

**SWEETWATER AUTHORITY GOVERNING BOARD  
MINUTES OF THE REGULAR MEETING**

**March 24, 2021**

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, March 24, 2021. Pursuant to Governor Newsom's Executive Orders N-29-20 and 33-20, this meeting was held via teleconference. Chair Martinez called the meeting to order at 6:01 p.m.

*(\*Note: After calling the meeting to order, Chair Martinez established for the record that all Directors were able to hear the proceedings, that all members of the Board were able to hear the Directors participating by teleconference clearly, and that all votes would be taken by a roll call vote pursuant to the provisions of the Brown Act. Chair Martinez further established for the record the process by which public comments would be received by the Board, which process was also described in the Agenda for the meeting.)*

- **Roll Call**

Directors Present: Josie Calderon-Scott, Steve Castaneda, Hector Martinez, Paulina Martinez-Perez, Jose Preciado, Mona Rios, and \*Alejandra Sotelo-Solis (6:35 p.m.)

Directors Absent: None.

Management, Staff, and Others Present: Interim General Manager Jennifer Sabine, Legal Counsel Paula de Sousa, and Board Secretary Ligia Perez. Staff Members: Director of Water Quality Justin Brazil, Engineering Manager Erick Del Bosque, Administrative Assistant Michael Garcia, Distribution Manager Nate Golder, Program Manager Dan Hayes, Director of Engineering Ron Mosher, Public Affairs Manager Leslie Payne, Director of Finance Rich Stevenson, Engineering Manager Mike Wallace, and Director of Administrative Services Dina Yorba. Others Present: Alison Alpert and Seth Merewitz of Best Best & Krieger; Gary Phillips of Bob Murray & Associates; and David Thomas.

- **Pledge of Allegiance to the Flag**

- **Opportunity for Public Comment** (Government Code Section 54954.3)

David Thomas commented on the reopening and the schedule of the Fishing Program at Loveland Reservoir.

Mike V. submitted written comments regarding the operational hours of the Fishing Program at Loveland Reservoir and the length of fishing shoreline, which were read onto the

record by the Board Secretary pursuant to the Authority's established process for public comments.

Russell Walsh submitted written comments and photos regarding the conditions of Loveland Reservoir fishing shoreline, operational hours, fishing dock placement, and public access, which were read onto the record by the Board Secretary pursuant to the Authority's established process for public comments.

Carolyn McGavok submitted written comments regarding the easement and public rights related to the Loveland Reservoir Fishing Program, which were read onto the record by the Board Secretary pursuant to the Authority's established process for public comments.

- **Chair's Presentation**

Hydro Station Interactive Display Provided by the Grant from the Hans & Margaret Doe Charitable Trust

### **ACTION CALENDAR AGENDA**

1. Items to be Added, Withdrawn, or Reordered on the Agenda

There was none.

2. Approval of Minutes

A. Regular Board Meeting of March 10, 2021

B. Special Board Meeting of March 11, 2021

**Director Calderon-Scott made a motion, seconded by Director Castaneda, that the Governing Board approve the minutes of the Regular Board meeting of March 10, 2021, and the Special Board meeting of March 11, 2021. The motion carried unanimously, with Director Sotelo-Solis absent.**

### **Consent Calendar Items**

**Director Castaneda recused himself from consideration of Agenda Item 3 (approval of San Diego Gas & Electric Demands and Warrants – check numbers 155048, 155087, and 155186) due to his contract with Sempra Energy, parent company of SDG&E, which Director Castaneda disclosed on the record.**

**Director Rios made a motion, seconded by Director Martinez-Perez, that the Governing Board approve the consent calendar. The motion carried unanimously, with Director Sotelo-Solis absent.**

3. Approval of San Diego Gas & Electric Demands and Warrants – Check numbers 155048, 155087, and 155186

4. Approval of Demands and Warrants (excludes the San Diego Gas & Electric Demands and Warrants) – February 2021

5. ACWA/JPIA President's Special Recognition Award (Information Item) Consideration of Selection Process for Federal Lobbyist (Finance and Personnel Committee Meeting of 3/17/21)  
Recommendation: Extend the contract with Thomas Walter and Associates for six months through November 30, 2021 and reevaluate the scope of work and decision to issue a Request for Proposals at that time.
6. Consideration of Allocation of Authority's Portion of the \$44.4 Million in MWD Overcharges Being Returned to San Diego County Water Agencies (Finance and Personnel Committee Meeting of 3/17/21)  
Recommendation: Allocate \$874,367.74 received from SDCWA to the Authority's Rate Stabilization Reserve.
7. Request for Input on Water Treatment Chemicals Procurement Process (Operations Committee Meeting of 3/17/21)  
Recommendation: Direct staff to issue the RFQ utilizing the vendor outreach plan as presented.

