Advisory Committee.

Member: Brian Geye Alternate: Bob Bowcock

Member: Christopher Quach Alternate: Alexis Mascarinas

Member: Kathleen Brundage Alternate: Alma Heustis

- C. Calendar Year 2023 Non-Agricultural Pool Member Appointed to Serve as Advisory Committee Officer**

Appoint a designated representative to serve as an officer of the Advisory Committee during Calendar Year 2023. According to the rotation sequence established among the Pools, the Non-Agricultural Pool appointee will be filling the position of Chair.

Non-Agricultural Pool Officer (Chair) Appointment to the Advisory Committee:

Brian Geye

- D. Appointment of Calendar Year 2023 Non-Agricultural Pool Representation on Watermaster Board**

According to the Board rotation schedule filed with the Court in 2000 and updated on November 17, 2015, the Non-Agricultural Pool is to appoint one representative and alternate(s) to serve on the Board for the Calendar Year.

Member: Bob Bowcock Alternate(s): Brian Geye

(00:03:50)

Motion by Ms. Kathleen Brundage, 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 the Annual Elections (Items I.A. through I.D.) as shown above.

II. BUSINESS ITEMS - ROUTINE

A. MINUTES

Receive and file as presented:

- Minutes of the Non-Agricultural Pool Committee Meeting held January 12, 2023

(00:04:18)

Motion by Ms. Kathleen Brundage, 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 receive and file Business Item II.A. as presented.

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of October 2022
2. Watermaster VISA Check Detail for the month of October 2022
3. Combining Schedule for the Period July 1, 2022 through October 31, 2022
4. Treasurer's Report of Financial Affairs for the Period October 1, 2022 through October 31, 2022
5. Budget vs. Actual Report for the Period July 1, 2022 through October 31, 2022
6. Cash Disbursements for the month of November 2022
7. Watermaster VISA Check Detail for the month of November 2022
8. Combining Schedule for the Period July 1, 2022 through November 30, 2022
9. Treasurer's Report of Financial Affairs for the Period November 1, 2022 through November 30, 2022
10. Budget vs. Actual Report for the Period July 1, 2022 through November 30, 2022
11. Cash Disbursements for December 2022 (Information Only)

(00:04:40)

Motion by Ms. Kathleen Brundage, 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 receive and file Business Item II.B. without approval as presented.

C. CHINO BASIN WATERMASTER INVESTMENT POLICY

Recommend that the Advisory Committee recommends approval of Resolution 2023-01 – Resolution of the Chino Basin Watermaster, San Bernardino County, California, Re-Authorizing the Watermaster's Investment Policy.

(00:05:15)

Motion by Ms. Kathleen Brundage, 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 Items II.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. LOCAL AGENCY INVESTMENT FUND

Recommend that the Advisory Committee recommends approval of Resolution 2023-02 – Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF).

(00:05:53)

Motion by Ms. Kathleen Brundage, 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 Items II.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. CHINO BASIN WATERMASTER 45TH ANNUAL REPORT (FISCAL YEAR 2021/22)

Recommend to the Advisory Committee to recommend to the Watermaster Board to adopt the 45th Annual Report, along with filing a copy with the Court, subject to any necessary non-substantive changes.

(00:06:20)

Motion by Ms. Kathleen Brundage, 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 Items II.E., and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.

F. WATER TRANSACTION – CITY OF UPLAND TO FONTANA WATER COMPANY

Provide advice and assistance to the Advisory Committee on the proposed transaction:
The purchase of 10,000 acre-feet of water from City of Upland by Fontana Water Company. This purchase is made from City of Upland's Excess Carryover Account.

G. WATER TRANSACTION – CITY OF CHINO TO CUCAMONGA VALLEY WATER DISTRICT

Provide advice and assistance to the Advisory Committee on the proposed transaction:
The purchase of 7,500 acre-feet of water from City of Chino by Cucamonga Valley Water District. This purchase is made from City of Chino's Excess Carryover Account.

H. WATER TRANSACTION – CITY OF CHINO TO FONTANA WATER COMPANY

Provide advice and assistance to the Advisory Committee on the proposed transaction:
The purchase of 10,000 acre-feet of water from City of Chino by Fontana Water Company. This purchase is made from City of Chino's Excess Carryover Account.

