

**MINUTES**  
**CHINO BASIN WATERMASTER**  
**APPROPRIATIVE POOL COMMITTEE – SPECIAL MEETING**  
August 26, 2024

The Appropriative Pool Committee special meeting was held via Zoom (conference call and web meeting) on August 26, 2024.

**APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT ON ZOOM**

Chris Diggs, Chair	City of Pomona
Natalie Avila	City of Chino
Ron Craig	City of Chino Hills
Courtney Jones	City of Ontario
Amanda Coker	Cucamonga Valley Water District
Marty Zvirbulis	Fontana Union Water Company
Josh Swift	Fontana Water Company
Justin Scott-Coe	Monte Vista Irrigation Company
Justin Scott-Coe	Monte Vista Water District
Marty Zvirbulis	Nicholson Family Trust
Hye Jin Lee	City of Chino
Chad Nishida	City of Ontario
Melissa Cansino	City of Pomona
Jiwon Seung	Cucamonga Valley Water District
Bryan Smith	Jurupa Community Services District
Chris Berch	Jurupa Community Services District
Brian Lee	San Antonio Water Company
John Lopez	Santa Ana River Water Company

**OTHERS PRESENT ON ZOOM**

Shawnda M. Grady	Ellison Schneider Harris & Donlan
John Schatz	John J. Schatz – Attorney at Law

**CALL TO ORDER**

Chair Diggs called the Appropriative Pool Committee special meeting to order at 4:00 p.m.

**AGENDA - ADDITIONS/REORDER**

None

**I. BUSINESS ITEM**

**A. DISCUSSION OF SETTLEMENT AGREEMENT FROM ONTARIO AND MONTE VISTA WATER DISTRICT**

The Appropriative Pool met in Confidential Session and discussed the settlement agreement.

**Motion:**

A motion was made by Brian Lee (SAWCo) and seconded by Justin Scott (MV): To approve the agreement submitted by Ontario, with the following amendments:

The appeal legal expenses will cover costs to date. Consequently, the 50% share will increase to approximately \$102,500, instead of \$80,000, based on the calculations presented.

Additionally, the general account used for full payment of AP general expenses to date will be removed. The \$102,500 will be refundable to the remaining party members, excluding the AP members, as outlined in the agreement.

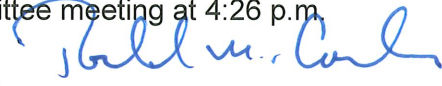
**Alternate Motion:**

An alternate motion was made by Chair Chris Diggs (Pomona) and seconded by Martin E. Zvirbulis (FUWC) to reject the settlement offer provided by Ontario and Monte Vista, to decline any additional offers, and to await the Court's decision on August 28, 2024. Motion Passed with 66.983% in favor.

**ADJOURNMENT**

Chair Diggs adjourned the Appropriative Pool Special Committee meeting at 4:26 p.m.

Secretary: \_\_\_\_\_



Approved: \_\_\_\_\_ September 12, 2024

Attachments:

1. 20240826 Appropriative Pool Committee Special Meeting (Reportable Action from Confidential Session as provided by Pool Leadership.)

**Anna Nelson**

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**From:** Cansino, Melissa <Melissa.Cansino@pomona.gov>  
**Sent:** Monday, August 26, 2024 5:54 PM  
**To:** Ruby Favela Quintero  
**Cc:** Anna Nelson; Diggs, Chris  
**Subject:** Special Meeting: AP Closed Session: Review and Discussion of Settlement Agreement from Ontario & Monte Vista  
**Attachments:** Zoom meeting attendance 8-26-24.pdf

Hi Ruby,

The AP held a special meeting in closed session this afternoon (August 26, 2024) from 4:00 pm to 4:26 pm. I've attached the attendees for your reference.

**Motion:**

A motion was made by Brian Lee (SAWC) and seconded by Justin Scott (MV): To approve the agreement submitted by Ontario, with the following amendments:

1. The appeal legal expenses will cover costs to date. Consequently, the 50% share will increase to approximately \$102,500, instead of \$80,000, based on the calculations presented.
2. Additionally, the general account used for full payment of AP general expenses to date will be removed. The \$102,500 will be refundable to the remaining party members, excluding the AP members, as outlined in the agreement.

**Alternative Motion:**

An alternative motion was made by Chair Chris Diggs (Pomona) and seconded by Martin E. Zvirbulis (FUWC) to reject the settlement offer provided by Ontario and Monte Vista, to decline any additional offers, and to await the Court's decision on August 28, 2024. Motion Passed with 66.983% 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		2,071	0.000	0.000	0.000
CalMat Co. (Appropriative)	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	Y	60,087	60,087	60,087	60,087
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		0.000	0.000	0.000	0.000
Golden State Water Company	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		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		0.000	0.000	0.000	0.000
Niagara Bottling, LLC	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		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	Y	N	17,176	17,176	17,176	0.000
San Bernardino, County of (Shooting Park)	N		0.132	0.000	0.000	0.000
Santa Ana River Water Company	Y	Y	11,865	11,865	11,865	11,865
Upland, City Of	N		30,053	0.000	0.000	0.000
West End Consolidated Water Co	N		8,640	0.000	0.000	0.000
West Valley Water District	N		5,875	0.000	0.000	0.000
			<b>1,000,000</b>	<b>920,082</b>	<b>920,082</b>	<b>616,296</b>

CALCULATE  
QUORUM

CALCULATE  
VOTES

YES VOTES  
66.983%

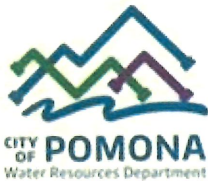
NO VOTES  
33.017%

PASSED

RESET ALL

RESET VOTES

Thank you,  
**Melissa Cansino**  
Water Conservation Specialist | Water Resources Department  
752 W. Commercial St., Pomona, CA 91768  
T: (909) 620-2236 | M: (909) 630-4985  
[Melissa.Cansino@pomona.gov](mailto:Melissa.Cansino@pomona.gov)



Name (Original Name)	User Email	Join Time
Melissa Cansino	melissa.cansino@pomonaca.gov	8/26/2024 0:00
Amanda Coker		8/26/2024 0:00
brianlee		8/26/2024 0:00
Bryan's iPhone		8/26/2024 0:00
Chad Nishida - Ontario		8/26/2024 0:00
chris		8/26/2024 0:00
Chris Berch		8/26/2024 0:00
Courtney Jones - City of Ontario		8/26/2024 0:00
Cris Fealy (Josh Swift)		8/26/2024 0:00
HYE JIN LEE (Chino) (HYE JIN LEE)		8/26/2024 0:00
Jiwon Seung (CVWD)		8/26/2024 0:00
John Schatz Attorney at Law		8/26/2024 0:00
Josh Swift		8/26/2024 0:00
Justin Scott-Coe, Monte Vista Water District		8/26/2024 0:00
Marty Zvirbulis		8/26/2024 0:00
NATALIE AVILA		8/26/2024 0:00
Ron C		8/26/2024 0:00
Santa Ana River Water Company		8/26/2024 0:00
Shawnda Grady		8/26/2024 0:00