### **Action and Discussion Items**

8. Review of the Draft FY 2021-22 Five-year Financial Plan Assumptions (Information Item) (Finance and Personnel Committee Meeting of 3/17/21)  
Recommendation: No action was required by the Governing Board.

*(Note: Director Sotelo-Solis entered the meeting at 6:35 p.m.)*

No action was required by the Governing Board.

9. Consideration to Award a Contract for Heavy Equipment Replacement (Operations Committee Meeting of 3/17/21)  
Recommendation: Award a contract in the amount of \$141,256.32 to RDO Equipment Company, Lakeside, CA for the purchase of one John Deere 410L Backhoe Loader with attachments.

Mike Sampsel submitted written comments regarding the replacement of the existing backhoe and asked the Board to retrofit the existing backhoe rather than purchase a new one, which were read onto the record by the Board Secretary pursuant to the Authority's established process for public comments.

**Director Preciado made a motion, seconded by Director Rios, that the Governing Board award a contract in the amount of \$141,256.32 to RDO Equipment Company, Lakeside, CA for the purchase of one John Deere 410L Backhoe Loader with attachments. The motion carried unanimously.**

10. Consideration of Plan for Local Business Procurement Efforts (Operations Committee Meeting of 3/17/21)  
Recommendation: Provide input to the Plan for Local Business Procurement Efforts and the Proposed Revisions to the Preferential Purchasing for Local Businesses Section of the Procurement Policy; and direct staff to bring back the changes for Board adoption in conjunction with the annual review of Policy 517 Financial Policy.

**Director Rios made a motion, seconded by Director Calderon-Scott, that the Governing Board approve the proposed changes to the Preferential Purchasing for Local Businesses Section of the Procurement Policy as presented. The motion carried unanimously.**

11. Recommendations from Customer Survey (Communications Committee Meeting of 3/18/21)  
Recommendation: Defer to the Board for input

No action was required by the Governing Board.

12. Consideration of Communications Strategy Concepts for FY 2021-22 (Communications Committee Meeting of 3/18/21)

Recommendation: Defer to the Board for input

No action was required by the Governing Board.

13. Old and Unfinished Business

- A. Consideration of Letters of Continued Interest Submitted for Potential Sand Mining Opportunities at Sweetwater Reservoir and Next Steps

**Chair Martinez made a motion, seconded by Director Castaneda, that the Governing Board direct staff to issue a Request for Qualifications/Proposals to select an Aggregate Consultant and/or team of consultants to perform a detailed market study and economic analysis that includes the cost to dredge the Sweetwater Reservoir to determine project viability, as well as outline various local, state and federal permits and environmental studies required and the cost and time associated with each. The motion carried unanimously.**

- B. Consideration of Revised Proposal for Initiating Phase II of the Sediment Characterization Study at Loveland Reservoir

**Director Castaneda made a motion, seconded by Director Rios, that the Governing Board continue this item to a future Board meeting. The motion carried, with Directors Calderon-Scott, Castaneda, Martinez, Martinez-Perez, Rios, and Sotelo-Solis in favor, and Director Preciado opposing.**

14. New Business

- A. Consideration of Proposed Citizens Advisory Committee Meeting Dates and Times

**Director Castaneda made a motion, seconded by Director Martinez-Perez, that the Governing Board approve the Citizens Advisory Committee meeting dates and times. The motion carried unanimously.**

- B. Consideration of Relevant Citizens Advisory Committee Issues

**Director Preciado made a motion, seconded by Chair Martinez, that the Governing Board continue this item until the Citizens Advisory Committee Chair speaks to the Board. The motion carried unanimously.**

- C. Request to Consideration to Approve Agreement with Bob Murray & Associates for General Manager Recruitment Services

**Chair Martinez made a motion, seconded by Director Castaneda, that the Governing Board approve the agreement with Bob Murray & Associates for General Manager Recruitment Services and authorize the Chair to execute the Agreement. The motion carried unanimously.**

