

**Finance and Personnel Committee Meeting - April 1, 2020**

1. Agenda Packet

Documents:

[200401 AGENDA PACKET - POSTED 200327.PDF](#)



# SWEETWATER AUTHORITY

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JENNIFER H. SABINE  
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## FINANCE AND PERSONNEL COMMITTEE

### AGENDA

**DATE: Wednesday, April 1, 2020**

**TIME: 4:30 p.m.**

**Notice: Pursuant to Governor Newsom’s Executive Orders N-29-20 and 33-20, meetings of the Board of Directors will be held by teleconference. There will be no physical location from which members of the public may participate. Instead, the public may listen to meeting proceedings and provide public comment and comments on agenda items by following these instructions:**

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**OR**

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**All public comment submissions must be received 1 hour in advance of the meeting and will be read aloud to the Board during the appropriate portion of the meeting with a reading limit of 3 minutes for each comment. 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. The above public comment procedures supersede any Authority standard public comment policies and procedures to the contrary.**

**1. CALL MEETING TO ORDER AND ROLL CALL.**

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 ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED IN THE AGENDA.**

*A Public Water Agency  
Serving National City, Chula Vista and Surrounding Areas*

**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.

Consideration to Study Providing Special Rates to Senior Citizens

**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, April 15, 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](http://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.*

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# BOARD INFORMATION

**TO:** Governing Board (Finance and Personnel Committee)  
**FROM:** Management  
**DATE:** March 27, 2020  
**SUBJECT:** Consideration to Study Providing Special Rates to Senior Citizens

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## **SUMMARY**

The Finance Committee discussed the Consideration to Study Providing Special Rates to Senior Citizens at its March 4, 2020 meeting and requested additional information from legal counsel for further discussion. Legal counsel subsequently provided the information to the committee. In summary:

- Due to limitations under the California Constitution and State law, the Authority is limited to only using unrestricted, non-water rate revenue to establish, fund, and operate a senior citizen special rate.
- Any special senior citizen rate program would need to establish a public good purpose to avoid “gift of public fund” issues, and demonstrate that the program is related to a legitimate interest of the Authority.
- Alternatively, State AB 401 provides a proposal and recommendation for implementation of a statewide customer assistance programs that could assist the Authority’s customers upon further legislation. It is not known at this time if and when the recommendations in AB 401 will be implemented.

## **PAST BOARD ACTION**

January 8, 2020 The Governing Board discussed an agenda item requested by Director Martinez regarding the Consideration to Study Providing Special Rates to Senior Citizens and referred this item to the Finance and Personnel Committee.

## **FISCAL IMPACT**

The Authority’s non-water rate revenue is currently allocated to offset existing water rates. Reallocation of existing non-water rate revenue would require either an increase in water rates for non-senior customers to cover amounts previously offset by unrestricted revenues or a reduction in the operating expenses.

Memo to: Governing Board (Finance and Personnel Committee)  
Subject: Consideration to Study Providing Special Rates to Senior Citizens  
March 27, 2020  
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**POLICY**

The Authority currently does not have any policies in place in regards to providing a special rate to senior citizens. However, the Authority is bound by state laws and regulations prohibiting the use of revenue derived from property-related fees (i.e., water fees) to subsidize water rates for any portion of customers.

**CONCLUSION**

This item is provided for informational purposes.