SWEETWATER AUTHORITY
505 GARRETT AVENUE
CHULA VISTA, CALIFORNIA 91910
(619) 420-1413
FAX (619) 425-7469
www.sweetwater.org

GOVERNING BOARD

HECTOR MARTINEZ, CHAIR
PAULINA MARTINEZ-PEREZ, VICE CHAIR
JOSIE CALDERON-SCOTT
STEVE CASTANEDA
MANNY DELGADO
RON MORRISON
DITAS YAMANE

CARLOS QUINTERO
GENERAL MANAGER

FINANCE AND ADMINISTRATION COMMITTEE

AGENDA

DATE: Monday, February 27, 2023 TIME: 5:30 p.m.

Notice: This meeting will be held at the above date, time, and location, and Sweetwater Authority Board members and members of the public may attend in person. The meeting is also being held virtually pursuant to Government Code section 54953(e)(1)(A), which waives certain Brown Act teleconferencing requirements under certain circumstances. Some Sweetwater Authority Board members may attend and participate in the meeting virtually pursuant to such Brown Act provisions. Members of the public may also attend and participate virtually as well. Additional details on in-person and virtual public participation are below.

To join via Zoom Webinar from a computer, tablet, or smartphone, click on the link below:
https://zoom.us/j/91458023440

To join this meeting via telephone, please dial:
1-669-900-6833 or 1-253-215-8782
Meeting ID: 914 5802 3440
The Zoom Webinar link and telephone number will be active approximately 15 minutes prior to the meeting start time.

If you are unable to access the meeting using this call-in information, please contact the Board Secretary at (619) 409-6703 for assistance.

Instructions for Making Public Comments:

Members of the public may address the Board regarding items not appearing on the posted agenda, which are within the subject matter jurisdiction of the Governing Board, and on agenda items. Speakers are asked to state name, address, and topic, and to observe a time limit of three (3) minutes each. Public comment on a single topic is limited to twenty (20) minutes.

Making Public Comment for Those Attending In-Person:

Anyone desiring to address the Governing Board regarding non-agenda items or an item listed on the agenda is asked to fill out a speaker's slip and present it to the Board Chair or the Secretary. Request to Speak forms are available at the Speaker's podium and at www.sweetwater.org/speakerform.

Making Public Comment for Those Not Attending In-Person:

Public comments on non-agenda items or on any item of the agenda may be submitted in writing before the meeting OR provided verbally during the meeting via call-in option or an internet-based service option, as described below:

Providing written comments before the meeting:

- Go to www.sweetwater.org; click on the "HOW DO I…" at the top of the page; and then click on the "Public Comment" link in the Contact section.

OR

- Physically deposit your public comment in the Authority's payment drop box located in the public parking lot at the Authority's Administrative Office at 505 Garrett Avenue, Chula Vista.

OR

- Mail your comments to 505 Garrett Avenue, Chula Vista, CA 91910 [Attention: Public Comment].

All written 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.

Providing verbal comments during the meeting:

The Chair will inquire prior to Board discussion if there are any comments from the public on each item.

- Via Zoom Webinar go to Participants List, hover over your name and click on "Raise Hand." This will notify the moderator that you wish to speak during Oral Communication or during a specific item on the agenda.

- Via phone, you can raise your hand by pressing *9 to notify the moderator that you wish to speak during the current item.

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

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.

A. Consideration of One-Time Adjustment to Customer Water Bill – Mar Village II

B. Review of Board Policies and Procedures (Policies 521, and 601 through 520)

C. Board Room Remodel Project and Technology Update Project and Consideration to Award a Preliminary Board Room Design Contract

5. DIRECTORS' COMMENTS

Directors' comments are comments by Directors concerning Authority business that may be of interest to the Committee. Directors' comments are placed on the Agenda to enable individual Board members to convey information to the Board and the Public. There is no discussion or action taken on comments made by Board members.

6. NEXT MEETING DATE: Monday, April 3, 2023 at 5:30 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.

This page intentionally left blank.

BOARD ACTION

TO: Governing Board (Finance and Administration Committee)

FROM: Carlos Quintero, General Manager
Dina Yorba, Director of Administrative Services
Gregg Harpenau-Parks, Customer Service Manager

DATE: February 24, 2023

SUBJECT: Consideration of One-Time Adjustment to Customer Water Bill – Mar Village II

SUMMARY

Mar Village II 540 C Street, Chula Vista	HCF	Commodity Amount
Water Bill Under Review for Adjustment (a)	1386	$8,939.04
Average Bi-Monthly Water Bill (prior 12 months)	762	$2,423.16
Above-Average Water Use at Wholesale Rate	1386-762=624	$3,694.08
New Total Amount Due (b)		$ 6,117.24
Amount of One-Time Adjustment (a-b)		**$ 2,821.80**

PAST BOARD ACTIONS

October 25, 2022 The Governing Board approved a one-time adjustment in the amount of $1,564.21 for Tenant Planet/Jeff Ricks.

