

Approved April 28, 2020

**MINUTES OF A REGULAR MEETING OF THE
CUCAMONGA VALLEY WATER DISTRICT
BOARD OF DIRECTORS
April 14, 2020**

A regular meeting of the Cucamonga Valley Water District Board of Directors was called to order at 6:00 p.m. by President Curatalo. Taya Victorino, Executive Assistant, ensured all Board Members were present (in person or via teleconference) by conducting roll call.

CALL TO ORDER
6:00 p.m.

President Curatalo announced:

1) The meeting is being conducted by teleconference pursuant to the Brown Act waivers provided for under the Governor's Executive Orders in response to the COVID-19 State of Emergency.

2) The agenda states that there will be no public location for attending this meeting in person.

3) The agenda also states that the public may listen and provide comment telephonically by calling the number listed on the agenda.

President Curatalo led the Pledge of Allegiance.

In Attendance:

Board James V. Curatalo, Jr., President
Randall James Reed, Vice President (*via teleconference*)
Luis Cetina, Director (*via teleconference*)
Mark Gibboney, Director (*via teleconference*)
Kevin Kenley, Director

Staff John Bosler, General Manager/CEO
Jeff Ferre, BB&K, Legal Counsel (*via teleconference*)

Agnes Boros, Finance Manager (*via teleconference*)
Chad Brantley, Director of Finance and Tech. Services
Jason Cary, Help Desk Specialist
Frank Chu, Information Technology Manager
Cindy Cisneros, Executive Assistant, General Manager
Eduardo Espinoza, Director of Engineering Services
Eric Grubb, Government & Public Affairs Manager (*via teleconference*)
Carrie Guarino, Assistant General Manager (*via teleconference*)
Rob Hills, Director of Operations (*via teleconference*)
Erin Morales, Government & Public Affairs Supervisor (*via teleconference*)
Roberta Perez, Human Resources Manager (*via teleconference*)
Taya Victorino, Executive Assistant, Board of Directors

ADDITIONS/DELETIONS TO THE AGENDA

None.

ADDITIONS/
DELETIONS

PUBLIC COMMENT

None.

PUBLIC COMMENT

GENERAL MANAGER/CEO REPORTS

A) District Updates

Mr. John Bosler, General Manager/CEO reported the following:

- Nothing to report other than what was provided in the Board Meeting packet.

GENERAL
MANAGER/CEO
REPORTS

CONSENT CALENDAR

- A) Approve Minutes of the March 24, 2020 Regular Board Meeting.
- B) Approve Board Calendar of Events.
- C) Receive and File February 2020 Water Production Report.
- D) Adopt Resolution No. 2020-4-1 adopting Employee Policy No. 5.3, Temporary Telecommuting.

CONSENT
CALENDAR

PASSED 5-0

On a motion by Vice President Reed, and seconded by Director Kenley to approve Consent Calendar Items as submitted by Roll Call Vote:

Ayes: Curatalo, Reed, Cetina, Gibboney, Kenley

Noes: None

Abstain: None

Passed 5-0.

AGREEMENT FURTHER MODIFYING PROVISIONS OF FONTANA UNION SETTLEMENT AGREEMENT

Mr. Eduardo Espinosa presented the proposed Agreement which is a modification to the original 1992 Fontana Union Settlement Agreement. CVWD became a party to and shareholder of the Fontana Union Water Company (FUWC) after entering into the "1992 Settlement Agreement" with the major parties. In recent past there have been changes that affect FUWC water rights or how the parties do business and modifications to the agreement became necessary. The parties have agreed in principle to key terms modifying the "1992 Settlement Agreement". The terms are outlined in the proposed Agreement Further Modifying Provisions of the Fontana Union Settlement Agreement.

AGREEMENT
FURTHER
MODIFYING
PROVISIONS OF
FONTANA UNION
SETTLEMENT
AGREEMENT

PASSED 5-0

On a motion by Director Kenley, and seconded by Director Gibboney to approve the Agreement Further Modifying Provisions of the Fontana Union Water Company Settlement Agreement with Respect to Sell of Water by CVWD to San Gabriel Valley Water Company as submitted by **Roll Call Vote:**

Ayes: Curatalo, Reed, Cetina, Gibboney, Kenley

Noes: None

Abstain: None

Passed 5-0.

