

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

**May 13, 2020**

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, May 13, 2020. Pursuant to Governor Newsom's Executive Orders N-29-20 and 33-20, this meeting was held via teleconference. Chair Castaneda called the meeting to order at 6:03 p.m.

*(\*Note: After calling the meeting to order, Chair Castaneda 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 Castaneda 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, Jerry Cano, Steve Castaneda, José F. Cerda, Hector Martinez, \*Jose Preciado (*left the meeting at 8:49 p.m.*), and \*Alejandra Sotelo-Solis (*6:24 p.m.*)

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 Water Quality Justin Brazil, Engineering Manager Erick Del Bosque, Administrative Assistant Michael Garcia, Distribution Manager Nathan Golder, Director of Engineering Ron Mosher, Director of Finance Rich Stevenson, and Director of Administrative Services Dina Yorba. Others Present: Chris Palmer of California Special Districts Association

- **Pledge of Allegiance to the Flag**

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

Michael Garrod submitted written comments for the record regarding the presentation by the U.S. Geological Survey at the May 13, 2020 South Bay Irrigation Board meeting.

- **Chair's Presentation**

A. "District of Distinction Accreditation to Sweetwater Authority by the Special District Leadership Foundation," presented by Chris Palmer, Senior Public Affairs Field Coordinator, California Special Districts Association

B. COVID-19 Update

1. Consideration of Resolution 20-10, Amending and Restating Resolution 20-07, and Consideration of Extension of the Board’s Declaration of Emergency

**Upon a motion made by Director Calderon-Scott, seconded by Director Martinez, the following resolution:**

**RESOLUTION 20-10**

**AMENDING AND RESTATING RESOLUTION 20-07,  
DECLARING AN EMERGENCY DUE TO  
THE COVID-19 HEALTH PANDEMIC**

was passed and adopted by the following vote to wit:

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

**Director Preciado made a motion, seconded by Director Martinez, that the Governing Board extend the Declaration of Emergency until June 15, 2020. The motion carried unanimously, with Director Sotelo-Solis absent.**

2. COVID-19 Pandemic Delayed Revenue Balance Dashboard

*(Note: Director Sotelo-Solis entered the meeting at 6:24 p.m.)*

**ACTION CALENDAR AGENDA**

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

2. Approval of Minutes
  - A. Special Board Meeting of April 16, 2020
  - B. Regular Board Meeting of April 22, 2020
  - C. Special Board Meeting of April 29, 2020

**Director Preciado made a motion, seconded by Director Martinez, that the Governing Board approve the minutes of the Special Board meeting of April 16, 2020, the Regular Board meeting of April 22, 2020, and the Special Board meeting of April 29, 2020. 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 153316 and 153346) and Agenda Item 4 warrant 153377 due to his contract with Sempra Energy, parent company of SDG&E, which Chair Castaneda disclosed on the record.**

**Director Preciado made a motion, seconded by Director Cano, that the Governing Board approve the consent calendar. The motion carried unanimously.**

3. Approval of San Diego Gas & Electric Demands and Warrants – Check number 153316 and 153346
4. Approval of Demands and Warrants – Check number 153283 through 153389 and electronic fund transfers 33881 through 34351

### Action and Discussion Items

5. Consideration of Scope of Work for Sediment Characterization Study at Sweetwater and Loveland Reservoirs (Operations Committee Meeting of 5/6/20)  
Recommendation: As stated in the Board Agenda memorandum.

**Director Preciado made a motion, seconded by Director Sotelo-Solis, that the Governing Board refer this item to the Finance and Personnel Committee to review the fiscal issues and identify funding sources. The motion carried unanimously.**

6. Review of Presentation of Demands and Warrants (Finance and Personnel Committee Meeting of 5/6/20)  
Recommendation: Convene a Special Board meeting to discuss the presentation of Demands and Warrants and that staff prepare sample formats for the Board's consideration.

**Chair Castaneda made a motion, seconded by Director Preciado, that the Governing Board schedule a Special Board meeting to review the Presentation of Demands and Warrants. The motion carried unanimously.**

7. Review Draft Five-year Financial Plan (Finance and Personnel Committee Meeting of 5/6/20)  
Recommendation: Provide comments to staff to incorporate in the Draft FY 2020-21 Five-year Financial Plan for completion of the Draft FY 2020-21 Budget and direct staff to refine the Preliminary Concept COVID-19 Pandemic Delayed Revenue Offset.

**Director Sotelo-Solis made a motion, seconded by Chair Castaneda, that the Governing Board direct staff to incorporate Board member comments in the Draft FY 2020-21 Five-year Financial Plan for completion of the Draft FY 2020-21 Budget, including proposal to effectively freeze water rates, and to refine the Preliminary Concept COVID-19 Pandemic Delayed Revenue Offsets. The motion carried unanimously.**

## 8. Draft FY 2020-21 Strategic Plan Work Plan (Annual Work Plan)

Recommendation: Staff recommends that the Board provide feedback and direct staff to bring back the draft Annual Work Plan with Board input at the May 27, 2020, Board meeting.

This item was deferred to future meeting.

