

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

**February 12, 2020**

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, February 12, 2020, at the Sweetwater Authority Administrative Office, 505 Garrett Avenue, Chula Vista, California. Chair Castaneda called the meeting to order at 6:00 p.m.

- **Roll Call**

Directors Present: Josie Calderon-Scott, Jerry Cano, Steve Castaneda, José F. Cerda, Hector Martinez, Jose Preciado, and \*Alejandra Sotelo-Solis (*arrived at 6:01 p.m.; left at 8:03 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: Distribution Manager Nathan Golder, Equipment Mechanic Supervisor Daniel Hayes, Director of Engineering Ron Mosher, Director of Distribution Greg Snyder, and Director of Finance Rich Stevenson. Others present: Nicole Martin and Mike Sampsel.

- **Pledge of Allegiance to the Flag**

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

Mike Sampsel commented on the Citizens Advisory Committee's tour of the Robert A. Perdue Water Treatment Plant; shared comments from the community regarding lower water rates; his current and future use of the California Public Records Request Act to obtain information; and offered the services of experienced engineers to the Authority.

- **Chair's Presentation**

2020 Committees and Interagency Assignments

Chair Castaneda publicly announced that he made Standing Committee and Interagency Committee appointments for 2020 as set out in the list in the agenda packet.

Director Cano introduced National City resident Nicole Martin, his nominee as an Alternate Member to the Citizens Advisory Committee.

**ACTION CALENDAR AGENDA**

1. Public Hearing on Sweetwater Authority Participation in the Statewide Community Infrastructure Program of the California Statewide Communities Development Authority
  - A. Conduct Public Hearing

Chair Castaneda announced that the Governing Board of Sweetwater Authority is conducting a public hearing to receive public comments and consider participation in the

Statewide Community Infrastructure Program of the California Statewide Communities Development Authority.

At 6:05 p.m., Chair Castaneda opened the Public Hearing. Assistant General Manager Sabine provided an overview of the program.

Chair Castaneda provided an opportunity for comments by the members of the Board. He then opened the opportunity for public comments and stated that each speaker has three minutes to speak. There were no comments from the public.

At 6:11 p.m., Chair Castaneda closed the Public Hearing.

B. Consideration to Adopt Resolution 20-05 – Approving, Authorizing, and Directing Execution of an Amended and Restated Joint Exercise of Powers Agreement Relating to the California Statewide Communities Development Authority

**Upon a motion made by Director Cano, seconded by Director Calderon-Scott, the following resolution:**

**RESOLUTION 20-05**

**RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY**

was passed and adopted by the following vote to wit:

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

C. Consideration to Adopt Resolution 20-06 – Authorizing Sweetwater Authority to Join the Statewide Community Infrastructure Program; Authorizing the California Statewide Communities Development Authority to Accept Applications from Property Owners, Conduct Special Assessment Proceedings and Levy Assessments within the Territory of the Sweetwater Authority; Approving Form of Acquisition Agreement for Use When Applicable; and Authorizing Related Actions

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

**RESOLUTION NO. 20-06**

**RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY AUTHORIZING SWEETWATER AUTHORITY TO JOIN THE STATEWIDE COMMUNITY INFRASTRUCTURE PROGRAM; AUTHORIZING THE CALIFORNIA STATEWIDE**

**COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT SPECIAL ASSESSMENT PROCEEDINGS AND LEVY ASSESSMENTS WITHIN THE TERRITORY OF THE SWEETWATER AUTHORITY; APPROVING FORM OF ACQUISITION AGREEMENT FOR USE WHEN APPLICABLE; AND AUTHORIZING RELATED ACTIONS**

was passed and adopted by the following vote to wit:

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

2. Items to be Added, Withdrawn, or Reordered on the Agenda  
There were none.
3. Approval of Minutes
  - A. Special Board Meeting of January 20, 2020
  - B. Special Board Meeting of January 22, 2020
  - C. Regular Board Meeting of January 22, 2020

**Director Cano made a motion, seconded by Director Castaneda, that the Governing Board approve the minutes of the Special Board Meeting of January 20, 2020, the Special Board Meeting of January 22, 2020, and the Regular Board Meeting of January 22, 2020. The motion carried unanimously.**

**Consent Calendar Items**

**Chair Castaneda recused himself from consideration of Agenda Item 4 (Approval of San Diego Gas & Electric Demands and Warrants – Check number 152884) due to his contract with Sempra Energy, parent company of SDG&E, which Chair Castaneda disclosed on the record.**

**Director Preciado made a motion, seconded by Director Cano, that the Governing Board approve the consent calendar. The motion carried unanimously.**

4. Approval of San Diego Gas & Electric Demands and Warrants – Check number 152884
5. Approval of Demands and Warrants (excluding the San Diego Gas & Electric Demands and Warrants)

**Action and Discussion Items**

6. Consideration of Recommendations from Report on the Review of Fleet Replacement and Management Practices

Recommendation: Direct staff to incorporate the Report recommendations in to the FY 2020-21 Strategic Plan Work Plan and Budget for consideration by the Board

Mike Sampsel commented on the Fleet Replacement and Management Practices report and submitted comments for the record.

