

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

February 26, 2020

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, February 26, 2020, at the Sweetwater Authority Administrative Office, 505 Garrett Avenue, Chula Vista, California. Chair Castaneda called the meeting to order at 6:22 p.m.

- **Roll Call**

Directors Present: Josie Calderon-Scott, Jerry Cano, Steve Castaneda, José F. Cerda, Hector Martinez, Jose Preciado, and Alejandra Sotelo-Solis

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: Director of Engineering Ron Mosher and Director of Finance Rich Stevenson. Others present: Monica Salcedo, Christopher Thompson, and Mike Sampsel.

- **Pledge of Allegiance to the Flag**

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

Chris Thompson and Monica Salcedo commented on their high water bill.

Mike Sampsel commented on meeting minutes and the recent meeting of the Citizens Advisory Committee.

- **Chair's Presentation**

Comments from the Public Regarding Agency Staff

ACTION CALENDAR AGENDA

1. Items to be Added, Withdrawn, or Reordered on the Agenda
There were none.
2. Approval of Minutes
 - A. Special Board Meeting of February 10, 2020
 - B. Special Board Meeting of February 11, 2020
 - C. Regular Board Meeting of February 12, 2020

Director Sotelo-Solis made a motion, seconded by Director Cano, that the Governing Board approve the minutes of the February 10, 2020 Special meeting, the

February 11, 2020 Special meeting, and the February 12, 2020 Regular meeting. The motion carried unanimously.

Consent Calendar Items

Chair Castaneda recused himself from consideration of Agenda Item 3 (Approval of San Diego Gas & Electric Demands and Warrants – Check number 152958 due to his contract with Sempra Energy, parent company of SDG&E, which Director Castaneda disclosed on the record.)

Director Sotelo-Solis made a motion, seconded by Director Cerda, that the Governing Board approve the consent calendar. The motion carried unanimously.

3. Approval of San Diego Gas & Electric Demands and Warrants – Check number 152958
4. Approval of Demands and Warrants (excludes San Diego Gas & Electric Demands and Warrants) – Check numbers 152920 through 152969 and electronic fund transfers 32587 through 32828
5. Request for Remote Service – Sweetwater Bicycle Path & Promenade, Chula Vista A.P.N. 567-011-05, 18, 28 and 760-648-26 (Operations Committee Meeting of 2/19/20, Item No. 4. A.)
Recommendation: Approve the Port District's request for remote service to serve the Sweetwater Bicycle Path and Promenade corridor.
6. Consideration to Award a Contract to Brax Company, Inc. to Perform Work on SDF Well No. 6 (Operations Committee Meeting of 2/19/20, Item No. 4. B.)
Recommendation: Award a contract to Brax Company Inc., Valley Center, CA, to perform work on SDF Well No. 6 in an amount not-to-exceed \$65,000, and defer the work on SDF Well No. 1 to FY 2020-21, after the Board approves the FY 2020-21 Budget.

Action and Discussion Items

7. Energage Presentation on Employee Engagement Survey Results
Director Sotelo-Solis made a motion, seconded by Director Cerda, that the Governing Board receive and file the report. The motion carried unanimously.
8. Review of Board Policies
 - A. Review of Board Policies and Procedures (520 through 522, and 601 through 608) (Finance and Personnel Committee Meeting of 2/19/20, Item No. 4)
Recommendation: Approve the recommended changes as presented.**Director Sotelo-Solis made a motion, seconded by Director Cerda that the Governing Board approve items 8. A., 8. B., and 8. C.**

Director Cano made a substitute motion, seconded by Director Martinez, that the Governing Board approve item 8. A. (Policies 520 through 522, and 601 through 608) as presented and discuss items 8. B. and 8. C. The motion carried unanimously.

B. Review of Board Policies and Procedures (Policy 518)

Director Calderon-Scott made a motion, seconded by Director Cano, that the Governing Board table this item for further discussion. The motion carried, with Directors Calderon-Scott, Cano, Castaneda, Martinez, and Preciado in favor, and Directors Cerda and Sotelo-Solis opposing.

C. Review of Board Policies and Procedures (501 through 509)

Director Sotelo-Solis made a motion, seconded by Director Cerda, that the Governing Board approve Policies 501 through 503, 505, and 508 as presented. The motion carried unanimously.

Director Preciado made a motion, seconded by Director Cano, that the Governing Board reject the recommended change to Policy 504, and approve the policy without section H. The motion carried, with Directors Calderon-Scott, Cano, Castaneda, Martinez, Preciado, and Sotelo-Solis in favor, and Director Cerda opposing.

Director Preciado made a motion, seconded by Director Sotelo-Solis, that the Governing Board approve Policy 506 as presented. The motion carried unanimously.

Director Preciado made a motion, seconded by Director Sotelo-Solis, that the Governing Board approve Policy 507 as presented.

