

MINUTES
CHINO BASIN WATERMASTER
NON-AGRICULTURAL POOL MEETING

November 14, 2019

The Non-Agricultural Pool meeting was held at the offices of Chino Basin Watermaster located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via conference call using the Chino Basin Watermaster conference call number on November 14, 2019.

NON-AGRICULTURAL POOL MEMBERS PRESENT AT WATERMASTER

Brian Geye, Chair	California Speedway Corporation
Bob Bowcock, Vice-Chair	CalMat Co.
Shaun Stone	City of Ontario (Non-Ag)

NON-AGRICULTURAL POOL MEMBERS PRESENT ON CALL

Ramsey Haddad	California Steel Industries, Inc.
Andrew Silva	County of San Bernardino (Non-Ag)

WATERMASTER STAFF PRESENT AT WATERMASTER

Peter Kavounas	General Manager
Joseph Joswiak	Chief Financial Officer
Edgar Tellez Foster	Senior Environmental Engineer
Anna Nelson	Executive Services Director/Board Clerk
Justin Nakano	Water Resources Senior Associate
Frank Yoo	Water Resources Senior Associate
Camille Gregory	Administrative Assistant

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	Wildermuth Environmental, Inc.

OTHERS PRESENT AT WATERMASTER

Christopher Quach	City of Ontario (Non-Ag)
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NON-AGRICULTURAL POOL LEGAL COUNSEL PRESENT ON CALL

Allen Hubsch	Loeb & Loeb, LLP
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CALL TO ORDER

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

ROLL CALL

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 Meeting held October 10, 2019

(0:01:57) Motion introduced by Vice-Chair Bowcock. A discussion ensued.

(0:03:12) Vote Taken

Motion by Vice-Chair Bob Bowcock, seconded by Mr. Ramsey Haddad. The Chair called for dissent, and, none being noted, the motion was deemed passed by majority vote of those present.

Moved to receive and file Business Item I.A. as presented.

Abstention by Mr. Shaun Stone – City of Ontario (Non-Ag)

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of September 2019
2. Watermaster VISA Check Detail for the month of September 2019
3. Combining Schedule for the Period September 1, 2019 through September 30, 2019
4. Treasurer's Report of Financial Affairs for the Period September 1, 2019 through September 30, 2019
5. Budget vs. Actual Report for the Period September 1, 2019 through September 30, 2019

(0:03:28)

Motion by Vice-Chair Bob Bowcock, seconded by Mr. Shaun Stone. 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.

II. BUSINESS ITEMS

A. FISCAL YEAR 2019/20 ASSESSMENT PACKAGE

Recommend Advisory Committee approval of the Fiscal Year 2019/20 Assessment Package as presented, including the levying of assessments for production year 2018/19 Desalter Replenishment Obligation.

(0:03:49) Mr. Kavounas introduced Business Item II.A. and offered for Mr. Yoo to give a presentation. The Pool declined the presentation. A discussion ensued.

(0:06:14)

Motion by Mr. Shaun Stone, seconded by Mr. Andrew Silva. 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. RESOLUTION TO LEVY REPLENISHMENT AND ADMINISTRATIVE ASSESSMENTS FOR FISCAL YEAR 2019/20

Review Resolution 2019-06 as presented, and offer advice to Watermaster.

(0:06:45) Mr. Kavounas gave a report. A discussion ensued. The Committee did not offer any advice.

C. 2018/19 ANNUAL REPORT OF THE GROUND-LEVEL MONITORING COMMITTEE

Recommend to the Advisory Committee to recommend to the Watermaster Board to approve the 2018/19 Annual Report of the Ground-Level Monitoring Committee, along with filing a copy with the Court.

(0:07:50) Mr. Kavounas introduced Business Item II.C. and offered for Mr. Malone to give a presentation. The Pool declined the presentation.

(0:09:17)

Motion by Mr. Shaun Stone, seconded by Mr. Ramsey Haddad. 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.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. CALENDAR YEAR 2020 NON-AGRICULTURAL POOL VOLUME VOTE

Approve the Calendar Year 2020 Non-Agricultural Pool Volume Vote as presented subject to Advisory Committee and Board approval of the 2019/20 Assessment Package at the November 21, 2019 meetings.

