

MINUTES
CHINO BASIN WATERMASTER
APPROPRIATIVE POOL COMMITTEE MEETING
October 12, 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 October 12, 2023.

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Chris Berch, Vice-Chair	Jurupa Community Services District
Amanda Coker	Cucamonga Valley Water District
Ron Craig	City of Chino Hills
Oscar Ramos for 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
Oscar Ramos for Marty Zvirbulis	Nicholson Family Trust
Brian Lee	San Antonio Water Company

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Dave Crosley	City of Chino
Courtney Jones	City of Ontario
Nicole deMoet for Braden Yu	City of Upland
Ben Lewis	Golden State Water Company
John Lopez	Santa Ana River Water Company
Nicole deMoet for 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

Jim Curatalo	Appropriative Pool – Minor Representative
Manny Martinez	Monte Vista Water District
Mike Gardner	Western Municipal Water District

WATERMASTER STAFF PRESENT

Peter Kavounas	General Manager
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
Jordan Garcia	Senior Field Operations Specialist
Erik Vides	Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Laura Yraceburu	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	West Yost

WATERMASTER CONSULTANTS PRESENT ON ZOOM

Garrett Rapp	West Yost
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OTHERS PRESENT AT WATERMASTER

Melissa Cansino
Jiwon Seung
Bryan Smith

City of Pomona
Cucamonga Valley Water District
Jurupa Community Services District

OTHERS PRESENT ON ZOOM

Marilyn Levin
Tom O'Neill
Natalie Avila
Eduardo Espinoza
Peter Dopulos
Shawnda Grady
Derek Hoffman
Jesse Pompa
Kevin O'Toole
Bill Wyatt
David De Jesus
Mallory Gandara

Agricultural Pool – State of CA
Chino Basin Desalter Authority
City of Chino
Cucamonga Valley Water District
Egoscue Law Group, Inc.
Ellison, Schneider, & Harris, LLP
Fennemore Law
Jurupa Community Services District
Orange County Water District
Sheppard, Mullin, Richter & Hampton
Three Valleys Municipal Water District
Western Municipal Water District

CALL TO ORDER

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

ROLL CALL

(0:00:14) 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:
Minutes of the Appropriative Pool Committee Meeting held on September 14, 2023

B. FINANCIAL REPORTS

Receive and file as presented:
Monthly Financial Reports for the Reporting Periods Ended July 31, 2023 and August 31, 2023.

C. APPLICATION: RECHARGE – FONTANA WATER COMPANY

Recommend to the Advisory Committee to recommend to the Board to approve Fontana Water Company's application for Recharge and Direct Watermaster staff to account for the same.

(0:02:31)

Motion by Ms. Amanda Coker, seconded by Mr. Justin Scott-Coe, there being no dissent, the item passed unanimously.

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

None

III. REPORTS/UPDATES

A. WATERMASTER LEGAL COUNSEL

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

(0:03:04) Ms. Yraceburu gave a report on behalf of Mr. Herrema.

B. ENGINEER

1. GLMC Update
2. Long Term Planning Activities
3. Mitigation Plan for the Temporary Loss of Hydraulic Control
4. Annual Streamflow Monitoring Report for Water Rights Permit 21225
5. Watermaster Model Application and Required Demonstrations
6. Annual Plumes Status Report

(0:07:00) Mr. Malone gave a report on items 1 and 6, Mr. Rapp gave a report on item 2 and 4, and Mr. Tellez Foster on item 3. A discussion ensued.

C. GENERAL MANAGER

1. Court Tour of Chino Basin
2. OBMPU CEQA Process
3. Fiscal Year 2023/24 Assessment Package
4. Other

(0:36:55) Mr. Kavounas gave an overview of the Chino Basin Tour with Judge Ochoa and stated the recording and transcripts are available on Watermaster website. Mr. Kavounas introduced Mr. Tellez Foster to give a report on item 2. On item 3, Mr. Kavounas reminded everyone of the upcoming Fiscal Year 2023/24 Assessment Package workshops.

IV. POOL MEMBER COMMENTS

(0:42:02) Vice-Chair Berch mentioned the WMWD and MWD RFP for Storage and Recovery Program, and that they are looking for proposals in the next few months to see how parties might collaborate.

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.

The Pool convened into confidential session at 10:10 a.m. to discuss the following AP Business.

(1:09:19) Confidential session concluded at 11:26 a.m. with the reportable action as shown below:

1. *Motion: To approve AG legal bill as follows:
\$10,950.00 for general counsel – October 2023 Invoice (September billing)
**Motion made by Amanda Coker, (CVWD), and seconded by Cris Fealy, (FWC):
Passed with 63.111% volume votes in favor.***

ADJOURNMENT

Vice-Chair Berch adjourned the Appropriative Pool Committee meeting at 10:04 a.m.

Secretary: _____ 

Approved: _____ November 9, 2023

Attachment:

1. 20231012 Appropriative Pool Committee Meeting (Reportable Action from Confidential Session as provided by Pool Leadership)

From: [Cansino, Melissa](#)
 To: [Alexandria Moore](#)
 Cc: [Chris Berch; Diggs, Chris; Anna Nelson](#)
 Subject: October 12, 2023 AP Closed Session Reportable Action- Motion to approve AG legal bill Oct. 2023
 Date: Thursday, October 12, 2023 10:59:47 AM

Hello Alex,


I'm reaching out to let you know that the AP held a closed session meeting today from 9:50 am to 10:10 am. I realized I forgot to retrieve the sign-in sheet for your records. Can you please check if it's still at the location where the AP closed session was held?

During the meeting, a motion was made and approved as follows:

Motion: To approve AG legal bill as follows:

- \$10,950.00 for general counsel - October 2023 Invoice (September billing)

Amanda Coker, representing CVWD, moved the motion, which was seconded by Cris Fealy, representing Fontana Water. The motion passed with a 63.111% affirmative vote.



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
BlueTrizon Brands, Inc.	N		1.668	0.000	0.000	0.000
CalMat Co. (Appropriative)	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	N		10.820	0.000	0.000	0.000
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	Y	Y	16.409	16.409	16.409	16.409
San Bernardino, County of (Shooting Park)	N		0.131	0.000	0.000	0.000
Santa Ana River Water Company	Y	Y	12.549	12.549	12.549	12.549
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
TOTAL			1,000.000	956.262	956.262	603.507

CALCULATE QUORUM

CALCULATE VOTES

YES VOTES
63.111%

NO VOTES
36.889%

RESET ALL **RESET VOTES**

PASSED

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