Director Calderon-Scott made a substitute motion, seconded by Chair Castaneda, that the Governing Board direct staff to modify Policy 507 to be brought back to the Board for review and approval as follows: reestablish providing committee minutes to Policy 507; continue providing audio recordings; and reinstate previous policy wording that states “meeting minutes shall be prepared and made available to the Board as part of a publicly available agenda.” The motion carried with Directors Calderon-Scott, Cano, Castaneda, Martinez, Preciado, and Sotelo-Solis in favor, and Director Cerda opposing.

Director Preciado made a motion, seconded by Chair Castaneda, that the Governing Board approve Policy 509 as presented. The motion carried unanimously, with Director Sotelo-Solis absent.

9. Approval of Directors’ Attendance at Meetings and Future Agenda Items
 - A. Per diem approval for Director Castaneda to attend the San Diego IRWM Summit, El Cajon – March 2, 2020
 - B. Per diem approval for Directors who wish to attend the California Special Districts Association Special District Leadership Academy, San Diego – April 19-22, 2020

C. Association of California Water Agencies (ACWA) 2020 Spring Conference, Monterey, CA – May 5-8, 2020

D. California Special Districts Association Legislative Days, Sacramento – May 19-20, 2020

Director Cano made a motion, seconded by Director Preciado, that the Governing Board approve per diem for Chair Castaneda to attend the San Diego IRWM Summit, March 2, 2020, and for Directors who wish to attend the California Special Districts Association Special District Leadership Academy, San Diego – April 19-22, 2020. The motion carried unanimously, with Director Sotelo-Solis absent.

REPORTS AND INFORMATIONAL ITEMS

10. Financial Reports

- Monthly Financials – January 2020

11. Report of Legal Counsel

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

Legal Counsel de Sousa provided an update on AB 401 (Dodd) regarding bill credits for those below a certain poverty level; and clarified the California Public Records Act as it relates to information requests by members of the public.

12. Report of Management

- Upcoming Community Events (Information Item) (No Enclosure)
 - Sweetwater Authority High School Photography Competition Reception at Bonita Museum – April 10, 2020, 5:30-7:30 p.m.
 - Day of Play at Olivewood Gardens – July 18, 2020
 - Presentation to the Chula Vista Chamber of Commerce Utilities Subcommittee – July 29, 2020

General Manager Berge reported on:

- the L Street pipeline replacement project;
- assistance to the City of Chula Vista in obtaining the IBike grant;
- BB&K's assistance in connecting with the SD Sheriff regarding security issues at the Perdue Water Treatment Plant;
- hosting the Helix Water District and the Regional Water Quality Control Board for field visits of the Flushing Program;
- with the approval of Policy 510, looks forward to business meetings with Board members; and
- provided a review of agendas for the next Operations, Finance and Personnel, Communications, Consultant Selection, and Otay/Sweetwater Working Group Ad Hoc Committees

13. Report of Representatives to the San Diego County Water Authority

Director Preciado reported on committee assignments of the new National City Representative; the long-range demand work forecast and the 2020 Urban Water Management Plan update; federal legislative priorities; litigation status with Metropolitan Water District; and provided documents to be distributed to the Board.

14. Reports by Directors on Events Attended

A. Meeting with Federal Lobbyist – January 13-14, 2020

Director Sotelo-Solis provided a report.

B. Council of Water Utilities meeting – January 21, 2020

Directors Calderon-Scott, Castaneda, Cerda, and Martinez provided a report.

C. San Diego Chapter California Special Districts Association Dinner Meeting – February 20, 2020

Directors Castaneda, Cerda, Martinez, and Preciado provided a report.

15. Directors' Comments

Director Preciado wished the Board a happy Wednesday.

Director Martinez commented on looking forward to various project results including the Feasibility Study and opportunities for early implementation; sand mining; developer survey; the fleet maintenance study; and the availability of funds.

Director Calderon-Scott thanked staff for making modifications to a memo presented to the Operations Committee.

Director Cerda commented on a customer issue regarding a fire hydrant, how the issue was resolved, and thanked staff for their assistance with this matter.

Director Sotelo-Solis commented on the upcoming City of National City's State of the City Address at the Martin Luther King Jr. Center on Thursday, March 5, 2020 at 6:00 p.m. and the availability of tap water at the event.

CLOSED SESSION

At 8:15 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: Two Cases

Property:

Assessor Parcel Number:

521-040-21-00, 521-040-22-00, and
521-040-23-0014

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

Property: Assessor Parcel Number: 521-030-06-00

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

Negotiating Party: Emil S. Thiefe

Under Negotiation: Price and Terms

B. Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation pursuant to Government Code Section 54956.9 (d)(4): One Case

There was no need for closed session on item:

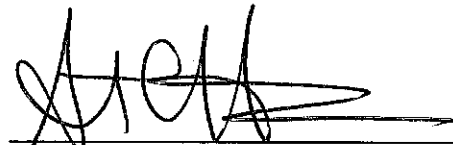
C. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9 (d)(1):

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. At 8:36 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 8:37 p.m.


Steve Castaneda, Chair

Attest:


Ligia Perez, Board Secretary