

MINUTES
CHINO BASIN WATERMASTER
APPROPRIATIVE POOL COMMITTEE MEETING

February 8, 2024

The 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 February 8, 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 Chino
Ron Craig	City of Chino Hills
Courtney Jones	City of Ontario
Oscar Ramos for Marty Zvirbulis	Fontana Union Water Company
Cris Fealy	Fontana Water Company
Oscar Ramos for Marty Zvirbulis	Nicholson Family Trust
Brian Lee	San Antonio Water Company

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Braden Yu	City of Upland
Ben Lewis	Golden State Water Company
Stephanie Reimer for Justin Scott-Coe	Monte Vista Irrigation Company
Stephanie Reimer for Justin Scott-Coe	Monte Vista Water District
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

James Curatalo	Cucamonga Valley Water District
Jimmy Medrano	Agricultural Pool – State of CA
Mike Gardner	Western Municipal Water District
Bob Kuhn	Three Valleys Municipal Water District

WATERMASTER STAFF PRESENT

Edgar Tellez Foster	Acting General Manager
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	Senior Field Operations Specialist
Ruby Favela	Administrative Assistant
Jordan Garcia	Senior Field Operations Specialist
Erik Vides	Field Operations Specialist
Rudy Nunez	Office Specialist/Receptionist

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
Scott Nelsen	Eide Bailly, LLP
Garrett Rapp	West Yost

OTHERS PRESENT AT WATERMASTER

Chad Nishida	City of Ontario
Melissa Cansino	City of Pomona
John Bosler	Cucamonga Valley Water District
Jiwon Seung	Cucamonga Valley Water District
Bryan Smith	Jurupa Community Services District

OTHERS PRESENT ON ZOOM

Natalie Avila	City of Chino
Hye Jin Lee	City of Chino
Nicole deMoet	City of Upland
Kyle Benoit	County of San Bernardino
Eduardo Espinoza	Cucamonga Valley Water District
Peter Dopulos	Egoscue Law Group, Inc
Shawnda Grady	Ellison Schneider Harris & Donlan LLP
Derek Hoffman	Fennemore Law
Manny Martinez	Monte Vista Water District
Bill Wyat	Sheppard, Mullin, Richter & Hampton
Imelda Cadigal	State of CA
Lewis Callahan	State of CA
Marilyn Levin	State of CA
David De Jesus	Three Valleys Municipal Water District
Nicole deMoet	West End Consolidated Water Company
Joshua Aguilar	Western Municipal Water District
Mallory Gandara	Western Municipal Water District
Ryan Shaw	Western Municipal Water District

CALL TO ORDER

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

ROLL CALL

(0:00:06) 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 Annual Appropriative Pool Committee Meeting held on January 11, 2024

B. FINANCIAL REPORTS

Receive and file as presented:

Monthly Financial Report for the Reporting Period Ending December 31, 2023

(0:02:10)

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. PEACE AGREEMENT TIMELINE (INFORMATION ONLY)

(0:02:33) Mr. Tellez Foster gave a presentation. A discussion ensued.

III. REPORTS/UPDATES

A. WATERMASTER LEGAL COUNSEL

1. February 2, 2024 Court Hearing (Watermaster Board Reappointment and GLMP Annual Report)
2. May 31, 2024 Court Hearing (Watermaster 46th 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

(0:05:05) Mr. Herrema gave a report.

B. ENGINEER

1. Ground-Level Monitoring Program
2. Water Quality Committee
3. 2025 Safe Yield Reevaluation

(0:09:32) Mr. Malone gave a report on items 1 and 2, and Mr. Rapp gave a report on item 3.

C. GENERAL MANAGER

1. Regional Reliability Study
2. Diversion Permits Reporting
3. San Sevaine Drone Footage
4. Other

(0:19:55) Mr. Tellez Foster gave an update on items 1 and 2 and invited Mr. Nakano to give a report on item 3. Under item 4, Mr. Tellez Foster reported that the Minor Representatives appointed San Antonio Water Company as Minor 1 and Santa Ana River Water Company as Minor 2 on the calendar year 2024 Advisory Committee.

IV. POOL MEMBER COMMENTS

None

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 9:29 a.m. to AP Business.

(0:29:29) Confidential session concluded at 10:35 a.m. with the reportable action as shown below:

1. *Motion: To approve AG legal bill as follows:
\$8,550.00 for general counsel – January 2024 Invoice (Dec. 2023 billing)
Motion made by Amanda Coker, (CVWD), and seconded by Ron Craig, (City of Chino Hills): Passed by 63.524% volume votes in favor.*

ADJOURNMENT

Chair Diggs adjourned the Appropriative Pool Committee meeting at 10:35 a.m.

Secretary: _____ 

Approved: _____ March 14, 2024 _____

Attachment:

1. 20240208 Appropriative Pool Committee Meeting (Reportable Action from Confidential Session as provided by Pool Leadership.)

ATTACHMENT 1

From: [Cansino, Melissa](#)
 To: [Alexandra Moore](#)
 Cc: [Diggs, Chris](#)
 Subject: AP Closed Session Meeting - Motion To Approve Jan. 2024 AG Legal Bill
 Date: Thursday, February 8, 2024 1:57:29 PM
 Attachments: [image002.png](#)


Hi Alex,

The AP held its closed session meeting at 9:37 AM, concluding at 10:26 AM. I've attached the sign-in sheet for your convenience.

Motion: To approve the AG legal bill as follows:

\$8,550.00 for general counsel - Jan. 2024 Invoice (Dec. 2023 billing)

Motion made by Amanda Coker (CVWD), seconded by Ron Craig (CHNH): Passed with 63.524% in favor.



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
BlueTriton Brands, Inc.	N		1.668	0.000	0.000	0.000
CallMat 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	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	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
			1,000.000	967.082	967.082	614.327

CALCULATE
QUORUM

CALCULATE
VOTES

"YES" VOTES
63.524%

"NO" VOTES
36.476%

RESET ALL

RESET VOTES

PASSED

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