Finance and Personnel Committee Meeting - February 19, 2020

1. Agenda Packet
   
   **Documents:**
   
   200219 AGENDA PACKET - POSTED 200213.PDF

2. Media Index By Agenda Item

   **Documents:**

   MEDIA INDEX BY AGENDA ITEM.PDF
FINANCE AND PERSONNEL COMMITTEE

AGENDA

DATE: Wednesday, February 19, 2020     TIME: 4:30 p.m.

1. CALL MEETING TO ORDER AND ROLL CALL.

2. ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED IN THE AGENDA.

3. PUBLIC COMMENT.
   Opportunity for members of the public to address the Committee. (Government Code Section 54954.3).

4. ACTION AGENDA.
   The following items on the Action Agenda call for discussion and action by the Committee. All items are placed on the Agenda so that the Committee may discuss and take action on the item if the Committee is so inclined, including items listed for information.

   Review of Board Policies and Procedures (520 through 522, and 601-608) – Second Review

5. CLOSED SESSION.
   At any time during the regular session, the Committee may adjourn to closed session to discuss real property matters within the attorney-client privilege, subject to the appropriate disclosures. (Government Code Section 54956.8).

6. NEXT MEETING DATE: Wednesday, March 4, 2020 at 4:30 p.m.

7. ADJOURNMENT.

This agenda was posted at least seventy-two (72) hours before the meeting in a location freely accessible to the Public on the exterior bulletin board at the main entrance to the Authority’s office and it is also posted on the Authority’s website at www.sweetwater.org. No action may be taken on any item not appearing on the posted agenda, except as provided by California Government Code Section 54954.2. Any writings or documents provided to a majority of the members of the Sweetwater Authority Governing Board regarding any item on this agenda will be made available for public inspection at the Authority Administration Office, located at 505 Garrett Avenue, Chula Vista, CA 91910, during normal business hours. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the Board Secretary at (619) 409-6703 at least forty-eight (48) hours before the meeting, if possible.

To e-subscribe to receive meeting agendas and other pertinent information, please visit www.sweetwater.org.
TO: Governing Board (Finance and Personnel Committee)
FROM: Management
DATE: February 14, 2020
SUBJECT: Review of Board Policies and Procedures (520 through 522 and 601 through 608) – Second Review

SUMMARY
Annually, the Board reviews and updates all of its Policies and Procedures to ensure that they are relevant, accurately reflect current and/or preferred practice, and include all legal requirements. Management presents the policies to the Board in batches so that the Board can carefully review the policies and make any changes.

The Finance and Personnel Committee reviewed Policies 520 through 522, and 601 through 608 on February 5, 2020. The proposed changes were submitted to legal counsel for concurrence, as well as any additional legal updates. A summary of the recommended changes are as follows:

<table>
<thead>
<tr>
<th>POLICY</th>
<th>ADDITIONS/MODIFICATIONS/COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>520-522, 601, and 603-608</td>
<td>No recommended changes.</td>
</tr>
<tr>
<td>602</td>
<td>Recommended changes: Clarification how to request items be placed on the agenda.</td>
</tr>
</tbody>
</table>

PREVIOUS BOARD ACTIONS
July 24, 2019       Approved Policy 522
June 12, 2019       Approved Policy 517
April 24, 2019      Approved Policies 601 through 608
March 27, 2019      Approved Policies 504, 506, 507, 512 through 516, 518, 519, and 521
February 27, 2019   Approved Policies 501 through 503, 505, and 507 through 511

FISCAL IMPACT
Fiscal impact is limited to cost incurred for legal counsel review.
Memo to: Governing Board (Finance and Personnel Committee)
Subject: Review of Board Policies and Procedures (520 through 522 and 601 through 608) – Second Review
February 14, 2020
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POLICY
Governing Board Policy 503, Adoption/Amendment of Policies and Procedures, establishes guidelines to adopt and amend policies and procedures in the Policies and Procedures Manual of the Governing Board of Sweetwater Authority and calls for the periodic review of the existing policies and procedures.

ALTERNATIVES
1. Recommend changes to Policies 520 through 522, and 601 through 608 for Board review and consideration.

2. Recommend no changes to Policies 520 through 522, and 601 through 608 for Board review and consideration.

STAFF RECOMMENDATION
Staff seeks direction from the Governing Board.

ATTACHMENTS
Board Policy 520
Board Policy 521
Board Policy 522
Board Policy 601
Board Policy 602 - Revised
Board Policy 603
Board Policy 604
Board Policy 605
Board Policy 606
Board Policy 607
Board Policy 608
POLICY 520 - BENEFITS

POLICY

Members of the Governing Board (Board) shall be eligible to receive health, dental, vision, and life insurance, as set forth below and as limited by applicable state law. The benefits have been approved by the Board, and may be modified by the Board.

