

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

**March 12, 2014**

The Governing Board of Sweetwater Authority held a regular meeting on Wednesday, March 12, 2014, at the Sweetwater Authority Administrative Office, 505 Garrett Avenue, Chula Vista, California. Chair Preciado called the meeting to order at 6:03 p.m.

- **Roll Call**

Directors Present: Bud Pocklington, Jose Preciado, Maria Rubalcaba, and Ernesto Zamudio

Directors Absent: Ron Morrison, Terry Thomas, and Jess Van Deventer

Others Present: Assistant General Manager Sabine, Legal Counsel de Sousa, and Board Secretary Gonzalez. Staff members: Peter Baranov, Pete Famolaro, Sue Mosburg, Ron Mosher, Bill Olson, Leslie Payne, Rich Stevenson, Vickie Stuart, and Dina Yorba.

- **Pledge of Allegiance to the Flag**

Director Pocklington conducted the pledge of allegiance to the flag.

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

There were no comments from the public.

- **Chair's Presentation** – There was none.

**ACTION CALENDAR AGENDA**

1. Items to be Added, Withdrawn, or Reordered on the Agenda – There were none.

2. Public Hearing

Chair Preciado stated the Governing Board of Sweetwater Authority was holding a Public Hearing to give the opportunity for members of the public to address the Board concerning the mitigated negative declaration and the mitigation and monitoring and reporting program for the Sweetwater Reservoir Wetlands Habitat Recovery Project and approval of the project. Chair Preciado requested a report from staff.

Assistant General Manager Sabine stated that the Sweetwater Reservoir Habitat Recovery Project (HRP) has been in development since 2009 with a goal of restoring and creating self-sustaining riparian habitat. The HRP is an adaptive management response in support of the Sweetwater Reservoir Habitat Management Program, a state and federally permitted program that balances the operating needs of the Sweetwater Reservoir with protection and management of the existing endangered least Bell's vireo population. The HRP involves mass grading to level areas and create a multi-channel stream system, resulting in a wetter flood plain and improved habitat health. Added benefits of the project include improvements to the existing reservoir patrol roads and a reduction in the restrictions on

imported water storage in the reservoir. The HRP Initial Study-Mitigated Negative Declaration was distributed for public review December 31, 2013. Five comment letters were received and responses to the comment letters were then prepared jointly by staff, the Authority's consultants, and legal counsel.

Chair Preciado opened the public hearing at 6:12 p.m. There were no members of the public in attendance to provide comments; therefore, Chair Preciado closed the Public Hearing at 6:12 p.m.

3. Adoption of Resolution 14-02

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

**RESOLUTION 14-02**

**RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY  
ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION  
MONITORING AND REPORTING PROGRAM FOR THE SWEETWATER RESERVOIR  
WETLANDS HABITAT RECOVERY PROJECT AND APPROVING THE PROJECT**

was passed and adopted by the following vote to wit:

Ayes:	Directors Pocklington, Preciado, Rubalcaba, and Zamudio
Noes:	None
Absent:	Morrison, Thomas, and Van Deventer
Abstain:	None

4. Approval of Minutes

**Director Zamudio made a motion, seconded by Director Rubalcaba, that the Governing Board approve the minutes of the February 26, 2014 Regular Meeting. The motion carried, with Directors Morrison, Thomas, and Van Deventer absent.**

**Consent Calendar Items**

**Director Preciado made a motion, seconded by Director Pocklington, that the Governing Board approve consent items 6 through 12. Item 5 was pulled for discussion. The motion carried, with Directors Morrison, Thomas, and Director Van Deventer absent.**

6. 2014 Community Events (Information Item) (Ad Hoc Communications Committee Meeting of March 4, 2014, Item 4. A.)  
Recommendation: No action was required by the Governing Board.
7. Consumer Confidence Reporting for 2014 (Information Item) (Ad Hoc Communications Committee Meeting of March 4, 2014, Item 4. B.)  
Recommendation: No action was required by the Governing Board.
8. Photo Calendar Project (Ad Hoc Communications Committee Meeting of March 4, 2014, Item 4. C.)  
Recommendation: Decline the use of printing calendars as done in the past.

