

Approved June 26, 2018

**MINUTES OF A REGULAR MEETING OF THE  
CUCAMONGA VALLEY WATER DISTRICT  
BOARD OF DIRECTORS  
June 12, 2018**

A regular meeting of the Cucamonga Valley Water District Board of Directors was called to order at 6:00 p.m. by Vice President Cetina. Director Reed led the Pledge of Allegiance.

CALL TO ORDER  
6:00 p.m.

Mr. Jeff Ferre asked President Curatalo a series of questions to ensure Brown Act compliance:

- President Curatalo replied he clearly heard the meeting being conducted via teleconference.
- President Curatalo replied that the meeting agenda was posted.
- President Curatalo replied that there was no one present in his location that wished to speak during public comment.

Mr. Ferre stated that all votes conducted during the teleconference would be a roll call vote.

In Attendance:

Board James V. Curatalo, Jr., President (via teleconference)  
Luis Cetina, Vice President  
Oscar Gonzalez, Director  
Randall J. Reed, Director  
Kathleen J. Tiegs, Director

Staff Martin Zvirbulis, General Manager/CEO  
Jeff Ferre, BB&K, Legal Counsel  
Kara Ueda, BB&K, Special Legal Counsel

Agnes Boros, Accounting Supervisor  
John Bosler, Assistant General Manager  
Chad Brantley, Director of Finance and Technology Services  
Carlos Buenrostro, Field Service Technician  
Jason Cary, Information Technology Helpdesk Specialist  
Frank Chu, Information Technology Manager  
Carrie Corder, Assistant General Manager  
Eduardo Espinoza, Director of Engineering Services  
Kristeen Farlow, Communications & Outreach Manager  
Joanna Gonzalez, Community Outreach Representative  
Eric Grubb, Principal Management Analyst  
Katie Heer, Community Outreach Representative  
Robert Kalarsarinis, Customer Service Manager

Gidti Ludesirishoti, Associate Engineer  
Mike Maestas, Water Production Manager  
Jose Mora, Engineering Intern  
Angelo Orioli, Customer Service Supervisor  
Roberta Perez, Human Resources Manager  
JR Roberts, Water Treatment Plant Supervisor  
Brad Stillman, Water Treatment Plant Operator  
Robbie Victorino, Safety Analyst  
Taya Victorino, Executive Assistant, Board of Directors

Guests Isabel Cornejo, Los Osos High School Student  
John Daniel McManaman, Alta Loma High School Student  
Mark Gibboney, Customer  
Paul Mitchell, Consultant, Redistricting Partners  
JR Rivas, Customer

ADDITIONS/DELETIONS TO THE AGENDA

None.

ADDITIONS/  
DELETIONS

PUBLIC COMMENT

None.

PUBLIC COMMENT

PUBLIC HEARING NO. 3 OF THE PROCESS TO TRANSITION TO A BY-DIVISION ELECTIONS SYSTEM

Vice President Cetina announced that this is the time of the public hearing. After a brief presentation by staff, the Board will receive input from the public regarding the transition from at-large to by-division elections, specifically the draft maps prepared by the demographer and submitted by members of the public, as well as the potential sequence of election. Hard copies of the draft maps have been provided tonight for the public.

PUBLIC HEARING  
NO. 3 –  
TRANSITION TO BY-  
DIVISION  
ELECTIONS SYSTEM

**NO BOARD  
ACTION TAKEN**

Ms. Carrie Corder gave a presentation on the District's intent to transition to a by-division election system. The goal of this public hearing is to allow for public input on the six draft maps that have been created. On February 26, 2018, the District received a letter threatening litigation under the California Voting Rights Act (CVRA). The District refutes the allegations but in order to avoid costly litigation, adopted Resolution No. 2018-4-4 to declare its intention to transition to a by-division election system. The CVRA process has a strict timeframe in which the District must hold four public hearings, then adopt a map and election sequencing by July 11, 2018. Since holding public hearings one and two to collect input from the public on communities of interest, the demographer has created three proposed maps and staff has received three maps from members of the public. The deadline for members of the public to submit maps for consideration is June 15, 2018.