February 9, 2022 The Governing Board approved a one-time adjustment in the amount of $1,675.07 for Dan Eskew

POLICY / STRATEGIC PLAN

It is the Authority's policy to set rules for adjusting customer's water bills so as not to profit by a customer's misfortune. Under this policy, the General Manager is authorized to approve adjustments up to $1,500; adjustments in excess of $1,500 shall be approved by the Board. In addition, all one-time adjustments are provided without a specific reason.

ALTERNATIVES

1. Approve the one-time adjustment to the account of Mar Village II in the amount of $2,821.80.

2. Deny the request for a one-time adjustment and allow the customer to enter into an extended payment plan to pay the balance.

3. Deny the request.

RECOMMENDATION

Staff recommends that the Governing Board approve a one-time adjustment in the amount of $2,821.80 to the account of Mar Village II.

BOARD ACTION

TO: Governing Board (Finance and Administration Committee)

FROM: Carlos Quintero, General Manager
Ligia Hoffman, Board Secretary/Administrative Assistant

DATE: February 24, 2023

SUBJECT: Review of Board Policies and Procedures (Policies 521 and 601 through 608)

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 will present the policies to the Board in batches so that the Board can carefully review the policies and make any changes. The General Manager and Legal Counsel reviewed the policies, and a summary of the recommended changes are as follows:

POLICY	ADDITIONS/MODIFICATIONS/COMMENTS
521,601, 602, 604, 605, 607, and 608	No recommended changes.
603	Recommended changes: added language related to SB 1100 regarding removal of individuals from meetings.
606	Recommended changes: replaced prior language about removal of individuals with language similar to Policy 603, based on SB 1100 language; removed "in attendance" language relating to public comments, since the Board is continuing to permit remote public attendance

Policy 517 is brought to the Board separately as part of the budget approval process.

PAST BOARD ACTIONS

February 8, 2023 The Governing Board approved policies 511 through 516, and 518 through 520 as presented, with administrative corrections to the organizations listed in Board Policy 511.

January 25, 2023	The Governing Board made no changes to Policies 501 through 506, 508, and 509; and approved changes to Policy 507.
November 9, 2022	The Governing Board made no changes to Policies 511 and 519.
September 28, 2022	The Governing Board approved the recommended changes to the General Manager Performance Evaluation Form as presented.
September 14, 2022	The Governing Board decided not to make changes to Policy 522 until there is a Citizens Advisory Committee outreach plan, and the Board has a preliminary workshop with the Citizens Advisory Committee.
July 13, 2022	The Governing Board approved the recommended changes to Policy 522 as presented.
June 8, 2022	The Governing Board approved the FY 2022-23 Budget as presented; adopted Resolution 22-04, Approving a Budget for FY 2022-23; and adopted Resolution 22-06, Approving Updated Financial Policies (Policy 517), Including Policy for Procurement of Services (Including Construction), Supplies and Equipment.
May 11, 2022	The Governing Board approved the recommended changes to Policy 517 as presented.
April 27, 2022	The Governing Board approved the changes to Board Policy 507 as presented.
March 9, 2022	The Governing Board approved Board Policies 521 and 601 through 608 as presented; and continued Board Policy 522 to allow the Sweetwater Authority Chair, Vice Chair, and Citizens Advisory Committee Chair to discuss further changes to section VI, and bring back the changes to the Board for review within 60 days.
February 9, 2022	The Governing Board approved the recommended changes as presented; with direction to discuss potential changes to Policy 518 at a future Board meeting.
January 12, 2022	The Governing Board approved changes to Policy 507 renaming the Communications Committee to the Legislative Affairs and Communications Committee, and remove “meets on a quarterly basis;” and approve the changes to Policies 501-509 as presented

FISCAL IMPACT

Fiscal impact is limited to cost incurred for legal counsel review.

POLICY / STRATEGIC PLAN

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 521 and 601 through 608 for Board review and consideration.

2. Approve Policies 521 and 601 through 608 as presented.

3. Make no changes to Policies 521 and 601 through 608.

RECOMMENDATION

Staff seeks direction from the Governing Board.

ATTACHMENT

Board Policies 521 and 601 through 608

This page intentionally left blank.

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.

This page intentionally left blank.

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 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.) The agenda posted on the Authority's website shall be posted in a manner that complies with Government Code § 54954.2(a)(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)(3)) 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.). In

addition, the Chairperson may, in consultation with Legal Counsel, remove, or cause the removal of, an individual disrupting a meeting. Prior to removing an individual, the Chairperson or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The Chairperson or their designee may then remove the individual if they do not promptly cease their disruptive behavior. Notwithstanding, if the person is engaging in behavior that constitutes the use of force or true threat of use of force, a warning shall not be required prior to removal. (Government Code Section 54957.95).

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 § 54955.) 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.

This page intentionally left blank.

