

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

**April 12, 2023, 6:00 p.m.
Virtual Meeting via Zoom and at
Sweetwater Authority Administration Building
505 Garrett Avenue
Chula Vista, CA 91910**

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

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, April 12, 2023, at the Sweetwater Authority Administrative Office, 505 Garrett Avenue, Chula Vista, California. Chair Martinez called the meeting to order at 6:00 p.m.

Directors Present: Josie Calderon-Scott, Steve Castaneda, Manny Delgado, Hector Martinez, Paulina Martinez-Perez, *Ron Morrison (*left at 7:43 p.m.*), and Ditas Yamane

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, Public Affairs Manager Leslie Payne, and Director of Finance Rich Stevenson

Others: Andy Sells and Adrienne Beatty of the Association of California Water Agencies - Joint Powers Insurance Authority; Russel Walsh, and Karen Wood.

- **Pledge of Allegiance to the Flag**
- **Opportunity for Public Comment**

Russell Walsh commented on the recent presentation to the Alpine Community Planning Group (Group) by Authority staff; extended an invitation to the Board to attend a future presentation to the Group by the U.S. Forest Service regarding Loveland Reservoir's usage; and commented on providing access for hiking activities at Loveland Reservoir.

Karen Wood commented on the presentation by staff to the Alpine Community Planning Group; and the Authority's obligation to provide recreation at Loveland Reservoir and local resident access.

- **Chair’s Presentation**

Association of California Water Agencies – Joint Powers Insurance Authority presentation by Andy Sells, Chief Executive Officer

Andy Sells and Adrienne Beatty provided a presentation on its insurance programs.

ACTION CALENDAR AGENDA

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 Items to be Added, Withdrawn, or Reordered on the Agenda

There were none.

2. Approval of Minutes - Regular Board Meeting of March 22, 2023

Motion by: Director Morrison

Seconded by: Director Delgado

that the Governing Board approve the minutes of the Regular Board meeting of March 22, 2023.

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)

Consent Calendar Items

Director Castaneda pulled item 3 for discussion.

Item 4 was pulled for public comment.

Director Calderon-Scott pulled item 7 for discussion.

Motion by: Director Morrison

Seconded by: Director Castaneda

that the Governing Board approve consent calendar items 5, 6 and 8.

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)

5. Consideration to Rescind Implementation of Water Use Demand Reduction Measures in Level 2 of the Authority’s Water Shortage Contingency Plan; Reaffirm Level 1 Voluntary Water Use Demand Reduction Measures (Finance and Administration Committee Meeting of 4/3/2023)

Recommendation: Rescind implementation of Level 2 Water Use Demand Reduction Measures and reaffirm Level 1 of the Authority’s Water Shortage Contingency Plan, which implements a voluntary 10 percent water use reduction, and Level 1 water use guidelines.

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6. **Consideration to Award Contract for On-Call SCADA Design Professional Consulting Services** (Water Quality Committee Meeting of 4/5/2023)
Recommendation: Award a contract to Rockwell Construction Services, Valley Center, CA, for one year (or when the last project assigned is complete if different than this date); direct staff to bring a recommendation for contract extension back to the Governing Board within one year based on performance; and authorize funds for training and orientation of Rockwell Construction Services in the amount of \$53,000 (\$26,500 for Enterprise Automation and \$26,500 for the Rockwell Construction Services).
8. **Update on Sacramento Legislative Briefings (Information Item)** (Legislative Affairs and Communications Committee Meeting of 4/5/2023)
Recommendation: No action was required by the Governing Board.

Items Pulled from Consent Calendar

3. **Development Services Update and Consideration to Prepare an Implementation Plan** (Engineering and Operations Committee Meeting of 4/3/2023)
Recommendation: Direct staff to prepare an implementation plan for consideration at a future Board meeting.

Motion by: Director Castaneda

Seconded by: Director Calderon-Scott

that the Governing Board direct staff to prepare an implementation plan and present it to the Engineering and Operations Committee for its input prior to presenting it to the Board for its consideration at a future Board meeting.

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)

4. **Consideration of Statements of Qualifications for the Sweetwater Reservoir Enhancement Project** (Engineering and Operations Committee Meeting of 4/3/2023)
Recommendation: Direct staff to prepare a Request for Proposals and present it at a future meeting for Board input.

