

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

**February 8, 2023, 6:00 p.m.
Virtual Meeting via Zoom
and at
Sweetwater Authority
Administration Building
505 Garrett Avenue
Chula Vista, CA 91910**

Directors Present: Josie Calderon-Scott, Steve Castaneda, Manny Delgado, Hector Martinez, Paulina Martinez-Perez, Ron Morrison, *Ditas Yamane (6:47 p.m.)

Staff Present: General Manager Carlos Quintero, Legal Counsel Paula de Sousa, Board Secretary Ligia Hoffman, Director of Water Quality Justin Brazil, Director of Engineering and Operations Erick Del Bosque, Assistant Board Secretary Michael Garcia, Director of Finance Rich Stevenson, Director of Administrative Services Dina Yorba.

- **Call Meeting to Order and Roll Call**

The meeting was called 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.

- **Pledge of Allegiance to the Flag**

- **Opportunity for Public Comment**

Sallie Brown submitted written comments regarding the draining of Loveland Reservoir, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Patricia Moss submitted written comments regarding access to Loveland Reservoir, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Karen Wood submitted written comments regarding access and use of Loveland Reservoir, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Donald Miller submitted written comments regarding the draining of Loveland Reservoir, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

George Young submitted written comments regarding the draining of Loveland Reservoir and the effect on wildlife, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Suzanne Thomas submitted written comments regarding the necessity of draining Loveland Reservoir and the effect to wildlife, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Glenn and Felicia Millen submitted written comments regarding the taking of water from Loveland Reservoir and its effect on wildlife and potential fires, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Killeen Fornelli-Eggers submitted written comments regarding the draining of Loveland Reservoir and the responsibility of the Board, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Carolyn McGavock submitted written comments regarding the effects of the water transfer, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Mike Eggers submitted written comments regarding the effects of the water transfer has on fire protection and wildlife, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Mary Davis submitted written comments regarding the monetary value of the Loveland water transfer, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Russell Walsh submitted written comments regarding repairing the trails at Loveland Reservoir; and submitted an area map for the record, which were read onto the record by the 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 Ron Morrison
- B. 2023 Committees and Interagency Assignments

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

There were none.

- 2. **Approval of Minutes - Regular Board Meeting of January 25, 2023**

Motion by: Director Castaneda

Seconded by: Director Delgado

that the Governing Board approve the minutes of the Regular Board meeting of January 25, 2023.

Ayes (6): Director Calderon-Scott, Director Castaneda, Director Martinez, Director Martinez-Perez, Director Morrison, and Director Delgado

Absent (1): Director Yamane

Motion Carried Unanimously (6 to 0)

Consent Calendar Items

Motion by: Director Delgado

Seconded by: Director Morrison

that the Governing Board approve the Consent Calendar items 4 through 10.

Ayes (6): Director Calderon-Scott, Director Castaneda, Director Martinez, Director Martinez-Perez, Director Morrison, and Director Delgado

Absent (1): Director Yamane

Motion Carried Unanimously (6 to 0)

- 4. **Consideration of Revised 2023 Board Calendar**

- 5. **Per Diem Survey and Budget Impact**

- 6. **Update on the No-discharge Flushing Program (Information item)** (Engineering and Operations Committee Meeting of 1/30/2023)

Recommendation: No action was required by the Governing Board.

- 7. **Status Update on Clearwell Effluent Meter Replacement Project at Robert A. Perdue Water Treatment Plant (Information Item)** (Engineering and Operations Committee Meeting of 1/30/2023)

Recommendation: No action was required by the Governing Board.

8. **Review of Board Policies and Procedures (Policies 511 through 516, and 518 through 520)** (Finance and Administration Committee Meeting of 1/30/2023)
Recommendation: Approve the policies as presented, with administrative corrections to the organizations listed in Board Policy 511.
9. **FY 2023-24 Budget and 2023 Water Rate Study Calendar (Information Item)** (Finance and Administration Committee Meeting of 1/30/2023)
Recommendation: No action was required by the Governing Board.
10. **Status Update on the Sweetwater Reservoir Aeration System Project (Information Item)** (Water Quality Committee Meeting of 2/1/2023)
Recommendation: No action was required by the Governing Board.

Item Pulled from Consent Calendar

3. **Findings to Continue Holding Remote/Teleconference Meetings Pursuant to Assembly Bill 361**

Mary Davis submitted written comments supporting the end of continued teleconferencing, which were read onto the record by the Secretary pursuant to the Authority's established process for public comments.

Motion by: Director Martinez-Perez

Seconded by: Director Castaneda

that the Governing Board make the following findings:

1. The Governor-declared COVID-19 State of Emergency remains in effect and the Board has reconsidered the circumstances of the COVID-19 State of Emergency;
2. State or local officials continue to impose or recommend measures to promote social distancing; and
3. For the next 30 days, the meetings of the Board, its committees, and any other Authority legislative bodies including the Citizens Advisory Committee, shall be held pursuant to the provision of Government Code section 54953 (e), allowing legislative body members and members of the public to participate in meetings remotely in accordance with that section.

