

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

January 13, 2021

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, January 13, 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 6:00 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 (6:08 p.m.)

Directors Absent: None.

Management, Staff, and Others Present: General Manager Tish Berge, Assistant General Manager Jennifer Sabine, Legal Counsel Paula de Sousa, and Board Secretary Ligia Perez. Staff Members: Administrative Assistant Michael Garcia, Reservoir Operations Specialist Victor Gaus, Director of Engineering Ron Mosher, Director of Operations Greg Snyder, Director of Finance Rich Stevenson, Engineering Manager Mike Wallace, and Director of Administrative Services Dina Yorba. Others Present: José F. Cerda and Legal Counsel Alison Alpert of Best, Best, & Krieger

- **Pledge of Allegiance to the Flag**

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

Mike Sampsel submitted written comments regarding expenditures, employee salaries and benefits, and potential rate increases, which were read onto the record by the Board Secretary pursuant to the Authority's established process for public comments.

- **Chair's Presentation**

A. Introduction and Administration of Ceremonial Oath of Office for City of National City Appointed Director Mona Rios

Director Mona Rios took her oath of office which was administered by National City Mayor Alejandra Sotelo-Solis.

B. 2021 Committee and Interagency Assignments

ACTION CALENDAR AGENDA

1. Adoption of Resolution 21-01 of the Governing Board of Sweetwater Authority Honoring José F. Cerda for His Service as a Director

Upon a motion made by Director Preciado, seconded by Director Castaneda, the following resolution:

RESOLUTION 21-01

**RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY
HONORING JOSÉ F. CERDA FOR HIS SERVICE AS A DIRECTOR**

was passed and adopted by the following vote to wit:

Ayes: Directors Calderon-Scott, Castaneda, Martinez, Martinez-Perez,
Preciado, Rios, and Sotelo-Solis
Noes: None
Absent: None
Abstain: None

2. Adoption of Resolution 21-02 of the Governing Board of Sweetwater Authority Honoring Jerry Cano for His Service as a Director

Upon a motion made by Director Sotelo-Solis, seconded by Director Castaneda, the following resolution:

RESOLUTION 21-02

**RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY
HONORING JERRY CANO FOR HIS SERVICE AS A DIRECTOR**

was passed and adopted by the following vote to wit:

Ayes: Directors Calderon-Scott, Castaneda, Martinez, Martinez-Perez,
Preciado, Rios, and Sotelo-Solis
Noes: None
Absent: None
Abstain: None

3. Items to be Added, Withdrawn, or Reordered on the Agenda
General Manager Berge withdrew item 10 from the agenda.
4. Approval of Minutes
 - A. Regular Board Meeting of December 9, 2020
 - B. Special Board Meeting of December 16, 2020
 - C. Special Board Meeting of December 17, 2020

Director Preciado made a motion, seconded by Director Martinez-Perez, that the Governing Board approve the minutes of the Regular Board meeting of December 9, 2020, the Special Board Meeting of December 16, 2020, and the Special Board Meeting of December 17, 2020. The motion carried unanimously.

Consent Calendar Items

Director Castaneda recused himself from consideration of Agenda Item 5 (approval of San Diego Gas & Electric Demands and Warrants – check numbers 154493, 154528, 154616, 154655, and 154687) due to his contract with Sempra Energy, parent company of SDG&E, which Director Castaneda disclosed on the record. Chair Martinez recused himself from consideration of Agenda Item 9 due to real property he owns located at 3364 Randy Lane, Chula Vista CA 91910, which abuts the property at issue, which Chair Martinez disclosed on the record.

Director Calderon-Scott pulled items 6 and 9 for discussion.

Director Rios made a motion, seconded by Director Calderon-Scott, that the Governing Board approve the consent calendar items 5, 7, and 8. The motion carried unanimously.

5. Approval of San Diego Gas & Electric Demands and Warrants – November
7. Consideration to Approve Proposed Changes to Rates and Rules and Adopt Resolution 21-03 (Finance and Personnel Committee Meeting of 1/6/21)
Recommendation: Approve the proposed changes to the Rates and Rules and adopt Resolution 21-03

RESOLUTION 21-03

RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY ADOPTING AMENDED RATES AND RULES AS STATED IN EXHIBIT “A” TO THIS RESOLUTION

was passed and adopted by the following vote to wit:

Ayes: Directors Calderon-Scott, Castaneda, Martinez, Martinez-Perez, Preciado, Rios, and Sotelo-Solis
 Noes: None
 Absent: None
 Abstain: None

8. Consideration of Methods to Collect Overdue Customer Payments (Finance and Personnel Committee Meeting of 1/6/21)
Recommendation: Explore any and all reasonable alternatives consistent with industry standards to facilitate payment for delinquent accounts.

ITEMS PULLED FROM CONSENT CALENDAR

6. Approval of Demands and Warrants (excludes the San Diego Gas & Electric Demands and Warrants) - November

Director Preciado made a motion, seconded by Director Rios, that the Governing Board approve the Demands and Warrants (excludes the San Diego Gas & Electric Demands and Warrants) - November. The motion carried unanimously.

