

Gutierrez, Angel

From: Joe Joswiak <JJoswiak@cbwm.org>
Sent: Friday, November 16, 2012 10:05 AM
To: Gutierrez, Angel
Subject: RE: Desi Alvarez's Employment Contract, Board Action and Watermaster Salary Information

Angel,

Our website also has a "Request For Information" form in the Contact Us section that could also be used for the public to have salary information.

Thank you,

Joe Joswiak
Chief Financial Officer (CFO)
Chino Basin Watermaster



*** This email and any files transmitted with it may contain privileged or otherwise confidential information. If you are not the intended recipient, or believe that you may have received this communication in error, please advise the sender via reply email and delete the email you received. ***

From: Gutierrez, Angel [mailto:Angel_Gutierrez@CalPERS.CA.GOV]
Sent: Friday, November 16, 2012 10:02 AM
To: Joe Joswiak
Subject: RE: Desi Alvarez's Employment Contract, Board Action and Watermaster Salary Information

There is a requirement that the salary information be publicly available, how you go about doing that is up to the agency, however the most transparent would be to have it accessible through the agency's website. There are also other requirements contained in California Code of Regulations Section 570.5:

(a) For purposes of determining the amount of "compensation earnable" pursuant to Government Code Sections 20630, 20636, and 20636.1, payrate shall be limited to the amount listed on a pay schedule that meets all of the following requirements:

- (1) Has been duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meetings laws;
- (2) Identifies the position title for every employee position;
- (3) Shows the payrate for each identified position, which may be stated as a single amount or as multiple amounts within a range;
- (4) Indicates the time base, including, but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually;
- (5) Is posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's internet website;
- (6) Indicates an effective date and date of any revisions;
- (7) Is retained by the employer and available for public inspection for not less than five years; and



(8) Does not reference another document in lieu of disclosing the payrate.

(b) Whenever an employer fails to meet the requirements of subdivision (a) above, the Board, in its sole discretion, may determine an amount that will be considered to be payrate, taking into consideration all information it deems relevant including, but not limited to, the following:

- (1) Documents approved by the employer's governing body in accordance with requirements of public meetings laws and maintained by the employer;
- (2) Last payrate listed on a pay schedule that conforms to the requirements of subdivision (a) with the same employer for the position at issue;
- (3) Last payrate for the member that is listed on a pay schedule that conforms with the requirements of subdivision (a) with the same employer for a different position;
- (4) Last payrate for the member in a position that was held by the member and that is listed on a pay schedule that conforms with the requirements of subdivision (a) of a former CalPERS employer.

From: Joe Joswiak [mailto:jjoswiak@cbwm.org]

Sent: Friday, November 16, 2012 9:41 AM

To: Gutierrez, Angel

Subject: RE: Desi Alvarez's Employment Contract, Board Action and Watermaster Salary Information

Angel,

Is there a requirement for Watermaster to publish the salary information?

Joe Joswiak

Chief Financial Officer (CFO)

Chino Basin Watermaster



*** This email and any files transmitted with it may contain privileged or otherwise confidential information. If you are not the intended recipient, or believe that you may have received this communication in error, please advise the sender via reply email and delete the email you received. ***

From: Joe Joswiak

Sent: Friday, November 16, 2012 9:33 AM

To: 'Gutierrez, Angel'

Subject: RE: Desi Alvarez's Employment Contract, Board Action and Watermaster Salary Information

They did not publish the info. The newspaper was the Daily Bulletin.

Joe Joswiak

Chief Financial Officer (CFO)

Chino Basin Watermaster



*** This email and any files transmitted with it may contain privileged or otherwise confidential information. If you are not the intended recipient, or believe that you may have received this communication in error, please advise the sender via reply email and delete the email you received. ***

From: Gutierrez, Angel [mailto:Angel_Gutierrez@CalPERS.CA.GOV]
Sent: Friday, November 16, 2012 9:32 AM
To: Joe Joswiak
Subject: RE: Desi Alvarez's Employment Contract, Board Action and Watermaster Salary Information

Do you know if they ever published the information you provided to them? What is the name of the local newspaper?

From: Joe Joswiak [<mailto:joswiak@cbwm.org>]
Sent: Friday, November 16, 2012 9:30 AM
To: Gutierrez, Angel
Subject: RE: Desi Alvarez's Employment Contract, Board Action and Watermaster Salary Information

Angel,

Around the time the City of Bell scandal broke, I received a request for our salary information from a local newspaper. I did report our salary information to them.

Joe Joswiak
Chief Financial Officer (CFO)
Chino Basin Watermaster

*** This email and any files transmitted with it may contain privileged or otherwise confidential information. If you are not the intended recipient, or believe that you may have received this communication in error, please advise the sender via reply email and delete the email you received. ***

From: Gutierrez, Angel [mailto:Angel_Gutierrez@CalPERS.CA.GOV]
Sent: Friday, November 16, 2012 9:11 AM
To: Joe Joswiak
Subject: RE: Desi Alvarez's Employment Contract, Board Action and Watermaster Salary Information

Thank you Mr. Joswiak,

I appreciate your efforts and cooperation to resolve this issue. One question that I must ask is whether Mr. Alvarez's salary information was ever made public due to a Public Requests Act or through any publication or just happened to be published at any point? Thank you again for your time.

Angel Gutierrez, Compensation Review Specialist
Compensation and Employer Review Unit
Customer Account Services Division
Email Angel_Gutierrez@calpers.ca.gov
(916) 795-4166 fax
(888) Cal-PERS voice

From: Joe Joswiak [mailto:jjoswiak@cbwm.org]
Sent: Thursday, November 15, 2012 1:59 PM
To: Gutierrez, Angel
Subject: Desi Alvarez's Employment Contract, Board Action and Watermaster Salary Information

Angel,

Please find attached the following information regarding the former CEO of Chino Basin Watermaster, Mr. Desi Alvarez. If you require any additional information, please feel free to contact me at your earliest convenience.

Thank you,

Joseph S. Joswiak, MBA
Chief Financial Officer (CFO)
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730
jjoswiak@cbwm.org
Office: (909) 484-3888 Ext. 225



*** This email and any files transmitted with it may contain privileged or otherwise confidential information. If you are not the intended recipient, or believe that you may have received this communication in error, please advise the sender via reply email and delete the email you received. ***