**Director Cerda made a motion, seconded by Director Preciado, that the Governing Board direct staff to incorporate the Report recommendations into the FY 2020-21 Strategic Plan Work Plan and Budget for consideration by the Board.**

**Director Martinez made a substitute motion, seconded by Director Cano, that the Governing Board refer this item to the Operations Committee. The motion carried, with Directors Calderon-Scott, Cano, Castaneda, Martinez, and Preciado in favor, and Directors Cerda and Sotelo-Solis opposing.**

7. Consideration of Changes to Directors' Fees (Finance and Personnel Committee Meeting of 2/5/20; Item 4. A.)

Recommendation: Not make changes to Directors' fees.

**Director Cerda made a motion, seconded by Director Calderon-Scott, that the Governing Board elect not to make changes to the Directors' Fees. The motion carried unanimously.**

8. Review of Board Policies and Procedures (510 through 516 and 519) (Finance and Personnel Committee Meeting of 2/5/20; Agenda Item 4.B.)

Recommendation: Approve the recommended changes as presented.

**Director Sotelo-Solis made a motion, seconded by Director Martinez, that the Governing Board approve the recommended changes as presented. The motion carried unanimously.**

9. Consideration of Citizens Advisory Committee Recommendation to Perform an Energy Audit (Citizens Advisory Committee Meeting of 1/20/20)

Recommendation: Conduct an Energy Audit of Authority Facilities

Mike Sampsel commented on the memo and recommendation of the Citizens Advisory Committee.

Chair Castaneda, with the concurrence of the Governing Board, referred this item to the Finance and Personnel Committee.

*(Director Sotelo-Solis left the meeting at 8:03 p.m.)*

10. Old Business

- A. Review of Board Policies and Procedures (501 through 509) (Finance and Personnel Committee Meeting of 1/15/20, Item No. 4. B.)

Recommendation: Approve the recommended changes as presented.

Chair Castaneda deferred this item to the next Regular Board meeting.

- B. Anticipated Schedule for Sediment Characterization Study (Information Item)

No action was required by the Governing Board.

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

- A. Council of Water Utilities Meeting, San Diego County – The Butcher Shop Steakhouse, San Diego – Tuesday, February 18, 2020, 8:00 a.m. – “Water Innovation & Efficiency in Agriculture,” presented by Hank Rupp, COO/General Counsel, Rancho Guejito
- B. California Special Districts Association - San Diego Chapter Quarterly Meeting – Thursday, February 20, 2020, 6:00-9:00 p.m., The Butcher Shop Steakhouse, Kearny Mesa; Program: “Issues Impacting San Diego’s Agricultural Communities,” Presented by: Hannah Gbeh, Executive Director, San Diego County Farm Bureau
- C. Water Education for Latino Leaders (WELL) Conference, San Jose, CA – March 20-21, 2020

No action was required by the Governing Board.

**REPORTS AND INFORMATIONAL ITEMS**

12. Report of Legal Counsel

- The Public Records Act and Public Comment (No Enclosure)

Chair Castaneda deferred this item to the next Regular Board meeting.

13. Management Report

General Manager Berge shared photos of the Authority's Drone Program class; and invited the Board to participate in the CSDA Annual Conference Preconference event, “The Board and GM Working Together” in Palm Desert, CA on August 24, 2020.

14. Reports by Directors on Events Attended

- A. Meeting with Federal Lobbyist – January 12-14, 2020

Chair Castaneda deferred this item to the next Regular Board meeting.

- B. CalDesal Annual Conference – February 6-7, 2020

Director Martinez provided a report.

15. Directors' Comments

Director Preciado appreciated the availability of hand sanitizer.

**CLOSED SESSION**

At 8:08 p.m., the Board convened to meet in closed session with legal counsel for:

- A. Conference with Real Property Negotiators pursuant to Government Code Section 54956.8:

Property: Assessor Parcel Number:  
521-040-21-00, 521-040-22-00,  
521-040-23-00

Agency Negotiators: Tish Berge, General Manager  
Jennifer Sabine, Assistant General Manager  
Ron Mosher, Director of Engineering  
Paula de Sousa, Legal Counsel

Negotiating Party: Paul W. Dunn and Joan M. Dunn Trust  
Floyd Rosson, Agent

Under Negotiation: Price and Terms

- B. 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

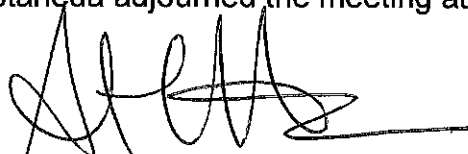
There was no need for a closed session on item:

- 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. At 8:50 p.m., Chair Castaneda declared the meeting to be in open session. No reportable action was taken by the Governing Board.

16. Adjournment

With no further business before the Board, Chair Castaneda adjourned the meeting at 8:50 p.m.

  
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Steve Castaneda, Chair

Attest:

  
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Ligia Perez, Board Secretary