PROCEDURE

Beginning January 9, 2019, Directors will be provided with health insurance benefits for themselves and eligible dependents. Directors are eligible to participate in the same plans as employees, under the same terms and conditions as employees, including the same rate of employee/Director contribution to the premiums, except Directors are not eligible to enroll in the Aetna PPO plan which is being phased out. Directors electing to participate in healthcare insurance will be provided with an election form to allow deduction of the premium contribution on a pre-tax basis from their per diem. Directors are also eligible for dental (Director and dependents), vision (Director and dependents), and life insurance ($30,000 benefit), which are provided by the Authority. Currently, the full premiums are paid by the Authority for dental, vision, and life insurance. These benefits are intended to comply with Government Code sections 53200 through 53210 and any other applicable legal restrictions, and the benefit shall be no greater than the benefit available to employees.

The Board Secretary shall distribute a quarterly report containing the total cost of the benefit for each Director under this Policy. The reports shall be presented to the Board at the meetings of January, April, July, and October.
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POLICY 521 – RECOGNITION OF OUTGOING BOARD MEMBERS

POLICY

The Governing Board (Board) of Sweetwater Authority wishes to formally recognize all outgoing Board members for their service to the community and for their efforts to continue the mission of the Authority. This policy establishes how outgoing Board members shall be acknowledged.

PROCEDURE

A. An outgoing Board Member shall be formally recognized during the last Board meeting at which the Director serves in active duty or as soon as practical.

B. At such meeting, the Chair of the Board or his or her designee shall read and present a resolution acknowledging the service of the outgoing Board Member.

C. In addition, the outgoing Board Member shall be presented with the following package:
   1. A metal card that provides free lifetime access to all Authority fishing facilities.
   2. A framed photo of an Authority scenic feature.
   3. A statue of a fire hydrant (or similar item) with an inscription of service years.
POLICY 522 – CITIZENS ADVISORY COMMITTEE

POLICY

To establish policy for the operation and administration of the Sweetwater Authority Citizens Advisory Committee (CAC) established by the Governing Board (Governing Board) of the Sweetwater Authority (Authority) on April 10, 2019, and to provide the CAC with clear and concise operating guidelines to perform their duties.

PROCEDURE

I. Background:

The Citizen’s Advisory Committee (CAC) was established by a vote of the Governing Board of the Authority on April 10, 2019, for the purpose of providing citizen and rate payer involvement in advising the Authority on ways it could improve its efficiency with regard to Authority operations and with regard to executing the Authority’s Strategic Plan.

II. Composition and Selection:

A. The CAC will consist of seven (7) members (Members) and seven (7) alternate members (Alternates). Terms for the initial Members/Alternates will be staggered between approximately two (2) and four (4) years for the initial cycle, determined by lot or other game of chance during the meeting in which Members/Alternates are formally appointed by the Authority Governing Board. All terms thereafter will be four (4) years. Members and Alternates shall not be subject to term limits. Terms for Members/Alternates designated as having approximately two (2) year terms, shall end in January 2021, and terms for Members/Alternates designated as having approximately four (4) year terms, shall end in January 2023.

B. Members and Alternates will be selected as follows:

Each Authority Director shall make a nomination of one Member and one Alternate to the CAC. For Authority Directors who are members of the Board of Directors of South Bay Irrigation District (SBID), nominees shall be residents of the nominating Director’s SBID division. For Authority Directors who are appointed by National City, nominees shall be residents of National City.
C. For the initial selection of CAC Members and Alternates the process of nominating Members/Alternates, shall be completed no later than August 31, 2019 unless otherwise determined by the Governing Board.

D. The Governing Board shall consider formal appointment of initial nominees to the CAC at a regular meeting in September 2019. In the event any Authority Director fails to make nominations for Members/Alternates to the CAC prior to the August 31, 2019 deadline specified in Section C, above, formal appointment of any such nominee shall take place at the soonest practicable meeting of the Authority Governing Board following the nomination. Following the appointment of the initial CAC Members/Alternates, the appointment of nominees to fill expired terms on the CAC shall occur at a regular meeting of the Governing Board in January or February of odd numbered years.

III. Orientation/ Establishment of Meeting Date and Times/ Conduct for Meetings:

A. Once appointed to the CAC by the Governing Board, Authority staff will provide a briefing/orientation to Members/Alternates at the first regular meeting of the CAC on the mission of the Authority and an overview of the Authority’s Strategic Plan and Work Plan for the applicable fiscal year. This briefing/orientation for the initial CAC Members/Alternates shall be held no later than October 31, 2019. Thereafter, the biennial briefing/orientation of Members/Alternates shall be held in conjunction with the first CAC meeting following new appointments by the Government Board in odd numbered years.

