

## REVISED

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

April 10, 2019

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, April 10, 2019, 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 (left at 7:39 p.m.), José F. Cerda, Hector Martinez, and \*Jose Preciado (6:04 p.m.)

Directors Absent: Alejandra Sotelo-Solis

Management, General Manager Tish Berge, Assistant General Manager Jennifer Sabine, Legal Counsel Nicholas Norvell, Board Secretary Ligia Staff and Others Present: Perez, and Administrative Assistant Michael Garcia. Others present: Alison Alpert of Best Best & Krieger, Mike Sampsel, Dave Schlesinger, and John Volland.

- **Pledge of Allegiance to the Flag**

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

John Volland requested that the Board consider granting him a second adjustment to his water bill. Chair Castaneda referred this item to committee.

*(Note: Director Preciado entered the meeting at 6:04 p.m.)*

Mike Sampsel spoke on water rates and his analysis on the vehicle maintenance process and the backhoe; and he submitted his analysis for the record.

- **Chair's Presentation**

### ACTION CALENDAR AGENDA

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 Items to be Added, Withdrawn, or Reordered on the Agenda

There were none.

2. Approval of Minutes

A. Special Meeting of March 22, 2019

B. Regular Meeting of March 27, 2019

**Director Preciado made a motion, seconded by Chair Castaneda, that the Governing Board approve the minutes of the March 22, 2019 Special meeting and the March 27, 2019 Regular meeting. The motion carried unanimously, with Director Sotelo-Solis absent.**

**Consent Calendar Items**

**Director Preciado made a motion, seconded by Director Cano, that the Governing Board approve the consent calendar. Director Castaneda recused himself from consideration of warrant numbers 150835 and 150877 due to his contract with Sempra Energy, parent company of SDG&E, which Director Castaneda disclosed on the record. The motion carried unanimously, with Director Sotelo-Solis absent.**

3. Approval of Demands and Warrants – Check numbers 150808 through 150887 and electronic fund transfers 26892 through 27141
4. Recommendation to Adopt Resolution 19-08, Amending and Adopting Local Guidelines for Implementing the 2019 California Environmental Quality Act

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

**RESOLUTION 19-08**

**RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY  
AMENDING AND ADOPTING LOCAL GUIDELINES FOR  
IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(PUB. RESOURCES CODE §§ 21000 ET SEQ.)**

was passed and adopted by the following vote to wit:

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

**Action and Discussion Items**

5. Consideration to Create a Citizens Advisory Committee

Mike Sampsel spoke about the creation of a Citizens Advisory Committee (CAC) and who should be included in the committee.

Dave Schlesinger spoke to his efforts requesting that the Board create a CAC; his recommendations on items the CAC should focus on; concerns regarding the CAC; and submitted a written comment for the record.

**Director Cano made a motion, seconded by Director Preciado, that the Governing Board approve the creation of a Citizens Advisory Committee and direct staff to include effort, labor, and other costs in the proposed FY 2019-20 Strategic Work Plan and Budget. The motion carried unanimously, with Director Sotelo-Solis absent.**

6. Old Business

Consider Request to Appeal Board Decision on One-time Adjustment to Customer

## Water Bill

After general discussion, Chair Castaneda deferred this item to the April 24 Board meeting for further review.

## 7. New Business

- A. Consideration to Adopt Resolution 19-09, Supporting Assembly Bill 1588 (Gloria/Gray)

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

**RESOLUTION 19-09****RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY SUPPORTING ASSEMBLY BILL 1588 (GLORIA/GRAY)**

was passed and adopted by the following vote to wit:

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

- B. Discussion and Possible Direction on Use of ACWA/JPIA Liability, Property, and Worker's Compensation Programs Refund

After general discussion, Chair Castaneda deferred this item to the Budget process.