9. Consideration to Upgrade the Authority's Watershed Display at the Living Coast Discovery Center (Ad Hoc Communications Committee Meeting of March 4, 2014, Item 4. D.)  
Recommendation: Direct the General Manager to proceed to modify the existing display at his direction with the condition that funding would not exceed \$10,000.
10. Flushing Communications Plan (Information Item) (Ad Hoc Communications Committee Meeting of March 4, 2014, Item 4. E.)  
Recommendation: No action was required by the Governing Board.
11. Consideration of 2014 Membership Renewal in Western Coalition of Arid States (WESTCAS) (Finance and Personnel Committee Meeting of March 5, 2014, Item 4. A.)  
Recommendation: Approve the membership renewal and the payment of dues in the amount of \$200.
12. Consideration of 2014 Membership Renewal in National Water Resources Association (NWRA) (Finance and Personnel Committee Meeting of March 5, 2014, Item 4. B.)  
Recommendation: Approve the membership renewal and the payment of dues in the amount of \$500.

#### Item Pulled from Consent Calendar for Discussion

5. Approval of Demands and Warrants – 135732 through 135845, including all voided checks.

Director Zamudio inquired on warrant numbers 135740 - \$2,285.73; 135741 - \$60,685.34; and 135774 - \$440.00. Director of Finance Stevenson stated that warrant number 135740 is a party rental deposit for an upcoming annual employee recognition event. On warrant number 135741, Director Zamudio stated that if the Authority continues spending at this rate, it will be close to \$400,000-\$600,000 on credit cards and requested to see the statement. Chair Preciado stated that there has been considerable discussion on this and that he is deferring the whole conversation about using the CAL-Card program, and not just this item, to the Finance and Personnel Committee for further discussion. On warrant number 135774, Director Zamudio stated that the Authority is paying almost \$5,280 per year to have that aquarium cleaned. He believes it is excessive. Assistant General Manager Sabine stated that staff would look into this for further discussion.

**Director Pocklington made a motion, seconded by Director Preciado, that the Governing Board approve consent item 5. The motion carried, with Directors Morrison, Thomas, and Director Van Deventer absent.**

#### Action and Discussion Items

13. Presentation of Authority's Outreach Programs (Information Item; No Enclosure)  
Recommendation: No action was required by the Governing Board.

Chair Preciado stated that there has been discussion in the strategic planning about the scope of outreach throughout the agency and much effort has been put into it. The reason he brought this item forward is to see if there are specific areas where additional funds could be invested. He asked how does the Authority grow or improve performance in terms of conservation when it has the lowest water users per capita.

Senior Public Affairs Representative Payne provided a brief presentation on the Authority's outreach programs. She reviewed the key elements of outreach focus for the following departments/sections: Public Affairs, Water Quality, Distribution, Engineering, Customer Service, Conservation, and Education. Ms. Payne then noted two gaps. The Authority has not recently surveyed its customers for their feedback on the Authority's performance and if the drought level is raised to stages 2-4, additional staffing would be required. Staff proposes hiring a consultant to develop and administer a statistically valid customer satisfaction survey that will guide the Board and staff on future projects; thoughts/perception about the Authority; customer satisfaction; communication methods; and to determine gaps in outreach and customer needs.

Director Pocklington stated that he is uncertain that hiring a consultant to review this would help much. Director Zamudio said that he believes there are other ways to obtain this information and suggested a software program such as SurveyMonkey. He is interested in outreaching to the younger kids and to get them interested in water conservation. He believes there are other ways to do this that would not cost much money as he is not always in favor of hiring a consultant. Chair Preciado thanked the Board for their comments but requests that the Board allow the process to proceed to finish the inquiry. Staff is still looking at the totality of the system. \$50,000 was allocated to the conservation program and as of January, just under \$10,000 has been spent. So he asked, if there enough staff? Or has something occurred in the outreach efforts that has not allowed us to spend the funds? There is a flushing program that will begin in a year and one of the ideas from the Communications Committee is the opportunity to involve high school students to create an outreach strategy for the flushing program. Chair Preciado concluded and said that he looks forward to seeing the recommendations in the budgeting process. Ms. Sabine stated that staff would present proposals and recommendations to the Board during the budgeting process.

14. Sweetwater Authority 2014 Drought Response (Finance and Personnel Committee Meeting of March 5, 2014, Item 4. C.)

Recommendation: Reaffirm the Authority's current Level 1 Drought Response Plan and the associated conservation measures.