(0:10:00) Ms. Nelson gave a report. The Pool requested that in future years, and since the Volume Vote requires consent and not a vote, the Pool will take this item under Business Items Routine in future years. A discussion ensued.

(0:15:04)

Motion by Mr. Shaun Stone, 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 request Watermaster staff update the Pool volume vote spreadsheet for 2020 to reflect the latest calculations per Section 2.09 of the Non-Agricultural Pool Rules and Regulations.

E. MEMBER STATUS CHANGES (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.
 - The transfer of 954.5 acre-feet of Permanent Safe Yield Rights, 954.5 acre-feet of Fiscal Year 2019-20 Annual Carryover, and 2,790.2 acre-feet of Excess Carryover from GenOn California South, LP (formerly NRG California South, LP) to the City of Ontario (Non-Ag) was completed and approved on October 24, 2019.
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.
 - On October 25, 2019, Mr. Scott Burton, General Manager – Utilities, representing the City of Ontario, notified Watermaster that the City of Ontario (Non-Ag) representative has changed to Mr. Shaun Stone (sstone@ontarioca.gov) and alternates are Mr. Christopher Quach and Ms. Jeanina Romero whose email addresses remain unchanged.

(0:15:28) Ms. Nelson reminded the Pool that the transfer of 954.5 acre-feet of Permanent Safe Yield Rights, 954.5 acre-feet of Fiscal Year 2019-20 Annual Carryover, and 2,790.2 acre-feet of Excess Carryover from GenOn California South, LP (formerly NRG California South, LP) to the City of Ontario (Non-Ag) was completed and approved on October 24, 2019 as shown in Item II.E.2. Ms. Nelson announced that on October 25, 2019, Mr. Scott Burton, General Manager – Utilities, representing the City of Ontario, notified Watermaster that the City of Ontario (Non-Ag) representative has changed to Mr. Shaun Stone (sstone@ontarioca.gov) and alternates are Mr. Christopher Quach and Ms. Jeanina Romero whose email addresses remain unchanged as shown in Item II.E.4.

III. REPORTS/UPDATES

A. LEGAL COUNSEL REPORT

1. December 13, 2019 Court Hearing

(0:17:10) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER REPORT

1. Safe Yield Reset
2. Request for MS4 Data/Information

(0:19:20) Mr. Malone gave a report.

C. CFO REPORT

1. Status of Revised 2014-15 through 2018-19 Assessment Packages – Assessment Changes and DRO Assessments
2. Fiscal Year 2019/20 Assessment Invoicing

(0:21:19) Mr. Joswiak gave a report.

D. GM REPORT

1. Status report: OBMP Update
2. Status report: Storage Management Plan
3. AP Volume Vote
4. Other

(0:23:09) Mr. Kavounas introduced Item III.D.1. and offered for Mr. Tellez Foster to give a presentation which the Pool declined to receive. Mr. Kavounas continued to give a report on Items III.D.2. and III.D.3., and he introduced Ms. Gregory to give a report on the Shoes That Fit charity. Lastly, Mr. Kavounas announced Mr. Poulsen's farewell party at the Old Stump Brewery in Pomona on November 21, 2019 at 5:30 p.m. A discussion ensued.

IV. INFORMATION

1. Cash Disbursements for October 2019

V. POOL MEMBER COMMENTS

None

VI. OTHER BUSINESS

None

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

Chair Geye called for a confidential session at 11:31 a.m. to discuss Pool Rules and Regulation – Section 2.13 Compensation, Exhibit G – Section 9 Transfer Rate and Storage Management. Confidential Session concluded at 12:10 p.m. with the following reportable actions:

(0:30:07) As submitted by Chair Geye via email:

1. The NAP approved a resolution regarding compensation (attached).
2. The NAP set the Exhibit G – Section 9 transfer rate at \$675/AF for the 2019-2020 transfer/sale cycle.
3. Direct Pool chair to provide Storage Management Plan comments to Watermaster staff.

ADJOURNMENT

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

Secretary: _____

Approved: December 12, 2019

Attachment: Resolution re Compensation for Attendance