Ms. Kara Ueda instructed the Board that they must consider and adopt the following by July 11, 2018: A map of division boundaries and the order and sequencing of elections beginning with the District's next scheduled election. Primary criteria for drawing division boundaries is to ensure the population across divisions is as equal as possible. Population figures are based on data from the 2010 census, and age and voting eligibility are not a factor in calculating the division populations. The courts allow up to a ten percent population deviation between divisions. Other factors to consider are if the division shapes are contiguous, cohesive and compact. Topography and geography of the areas, neighboring agency boundaries, and communities of interest should also be considered. After division boundaries are established, the Board must decide on an order and sequence of elections for the five divisions. The Board assigns the division numbers and the order each division is up for election as well as which two seats are up for the next scheduled election. After the next election there will be two Board Members elected by-division while the other three Board Members remain elected at large and serve out the remainder of their terms. The last three divisions will be on the ballot the following scheduled election. The Board will not vote on the maps or election sequence tonight, but should consider these factors while listening to public input throughout the remaining public hearing process.

Ms. Ueda replied to Director Tiegs that data from the next census in 2020 will be released in 2021 at which time the District will have to revisit to decide if revisions should be made to division boundaries.

Mr. Paul Mitchell gave a presentation on the draft maps that mark potential division boundaries of CVWD's service area. Factors used to draw the division boundaries in the professional maps were natural geographic boundaries such as freeways and major boulevards, boundaries of surrounding cities, input about communities of interest, single family dwellings versus multi-family, and sewer service dwellings versus septic. The CVRA allows for entities to use criteria that is specific to the service they provide. Mr. Mitchell gave a description of his three maps with a breakdown of the population in each division, noting that the division with the largest Latino population in each map is Division 1. He also gave an overview of the maps submitted by members of the public. The map titled "Reed Plan 1" deviates from the population guidelines. The "Reed Plan 2" establishes a good Latino population in the southern portion of the service area making great use of natural geographical boundaries. Although division lines between Districts 4 and 2 are squiggly and difficult to follow in this map, they do not pose a legal or redistricting concern and can be cleared up in an additional professional version of this map. The "Rivas Plan 1" has some issues with non-cohesive boundaries and non-compact shapes.

Mr. Mitchell replied to Director Gonzalez that an effort was made to maintain census precinct lines while drawing division boundaries as a courtesy to the County as precincts are created based on that population's physical voting proximity, but it is not mandatory to keep the precincts intact.

Vice President Cetina opened the floor for public comment at 6:35 p.m. and announced that the Board may discuss comments received at the conclusion of the public hearing, but will not take action at this meeting.

The following individuals provided verbal comment:

Mark Gibboney, 4960 Huntswood Place

J.R. Rivas, 8268 Amethyst Avenue

Seeing no other members of the public wishing to speak, Vice President Cetina closed the public hearing at 6:43 p.m. He announced that Public Hearing No. 3 is concluded and Public Hearing No. 4 is scheduled for Tuesday, June 26, 2018 at 6:00 p.m.

Ms. Ueda stated that the Board was presented with six maps and will have to decide on and adopt a map. This action is anticipated to take place at the July 10, 2018 Board Meeting. Board comments are welcome now and at the next public hearing. Staff will need information on what the Board's preferred maps and election sequencing are so those items can be prepared for consideration at the July 10, 2018 Board Meeting.

President Curatalo commented on the importance of the decision the Board faces and that the timeline for this process is unfortunately a limited one. He will wait to give comments after the map deadline has passed and the public input process is complete.

## PRESENTATIONS

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### A) WEWAC Program Winners

Ms. Joanna Gonzalez gave a presentation on the WEWAC Program winners. Water Scholar Winners are John Daniel McManaman and Isabel Cornejo, and Broadcast Media Winners are Riana Teran, Cola Hulla, and Unity Montalvo who earned \$150 for Etiwanda High School.

The Board presented certificates to the students and collectively congratulated and commended them for their awards and accomplishments.