B. Following the briefing/orientation by Authority staff, the initial CAC will convene and determine: (1) a proposed list of relevant issues following the implementation schedule set forth in the Authority’s Detailed Work Plan (short term of 0 – 2 years, medium term of 2 – 5 years, and long term of more than 5 years) to be considered by the CAC, and (2) a proposed schedule for meeting dates and times (with meetings to be held no less than quarterly), for presentation to the Authority Governing Board by December 31, 2019, for the Governing Board’s prioritization and approval. Management will inform the Board of any staffing or budgetary impacts associated with the CAC proposed list of relevant issues or meeting dates and times. Thereafter, the CAC shall present its proposed list of relevant issues to be reviewed by the CAC and its proposed schedule for meeting dates and times (with meetings to be held no less than quarterly), after the second CAC meeting of each odd numbered year.

Approved on July 24, 2019
C. The CAC will meet on its established meeting dates, as approved by the Governing Board. Meetings will comply with the Ralph M. Brown Act and will be held at one of the Authority’s facilities. The CAC shall meet no less than quarterly and only conduct business when a full quorum consisting of more than 50% of the current Members/Alternates are present (with Alternates voting only when the regular Member is absent). The business of the CAC will be conducted in accordance with Roberts Rules of Order and approve motions with a majority of the CAC quorum voting in favor. Anything less than a majority of the CAC quorum voting in favor of a particular motion represents a failed motion.

D. CAC Members/Alternates may attend SWA Committee and Governing Board meetings and provide individual or organized public comment regarding CAC approved recommendations on items or issues to be considered by the Governing Board. When representing the CAC, the Member/Alternate public comment must reflect the official position of the CAC as determined by an official motion garnering the requisite number of affirmative votes as specified in Section III.C. above. In all cases where applicable, Authority staff will convey information on official CAC recommendations to the applicable Authority Committee and/or the Authority Governing Board prior to or as part of the Governing Board’s consideration of the items or issues under consideration. The CAC should deliver CAC approved recommendations to Authority staff in time to reasonably be added to reports provided to the Governing Board. The Detailed Work Plan approved by the Governing Board provides the framework for what items will be considered by the Governing Board and when those items will be considered. Authority staff should notify the CAC, in all instances where practicable given operational constraints, as to applicable deadlines for receipt of official CAC recommendations, to enable compliance with scheduling legal requirements.

E. The CAC may make formal requests for information from Authority staff in support of the approved list of relevant issues to be reviewed by the CAC, and Authority staff shall make every reasonable effort to provide requested information in a timely fashion in order to enable to allow the CAC to make the most informed decision possible. Notwithstanding the foregoing, requests by the CAC for information and/or research will be channeled through the General Manager and any requests for substantive information and/or research that entail substantial effort or cost will be channeled through the Board, for the Board’s consideration and formal direction. Individual CAC Members/Alternates may request information, which will be provided in accordance with the Public Records Act.
IV. **Membership Removal:**

A. CAC Members and Alternates are subject to removal at any time by a majority vote of the Board of Directors, or as indicated below.

B. If a CAC Member or Alternate is absent for three (3) consecutive meetings, unless excused for good cause by the Chair of the Governing Board, Authority staff will contact the Member or Alternate by phone or in writing and inform him or her of this section. If the Member or Alternate misses a fourth (4th) consecutive meeting, he or she shall be removed through a written notification from the Chair of the Governing Board.

C. To vacate a position, a CAC Member or Alternate shall send a written resignation letter to the Board of Directors.

D. If a CAC Member or Alternate ceases to be a resident of the division from which he or she was appointed (if appointed by a Director from SBID) or of National City (if appointed by a Director from National City), the Member or Alternate is deemed to have resigned his or her CAC membership.
POLICY 601 – BOARD MEETINGS

POLICY

To establish a set schedule for regular meetings and guidelines for special Board meetings of the Governing Board (Board) that provides for public involvement and staff participation.

PROCEDURE

Regular Meetings of the Board shall be held on the second and fourth Wednesday of each calendar month at 6:00 p.m. (Government Code § 54954 [a]). The date, time, and place of regular meetings can be reconsidered by the Board and adopted by resolution, when the Board deems it necessary. The use of teleconferencing will be in accordance with Government Code Section 54953.

Special Meetings (non-emergency) of the Board may be called by the Chairperson of the Board or by a majority of the members of the Board. (Government Code § 54956.)