Assistant General Manager Sabine said that as widely reported by the media, the governor declared a statewide drought emergency that included a call for Californians to reduce water use by 20 percent and for local water agencies to activate water shortage contingency plans along with other actions to prepare for these drought conditions. In response, the SDCWA (CWA) Board of Directors activated the agencies' water shortage and drought response plan to preserve stored water reserves in Southern California in case these dry conditions persist. The CWA subsequently notified its 24-member agencies that the region is at a Level 1 Drought Watch of the region's model drought response ordinance. The Authority has a drought response plan that sets forth four drought response levels, as shown in the agency report, which is behind tab 14 in the agenda packet. Chair Preciado asked when the plan was adopted. Ms. Sabine replied, it was adopted initially in 2008 and reaffirmed in 2009. Level 1 calls for voluntary water conservation and customers are reminded to use available water wisely, carefully managing their indoor and outdoor water use. Staff continues to monitor drought conditions and will keep the Board apprised of actions taken at the state and regional levels. Should drought conditions persist or worsen, higher levels of the drought response plan, as activated by the Board, set progressively higher water use reduction goals and may include allocation based conservation water

pricing and penalties. This item was presented to the Finance and Personnel Committee which recommended that the Governing Board reaffirm the Authority's current Level 1 of the Drought Response Plan and the associated conservation measures. Director Zamudio asked if there is an issue with the drought response plan and the resolution because they are both dated prior to the governor's current request. Legal Counsel de Sousa replied that this is the drought response plan for the Authority and it is in effect until the Authority takes further action. It is consistent with CWA's plan. Therefore reaffirming the plan would just be reaffirming the same language, and not necessarily doing anything different.

**Director Pocklington made a motion, seconded by Director Preciado, that the Governing Board reaffirm the Authority's current Drought Level 1 Response Plan and the associated conservation measures. The motion carried, with Directors Morrison, Thomas, and Van Deventer absent.**

15. New Business

California Special Districts Association Board of Directors – Call for Nominations – Region 6, Seat C, for 2015-2017 Term

There was no interest from the Board. Chair Preciado requested that this item be brought back on a future agenda.

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

A. Council of Water Utilities Meeting, San Diego County Meeting, StoneRidge Country Club – Tuesday, March 18, 2014, 7:15 a.m. – Program: "Bay-Delta Status," presented by Glen Farrel, Government Relations Manager, San Diego County Water Authority. Directors wishing to attend this preapproved event will contact the Secretary. No action was required by the Governing Board.

B. Request for per diem approval for Directors who wish to attend the Water Education Foundation Sea to Sierra Water Tour: Rolling Seminar on California Water Issues, April 10-11, 2014 – Tour begins in Emeryville, CA and ends in Reno, Nevada.

**Director Zamudio made a motion, seconded by Director Pocklington, that the Governing Board approve per diem for Directors who wish to attend the Water Education Foundation Sea to Sierra Water Tour on April 10-11, 2014. The motion carried, with Directors Morrison, Thomas, and Van Deventer absent.**

C. Third Avenue Village Street Faire, Chula Vista – Sunday, April 13, 2014. Directors wishing to attend this preapproved event will contact the Secretary. No action was required by the Governing Board.

D. Request for per diem approval for Directors who wish to attend the Water Education Foundation Central Valley Tour, April 23-25, 2014, Field trip begins and ends at Sacramento International Airport.

**Director Zamudio made a motion, seconded by Director Pocklington, that the Governing Board approve per diem for Directors who wish to attend the Water Education**

Foundation Central Valley Tour on April 23-25, 2014. The motion carried, with Directors Morrison, Thomas, and Van Deventer absent.

E. ACWA 2014 Spring Conference, Portola and Marriott Hotel Conference Center, Monterey, CA – May 6-9, 2014. Directors wishing to attend this preapproved event will contact the Secretary. No action was required by the Governing Board.

### REPORT AND INFORMATIONAL ITEMS

17. Committee Minutes - Information only

18. Report of Sweetwater Authority Director the Water Conservation Garden

Program Manager Mosburg reported that the Garden Board discussed reducing the meetings to two per year, in June and November. This change will be formalized at its June 11<sup>th</sup> meeting. There was discussion on marketing and outreach. The butterfly pavilion grand opening will held on April 5<sup>th</sup>. Alisa Robertson is the new President of the Garden Board; she will be overseeing the operational area. The Garden has a new Strategic Plan and will be seeking support from the JPIA Board at its next meeting. The Strategic Plan speaks to items such as what to do with the facilities, programs, how to continue with its marketing and outreach. The Garden will also present its five to ten year facilities master plan.