### B) ACWA/JPIA H.R. LaBounty Safety Awards for Ergonomics Programs

Ms. Roberta Perez gave a presentation on the ACWA/JPIA H.R. LaBounty Safety Awards. The program recognizes water industry employees for implementing safety programs at their agencies. This year Robbie Victorino and Jason Cary were recognized for their work on the District's ergonomics programs.

The Board presented certificates to Mr. Victorino and Mr. Cary and collectively thanked them for their dedicated leadership with the ergonomics programs and ensuring the safety of our employees.

GENERAL MANAGER/CEO REPORTS

A) District Updates

Mr. Martin Zvirbulis, General Manager/CEO, reported the following:

- The District recently hired Brad Stillman as a Water Treatment Plant Operator and Jose Mora as an Engineering Intern, and also promoted Carlos Buenrostro to a Field Service Technician.
- On June 8, 2018 Governor Brown and legislative leaders announced they reached an agreement on the 2018/2019 state budget. As part of this agreement the Legislature’s Budget Conference Committee voted to approve a package on safe drinking water funding that did not adopt the Governor’s drinking water budget proposal and the water tax budget trailer bill. The Budget Conference Committee approved a package that sets aside \$23.5 million in General Fund revenue for allocation to safe drinking water actions later in this legislative session and provides \$5 million in General Fund revenue for the State Water Resources Control Board to provide lead testing remediation in child care centers. Although the Budget Conference Committee action did not adopt the statewide water tax budget trailer bill, the proponents of the water tax may still try to advance the water tax later this summer through SB 623 (Monning).
- The District hosted a tour for the San Francisco Federal Reserve Bank June 6-7, 2018 that included an overview of District facilities and water supply, a tour of the Lloyd W. Michael Water Treatment Plant and Environmental Learning Center, a dinner with guest speaker, Randy Record, MWD Board Chairman, as well as attendance of the Federal Reserve Board Meeting.
- General Manager “ride-alongs” with the field crews continue to impress. The second ride-along was with the Water Utility Team in May. Thank you to the Water Utility Division for your diligent work in carrying out CVWD’s mission every day.

GENERAL  
MANAGER/CEO  
COMMUNICATIONS

CONSENT CALENDAR

- A) Approve Minutes of the May 15, 2018 Special Board Meeting.
- B) Approve Minutes of the May 22, 2018 Regular Board Meeting.
- C) Approve Board Calendar of Events.
- D) Approve Cash Disbursements for month ending May 31, 2018.
- E) Receive and File the June 2018 Legislative and Government Affairs Report.
- F) Approve the award of contract for LWMWTP GAC Services for FY2019 and FY2020 to Calgon Carbon Corporation in the amount of \$2,738,780.
- G) Approve the issuance of a credit for existing capacity fees in the amount of \$57,732.00 to Hermosa LLC for Tract 20080 located on Hermosa Avenue and Victoria Street.
- H) Receive and File the 2018 Legal Services Annual Update.

CONSENT  
CALENDAR

Director Reed requested to pull item F from the Consent Calendar for separate discussion.

**On a motion by Director Reed, and seconded by Director Gonzalez** to approve Consent Calendar Items A – E and G – H, as submitted by **Roll Call Vote:**

**Ayes:** Curatalo, Cetina, Gonzalez, Reed, and Tiegs

**Noes:** None

**Abstain:** None

CONSENT  
CALENDAR  
ITEMS A – E, G – H

**PASSED 5-0**

**Passed 5-0.**

Mr. John Bosler replied to Director Reed that of the three bids received Calgon Carbon Corporation's was the only with a product that met the specification requirements and therefore staff proposes to award the contract to them.

CONSENT  
CALENDAR  
ITEM F

**On a motion by Director Reed, and seconded by Director Tiegs** to approve Consent Calendar Item F, as submitted by **Roll Call Vote:**

**Ayes:** Curatalo, Cetina, Gonzalez, Reed, and Tiegs

**Noes:** None

**Abstain:** None

**PASSED 5-0**

**Passed 5-0.**

BIENNIAL OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR THE FISCAL YEARS ENDING JUNE 30, 2019 AND JUNE 30, 2020

Mr. Chad Brantley gave a presentation on the proposed Biennial Operating and CIP Budget for Fiscal Years 2019 and 2020. The proposed budget includes a wage and benefits adjustment of three percent effective July 1, 2018 with an increased employee contribution to CalPERS pension benefit costs effective January 1, 2019.