All Directors, Legal Counsel, Treasurer, General Manager, Assistant General Manager, Board Secretary, and other required staff will be notified of the special Board meeting and purpose or purposes for which it is called. Notification will be in writing and delivered to them at least twenty-four (24) hours prior to the meeting. (Government Code § 54956.) However, written notice may be dispensed with as to any Director who is actually present at the meeting at the time it convenes.

The written notice shall be posted at least twenty-four (24) hours prior to the special meeting in a location that is freely accessible to members of the public. Newspapers of general circulation in the Authority’s service area and others who have requested notice of special meetings in writing in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54956) shall be notified by mailing or delivering written notice personally, unless the special meeting is called less than one (1) week in advance, in which case the written notice, including business to be transacted, will be sent by email, or by FAX during business hours as soon after the meeting is scheduled as practicable but in no event less than twenty-four (24) hours before the meeting. (Government Code § 54956.)

An agenda, indicating the time and place of the special meeting and business to be transacted, shall be prepared as specified for regular meetings and shall be delivered with the “Notice of the Special Meeting” to those specified above. Only those items of business listed on the agenda for the Special Meeting shall be considered by the Board at any special meeting. (Government Code § 54956.)

Special Meetings (emergency). In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of
public facilities, the Board may hold an emergency special meeting without complying with the twenty-four (24) hour notice required above. An emergency situation means a crippling disaster, which severely impairs public health, safety, or both, as determined by a majority of the members of the Board. (Government Code § 54956.5.)

Newspapers of general circulation in the Authority’s service area and others who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54956) shall be notified at least one (1) hour prior to the emergency special meeting. In the event that telephone services are not functioning, the notice requirement of one (1) hour is waived, but the General Manager, or his or her designee, shall notify such newspapers and others who have requested notice of special meetings of the fact of the holding of the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible. (Government Code § 54956.5.)

No closed session may be held during an emergency special meeting unless agreed to by a two-thirds vote of the members of the Board present or, if less than two-thirds of the members are present, by a unanimous vote of the members present. All other rules governing special meetings shall be observed with the exception of the twenty-four (24) hour notice. The minutes of the emergency special meeting, a list of persons the General Manager or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten (10) days in the Authority’s office as soon after the meeting as possible. (Government Code § 54956.5.)

Adjourned meetings. A majority vote by the Board may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager or Board Secretary may declare the meeting adjourned to a stated time and place, and he or she will cause a written notice of adjournment to be given to those as specified above to receive notices of special meetings. The order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held within twenty-four (24) hours after the time of the adjournment. When an order of adjournment fails to specify the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings. (Government Code § 54955.)

The Board Secretary shall ensure that appropriate information is available for the public at meetings of the Board, and that physical facilities for said meetings are functional and appropriate. Regular and special meetings of the Board shall be held within the boundaries of the territory over which the Authority exercises jurisdiction, subject to certain exceptions provided for in the Brown Act. (Government Code § 54954[b].)
POLICY 602 – BOARD MEETING AGENDA

POLICY

In order for both the Governing Board (Board) and staff to be adequately prepared to discuss Sweetwater Authority (Authority) business during Board meetings, items for action or discussion should be placed on the agenda.

PROCEDURE

The Board Secretary, in cooperation with the General Manager and Board Chairperson, shall prepare an agenda for each regular and special meeting of the Board in accordance with the Ralph M. Brown Act (California Government Code Section 54950 et seq.). Each agenda shall provide an opportunity for members of the public to address the Board on any item of interest to the public, before or during the Board’s consideration of the item, that is within the subject matter jurisdiction of the legislative body. Any Director may, during a Board meeting or by contacting the Board Secretary or General Manager in writing, request any item to be placed on the agenda.

Any member of the public may request that a matter directly related to Authority business be considered at a future Board meeting or Board Committee meeting, subject to the following conditions:

A. The request must be in writing and be submitted to the General Manager together with supporting documents and information, if any.

B. The General Manager, in collaboration with the Board Chairperson, shall determine whether the public request is or is not a “matter directly related to Authority business,” and if it should be referred to a Board Committee or placed directly on the agenda of a regular Board meeting. The timing and placement of the public request on the agenda of a future Board or Board Committee meeting will be determined in priority with other potential agenda items.

C. No matter which is legally a proper subject that should be considered by the Board in closed session will be accepted under this policy.

D. In the event the public request is placed on the agenda of a Regular Board Meeting or Board Committee meeting, as applicable, the Board or Board Committee may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting. (Government Code § 54954.3 (b).)

This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters that are not on the agenda, which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting, except that members of the Board or Authority staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights. (Government Code § 54954.3.)

