

MINUTES
CHINO BASIN WATERMASTER
ANNUAL APPROPRIATIVE POOL COMMITTEE MEETING
January 11, 2024

The annual Appropriative 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 11, 2024.

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Chris Diggs, Chair	City of Pomona
Chris Berch, Vice-Chair	Jurupa Community Services District
Amanda Coker	Cucamonga Valley Water District
Dave Crosley	City of Ontario
Ron Craig	City of Chino Hills
Courtney Jones	City of Ontario
Marty Zvirbulis	Fontana Union Water Company
Cris Fealy	Fontana Water Company
Marty Zvirbulis	Nicholson Family Trust

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Braden Yu	City of Upland
Justin Scott-Coe	Monte Vista Irrigation Company
Justin Scott-Coe	Monte Vista Water District
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

Jim Curatalo	Cucamonga Valley Water District
Mike Gardner	Western Municipal Water District
Bob Kuhn	Three Valleys Municipal Water District

WATERMASTER STAFF PRESENT

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.
Alexandria Moore	Executive Assistant I/Board Clerk
Daniela Uriarte	Senior Accountant
Ruby Favela Quintero	Administrative Assistant
Rudy Nunez	Office Specialist/Receptionist
Alonso Jurado	Water Resources Associate
Jordan Garcia	Senior Field Operations Specialist
Erik Vides	Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Andy Malone	West Yost
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WATERMASTER CONSULTANTS PRESENT ON ZOOM

Laura Yraceburu for Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Garrett Rapp	West Yost
Scott Nelsen	Eide Bailly, LLP

OTHERS PRESENT AT WATERMASTER

Chad Nishida	City of Ontario
Hye Jin Lee	City of Chino
Melissa Cansino	City of Pomona
Jimmie Moffatt	Cucamonga Valley Water District
Oscar Ramos	Fontana Union Water Company
Oscar Ramos	Fontana Water Company
Bryan Smith	Jurupa Community Services District
Jesse Pompa	Jurupa Community Services District
Oscar Ramos	Nicholson Family Trust
Sylvie Lee	Three Valleys Municipal Water District

OTHERS PRESENT ON ZOOM

Nicole deMoet	City of Upland
Eduardo Espinoza	Cucamonga Valley Water District
Mark Gibboney	Cucamonga Valley Water District
Rob Hills	Cucamonga Valley Water District
Peter Dopulos	Egoscue Law Group, Inc.
John Russ	Inland Empire Utilities Agency
Derek Hoffman	Fennemore Law
Kevin O'Toole	Orange County Water District
Imelda Cadigal	State of California – CDCR
Lewis Callahan	State of California – CDCR
Diana Frederick	State of California – CDCR
Jimmy Medrano	State of California – CDCR
Marilyn Levin	State of California – DOJ
David De Jesus	Three Valleys Municipal Water District
Mathew Litchfield	Three Valleys Municipal Water District
Joshua Aguilar	Western Municipal Water District

CALL TO ORDER

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

ROLL CALL

(0:00:20) Ms. Moore conducted the roll call and announced that a quorum was present.

AGENDA – ADDITIONS/REORDER

None

I. ANNUAL ELECTIONS (ACTION)

- A.** Elect the Secretary, Treasurer, and Assistant Secretaries and Treasurers as may be appropriate.

The 2024 Chair and Vice-Chair seats were voted on by the Appropriative Pool Committee on November 9, 2023 as shown below.

Motion: A motion was proposed to approve Chris Diggs, (Pomona) as Chair for 2024 and Chris Berch, (JCSD) as Vice-Chair.

D. Calendar Year 2024 Appropriative Pool Representation on the Watermaster Board (Information Only)

According to the Board rotation schedule filed with the Court in 2000 and updated on November 17, 2015, the Appropriators listed below will have a seat on the Watermaster Board as follows:

For Calendar Year 2024 and 2025 Cucamonga Valley Water District has appointed the following:

Member: Jim Curatalo
Alternate: Jimmie Moffatt

For Calendar Year 2024 and 2025 the City of Upland has appointed the following:

Member: Mr. Bill Velto
Alternate: Ms. Kati Parker

For Calendar Year 2024 the City of Ontario has appointed the following:

Member: Mr. Scott Burton
Alternate: Ms. Debra Dorst-Porada

II. CONSENT CALENDAR

A. MINUTES

Approve as presented:
Minutes of the Appropriative Pool Committee Meeting held November 9, 2023

A. FINANCIAL REPORTS

Receive and file as presented:
Monthly Financial Reports for the Reporting Periods Ended October and November 2023

B. CHINO BASIN WATERMASTER 2024 INVESTMENT POLICY – RESOLUTION NO. 2024-01

Provide advice and assistance on the Watermaster investment policy and corresponding Resolution 2024-01.