9. Request for Remote Service – Gold Remote Service and Meter Relocation – 3342 Randy Lane A.P.N. 592-030-61 (Operations Committee Meeting of 1/6/21)
Recommendation: Approve the remote service request and water service relocation with the property owner paying for all costs of installing the private lateral from the new proposed meter location, through the neighboring parcel to the west (APN 692-030-56) and onto their property; and the property owner and the Authority sharing equally in the Authority's costs associated with the relocation of the water service, subject to a Release Agreement between the parties.

(Chair Martinez left the meeting at 6:41 p.m. due to his recusal on this item)

Director Calderon-Scott made a motion, seconded by Director Castaneda, that the Governing Board approve the remote service request and water service relocation with the property owner paying for all costs of installing the private lateral from the new proposed meter location, through the neighboring parcel to the west (APN 692-030-56) and onto their property; and with clarifying language of costs responsible by the owner, and costs responsible by the Authority.

Director Preciado made a substitute motion, seconded by Director Rios, that the Governing Board approve the remote service request and water service relocation with the property owner paying for all costs of installing the private lateral from the new proposed meter location, through the neighboring parcel to the west (APN 692-030-56) and onto their property; and the property owner and the Authority sharing equally in the Authority's costs associated with the relocation of the water service, subject to a Release Agreement between the parties. The motion carried with Directors Calderon-Scott, Castaneda, Martinez-Perez, Preciado, Rios, and Sotelo-Solis in favor, and Director Martinez recused.

Action and Discussion Items

(Chair Martinez entered the meeting at 7:18 p.m.)

- 10. Consideration to Award Contracts for Vehicle Replacement Program (Operations Committee Meeting of 1/6/21)

Recommendation: Defer to the Governing Board.

The item was withdrawn from the agenda.

- 11. New Business

- A. Consideration to Award a Contract for the Purchase of a Boom Flail Mower Attachment

Staff Recommendation: Award a contract in the amount of \$67,133.79 to Powerland Equipment, Inc., Valley Center, CA for the boom flail mower attachment.

Director Sotelo-Solis made a motion, seconded by Director Rios, that the Governing Board award a contract in the amount of \$67,133.79 to Powerland Equipment Inc., Valley Center, CA, for the boom flail mower attachment. The motion carried unanimously.

- B. Consideration of Appointment of Nominees to the Citizens Advisory Committee

Director Sotelo-Solis made a motion, seconded by Director Preciado, that the Governing Board appoint Director Sotelo-Solis' CAC Alternate Jeanette Reyes as the CAC Member to replace Sandy Naranjo. The motion carried unanimously.

Chair Martinez instructed Directors from Divisions 2, 4, and 5 to submit their CAC nominees to the Board Secretary for Board review at its January 27, 2021 meeting.

- C. Consideration of Public Lobby Operations during COVID-19 Pandemic

Director Sotelo-Solis made a motion, seconded by Director Preciado, that the Governing Board approve to keep the public lobby closed and re-evaluate opening the lobby once the County of San Diego is in the Red Tier per the State of California: Blueprint for a Safer Economy. The motion carried unanimously.

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

There were none.

REPORTS AND INFORMATIONAL ITEMS

- 13. COVID-19 Pandemic Delayed Revenue Balance Dashboard

- 14. Committee Minutes

- 15. Financial Reports – November 2020

16. Report of Legal Counsel

Legal Counsel de Sousa reported on the legislative efforts for inclusion of Special Districts in a COVID-19 relief package.

17. Report of Management

- Recent/Upcoming Community Events (No Enclosures):

General Manager Berge reported on:

- Staff met with RIDA, the developer for the Bayfront Development Project and provided information on the water utility development process and requirements;
- Staff sent a request for letters of continued interest or non-interest for materials dredging/sand mining at Sweetwater Reservoir to the four firms that originally submitted letters of interest. Letters of interest, or non-interest, are due to the Authority on February 23rd; and
- Previewed the agenda items for the upcoming Operations Committee and Finance and Personnel Committee meetings.

18. Reports by Directors on Events Attended

A. Other Events Attended

19. Directors' Comments

The following Directors provided comments on non-agenda related items: Directors Preciado, Calderon-Scott, Rios, Sotelo-Solis, and Martinez.

CLOSED SESSION

At 8:20 p.m. the Board convened in closed session for:

- A. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9 (d)(1):
Sweetwater Authority Middle Management Group v. Sweetwater Authority
PERB Case No. LA-CE-1346-M

There was no need for closed session on item:

- B. 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.

At 8:31 p.m. Legal Counsel de Sousa declared the meeting to be in open session, with Directors Castaneda, Martinez, Martinez-Perez, Preciado, Rios, and Sotelo-Solis in attendance. There was no reportable action taken by the Governing Board.

20. Adjournment

With no further business before the Board, Chair Martinez adjourned the meeting at 8:33 p.m.

APPROVED by Governing Board – January 27, 2021

Hector Martinez, Chair

Attest:

Ligia Perez, Board Secretary