

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

May 12, 2021

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, May 12, 2021. Pursuant to Governor Newsom's Executive Orders N-29-20 and 33-20, this meeting was held via teleconference. Chair Martinez called the meeting to order at 6:00 p.m.

*(*Note: After calling the meeting to order, Chair Martinez established for the record that all Directors were able to hear the proceedings, that all members of the Board were able to hear the Directors participating by teleconference clearly, and that all votes would be taken by a roll call vote pursuant to the provisions of the Brown Act. Chair Martinez further established for the record the process by which public comments would be received by the Board, which process was also described in the Agenda for the meeting.)*

- **Roll Call**

Directors Present: Josie Calderon-Scott, Steve Castaneda, *Hector Martinez (*left the meeting at 8:32 pm.*), Paulina Martinez-Perez, Jose Preciado, Mona Rios, and Alejandra Sotelo-Solis.

Directors Absent: None.

Management, Staff, and Others Present: Interim General Manager Jennifer Sabine, Legal Counsel Paula de Sousa, and Board Secretary Ligia Perez. Staff Members: Director of Water Quality Justin Brazil, Administrative Assistant Michael Garcia, Distribution Manager Nathan Golder, Director of Engineering Ron Mosher, Public Affairs Manager Leslie Payne, Interim Director of Distribution Carl Quiram, Senior Public Affairs Representative Gwyneth Shoecraft, Director of Finance Rich Stevenson. Others Present: Alison Alpert and Lutfi Kharuf of Best Best & Krieger, Wendy Wilson of the Bonita Museum and Cultural Center.

- **Pledge of Allegiance to the Flag**

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

Russell Walsh submitted written comments regarding the Loveland fishing program and public access, which were read onto the record by the Board Secretary pursuant to the Authority's established process for public comments.

- **Chair's Presentation**

Recognition of 2021 High School Photo Contest Winners

ACTION CALENDAR AGENDA

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 Items to be Added, Withdrawn, or Reordered on the Agenda

There were none.

2. Approval of Minutes -
 - A. Regular Board Meeting of April 28, 2021
 - B. Special Board Meeting of May 3, 2021

Director Sotelo-Solis made a motion, seconded by Director Castaneda, that the Governing Board approve the minutes of the Regular Board meeting of April 28, 2021 and the Special Board meeting of May 3, 2021. The motion carried unanimously.

Consent Calendar Items

Director Calderon-Scott pulled item 3 for discussion.

Director Castaneda made a motion, seconded by Director Martinez-Perez, that the Governing Board approve consent calendar items 4 and 5. The motion carried unanimously.

4. Review of Board Policy 517 Financial Policies – Second Review (Finance and Personnel Committee Meeting of 5/5/21)
Recommendation: Approve Board Policy 517 as presented
5. Discussion on the Replacement of Authority Vector Truck (Information Item) (Operations Committee Meeting of 5/5/21)
Recommendation: No action is required by the Governing Board.

ITEM PULLED FROM CONSENT CALENDAR

3. Review of Board Policy 518 (Finance and Personnel Committee Meeting of 5/5/21)
Recommendation: Approve Board Policy 518 as presented.

Director Preciado made a motion, seconded by Director Calderon-Scott, that the Governing Board continue Board Policy 518 to a future meeting and direct modifications to coordinate the timing of the General Manager's evaluation process with the end of year Strategic Plan reporting. The motion carried unanimously.

Action and Discussion Items

6. Update on Flushing Program and Consideration to Award a Contract for Continued No-Discharge Flushing Services (Operations Committee Meeting of 5/5/21)
Recommendation: Pause the No-discharge Flushing Program to allow staff time to provide a pro/con and cost comparison analysis between unidirectional and no-discharge flushing.

Director Rios made a motion, seconded by Director Martinez-Perez, that the Governing Board direct staff to pause the No-discharge Flushing Program to allow staff time to provide a pro/con and cost comparison analysis between unidirectional and no-discharge flushing. The motion carried unanimously.

