

**MINUTES
CHINO BASIN WATERMASTER
APPROPRIATIVE POOL COMMITTEE MEETING**

August 10, 2023

The Appropriative Pool Committee meeting was held at the Chino Basin Watermaster offices located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) on August 10, 2023.

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Chris Diggs, Chair	City of Pomona
Chris Berch, Vice-Chair	Jurupa Community Services District
Courtney Jones	City of Ontario
Amanda Coker	Cucamonga Valley Water District
Dave Crosley	City of Chino
Marty Zvirbulis	Fontana Union Water Company
Cris Fealy	Fontana Water Company
Justin Scott-Coe	Monte Vista Irrigation Company
Justin Scott-Coe	Monte Vista Water District
Marty Zvirbulis	Nicholson Family Trust

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Ron Craig	City of Chino Hills
Braden Yu	City of Upland
Ben Lewis	Golden State Water Company
John Lopez	Santa Ana River Water Company
Braden Yu	West End Consolidated Water Company

APPROPRIATIVE POOL COMMITTEE LEGAL COUNSEL PRESENT ON ZOOM

John Schatz	John J. Schatz, Attorney at Law
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WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

Manny Martinez	Monte Vista Water District
Mike Gardner	Western Municipal Water District
Bob Kuhn	Three Valleys Municipal Water District

WATERMASTER STAFF PRESENT

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 Quintero	Administrative Analyst
Kelli Hills	Office Specialist/Receptionist
Alonso Jurado	Water Resources Associate

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
Sodavy Ou	West Yost
Garrett Rapp	West Yost
Lauren Sather	West Yost

OTHERS PRESENT AT WATERMASTER

Alexis Mascarinas
Melissa Cansino
Eduardo Espinoza
Eric Grubb
Joel Ignacio
Bryan Smith

City of Ontario
City of Pomona
Cucamonga Valley Water District
Cucamonga Valley Water District
Inland Empire Utilities Agency
Jurupa Community Services District

OTHERS PRESENT ON ZOOM

Natalie Avila
Rob Hills
Ben Roden
Peter Dopulos
Derek Hoffman
Oscar Ramos
Christiana Daisy
Michael Hurley
Eddie Lin
John Russ
Jimmy Medrano
Sylvie Lee
Joshua Aguilar
Ryan Shaw

City of Chino
Cucamonga Valley Water District
Cucamonga Valley Water District
Egoscue Law Group, Inc.
Fennemore Law
Fontana Union Water District
Inland Empire Utilities Agency
Inland Empire Utilities Agency
Inland Empire Utilities Agency
Inland Empire Utilities Agency
State of CA – CDCR
Three Valleys Municipal Water District
Western Municipal Water District
Western Municipal Water District

CALL TO ORDER

Chair Diggs called the Appropriative Pool Committee meeting to order at 9:00 a.m.

ROLL CALL

(0:00:13) Ms. Moore conducted the roll call and announced that a quorum was present.

AGENDA - ADDITIONS/REORDER

None

I. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and non-controversial and will be acted upon by one motion in the form listed below. There will be no separate discussion on these items prior to voting unless any members, staff, or the public requests specific items be discussed and/or removed from the Consent Calendar for separate action.

A. MINUTES

Approve as presented:

1. Minutes of the Appropriative Pool Committee Meeting held on June 8, 2023
2. Minutes of the Appropriative Pool Committee Special Meeting held on June 15, 2023
3. Minutes of the Appropriative Pool Committee Special Meeting held on June 29, 2023
4. Minutes of the Appropriative Pool Committee Special Meeting held on July 13, 2023

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of May 2023
2. Watermaster VISA Check Detail for the month of May 2023
3. Combining Schedule for the Period July 1, 2022 through May 31, 2023
4. Treasurer's Report of Financial Affairs for the Period May 1, 2023 through May 31, 2023
5. Budget vs. Actual Report for the Period July 1, 2022 through May 31, 2023

6. Cash Disbursements for the month of June 2023
7. Watermaster VISA Check Detail for the month of June 2023
8. Combining Schedule for the Period July 1, 2022 through June 30, 2023
9. Treasurer's Report of Financial Affairs for the Period June 1, 2023 through June 30, 2023
10. Budget vs. Actual Report for the Period July 1, 2022 through June 30, 2023
11. Cash Disbursements for July 2023 (Information Only)

C. APPLICATION: WATER TRANSACTION – CITY OF UPLAND TO GOLDEN STATE WATER COMPANY

Provide advice and assistance to the Advisory Committee on the proposed transaction.

