

MINUTES
CHINO BASIN WATERMASTER
NON-AGRICULTURAL POOL COMMITTEE MEETING
April 11, 2024

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 April 11, 2024.

NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Brian Geye, Chair	California Speedway Corporation
Bob Bowcock, Vice-Chair	CalMat Co.

NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Alexis Mascarinas	City of Ontario
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WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

Bill Velto	City of Upland
Mike Gardner	Western Water

WATERMASTER STAFF PRESENT AT WATERMASTER

Edgar Tellez Foster	Acting General Manager
Anna Nelson	Director of Administration
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Daniela Uriarte	Senior Accountant
Alexandria Moore	Executive Assistant I/Board Clerk
Alonso Jurado	Water Resources Associate
Ruby Favela	Administrative Assistant
Jordan Garcia	Senior Field Operations Specialist
Erik Vides	Field Operations Specialist
Rudy Nunez	Office Specialist/Receptionist

WATERMASTER CONSULTANTS PRESENT ON ZOOM

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Scott Nelsen	Eide Bailly, LLP

OTHERS PRESENT ON ZOOM

Michael Mayer	San Bernardino County - DPW
Peter Dopulos	Egoscue Law Group, Inc.
Lewis Callahan	State of CA

NON-AGRICULTURAL POOL LEGAL COUNSEL PRESENT ON ZOOM

Allen Hubsch	Law Office of Allen Hubsch
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CALL TO ORDER

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

ROLL CALL

(00:00:22) Ms. Moore conducted the roll call.

AGENDA – ADDITIONS/REORDER

(00:01:34) Mr. Tellez Foster suggested the Fiscal Year 2024/25 budget be presented as an informational item under Business Items.

I. BUSINESS ITEMS - ROUTINE

A. MINUTES

Receive and File:

Minutes of the Non-Agricultural Pool Committee Meeting held on March 14, 2024

(00:02:30)

Motion by Vice-Chair Bob Bowcock, seconded by Ms. Alexis Mascarinas. 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:

Monthly Financial Report for the Reporting Period Ended February 29, 2024

(00:02:53)

Motion by Vice-Chair Bob Bowcock, seconded by Ms. Alexis Mascarinas. 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: RECHARGE – FONTANA WATER COMPANY (MAR)

Recommend to the Advisory Committee to recommend to the Watermaster Board to approve Fontana Water Company's Application for Recharge and direct Watermaster staff to account for this supplemental water recharge in Fontana Water Company's existing Local Supplemental account.

(00:03:23)

Motion by Vice-Chair Bob Bowcock, seconded by Ms. Alexis Mascarinas. 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. 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.

B. FISCAL YEAR 2024/25 BUDGET PRESENTATION (INFORMATION ONLY)

(00:04:09) Mr. Tellez Foster and Ms. Uriarte gave a presentation. A discussion ensued.

III. **REPORTS/UPDATES**

A. WATERMASTER LEGAL COUNSEL

1. May 31, 2024 Court Hearing (Watermaster 46th Annual Report)
2. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
3. Court of Appeal Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021- 22 and 2022-23 Assessment Packages)
4. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
5. Kaiser Permanente Lawsuit

(00:40:53) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER

1. Data Collection and Evaluation
2. 2025 Safe Yield Reevaluation
3. Maximum Benefit Annual Report

(00:46:26) Mr. Tellez Foster gave a report on behalf of Mr. Rapp.

C. GENERAL MANAGER

1. SWP Allocation
2. Other

(00:48:16) Mr. Tellez Foster mentioned that the State Water Project allocation is increasing to 30%, and MWD may store more DYY water as a result. A discussion ensued.

IV. **INFORMATION**

1. 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.

The Pool convened into Confidential Session at 11:51 a.m. to discuss the following:

- Non-Agricultural Pool Legal & Administrative Budget for Fiscal Year 2024/25
- Storage Agreements

Confidential Session concluded at 12:05 p.m. with the following reportable actions:

1. *The Pool directs Watermaster to include an amount of \$25,000 for Non-Agricultural Pool Legal Services for the Fiscal Year 2024/25 Budget. The Pool directs Watermaster to include an amount of \$6,000 for Non-Agricultural Pool Meeting Compensation for the Fiscal Year 2024/25 Budget. The Pool also directs Watermaster to invoice the amount of \$31,000 for Pool Administrative*

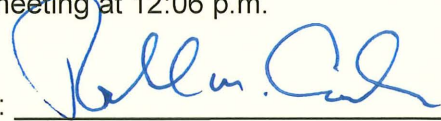
Expenses to the Non-Agricultural Pool based upon Non-Agricultural Pool Actual Fiscal Year 2023/24 Production, when assessment invoices are issued.

- The Pool Committee directed the Chair and Pool Counsel to file a Storage Agreement application on behalf of the Non-Agricultural Pool members.*

ADJOURNMENT

Chair Geye adjourned the Non-Agricultural Pool Committee meeting at 12:06 p.m.

Secretary: _____



Approved: _____ May 9, 2024 _____