19. Report of Legal Counsel

Legal Counsel de Sousa reminded the Board members to turn in their Statement of Economic Interest forms on time. She added that if a Board Member is also a representative of another public agency board, to be aware of its jurisdictional reporting requirements. Also, Ms. de Sousa provided an update on the Delta smelt and salmon litigation and said there has been anticipation for a year and a half on the decision by the federal court of appeals on the Delta smelt biological opinion. There was an oral argument in that case in 2012, and an indication that a decision would be available soon due to the salmon biological opinion appeal but was postponed due to the fact the salmon appeal decision was going to be announced. At the end of January, the State Water Project indicated that we were going to get a zero allocation. She said this important because we want to get as much water out of the State Water Project as possible.

20. Management Report

A. Report of Assistant General Manager

Ms. Sabine provided a reminder that the National City Mariachi Festival will be held this Saturday from 10:00 a.m. to 6:00 p.m. The Authority will have a booth at the event and for those Directors who have signed up to attend; a map of the booth location has been provided at each Director's place. Ms. Sabine said that the next Waterwise Landscaping Class will be held on Thursday, April 17<sup>th</sup> from 5:00 p.m. to 8:00 p.m. at the Reynolds Desalination Facility. The deadline to register is April 11<sup>th</sup>.

B. Report of General Manager – There was none.

21. Report of the South Bay Irrigation District Representative and the City of National City Representative to the San Diego County Water Authority

Director Pocklington said that he visited General Manager Stapleton this week. The biggest news is that the County Water Authority (CWA) won the lawsuits against Metropolitan Water District (MWD) and the Eastern Municipal Water District.

Assistant General Manager Sabine said that with regard to the CWA fiscal sustainability policies, staff is providing a matrix which is the same matrix that the Board received at its last meeting; however, additional financial information was added as requested by Chair Preciado. Chair Preciado said that the Carlsbad Desal is a county-wide resource and it is increasing the availability of water resources. It is adding water to the supply or supply to the available portfolio of water resources to CWA customers and so there is a microcosm of that with the Authority's desal expansion in adding to the water supply and thereby reducing the Authority's demand of CWA water. Hopefully, Director Morrison has been carrying that message for the Authority where there could be a potential for a "me too" clause added where the Authority would contribute and where CWA could support the Authority and distribute that expense to the other agencies that benefit from the Authority thus reducing demand on CWA water.

22. Reports By Directors On Events Attended

A. ACWA Water Quality Committee Conference Call Meeting – February 10, 2014

Director Thomas was not present to provide a report.

B. CSDA Quarterly Meeting – February 27, 2014

Director Rubalcaba reported that the presentation was by Johnathon Skinner of Padre Dam Municipal Water District and Mark Robak of Otay Water District on social media. She said it was interesting that Padre Dam developed its website in-house and it is maintained in-house and has worked very well.

Director Zamudio reported that there is something called, Google Analytics. What this program does is provides information to an agency of what web pages people are visiting and what components of that page so there is an idea of what people are interested in.

Chair Preciado reported that Mr. Robak provided an analysis of various water agencies and their uses of social media.

23. Directors' Comments

Director Pocklington thanked everyone for their thoughts and prayers during his absence.

Chair Preciado welcomed Director Pocklington and said he is pleased that he is making a strong and speedy recovery.

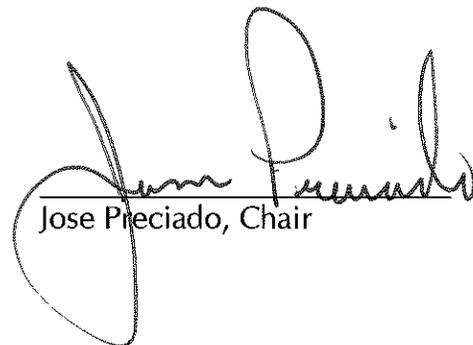
CLOSED SESSION

At 7:17 p.m., the Board convened to meet in closed session with legal counsel on closed session agenda item A., Martinez, Silva, Garrod, and Silva v. Sweetwater Authority, USDC Case No. 13CR00167-CAB (NLS). There was no need for a closed session update for item B., 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 and item C., Sanchez-Munoz v. National City et al., San Diego Superior Court Case No. 37-2013-00030288-CU-PO-CTL.

There were no minutes taken, and the session was not tape-recorded. At 7:42 p.m., Chair Preciado declared the meeting to be in open session. No reportable action was taken by the Governing Board.

24. Adjournment

With no further business before the Board, Chair Preciado adjourned the meeting at 7:42 p.m.



Jose Preciado, Chair

Attest:



Janet Gonzalez, Board Secretary