- C. Discussion and Possible Direction on Proposal from Laing Strategic Communications

**Chair Castaneda made a motion, seconded by Director Preciado, that the Governing Board approve to enter into an agreement with Laing Strategic Communications on an as-needed basis, not to exceed an annual amount of \$10,000. The motion carried unanimously, with Director Sotelo-Solis absent.**

*(Note: Director Castaneda left the meeting at 7:39 p.m.)*

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

- A. Per diem approval for Director Castaneda to attend the Chula Vista Chamber of Commerce Utilities Subcommittee Meeting – April 24, 2019

**Director Cerda made a motion, seconded by Director Cano, that the Governing Board approve the per diem for Director Castaneda to attend the Chula Vista Chamber of Commerce Utilities Subcommittee meeting – April 24, 2019. The motion carried unanimously, with Directors Castaneda and Sotelo-Solis absent.**

- B. Association of California Water Agencies (ACWA) 2019 Spring Conference, Monterey, CA – May 7-10, 2019 *(Note: Conflict with May 8 Board meeting, registration*

*deadline April 19)* Directors who wish to attend this event will contact the Secretary.

No action was required by the Governing Board.

C. California Special Districts Legislative Days, Sacramento, CA – May 21-22, 2019

*(Note: Conflict with May 22 Board meeting, early registration deadline April 26)* Directors who wish to attend this event will contact the Secretary.

No action was required by the Governing Board.

## **REPORTS AND INFORMATIONAL ITEMS**

9. Overview of Financial Policies – Part 1 of 3, Reserve Policy

General Manager provided a review of this item.

10. Report of Legal Counsel

Legal Counsel Norvell provided legislative updates.

11. Management Report

A. Report of Assistant General Manager

Assistant General Manager Sabine reported on the determination of the recent FEMA grant application; the Authority was the runner-up and were encouraged to apply for a different grant; and provided a presentation on her recent advocacy trip to D.C.

B. Report of General Manager

General Manager Berge reported on the Authority's participation in a job fair hosted by the National City Chamber of Commerce; that the Authority hosted approximately 53 people at its Desal Facility for a landscape seminar in partnership with the San Diego County Water Authority; a bill insert for Customer Appreciation Day at the Water Conservation Garden; Pay Near Me bill insert targeted for National City customers; and the Public Affairs team are at the CAPIO tonight and won the 2019 Excellence in Public Information and Communications EPIC award for Securing Our Water Future which was the 2018 Rate Study outreach campaign.

12. Reports by Directors on Events Attended

A. WELL Annual Conference – March 28-29, 2019

Directors Calderon-Scott and Martinez provided a report.

B. CA Water Policy Conference – April 4-5, 2019

Director Calderon-Scott provided a report.

*(Note: Director Martinez left the meeting at 8:14 p.m.)*

13. Directors' Comments

*(Note: Director Martinez reentered the meeting at 8:15 p.m.)*

Director Martinez requested that the Board review the water rates. Vice Chair

Preciado directed that the General Manager add an item to the next Board agenda that reviews the rate study; gives an update where the Authority is; and considers all items and interests associated with that rate study.

Director Calderon-Scott requested information on the Authority's water rate tiers and the impacts of the water rates by division.

### CLOSED SESSION

At 8:22 p.m., the Board convened to meet in closed session with legal counsel for:

- A. Conference with Labor Negotiator pursuant to Government Code Section 54957.6

Agency Negotiators: Alison Alpert, Legal Counsel

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

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

Agency Negotiators: Alison Alpert, Legal Counsel

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

- C. Public Employee Performance Evaluation pursuant to Government Code Section 54957:

Title: General Manager

- D. Conference with Legal Counsel – Significant Exposure to Litigation pursuant to Government Code Section 54956.9 (d)(2): One Case

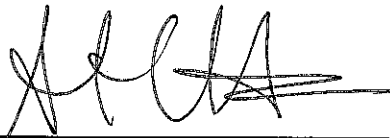
- E. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9 (d)(1):

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 9:29 p.m., Vice Chair Preciado declared the meeting to be in open session. No reportable action was taken by the Governing Board.

14. Adjournment


With no further business before the Board, Vice Chair Preciado adjourned the meeting at 9:30 p.m.



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Steve Castaneda, Chair

Attest:



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Ligia Perez, Board Secretary