15. Approval of Directors' Attendance at Meetings and Future Agenda Items

### **REPORTS AND INFORMATIONAL ITEMS**

16. COVID-19 Pandemic Delayed Revenue Balance Dashboard

17. Report of 2020 Calendar Year Outreach Activities (Information Item) (Communications Committee Meeting of 3/18/21)

18. Committee Minutes

19. Financial Reports – February 2021

20. Report of Management

Acting General Manager Sabine reported on:

- The Authority has reopened the lobby and restored the Loveland Reservoir Fishing Program to seven days a week;
- "Certification of Arrearages Letters" were sent to all eligible customers for submittal to the County of San Diego or City of Chula Vista Emergency Assistance Programs;
- The Authority had a very successful drive-through employee event with PPE provided by the City of National City;
- The American Rescue Plan Act allows funds to be used for investment in water and for drinking water emergency assistance;
- There is a webpage on the Authority's website dedicated to the investigation of sand mining activities at Authority reservoirs;
- Chair Martinez was interviewed by Telemundo for a follow-up piece on the water transfer and its benefit to ratepayers;
- The new Committees structure will begin next fiscal year; and
- Previewed the agenda items for the upcoming Operations Committee and Finance and Personnel Committee meetings.

21. Report of Representatives to the San Diego County Water Authority (SDCWA)

Director Rios reported that at the upcoming meeting SDCWA Committees will be reporting out first before the formal Board meeting; federal lobbyist Carpi and Clay will be providing a federal legislation update; congressional delegates will be re-introducing a bill targeting water quality improvements at the border; receiving an update on low-income water and wastewater service assistance program; and a recent news release regarding three water agencies in the region receiving financial grants.

Director Preciado reported that the Water and Environmental Planning Committee will be holding a public hearing regarding the Urban Water Management Plan, Water Shortage Plan,

and the Use of Delta Water Plan that is part of the legislatively-mandated planning process; the City of Poway is in the process of acquiring a new supply of treated water from SDCWA; the region is in the middle of its second drought year, and the State Water Project has reduced the allocation to Southern California; the Imported Water Committee is looking at a report from the Colorado River Working Group regarding water supplies, relationship with Mexico, water storage at Lake Mead, and future negotiations regarding Lake Mead storage impacts; a report from the Water Conservation Garden regarding attendance and membership; and the SDCWA will be taking positions on nine pieces of legislation including the potential of a water tax and/or fee.

22. Reports by Directors on Events Attended

A. Other Events Attended – There was none.

23. Directors’ Comments

Director Sotelo-Solis invited the Board to the National City Mayor’s State of the City address Thursday, March 25 and will be held virtually.

Director Preciado commented on receiving the COVID-19 vaccine and encouraged others to do so.

Director Martinez commented on completing the unconscious bias training.

CLOSED SESSION

At 9:02 p.m. the Board convened in closed session for:

A. Public Employee Appointment pursuant to Government Code Section 54957:

Title:       General Manager  
              Associate General Manager

B. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiators:       Hector Martinez, Chair  
  Alison Alpert, Legal Counsel

Unrepresented Employee:   General Manager  
  Interim General Manager

There was no need for closed session on item:

C. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9 (d)(1):

United States, et al. ex rel John Hendrix v. J-M Manufacturing Company Inc., and Formosa Plastics Corporation, U.S.A., Case No. ED CV06-00055-GW

There were no minutes taken, and the session was not audio-recorded.

The Board reconvened in open session at 10:00 p.m., with Directors Castaneda, Martinez, Martinez-Perez, and Rios in attendance.

Legal Counsel de Sousa reported that the Board came out of Closed Session at 10:00 p.m.

Regarding the item on Appointment for the Associate General Manager Position, the Board authorized announcement of the following statement, which Legal Counsel de Sousa read onto the record: “The recruitment for the Associate General Manager is being put on indefinite hold. At a later time, the Board may reevaluate the need for the position and determine whether to reopen a recruitment. All interested candidates, including those who previously applied for the Associate General Manager position, are invited to apply for the General Manager position which will soon be opened for recruitment.

There was no reportable action taken by the Governing Board.

24. Adjournment

With no further business before the Board, Chair Martinez adjourned the meeting at 10:02 p.m.

*APPROVED by the Governing Board on April 14, 2021*

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Hector Martinez, Chair

Attest:

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Ligia Perez, Board Secretary