At least seventy-two (72) hours prior to the time of all regular meetings, an agenda that
includes, but is not limited to, all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review in the display case at the entrance of the Authority’s Administrative Office and on the Authority’s website. (Government Code § 54954.2.) All information made available to the Board shall be available for public review when distributed to all or a majority of all members of the Board, except information that is privileged or otherwise confidential under state law, as determined by the Authority’s legal counsel. Documents relating to an open session agenda item that are distributed to the legislative body at a meeting or less than seventy-two (72) hours before the meeting must be made available for public inspection at a location specified on the agenda at the same time the writing is distributed to a majority of the Board. (Government Code § 54957.5.)

The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting in the same locations as for regular meeting agendas. (Government Code § 54956.)

The posted agenda must briefly describe each closed session agenda item in substantial compliance with the descriptions in Government Code section 54954.5. The Board may convene in closed session on any matter authorized by law, including but not limited to the following:

A. Litigation: Existing litigation, threatened litigation, or initiation of litigation.
B. Liability Claims. Discussion of a claim for the payment of tort liability losses and public liability losses.
C. Real Property: The purchase, sale, exchange, or lease of real property by or for the local agency.
D. Public Employment: The consideration of the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or hearing complaints or charges brought against the employee.
E. Labor Negotiations regarding salary, salary schedules, and compensation paid in the form of fringe benefits.
F. Public Security Threats.
G. Specific Pension Fund Investments.

Only members of the Board and the staff members necessary to conduct business regarding the closed session item are permitted to attend the closed session. A person may not disclose confidential information acquired by being present in a closed session unless the Board authorizes disclosure of that confidential information.
POLICY 603 – BOARD MEETING CONDUCT

POLICY

The Chairperson of the Governing Board (Board) shall conduct meetings of the Board in a manner consistent with the policies of the Authority to facilitate orderly proceedings and comply with applicable state law.

PROCEDURE

All Board meetings shall commence at the time stated on the agenda and shall be guided by the same. (Government Code § 54954.2 (a)(2)) Board meetings will be guided by the Ralph M. Brown Act and other applicable state laws. Any question about proper procedure shall be referred to Legal Counsel for determination. The conduct of meetings shall, to the fullest possible extent, enable Directors to:

A. Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems, and

B. Receive, consider, and take any needed action with respect to reports of accomplishment of the Authority’s operations.

Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that is within the subject matter jurisdiction of the Board, shall be as follows:

A. Generally, three (3) minutes will be allotted to each speaker. However, the Chairperson has the discretion to shorten or lengthen the allotted time. Any public comments on non-agenda items beyond a maximum of twenty (20) minutes shall be heard at the conclusion of the meeting. (Government Code § 54954.3.)

B. No disruptive conduct shall be permitted at any Board meeting. Persistence in disruptive conduct shall be grounds for summary termination, by the Chairperson, of that person’s privilege of address. (Government Code § 54954.3.)

Willful disruption of any of the meetings of the Board shall not be permitted. If the Chairperson finds that there is in fact willful disruption of any meeting of the Board, he or she may order the room cleared and subsequently conduct the Board’s business without the audience present. In such an event, only matters appearing on the agenda may be considered in such a session. Members of the media, other than those participating in the disruption, shall be permitted to attend any such session. After clearing the room, the Chairperson may permit those persons who, in his or her opinion, were not responsible for the willful disruption to reenter the meeting room. (Government Code § 54957.9.)

Reviewed and Approved on 4/24/2019
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POLICY 604 – BOARD ACTIONS AND DECISIONS

POLICY

Actions and decisions by the Governing Board (Board) include, but are not limited to, adoption or rejection of regulations, policies, resolutions, contracts or expenditures, any proposal that commits Sweetwater Authority (Authority) funds or facilities, including approval or disapproval of matters that require or may require the Authority or its employees to take action and/or provide services. As the General Manager serves at the pleasure of the Board, the Board is solely responsible for employment decisions regarding this position.

PROCEDURE

A majority of the Board shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn any meeting from time to time. (Government Code § 56955.) Action, other than adjournment, can only be taken by the vote of the majority of the Board. (Government Code § 54952.6.) Four (4) Directors represent a quorum for the conduct of Authority business. Actions of the Board require the affirmative vote of at least four (4) members of the Board regardless of the number of Directors present. If the action of the Board requires a super majority, that percentage is calculated as a percentage of the whole Board, not members of the Board who are present.

A member abstaining in a vote is considered as absent for that vote.

Example: If four (4) of seven (7) Directors are present at a meeting, a quorum exists and business can be conducted.