D. APPLICATION: WATER TRANSACTION – WEST END CONSOLIDATED WATER COMPANY TO GOLDEN STATE WATER COMPANY

Provide advice and assistance to the Advisory Committee on the proposed transaction.

(0:02:33) *Motion by Ms. Amanda Coker, seconded by Mr. Cris Fealy, there being no dissent, the item passed unanimously.*

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

A. WATERMASTER AMENDED AND RESTATED LEASE AGREEMENT

Provide advice and assistance.

(0:02:59) Ms. Nelson gave a report. A discussion ensued.

III. REPORTS/UPDATES

A. WATERMASTER LEGAL COUNSEL

1. August 4, 2023 Hearing (City of Ontario Motion re 2022-23 Assessment Package; Court Tour of Chino Basin)
2. Court Tour of Chino Basin
3. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
4. Court of Appeal Case No. E080457 (City of Ontario appeal re 2021-22 Assessment Package)
5. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
6. Kaiser Permanente Lawsuit

(0:09:01) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER

1. 2025 Safe Yield Reevaluation
2. Board-Requested Recharge Project Analysis
3. Ground-Level Monitoring Committee
4. 2022 State of the Basin Report

(0:16:32) Mr. Rapp gave a report on items 1 and 2, Mr. Malone gave a report on item 3 and invited Ms. Sather and Ms. Ou to give a presentation on item 4. A discussion ensued.

C. CHIEF FINANCIAL OFFICER

None

D. GENERAL MANAGER

1. Long Term Planning Efforts
2. Other

(0:44:30) Mr. Kavounas gave a presentation on item 1, he explained the long term planning efforts is to capture the next three years for non-routine meetings that require active engagement from all stakeholders. A discussion ensued. He invited Mr. Ignacio of IEUA to give a report on proposed changes to the RMPU Project 23a indicating that work will need to proceed in September and the item will be brought to the Advisory Committee next week for direction.

IV. POOL MEMBER COMMENTS

(1:26:30) Ms. Jones stated that Mr. Quach is no longer with City of Ontario and introduced Ms. Alexis Mascarinas who will serve.

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.

(1:27:01) The Pool convened into confidential session at 10:30 a.m. to discuss the following:

1. Egoscue Law Group Invoice #14028 dated July 5, 2023 in the amount of \$12,887.50 for services performed during June 2023.
2. Egoscue Law Group Invoice #14040 dated August 1, 2023 in the amount of \$3,300.00 for services performed during July 2023.

(1:27:19) Confidential session concluded at 11:05 a.m. with the reportable action as shown below:

Motion: To approve AG legal bill as follows:

\$12,887.50 for general counsel – July 2023 Invoice (June billing)

\$3,300.00 for general counsel – August 2023 Invoice (July billing)

Motion by Chris Diggs, Pomona, and Second by Martin Zvirbulis, SGVW

Passed (62.398% yes)

ADJOURNMENT

Chair Diggs adjourned the Appropriative Pool Committee meeting at 11:06 a.m.

Secretary: 

Approved: September 14, 2023

Attachments:

1. 20230810 Appropriative Pool Committee Meeting (Reportable Action from Confidential Session as provided by Pool Leadership)

ATTACHMENT 1


From: [Cansino, Melissa](#)
To: [Alexandria Moore](#)
Cc: [Diggs, Chris](#); [Anna Nelson](#)
Subject: RE: August 10, 2023 AP Closed Session Reportable Action
Date: Thursday, August 10, 2023 3:11:21 PM
Attachments: [sign-in sheet 8-10-23 .pdf](#)
[Zoom meeting attendance 8-10-23.txt](#)

Hello Alex,

I would like to extend my apologies for the misunderstanding that occurred. It was entirely my error, as I mistakenly interpreted your question as an inquiry about the ongoing closed session status of the AP members.