7. Old and Unfinished Business
Continued Discussion of Authorized use of Lease Revenue and ACWA/JPIA Refunds
No action was required by the Governing Board.

8. New Business

Request from the American Public Works Association to Adopt Resolution 21-08
Proclaiming National Public Works Week - May 16-23, 2021

Upon a motion by Director Castaneda, seconded by Director Rios, the following resolution:

RESOLUTION 21-08

**RESOLUTION OF THE GOVERNING BOARD
OF SWEETWATER AUTHORITY
PROCLAIMING NATIONAL PUBLIC WORKS WEEK
MAY 16-23, 2021**

was passed and adopted by the following vote to wit:

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

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

A. California Special Districts Association - San Diego Chapter Quarterly Virtual Meeting –
Thursday, May 20, 2021 at 5:30 p.m.: "Discussion with Representatives from the
County of San Diego's Low-Income Assistance Programs"

B. Per diem approval for Directors who wish to attend the California Special Districts
Association (CSDA) 2021 Annual Conference – August 30-September 2, 2021

**Director Calderon-Scott made a motion, seconded by Director Rios, that the
Governing Board approve per diem for Directors who wish to attend the CSDA 2021 Annual
Conference – August 30-September 2, 2021. The motion carried unanimously.**

REPORTS AND INFORMATIONAL ITEMS

10. COVID-19 Pandemic Delayed Revenue Balance Dashboard

11. Committee Minutes

12. Report of Legal Counsel

Legal Counsel shared a report by the Legislative Analyst's Office (LAO) regarding the initial financial impacts of COVID-19 on local government; and provided an update on legislative efforts regarding potential revisions to the Brown Act, including requirements for virtual meetings.

13. Report of Management

Interim General Manager Sabine reported on:

- Announcements made by Governor Newsom related to water investments, utility debt relief, and California's water shortages, including 2 billion dollars in relief for water, electric, and gas utility bills; 5.1-billion-dollar investment over the next four years for water infrastructure, and the expansion of the emergency drought declaration; and
- Previewed the agenda items for the upcoming Special Board, the Finance and Personnel Committee, and the Operations Committee meetings.

14. Reports by Directors on Events Attended

A. South County Economic Development Council (SCEDC) Meeting – May 3, 2021

Director Castaneda provided a report.

B. ACWA/JPIA Board Meeting – May 10, 2021

Director Castaneda provided a report.

C. Other Events Attended

There were none.

15. Directors' Comments

Director Rios commented on the presentation by the U.S. Geological Survey at the South Bay Irrigation District Board meeting and the availability of a century's worth of water.

CLOSED SESSION

Before going into closed session, Chair Martinez stated for the record his recusal from Closed Session Agenda Item C, due to a potential conflict of interest under Government Code Section 87100.

At 7:47 p.m. the Board convened in closed session for:

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

Property:	Assessor Parcel Number: 521-040-15-00
Agency Negotiators:	Jennifer Sabine, Interim General Manager Ron Mosher, Director of Engineering Paula de Sousa, Legal Counsel
Negotiating Party:	Lino Iuli
Under Negotiation:	Price and Terms

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

Agency Negotiators: Alison Alpert, Legal Counsel
Paula de Sousa, Legal Counsel

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

(Note: Director Martinez left the meeting at 8:32 p.m.)

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

There was no need for closed session on item:

D. 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 reconvened in open session at 8:41 p.m., with Directors Calderon-Scott, Castaneda, Martinez-Perez, Rios, and Sotelo-Solis in attendance. Legal Counsel de Sousa stated for the record that all Board members were present until 8:32 p.m. at which time Chair Martinez left the room prior to consideration of Closed Session Item C. There was no reportable action taken by the Governing Board.

19. Adjournment

With no further business before the Board, Vice Chair Sotelo-Solis adjourned the meeting at 8:42 p.m.



Hector Martinez, Chair

Attest:



Ligia Perez, Board Secretary