However, if one (1) Director abstains on a particular action and the other three (3) cast “aye” votes, no action is taken because a “Majority of the Board” did not vote in favor of the action.

Example: If an action is proposed requiring a two-thirds vote and three (3) Directors abstain, the proposed action cannot be approved because five (5) of the seven (7) Directors would have to vote in favor of the action.

Informal action by the Board is still Board action and shall only occur regarding matters that appear on the agenda for the Board meeting during which said informal action is taken.
POLICY 605 – MINUTES OF BOARD MEETINGS

POLICY

To establish the format of the official minutes of the Governing Board (Board) and the disposition of the recordings of those meetings.

PROCEDURE

The Board Secretary shall keep minutes of all regular meetings, special meetings, and adjourned meetings of the Board.

Copies of said minutes shall be distributed to Directors as part of the agenda packet for the next regular Board meeting, at which time the Board will consider approval of the minutes as presented or with modifications.

The official minutes of the above-mentioned meetings of the Board and resolutions shall be kept in a manner that provides security, either by placing the paper versions in a fireproof vault or in fire-resistant, locked cabinets or having electronic versions stored on the Authority’s computer network with appropriate backups. Audio recordings of Board meetings will be posted to the Sweetwater Authority website for a period of two years.

Closed sessions of the Board are deemed not to be public records and shall not be recorded. Prior to holding any closed session, the Board shall disclose, in an open meeting, the item or items to be discussed in the closed session.

After any closed session, the Chairperson shall reconvene into open session prior to adjournment and the Chairperson or General Counsel shall make any disclosures required by the Ralph M. Brown Act (Government Code §54957.1) of action taken in the closed session. If no action is taken, the Chairperson or General Counsel shall publicly report that “no reportable action was taken by the Board during the closed session.”

Motions shall be recorded as having passed or failed and individual votes shall be recorded, unless the action was unanimous. However, upon the request of any member of the Board, a roll call vote shall be taken on a motion.

Resolutions shall be recorded as having passed or failed and individual votes shall be recorded. A roll call vote shall be required for the adoption of any resolution. All resolutions adopted by the Board shall be numbered consecutively, including the year and starting with a new number at the beginning of each calendar year, and shall be recorded in full and in separate Resolution Books. (Example: Resolution numbers for the year 2010 – 10-01, 10-02 and year 2011 – 11-01, 11-02, etc.)

Revised and Approved on 8/14/19
The minutes of Board meetings must contain the following data:

A. Date, place and type of each meeting;
B. Directors present and absent by full name;
C. Officers, Legal Counsel, and Administrative Staff present by full name;
D. Call to order, including time;
E. Time and name of late arriving Directors;
F. Preadjournment departure of Directors by name, noting time, or if absence takes place when any agenda items are acted upon;
G. Order of Adjournment of meeting, including time;
H. Record of written Notice of Special Meetings and record of items to be considered at Special Meetings.
I. Summary record of public comment regarding matters not on the agenda, and on matters on the agenda, including names of commenters;
J. Approval or amended approval of the minutes of preceding meetings;
K. Complete identification as to each subject of the Board’s deliberation;
L. Record of the vote on every action item, including the names of Directors abstaining or absent on the vote on a motion if not unanimous;
M. All Board Resolutions with complete headings, numbered serially for each fiscal year;
N. A record of all contracts presented for approval by the Board and the status of approval;
O. A record of all bid procedures, including calls for bids authorized, bids received, and other action taken;
P. A record by number of all warrants approved for payment;
Q. Adoption of the annual budget;
R. Financial reports, budget reports, and investment reports;
S. Sales of Authority property that are presented to the Board;
T. A record of all important correspondence within the subject matter of the Authority;
U. A record of the General Manager’s report to the Board; and
V. Approval of all policies and Board-adopted regulations.
POLICY 606 – RULES OF ORDER FOR BOARD AND COMMITTEE MEETINGS

POLICY

To establish rules of conduct for Governing Board (Board) and Board Committee (Committee) meetings of the Authority, which facilitate orderly proceedings and comply with the Ralph M. Brown Act (Brown Act) and other applicable state laws. Any question about proper procedure shall be referred to the Authority’s legal counsel for determination.

PROCEDURE

Action items shall be brought before and considered by the Board by motion in accordance with this policy. The Board will generally conduct its meetings in conformance with Robert’s Rules of Order. However, so long as all requirements of California law are met, noncompliance with Robert’s Rules of Order shall not invalidate an otherwise valid Board action.

If a Director believes order is not being maintained or procedures are not adequate, then he or she should raise a point of order – not requiring a second – to the Chairperson. If the ruling of the Chairperson is not satisfactory to the Director, then it may be appealed to the Board. A majority of the Board will govern and determine the point of order.