## 9. New Business

## A. Authorize General Manager to Execute Agreements with Labor Groups for a One-year Extension to the Memoranda of Understanding as Follows:

1. Approval of, and Authorize General Manager to Execute, One-year Extension to Memorandum of Understanding Between Sweetwater Authority and Sweetwater Authority Employees' Committee, Effective July 1, 2020
2. Approval of, and Authorize General Manager to Execute, One-year Extension to Memorandum of Understanding Between Sweetwater Authority and Sweetwater Authority Middle Management Group, Effective July 1, 2020
3. Approval of, and Authorize General Manager to Execute, One-year Extension to Memorandum of Understanding Between Sweetwater Authority and Sweetwater Authority Confidential Group, Effective July 1, 2020

**Director Sotelo-Solis made a motion, seconded by Director Calderon-Scott, that the Governing Board authorize the General Manager to execute a one-year extension to the MOUs with the Authority Labor Groups. The motion carried unanimously.**

## B. Consideration to Participate in San Diego County Water Authority's Regional Conveyance Cost Review for Member Agencies

**Chair Castaneda made a motion, seconded by Director Sotelo-Solis, that the Governing Board authorize the General Manager to participate in the Regional Conveyance Cost Review for Member Agencies on behalf of Sweetwater Authority. The motion carried, with Directors Cano, Castaneda, Cerda, Martinez, Preciado, and Sotelo-Solis in favor, and Director Calderon-Scott opposing.**

## C. Summary of Work and Expenses for the San Diego Formation Aquifer Study

No action was required by the Governing Board.

## 10. Old Business

## A. Consideration of Policy for the Procurement of Services (Including Construction), Supplies, and Equipment

**Director Preciado made a motion, seconded by Director Sotelo-Solis, that the Governing Board approve the changes made to the Policy for the Procurement of Services as presented, and incorporate the policy into the final Policy 517 – Financial Policies, that will be included and approved with the FY 2020-21 Budget. The motion carried unanimously.**

- B. Review of Board Policies and Procedures (Policy 518): Consideration of Approval of a New Proposed General Manager Performance Evaluation Form

**Director Calderon-Scott made a motion, seconded by Director Sotelo-Solis, that the Governing Board approve the proposed Performance Evaluation Form be included as the new General Manager Performance Evaluation form attached to Board Policy 518; and direct staff to update the attachment list at the end of Board Policy 518 as required. The motion carried unanimously.**

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

- A. California Special Districts Association (CSDA) 2020 Virtual Special Districts Legislative Days – May 18-22, 2020

No action was required by the Governing Board.

- B. Association of California Water Agencies (ACWA) Spring Conference, Monterey, CA – July 28-31, 2020 (*Note: registration and cancellation deadline is July 10, 2020*)

No action was required by the Governing Board.

## **REPORTS AND INFORMATIONAL ITEMS**

12. Committee Minutes

13. Report of Legal Counsel

Legal Counsel de Sousa reported on state budgetary and legislative issues during the COVID-19 pandemic.

14. Report of Management

- Recent/Upcoming Community Events (No Enclosures):
  - 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 Authority's participation in the National City Chamber Virtual Job Fair on April 29, 2020
- Citizen Advisory Committee is meeting on May 18, 2020 and General Manager Berge will be providing a presentation on the Authority's response to COVID-19
- Working with Chair to consider whether adding more special meetings as an approach to manage meeting length in the future
- Looking at changing to a webinar format for Board meetings that would allow for presentations to be visible by the public among other features
- KUSI has reached out and is looking at doing a story on the employees' recent support of Community Through Hope.
- Reviewed the upcoming Special Board and Committee meetings agenda items

- Thanked the Board for the policy direction on the Preferential Purchasing for Local Businesses Program. Staff met with the Authority's Procurement Specialist earlier this week to discuss how to roll out this new program and will share with the Communications Committee when they meet on June 1, 2020.

15. Report of Sweetwater Authority Director to the Water Conservation Garden Authority

Chair Castaneda reported on his virtual meeting with the Garden including the election of a new chair, Mitch Thompson; discussion regarding the impacts of COVID-19 on the Garden; staff continues to seek and receive grants; the Garden qualifies as an outdoor museum and is planning to take advantage of an earlier than expected opening; focus on private fundraising; and the Garden applied for Payroll Protection loan.

16. Reports by Directors on Events Attended – There were none.

17. Directors' Comments

Director Sotelo-Solis thanked staff for their diligence in budget discussion preparation and the goal of keeping rates down or neutral; commented on the upticks in COVID-19 positive tests in National City; the City's partnership with San Ysidro Health and Catholic Charities for increased COVID-19 testing and food distribution; and the City's 31 percent unemployment rate.

Director Cano gave kudos to Director Sotelo-Solis for her media interviews; commented on the Board's efforts to stabilize rates and protect ratepayers; and successful negotiation with the Authority's labor groups for a one-year contract extension.

Director Calderon-Scott stated she is grateful to the Board for their support of local, small, and disadvantaged ratepayer businesses; and encourages a press release on this topic.

Director Cerda thanked the Board for a smooth meeting; is further interested in the South Bay Irrigation District presentation on the USGS San Diego Hydrogeology Project; and would like to hear more about the Rate Stabilization Reserves and how it has helped ratepayers.

Director Martinez commented on a good meeting; the convergence and consensus the Finance and Personnel and Operations Committee's focus on the assets of the ratepayers; and is looking forward to viewing the media interviews with Director Sotelo-Solis.

Chair Castaneda commented on difficult times for South County, being hit fairly hard during the pandemic, and thanked those that are leading the recovery efforts and those working on the front lines in medical facilities.

CLOSED SESSION

At 8:23 p.m., the Board convened in closed session with legal counsel for:

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

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

Title: General Manager

There was no need for closed session on item:

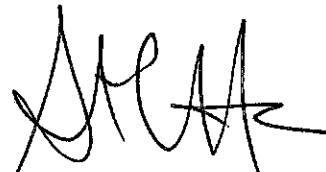
C. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9 (d)(1):

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 9:43 p.m., Chair Castaneda declared the meeting to be in open session. No reportable action was taken by the Governing Board.

18. Adjournment

With no further business before the Board, Chair Castaneda adjourned the meeting at 9:43 p.m.



Steve Castaneda, Chair

Attest:



Ligia Perez, Board Secretary