LAFCO BALLOT

Ms. Taya Victorino presented the two candidates for the regular Special District Member of the San Bernardino Local Agency Formation Commission (LAFCO) for the Board's consideration. The candidates are Kimberly Cox, Board Member of the Mojave Water Agency who is the incumbent, and T. Milford Harrison, Board Member of the San Bernardino Valley Municipal Water District. The District must cast a vote in favor of one candidate and submit the ballot to LAFCO by April 27, 2020.

Discussion ensued among the Board regarding the two candidates qualifications and special district representation on the LAFCO.

A Roll Call Vote was taken to cast the vote for T. Milford Harrison as the Regular Special District Member of the San Bernardino Local Agency Formation Commission and to direct staff to cast the ballot as such:

Ayes: Reed, Cetina, Gibboney

Noes: Curatalo, Kenley

Abstain: None

Passed 3-2-0.

WATER RATE ADJUSTMENT DEFERRAL

Mr. Chad Brantley gave a presentation on the proposed deferral of the District's water rate adjustments. The District completed a cost of service analysis for the design of water utility rates and conducted two public hearings to receive public input. However, due to the restrictions imposed by the COVID-19 emergency, staff believes it would be inappropriate to conduct the required Proposition 218 public hearing and is asking the Board to defer the process of adjusting water utility rates until the emergency is lifted. Deferring the rate adjustment will not impact the District's ability to provide service.

CAST THE
DISTRICT'S VOTE
AND LAFCO
BALLOT IN FAVOR
OF T. MILFORD
HARRISON

PASSED 3-2-0

WATER RATE
ADJUSTMENT
DEFERRAL

PASSED 5-0

On a motion by Director Cetina, and seconded by Vice President Reed to approve the deferral of the proposed water rate adjustments due to the COVID-19 Emergency as submitted by **Roll Call Vote:**

Ayes: Curatalo, Reed, Cetina, Gibboney, Kenley

Noes: None

Abstain: None

Passed 5-0.

BOARD COMMITTEE REPORT

BOARD COMMITTEE REPORTS

A) April 2, 2020 Government & Public Affairs Committee

Director Cetina reported the notes accurately reflect what occurred at the meeting.

BOARD MEMBER REPORTS

BOARD MEMBER REPORTS

Director Cetina

- Nothing to report at this time.

Director Gibboney

- Nothing to report at this time.

Vice President Reed

- Recently received correspondence from IEUA regarding their proposed increase to their rates. Plan to reach out to their Board to express the need to postpone rate increases until after the emergency.
- Thank you to staff for continuing to work so diligently during this uncertain time.

Director Kenley

- Commended staff for adapting to the new way of life for the time being while continuing to provide such great service to our community.

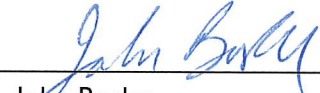
President Curatalo

- On behalf of the Board, thanked staff for serving our community during these challenges.

ADJOURNMENT

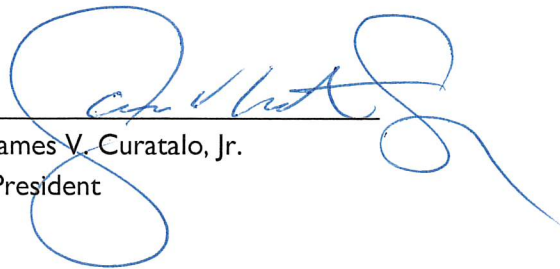
There being no further business to come before the Board, President Curatalo adjourned the meeting at 6:53 p.m. in memory of CVWD retiree Robert Perez and the contributions he made to CVWD and the community.

ADJOURNED
AT 6:53 p.m.



John Bosler
Secretary/General Manager

ATTEST:



James V. Curatalo, Jr.
President