Any Director desiring to speak should address the Chairperson and, upon recognition by the Chairperson, may address the subject under discussion.

Any Director, including the Chairperson, may make or second a motion. A motion shall be brought and considered as follows:

A Director makes a motion, another Director seconds the motion, and the Chairperson states the motion. Once the motion has been stated by the Chairperson, it is open to discussion and debate. After the matter has been fully debated and after the public in attendance has had an opportunity to comment on the item, the Chairperson will call for the vote. If the public in attendance has had an opportunity to comment on the item, any Director may move to immediately bring the question being debated to a vote, suspending any further debate. The motion must be approved by affirmative vote of a majority of the Board.

A motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by other Directors.
A motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Board.

A motion may be referred to a Committee for further study and recommendation by a motion to refer to Committee, which is then seconded and approved by a majority vote of the Board.

As provided above, any Director may move to close debate and request the Chairperson for a vote on a motion.

A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a motion.

During the portion of the agenda entitled Directors’ Comments, Board Members may comment upon any topic that is relevant to the Board and which is not the subject of another agenda item. In the event a Board Member’s comments involve a proposed or prospective action of the Board, the matter should be referred to the General Manager to be placed on a future agenda of the Board or the Board may take action to direct the General Manager to place the matter on a future Board agenda. No action may be taken on an item raised during Directors’ Comments at the same meeting at which that item is raised unless the required procedures under the Brown Act are followed.

The Board may give directions that are not formal action. Such directions do not require formal procedural process. Such directions include the Board’s directives and instructions to the General Manager.

The Chairperson shall determine by consensus a Board directive and shall state it for clarification. Should any three (3) Directors challenge the statement of the Chairperson, a voice vote may be requested.

A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

The Chairperson is given authority to make exceptions to this rule under special circumstances in which the subject matter is not appropriate to be considered at a future Board meeting and is appropriate for discussion as a clarification, announcement, or report of activities.

The Chairperson shall take whatever actions are necessary and appropriate to preserve
order and decorum during Board meetings, including public hearings. No person shall engage in any conduct that disrupts or impedes the conduct of a Board meeting, whether by loud, threatening, or obscene conduct, or otherwise. The Chairperson may, in his or her discretion, eject any person or persons who engages in conduct that disrupts or impedes the orderly conduct of a Board meeting or hearing, or who refuses to abide by a request from the Chairperson not to engage in such conduct.

The Chairperson may declare a short recess during any meeting.

When it appears there is no further business on the agenda, the Chairperson may adjourn a meeting after asking if there is any objection.

By motion made, seconded, and approved by a majority vote, the Board may, at its discretion and at any meeting:

A. Temporarily suspend these rules in whole or in part;
B. Amend these rules in whole or in part, or both.
POLICY 607 – REPRESENTATIVES TO THE SAN DIEGO COUNTY WATER AUTHORITY

POLICY

To enable the Governing Board (Board) to receive information and for the Board to provide direction to the South Bay Irrigation District and the City of National City Representatives to the San Diego County Water Authority.

PROCEDURE

Sweetwater Authority (Sweetwater) is a Joint Powers Agency of the South Bay Irrigation District and the City of National City organized and existing pursuant to Government Code Section 6500 et seq. The South Bay Irrigation District and the City of National City are member agencies of the San Diego County Water Authority.

The South Bay Irrigation District and the City of National City each have one (1) Representative on the San Diego County Water Authority Board of Directors, who will report to the Sweetwater Board as follows:

A. The South Bay Irrigation District Representative to the San Diego County Water Authority and the City of National City Representative to the San Diego County Water Authority shall appear before the Sweetwater Board at its regularly scheduled meeting prior to the regularly scheduled monthly meeting of the San Diego County Water Authority, and at special Board meetings as may be called, to brief the Board on matters of interest and importance which appear on the San Diego County Water Authority Board of Directors agenda. If the City of National City Representative to the San Diego County Water Authority is not a member of the Sweetwater Board, Sweetwater may request that the City of National City Representative appear before the Sweetwater Board pursuant to this Policy on a standing or case-by-case basis. As appropriate, a work group of the South Bay Irrigation District Representative, City of National City Representative, Sweetwater Authority General Manager, and Sweetwater Authority Chair may be convened.

B. Such briefing shall be for the purpose of discussing such matters of interest and importance as well as receiving direction from the Sweetwater Board on representing Sweetwater’s interest at the San Diego County Water Authority. If a majority of the Sweetwater Board does not provide direction, then each Representative may vote in such a manner as will, in each Representative’s best judgment, ensure the best interest of Sweetwater.