Motion: To approve AG legal bill as follows:
 \$12,887.50 for general counsel - July 2023 Invoice (June billing)
 \$3,300.00 for general counsel - August 2023 Invoice (July billing)

Motion by Chris Diggs, Pomona, and Second by Martin Zvirbulis, SGVW
Passed (62.398% yes)



2023 APPROPRIATIVE POOL VOLUME VOTE
Assessment Year 2022-2023 (Production Year 2021-2022)

QUORUM MET?
YES

Enter Y or N in Each Cell

Party	Present (Y/N)	Vote (Y/N)	Assigned	Avail Votes	Quorum	Total Yes
BlueTreon Brands, Inc.	N		1,668	0,000	0,000	0,000
CalMat Co. (Appropriatives)	N		0,000	0,000	0,000	0,000
Chino Hills, City Of	Y	Y	36,689	36,689	36,689	36,689
Chino, City Of	Y	N	57,077	57,077	57,077	0,000
Cucamonga Valley Water District	Y	Y	95,130	95,130	95,130	95,130
Fontana Union Water Company	Y	Y	58,285	58,285	58,285	58,285
Fontana Water Company	Y	Y	75,523	75,523	75,523	75,523
Fontana, City Of	N		0,000	0,000	0,000	0,000
Golden State Water Company	Y	Y	10,820	10,820	10,820	10,820
Jurupa Community Services District	Y	Y	95,731	95,731	95,731	95,731
Marygold Mutual Water Company	N		12,236	0,000	0,000	0,000
Monte Vista Irrigation Company	Y	N	6,170	6,170	6,170	0,000
Monte Vista Water District	Y	N	90,372	90,372	90,372	0,000
NCL Co, LLC	N		0,000	0,000	0,000	0,000
Niagara Bottling, LLC	N		11,167	0,000	0,000	0,000
Nicholson Family Trust	Y	Y	0,035	0,035	0,035	0,035
Norco, City Of	N		1,840	0,000	0,000	0,000
Ontario, City Of	Y	N	199,137	199,137	199,137	0,000
Pomona, City Of	Y	Y	169,803	169,803	169,803	169,803
San Antonio Water Company	N		16,409	0,000	0,000	0,000
San Bernardino, County of (Shooting Park)	N		0,131	0,000	0,000	0,000
Santa Ana River Water Company	N		12,549	0,000	0,000	0,000
Upland, City Of	Y	Y	34,713	34,713	34,713	34,713
West End Consolidated Water Co	Y	Y	8,640	8,640	8,640	8,640
West Valley Water District	N		5,875	0,000	0,000	0,000
			1,000,000	938,124	938,124	585,369

CALCULATE QUORUM

CALCULATE VOTES

YES' VOTES
62.398%

NO' VOTES
37.602%

PASSED

RESET ALL

RESET VOTES

Thank you,
 Melissa Cansino
 City of Pomona ~ Water Resources Department
 (909) 620-2236
Melissa.Cansino@pomona.gov

From: Alexandria Moore <amoore@cbwm.org>
Sent: Thursday, August 10, 2023 11:54 AM
To: Cansino, Melissa <Melissa.Cansino@pomona.gov>
Cc: Diggs, Chris <Chris.Diggs@pomona.gov>; Anna Nelson <atruongnelson@cbwm.org>

Subject: August 10, 2023 AP Closed Session Reportable Action

Importance: High

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Hi Melissa,

I apologize for the misunderstanding this morning, can you please send me the reportable action from today's confidential session at your earliest convenience.

Best regards,
Alex

Alexandria Moore

Executive Assistant I/Board Clerk
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

Office: 909.484.3888

Fax: 909.484.3890

Web: www.cbwm.org



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