Russell Walsh commented on the impacts of sand mining and dredging at Sweetwater Reservoir; and encouraged an accounting of costs spent to date on sand mining and the cost-benefit of this project.

Motion by: Director Castaneda

Seconded by: Director Yamane

that the Governing Board direct staff to prepare a Request for Proposal and present it to the Engineering and Operations Committee for its input prior to presenting it to the Board for its consideration at a future Board meeting

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)

7. **Update on Rate Outreach Plan (Information Item)** (Legislative Affairs and Communications Committee Meeting of 4/5/2023)
Recommendation: No action was required by the Governing Board.
No action was required by the Governing Board.

Action and Discussion Items

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

Motion by: Director Castaneda

Seconded by: Director Martinez-Perez

that the Governing Board approve per diem for Directors' attendance for items 9 A through E.

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)

- A. **Per diem approval for Director Martinez' attendance at the WELL's Annual Statewide Conference, Van Nuys, CA – March 31 – April 1, 2023**
- B. **Per Diem approval for Directors Castaneda and Martinez to attend the Ground Water Replenishment System (GWRS) Infrastructure Day, Orange County – April 14, 2023**
- C. **Per diem approval for Directors who wish to attend the California Municipal Utilities Association (CMUA) 2023 Annual Conference, Rancho Bernardo – April 16-18, 2023**
- D. **Council of Water Utilities Meeting, – Tuesday, April 18, 2023, 11:45 a.m. – Program Title: “The Hardest Working River: Colorado River Outlook,” presented by Chris Harris, Executive Director, Colorado River Board of California**
- E. **Per diem approval for Directors who wish to attend the 2023 High School Photo Contest Artist Reception at the Bonita Museum – April 27, 2023**

REPORTS AND INFORMATIONAL ITEMS

10. **Delayed Revenue Balance Dashboard**

11. Committee Minutes**12. Informational Reports**

- **Quarterly Report of One-time Water Bill Adjustments – Third Quarter FY 2022-23**
- **Quarterly Consultant Report – Third Quarter FY 2022-23**
- **Quarterly Vendor Agreement Listing – Third Quarter FY 2022-23**

13. Report of Legal Counsel

Legal Counsel de Sousa reported on the Biden Administration's proposal to evenly reduce the usage of Colorado River water by all states; and the likely initiation of litigation if the Biden proposal is implemented.

14. Report of Management

General Manager Quintero reported on:

- A SDCWA report that there are no anticipated short-term impacts due to the federally-imposed water reductions due to full local water supplies;
- Shared current Authority reservoir levels; and
- The International Boundary and Water Commission issued a request for applications for its Citizens Forum. Interested Board members can let the Board Secretary know they would like to apply.

15. Reports by Directors on Events Attended**A. Water Education for Latino Leaders (WELL) Annual Conference – March 31 – April 1, 2023**

Director Martinez provided a report.

B. South County Economic Development Council Meeting – April 4, 2023

There was none.

C. Other Events Attended

There was none.

16. Directors' Comments

Director Morrison commented on Sweetwater Authority as a model for high quality water in predominantly minority communities.

Director Martinez-Perez commented enjoying hearing about the high water levels at Authority reservoirs.

Director Martinez stated he is happy to have so much water in Authority reservoirs.

Director Castaneda commented he feels blessed.

CLOSED SESSION

At 7:17 p.m. the Board convened in closed for item A. Prior to convening in closed session, Director Morrison noted on the record his recusal pursuant to Government Code section 84308, for one of the cases in closed session Item A. He further noted that he would leave the closed session prior to consideration/discussion of that item.

A. Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation pursuant to Government Code Section 54956.9 (d)(2): Two Cases

(Note: Director Morrison left the meeting at 7:43 p.m.)

There was no need for closed session on item B.


B. 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 8:14 p.m. and reconvened in open session. There was no reportable action taken by the Governing Board.

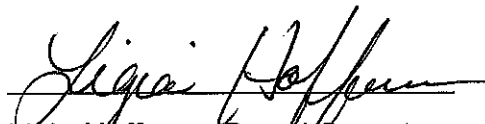
17. Adjournment

With no further business before the Board, Chair Martinez adjourned the meeting at 8:15 p.m.



Hector Martinez, Chair

Attest:



Ligia Hoffman, Board Secretary