C. 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).

D. CHINO BASIN WATERMASTER 46TH ANNUAL REPORT (FISCAL YEAR 2022/23)

Recommend to the Advisory Committee to recommend to the Watermaster Board to adopt the 46th Annual Report, along with filing a copy with the Court, subject to any necessary non-substantive changes.

E. APPLICATION: WATER TRANSACTION – CITY OF ONTARIO TO CUCAMONGA VALLEY WATER DISTRICT

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

F. APPLICATION: RECHARGE – CITY OF POMONA

Recommend to the Advisory Committee to recommend to the Board to approve The City of Pomona's application for recharge and direct staff to account for the same.

(0:10:11)

Motion by Mr. Ron Craig, seconded by Ms. Courtney Jones, there being no dissent, the item passed unanimously.

Moved to approve the Consent Calendar as presented.

III. BUSINESS ITEMS

None

IV. REPORTS/UPDATES

A. LEGAL COUNSEL

1. December 1, 2023 Court Hearing (OBMP Semi-Annual Status Report and 2023 Recharge Master Plan Update)
2. February 2, 2024 Court Hearing (Watermaster Board Reappointment and GLMP Annual Report)
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 Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021- 22 and 2022-23 Assessment Packages)
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

(0:10:50) Ms. Yraceburu gave a report on behalf of Mr. Herrema. A discussion ensued.

B. ENGINEER

1. Safe Yield Court Order Implementation
2. Storage and Recovery Master Plan
3. Water Quality Committee
4. Updated Schedules on Watermaster Website

(00:16:16) Mr. Rapp gave a report on items 1 and 2. Mr. Malone gave a report on items 2 and 3.

D. GENERAL MANAGER

1. Fiscal Year 2023/24 Exhibit "G" Physical Solution Transfers
2. Calendar Year 2024 Letters of CBWM Representation
3. Calendar Year 2024 Hearing Officer Panel
4. DYY Deliveries
5. OBMP Update CEQA
6. Other

(00:20:44) Mr. Tellez Foster introduced Mr. Yoo to give a report on item 1, and Ms. Moore for items 2 and 3. Under item 4, he gave an update indicating that DYY deliveries will stop in January. On item 5, he mentioned that IEUA has received all comments for the OBMP Update CEQA, and the IEUA Board will bring this item for certification in February. He reported that Watermaster has discontinued its fax line as a cost savings due to low usage.

V. POOL MEMBER COMMENTS

(0:27:15) Ms. Courtney Jones introduced Mr. Chad Nishida as City of Ontario's new Water Resources Manager replacing Mr. Christopher Quach.

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 9:28 a.m. to discuss AP Business.

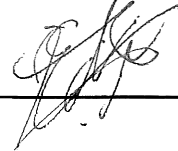
(0:27:52) Confidential session concluded at 9:46 a.m. with the reportable actions as shown below:

1. *Motion: To approve AG legal bill as follows:
\$21,400.00 for general counsel – December 2023 Invoice (Nov. 2023 billing)
**Motion made by Marty Zvirbulis, (FUWC), and seconded by Cris Fealy, (FWC):
Passed with 63.180% volume votes in favor.***

ADJOURNMENT

Chair Diggs adjourned the annual Appropriative Pool Committee meeting at 9:53 a.m.

Secretary: _____



Approved: _____ February 8, 2024

Attachments:

1. 20240111 Volume Vote Outcome for Annual Elections Item I.B.
2. 20240111 Appropriative Pool Committee Meeting (Reportable Action from Confidential Session as provided by Pool Leadership)



2024 APPROPRIATIVE POOL VOLUME VOTE (MINOR REPS)
Assessment Year 2023-2024 (Production Year 2022-2023)

**QUORUM
 MET?
 NO**

Enter Y or N in Each Cell

MAJORITY OF VOTING POWER NOT PRESENT.