The South Bay Irrigation District Board member shall hold office on the San Diego County Water Authority Board of Directors for a term of seven years. Each Representative’s term of office shall be determined to expire at the end of the month in which the term of office of the Representative immediately preceding such term of office expires. The term of the City of National City Representative to the San Diego County Water Authority Board of Directors shall expire at the end of the month in which the term of office of the Representative immediately preceding such term of office expires.

The South Bay Irrigation District Representative shall hold office at the expiration of the term of office of the Representative preceding such term of office; and the City of National City Representative shall hold office at the expiration of the term of office of the Representative preceding such term of office.

The Board of Directors of Sweetwater shall adopt such rules as may be necessary for the administration of this Policy.
Water Authority Board of Directors for a term of six (6) years, or such portion thereof until he or she resigns and his or her successor is appointed and the successor’s credentials are accepted. The South Bay Irrigation District Board may appoint the same Representative to be his or her own successor after his or her term expires.

When an appointed Representative leaves the San Diego County Water Authority Board during his or her term, the date established for that term remains the same, and the Board of Directors of South Bay Irrigation District shall appoint a new appointee to serve the unexpired portion of the term. If a Director “holds over” after the expiration of a term and an appointment is made, it is to be the unexpired portion of the new term. The ending date for the new term is included in South Bay Irrigation District’s Resolution of Appointment.

Electors of the City of National City who wish to serve as a Representative of the City must apply to the City Council and be appointed pursuant to procedures established by the City.

The San Diego County Water Authority has a formal process for the seating of Directors and an oath of office is administered.
POLICY 608 – MAILED NOTICE OF MEETINGS

POLICY

Sweetwater Authority’s (Authority) agenda is posted on the Authority’s website and is available to be downloaded at no cost. Upon receipt of a written or telephone request, the Governing Board (Board) authorizes its Secretary to mail or e-mail the requested materials pertaining to the agenda packet at the time the agenda is posted or upon distribution to all, or a majority of all, of the members of the Board, whichever occurs first.

PROCEDURE

Any person may request that a copy of the agenda or a copy of all the documents constituting the agenda packet of any meeting of the Board be mailed to them. If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132.) Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year.

The Board has established a fee of $6.00 (this fee is low considering postage alone generally exceeds this amount) per month or $72.00 per year for mailing the agenda or agenda packet. If the fee that is established should be revised, it shall not exceed the cost of providing the service. The agenda packet may be provided on a compact disc, or similar electronic media, rather than print copy, if so requested, at the actual reasonable cost.

Failure of the requesting person to receive the agenda or agenda packet pursuant to this policy shall not constitute grounds for invalidation of the actions taken by the Board at the meeting for which the agenda or agenda packet was not received.
FINANCE AND PERSONNEL COMMITTEE

MEDIA INDEX BY AGENDA ITEM

AGENDA

DATE: Wednesday, February 19, 2020 TIME: 4:30 p.m.

1. CALL MEETING TO ORDER AND ROLL CALL. (00:10)

2. ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED IN THE AGENDA. (00:18)

3. PUBLIC COMMENT. (00:25)
Opportunity for members of the public to address the Committee. (Government Code Section 54954.3).

4. ACTION AGENDA.
The following items on the Action Agenda call for discussion and action by the Committee. All items are placed on the Agenda so that the Committee may discuss and take action on the item if the Committee is so inclined, including items listed for information.

Review of Board Policies and Procedures (520 through 522, and 601-608) – Second Review (06:04)

5. CLOSED SESSION.
At any time during the regular session, the Committee may adjourn to closed session to discuss real property matters within the attorney-client privilege, subject to the appropriate disclosures. (Government Code Section 54956.8).

6. NEXT MEETING DATE: Wednesday, March 4, 2020 at 4:30 p.m. (34:02)

7. ADJOURNMENT. (34:09)

This agenda was posted at least seventy-two (72) hours before the meeting in a location freely accessible to the Public on the exterior bulletin board at the main entrance to the Authority’s office and it is also posted on the Authority’s website at www.sweetwater.org. No action may be taken on any item not appearing on the posted agenda, except as provided by California Government Code Section 54954.2. Any writings or documents provided to a majority of the members of the Sweetwater Authority Governing Board regarding any item on this agenda will be made available for public inspection at the Authority Administration Office, located at 505 Garrett Avenue, Chula Vista, CA 91910, during normal business hours. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the Board Secretary at (619) 409-6703 at least forty-eight (48) hours before the meeting, if possible.

To e-subscribe to receive meeting agendas and other pertinent information, please visit www.sweetwater.org.