POLICY 605 – MINUTES OF BOARD AND STANDING COMMITTEE 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 standing committees, regular meetings, special meetings, and adjourned meetings of the Board.

Copies of regular, special and adjourned Board meeting 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. Copies of standing committee minutes will be distributed as an informational item to Directors as part of the agenda packet for the next regular Board meeting.

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 and standing committee 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.)

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.

The minutes of standing committee 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. Summary record of public comment regarding matters not on the agenda, and on matters on the agenda, including names of commenters;

I. Complete identification as to each subject of the Committee's deliberation; and

J. Record of the Committee recommendation noting any Director not in support or absent on the vote on a motion if not unanimous.

This page intentionally left blank.

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. The Chairperson may, in consultation with Legal Counsel, remove, or cause the removal of, an individual disrupting a meeting. Prior to removing an individual, the Chairperson or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The Chairperson or their designee may then remove the individual if they do not promptly cease their disruptive behavior. Notwithstanding, if the person is engaging in behavior that constitutes the use of force or true threat of use of force, a warning shall not be required prior to removal. (Government Code Section 54957.95). ~~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.

This page intentionally left blank.

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.

C. Representatives typically provide briefings to the Sweetwater Authority Board at the

second regularly scheduled meeting of the month.

The South Bay Irrigation District Board member shall hold office on the San Diego County 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. Any person may also request that a copy of the agenda or a copy of all the documents constituting the agenda packet be emailed to them. If any person requests that a copy of the agenda or a copy of all the documents constituting the agenda packet be emailed to them, the Authority shall email them a copy of, or website link to, such documents. If it is technologically infeasible to send a copy of all documents constituting the agenda packet or a link to the website that contains the documents by email or by other electronic means, the Authority shall send by mail a copy of the agenda or a website link to the agenda and mail a copy of all other documents constituting the agenda packet in accordance with Government Code section 54954.1 and this Policy. 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. (Government Code § 54954.1.)

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.

This page intentionally left blank.

BOARD ACTION

TO: Governing Board (Finance and Administration Committee)

FROM: Carlos Quintero, General Manager
Rich Stevenson, Director of Finance

DATE: February 24, 2023

SUBJECT: Board Room Remodel Project and Technology Update Project and Consideration to Award a Preliminary Board Room Design Contract

---

SUMMARY

The FY 2022-23 Budget includes funds to implement a technology upgrade for the Board Room to provide a modern public meeting system. The current Technology Master Plan identified the need to update the technology and processes used in the Administrative Building Board Room. This project will help streamline onsite meetings by providing improved audio and video recording capabilities, laptop or tablet access to meeting materials, digital voting and recording, and a more modern and interactive process during the meetings. Staff will seek input from the Board on any other requirements desired at its March 8, 2023 meeting.

The current Board Room has limited capacity to accommodate a large number of members of the public. It might benefit from a renovation to ensure an adequate layout, including but not limited to the dais design, podium location, and potential modules for Information Systems support. A proposal was requested from OBR Architecture, Inc. to provide the Board with a conceptual design. At that point, the Board would approve the concepts and direct staff to prepare contract documents or provide alternative direction. OBR Architecture, Inc. previously provided a design plan for the Administration lobby remodel. Staff is working with this firm to provide a cost proposal for a preliminary Board Room remodel design plan.

Both the Board Room improvements and the Technology Update could be implemented concurrently; however, the Technology Update could be implemented if the Board decides against pursuing the Board Room improvements.

PAST BOARD ACTIONS

June 8, 2022 The Board approved the FY 2022-23 Strategic Plan Detailed Work Plan.

The Governing Board adopted a Budget for the FY 2022-23.

FISCAL IMPACT

An amount of $150,000 is included in the FY 2022-23 Capital Budget for the Board Room Technology Upgrade. The funds to remodel the Board Room would need to be included in the FY 2023-24 Budget. A cost proposal for design plans to aid the Board decision on proceeding with a remodel project will be presented at its March 8, 2023 meeting.

POLICY / STRATEGIC PLAN

Strategic Plan Goal 6: Administrative Effectiveness (AE) - Provide efficient and effective administrative systems and procedures in accordance with best management practices.

- Objective AE3: Maintain the Authority's extensive Information Systems infrastructure and provide technological solutions to efficiently and effectively support staff operations
    - Task 004.00 Implement a technology upgrade for the Board Room to provide modern public meeting systems.

ALTERNATIVES

1. Provide input to staff on a Board Room Remodel Project and Technology Update Project, and award a preliminary design contract to OBR Architects for a Board Room Remodel Project in an amount to be presented on March 8, 2023.

2. Provide input to staff on a Technology Update Project.

3. Other alternative as directed by the Board.

RECOMMENDATION

Staff recommends that the Governing Board provide input to staff on a Board Room Remodel Project and Technology Update Project, and award a preliminary design contract to OBR Architects for a Board Room Remodel Project in an amount to be presented on March 8, 2023.