Party	Present (Y/N)	Vote (Y/N)	Assigned	Avail Votes	Quorum	Total Yes
BlueTriton Brands, Inc.	N	N	2.071	0.000	0.000	0.000
CalMat Co. (Appropriative)	N	N	0.000	0.000	0.000	0.000
Fontana, City Of	N	N	0.000	0.000	0.000	0.000
Golden State Water Company	N	N	10.650	0.000	0.000	0.000
Marygold Mutual Water Company	N	N	10.165	0.000	0.000	0.000
Monte Vista Irrigation Company	Y	Y	6.170	6.170	6.170	6.170
NCL Co, LLC	N	N	0.000	0.000	0.000	0.000
Niagara Bottling, LLC	N	N	10.492	0.000	0.000	0.000
Nicholson Family Trust	Y	Y	0.035	0.035	0.035	0.035
Norco, City Of	N	N	1.840	0.000	0.000	0.000
San Antonio Water Company	N	N	17.176	0.000	0.000	0.000
San Bernardino, County of (Shooting Park)	N	N	0.132	0.000	0.000	0.000
Santa Ana River Water Company	Y	Y	11.865	11.865	11.865	11.865
West End Consolidated Water Co	Y	Y	8.640	8.640	8.640	8.640
West Valley Water District	N	N	5.875	0.000	0.000	0.000
			85.111	26.710	26.710	26.710

**CALCULATE
 QUORUM**

**CALCULATE
 VOTES**

RESET ALL

RESET VOTES

NOT PASSED

MAJORITY OF VOTES REQUIRED

ATTACHMENT 2

From: [Cansino, Melissa](#)
To: [Alexandria Moore](#)
Cc: [Diggs, Chris](#); [Anna Nelson](#)
Subject: AP Closed Session Meeting - Motion To Approve Dec. 2023 AG Legal Bill
Date: Thursday, January 11, 2024 3:07:27 PM
Attachments: [Sign-in sheet 1-11-24.pdf](#)
[Zoom meeting attendance 1-11-24.bt.xlsx](#)

Hi Alex,

The AP held its closed session meeting at 9:35 AM, concluding at 9:46 AM. I've attached the sign-in sheet for your convenience.

Motion: To approve the AG legal bill as follows:

\$21,400.00 for general counsel - Dec. 2023 Invoice (Nov. 2023 billing)
 Motion made by Martin Zvirbulis (FUWC), seconded by Cris Fealy (FWC): Passed with 63.180% in favor.



2024 APPROPRIATIVE POOL VOLUME VOTE
 Assessment Year 2023-2024 (Production Year 2022-2023)

QUORUM MET?
YES

Enter Y or N in Each Cell

Party	Present (Y/N)	Vote (Y/N)	Assigned	Avail Votes	Quorum	Total Yes
BlueTriton Brands, Inc.	N	N	2,071	0,000	0,000	0,000
CalMat Co. (Appropriative)	N	N	0,000	0,000	0,000	0,000
Chino Hills, City Of	Y	Y	35,552	35,552	35,552	35,552
Chino, City Of	Y	N	60,087	60,087	60,087	0,000
Cucamonga Valley Water District	Y	Y	134,181	134,181	134,181	134,181
Fontana Union Water Company	Y	Y	58,285	58,285	58,285	58,285
Fontana Water Company	Y	Y	65,299	65,299	65,299	65,299
Fontana, City Of	N	N	0,000	0,000	0,000	0,000
Golden State Water Company	N	N	10,650	0,000	0,000	0,000
Jurupa Community Services District	Y	Y	72,381	72,381	72,381	72,381
Marygold Mutual Water Company	N	N	10,165	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	82,656	82,656	82,656	0,000
NCL Co. LLC	N	N	0,000	0,000	0,000	0,000
Niagara Bottling, LLC	N	N	10,492	0,000	0,000	0,000
Nicholson Family Trust	Y	Y	0,835	0,035	0,035	0,035
Norco, City Of	N	N	1,840	0,000	0,000	0,000
Ontario, City Of	Y	N	197,785	197,785	197,785	0,000
Pomona, City Of	Y	Y	178,611	178,611	178,611	178,611
San Antonio Water Company	N	N	17,176	0,000	0,000	0,000
San Bernardino County of (Shearing Park)	N	N	0,132	0,000	0,000	0,000
Santa Ana River Waste Company	Y	Y	11,865	11,865	11,865	11,865
Upland, City Of	Y	Y	30,053	30,053	30,053	30,053
West End Consolidated Water Co	Y	Y	8,640	8,640	8,640	8,640
West Valley Water District	N	N	5,875	0,000	0,000	0,000
			1,000,000	941,599	941,599	594,902

CALCULATE QUORUM

CALCULATE VOTES

YES VOTES
63.180%

NO VOTES
36.820%

PASSED

RESET ALL

RESET VOTES

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