

RESOLUTION NO. 01-05
A RESOLUTION OF THE CHINO BASIN WATERMASTER
AMENDING THE OVERLYING (NON-AGRICULTURAL) POOL RULES & REGULATIONS
IN REGARD TO WHAT CONSTITUTES A QUORUM FOR THE TRANSACTION OF ITS AFFAIRS

WHEREAS, pursuant to Judgment entered on January 27, 1978, Chino Basin Municipal Water District v. City of Chino, et al, Case No RCV 51010 (formerly 164326), Exhibit "G", Overlying (Non-Agricultural) Pool Pooling Plan, "The Pool Committee shall adopt rules for administering its program..."; and

WHEREAS, pursuant to adopted Rules and Regulations, Article 2, Paragraph 2.03, "The Pool Committee shall meet...for purpose of conducting the business of the pool and to make such recommendations as may be necessary to properly advise Watermaster"; and

WHEREAS, pursuant to adopted Rules and Regulations, Article 2, Paragraph 2.08, "A majority of the voting power of the Pool Committee shall constitute a quorum for the transaction of its affairs"; and

WHEREAS, an annual meeting of the Overlying (Non-Agricultural) Pool was noticed to occur on January 25, 2001 for the purpose of electing a pool committee chairperson and a vice chairperson from its membership in accordance with Judgment Paragraph 37(a), and

WHEREAS, the annual meeting was cancelled due to less than a quorum (a majority of the voting power) being present, and

WHEREAS, it has become increasingly difficult for a majority of the voting power of the Overlying (Non-Agricultural) Pool to attend meetings and the current escalated meeting schedule is anticipated to continue in order to facilitate implementation of the Optimum Basin Management Program.

NOW, THEREFORE, BE IT RESOLVED that in order to assure the regular business of the Overlying (Non-Agricultural) Pool is conducted and its collective interests are represented at Advisory Committee and Board meetings, Paragraph 2.08 of the Overlying (Non-Agricultural) Pool Rules and Regulations is amended to "The members of the Overlying (Non-Agricultural) Pool in attendance at meetings shall constitute a quorum for the transaction of its affairs and will represent the collective interest of the entire Pool membership." On February 2, 2001, the members of the Overlying (Non-Agricultural) Pool were sent a copy of this Resolution via facsimile and provided an opportunity to approve or oppose its adoption in writing.

BE IT FURTHER RESOLVED that upon execution of Resolution 01-05 amended Paragraph 2.08 shall become effective and remain in effect until amended or rescinded by subsequent resolution.

THE FOREGOING RESOLUTION NO. 01-05 was approved by a majority of the Overlying (Non-Agricultural) Pool voting power on this 21st day of March 2001.

By: Stephen Arbellide
Chairman, Overlying (Non-Agricultural) Pool

Attest: Lauri Stewart
Secretary, Overlying (Non-Agricultural) Pool