(00:06:49)

Motion by Ms. Kathleen Brundage, 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 Items II.F. through II.H., and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.

III. BUSINESS ITEMS

A. OPTIMUM BASIN MANAGEMENT PROGRAM (OBMP) PROJECT DESCRIPTION TRANSMITTAL

Provide advice and assistance.

(00:07:30) Mr. Tellez Foster gave a report. A discussion ensued.

B. OPTIMUM BASIN MANAGEMENT PROGRAM (OBMP) IMPLEMENTATION PLAN UPDATE

Recommend to the Advisory Committee to recommend Watermaster Board approval of a purchase order for Mr. Ceppos' services.

(00:19:12) Mr. Kavounas gave a report.

The Pool unanimously gave direction to their representatives to support at Advisory Committee subject to changes they deem necessary, and to not oppose if their opposition would be the only opposition precluding Advisory Committee from reaching unanimous support.

C. MEMBER STATUS CHANGES (For Discussion and Possible Action)

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.

(00:40:45) Ms. Moore reported that Watermaster received an email on January 11, 2023 from Ms. Alyssa Jared with Space Center Mira Loma, Inc. indicating that she replaced Mr. Danny Kim as the new member on the Non-Agricultural Pool Committee. Ms. Jared's email is ajared@linklogistics.com. Watermaster received an email on January 12, 2023 indicating that Mr. Justin Scott-Coe will be the 2023 alternate representative for Monte Vista Water District replacing Ms. Stephanie Reimer. Watermaster also received a letter from the City of Ontario appointing Ms. Alexis Mascarinas to serve as the 2023 alternate representative replacing Ms. Courtney Jones.

IV. REPORTS/UPDATES

A. LEGAL COUNSEL

1. November 18, 2022 Hearing
2. December 16, 2022 Hearing
3. Court of Appeal Case No. E079052
4. City of Ontario Notice of Appeal of November 3, 2022 Ruling
5. Kaiser Permanente Lawsuit
6. Rules and Regulations Update

(00:41:42) Mr. Herrema gave a report on the above items and also reported on a scheduled hearing on January 20, 2023 to receive and file the Annual GLMC Report.

B. ENGINEER

1. Measurement and Reporting of Diversions for Water Year 2022
2. Ground-Level Monitoring Committee
3. Safe Yield Court Order Implementation
4. Ambient Water Quality

(00:48:46) Mr. Malone gave a report on items 1 and 2. Mr. Rapp gave a report on items 2 and 3.

C. CHIEF FINANCIAL OFFICER

1. FY 2022/23 Assessment Package Payments Status
2. Upcoming FY 2022/23 Mid-Year Review

(00:54:06) Mr. Joswiak gave a report. A discussion ensued.

D. GENERAL MANAGER

1. Exhibit "G" Physical Solution Transfers
2. Calendar Year 2023 Letters of CBWM Representation
3. Hearing Officer Panel
4. December 5, 2022 Board Workshop IV
5. 2022 Little Heart Warriors Fundraiser
6. Other

(00:57:04) Mr. Kavounas introduced Mr. Yoo to give a report on item 1, and Ms. Moore for item 2. He gave a report on item 3 indicating that staff will be recommending to the Board for the same five individuals as in 2022 to continue in 2023. Under item 4 he gave a recap of the December 5, 2022 Board Workshop and reminded the parties of the new Watermaster Orientation series beginning at 9:30 a.m. before every monthly Board meeting. Mr. Kavounas invited Ms. Moore to give an update on the 2022 Watermaster Annual Fundraiser (Little Heart Warriors), which was a huge success thanks to the Watermaster Stakeholders who supported. The \$10,000 goal was exceeded with a final tally of \$11,965 collected. With the recent storms, Mr. Kavounas announced that the Stormwater Recharge update will be brought to the Advisory Committee meeting.

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.

None

ADJOURNMENT

Chair Geye adjourned the Non-Agricultural Pool Committee meeting at 12:18 p.m.

Secretary: 

Approved: February 9, 2023