Ayes (6): Director Calderon-Scott, Director Castaneda, Director Martinez, Director Martinez-Perez, Director Morrison, and Director Delgado

Absent (1): Director Yamane

Motion Carried Unanimously (6 to 0)

Action and Discussion Items

11. New Business

11. A Consideration to Dissolve the Citizens Advisory Committee, Rescind Policy 522, Citizens Advisory Committee, and Create a Community Advisory Work Group

Motion by: Director Calderon-Scott

Seconded by: Director Martinez-Perez

that the Governing Board create an Ad Hoc Committee to discuss the creation of a Community Advisory Work Group; and keep the Citizens Advisory Committee in place until a Community Advisory Work Group is approved by the Board.

Ayes (6): Director Calderon-Scott, Director Castaneda, Director Martinez, Director Martinez-Perez, Director Morrison, and Director Delgado

Absent (1): Director Yamane

Motion Carried Unanimously (6 to 0)

11. B Recent Changes in Teleconferencing Under the Brown Act (AB 2449) and Format of Board and Committee Meetings

(Ditas Yamane entered the meeting at 6:47 p.m.)

Motion by: Director Martinez-Perez

Seconded by: Director Delgado

that the Governing Board approve continuing with hybrid meetings by default for Board and Committee meetings; and allow the use of teleconferencing under AB 2449.

Ayes (7): Director Calderon-Scott, Director Castaneda, Director Delgado, Director Martinez, Director Martinez-Perez, Director Morrison, and Director Yamane.

Motion Carried Unanimously (7 to 0)

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

Motion by: Director Castaneda

Seconded by: Director Calderon-Scott

that the Governing Board approve per diem for Directors for agenda items 12 C and 12 D.

Ayes (7): Director Calderon-Scott, Director Castaneda, Director Martinez, Director Martinez-Perez, Director Morrison, Director Yamane, and Director Delgado

Motion Carried Unanimously (7 to 0)

- 12. A California Special Districts Association - San Diego Chapter Quarterly Meeting – Thursday, February 16, 2023, 6:00-9:00 p.m., The Butcher Shop, San Diego**
- 12. B Council of Water Utilities Virtual Meeting – February 21, 2023**
- 12. C Per diem approval for Directors who wish to meet with Legislative Delegation - March 14 and 15, 2023, Sacramento, CA**
- 12. D 2023 Per diem approval for Director Delgado’s onboarding meetings with staff and legal counsel – January 24, 2023**

REPORTS AND INFORMATIONAL ITEMS

- 13. Delayed Revenue Balance Dashboard**
- 14. Committee Minutes**
 - **Engineering and Operations Committee - January 30, 2023**
 - **Finance and Administration Committee - January 30, 2023**
 - **Water Quality Committee - February 1, 2023**
- 15. Committee Look Ahead**
 - **Engineering and Operations Committee Six-Month Look Ahead FY 2022-23 Q3 and Q4**
 - **Finance and Administration Committee Six-Month Look Ahead FY 2022-23 Q3 and Q4**
 - **Water Quality Committee Six-Month Look Ahead FY 2022-23 Q3 and Q4**
- 16. Report of Legal Counsel**

There was none.
- 17. Report of Management**

General Manager Quintero reported on:

 - **An upcoming delegation trip to Sacramento for meetings with the Authority's legislative representatives on March 14 and 15;**
 - **Trails at Loveland Reservoir are closed due to erosion that has caused safety concerns and may warrant potential emergency repairs; and**
 - **The recent water transfer has Sweetwater Reservoir at approximately 54 percent, which will offset about 15 months of water purchases from the**

San Diego County Water Authority. Sweetwater Reservoir has not been over 50 percent since June 2019.

18. Reports by Directors on Events Attended

18.A South County Economic Development Council Meeting – February 7, 2023

Director Castaneda provided a report.

18.B Other Events Attended

There was none.

19. Directors' Comments

Director Martinez-Perez commented on a fantastic set of meetings today; and thanked the Board for continuing to allow hybrid meeting access to the public.

Director Calderon-Scott agreed with Director Martinez-Perez's comments.

CLOSED SESSION

At 7:11 p.m. the Board convened in closed session for:

A. Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9 (d)(2): One case

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

Agency Negotiators: Carlos Quintero, General Manager
Paula de Sousa, Legal Counsel

Employee Organizations: Sweetwater Authority Employees' Committee
Sweetwater Authority Middle Management Group
Sweetwater Authority Confidential Group

C. Conference with Labor Negotiator pursuant to Government Code Section 54957.6

Agency Negotiators: Carlos Quintero, General Manager
Paula de Sousa, Legal Counsel

Unrepresented Employees: Director of Finance
Director of Water Quality
Director of Administrative Services
Director of Engineering and Operations
Assistant General Manager

There was no need for closed session on the following item:

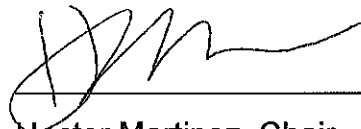
D. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9 (d)(1)

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 came out of Closed Session at 8:17 p.m. and reconvened in open session at 8:20 p.m. 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 8:20 p.m.



Hector Martinez, Chair

Attest:



Ligia Hoffman, Board Secretary