RESOLUTION NO.  
2018-6-1 ADOPTING  
THE BIENNIAL  
OPERATING AND  
CIP BUDGET

**PASSED 5-0**

**On a motion by Director Gonzalez, and seconded by Director Reed** to adopt Resolution No. 2018-6-1 adopting the Biennial Operating and Capital Improvement Budget for the Fiscal Years ending June 30, 2019 and June 30, 2020, the MWD Surcharge Rate of \$0.14 per hcf during Fiscal Year 2019, and affirm the Customer Assistance Program amount of \$20 per bimonthly utility bill as submitted by **Roll Call Vote:**

**Ayes:** Curatalo, Cetina, Gonzalez, Reed, and Tiegs

**Noes:** None

**Abstain:** None

**Passed 5-0.**

**On a motion by President Curatalo, and seconded by Director Tiegs** to adopt Resolution No. 2018-6-2 adjusting the salary compensation and classification schedules for all District employees by implementing a wage and benefits adjustment as submitted by **Roll Call Vote:**

**Ayes:** Curatalo, Cetina, Gonzalez, Reed, and Tiegs

**Noes:** None

**Abstain:** None

RESOLUTION NO.  
2018-6-2 WAGE  
AND BENEFITS  
ADJUSTMENT

**PASSED 5-0**

**Passed 5-0.**

### BOARD MEMBER REPORTS

BOARD MEMBER  
REPORTS

#### Director Reed

- Nothing to report at this time.

#### Director Gonzalez

- Nothing to report at this time.

#### Director Tiegs

- Thanked Mr. Zvirbulis for the presentation he gave at the Rancho Cucamonga Chamber of Commerce Business Connection Network lunch. He represented the District well and left the event with a new group of CVWD ambassadors.
- Request that staff send a letter of congratulations to re-elected Supervisor Janice Rutherford.

#### Vice President Cetina

- Congratulations again to the WEWAC Program winners. Kudos to their parents for instilling the spirit of water conservation in their children.

#### President Curatalo

- Thanked the Board and meeting attendees for accommodating the teleconference tonight.

### CLOSED SESSION

CLOSED SESSION

At 7:45 p.m. Vice President Cetina announced that after a brief recess a closed session would be held pursuant to:

#### CONFERENCE WITH LEGAL COUNSEL – ANTICIPATE LITIGATION

(paragraph (3) of subdivision (e) of Section 54956.9

Receipt of claim from Gary Prince

Closed session was called to order at 7:47 p.m.

In attendance were the entire Board (Curatalo via teleconference), the General Manager, Legal Counsel (Ferre), the Assistant General Managers (Bosler, Corder), the Director of Engineering Services, the Director of Finance and Technology Services, the Executive Assistants (Cisneros, Victorino), the Human Resources Manager, and the Customer Service Manager.

RECONVENE/REPORT ON CLOSED SESSION

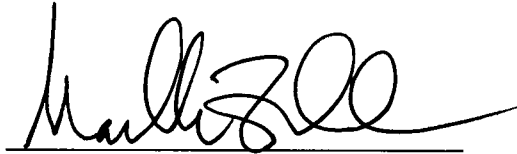
The regular meeting reconvened at 7:56 p.m. at which time Mr. Jeff Ferre announced that the Board met in closed session on Item 10 of the agenda and on a motion by Director Reed that was seconded by Director Gonzalez the Board approved to reject the claim and forward it to the Association of California Water Agencies/Joint Powers Insurance Authority to proceed with the claim on the Districts behalf. The vote passed 5-0.

RECONVENE/  
REPORT

ADJOURNMENT

There being no further business to come before the Board, Vice President Cetina adjourned the meeting at 7:58 p.m. in honor of Flag Day on June 14, 2018.

ADJOURNED  
AT 7:58 p.m.



Martin E. Zvirbulis  
Secretary/General Manager

ATTEST:



James V. Curatalo, Jr.  
President