

# REVISED

## SWEETWATER AUTHORITY GOVERNING BOARD MINUTES OF THE REGULAR MEETING

May 27, 2020

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, May 27, 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 6:01 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 (6:10 p.m.), Steve Castaneda, José F. Cerda, Hector Martinez, Jose Preciado, and Alejandra Sotelo-Solis

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, Administrative Assistant Michael Garcia, Director of Engineering Ron Mosher, Director of Distribution Greg Snyder, Director of Finance Rich Stevenson, and Director of Administrative Services Dina Yorba.

- **Pledge of Allegiance to the Flag**

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

Mike Sampsel submitted written comments, which were read onto the record by the Board Secretary pursuant to the Authority's established process for public comments.

- **Chair's Presentation**

A. Presentation by Jennifer Pillsbury, Executive Director/CEO, The Water Conservation Garden

B. COVID-19 Update

COVID-19 Pandemic Delayed Revenue Balance Dashboard

C. Comments from the Public Regarding Agency Staff

## ACTION CALENDAR AGENDA

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 Items to be Added, Withdrawn, or Reordered on the Agenda

There was none.

2. Approval of Minutes

A. Regular Board Meeting of May 13, 2020

B. Special Board Meeting of May 18, 2020

**Director Martinez made a motion, seconded by Director Sotelo-Solis, that the Governing Board approve the minutes of the Regular Board meeting of May 13, 2020 and Special Board meeting of May 18, 2020. The motion carried unanimously, with Director Cano absent.**

### Consent Calendar Items

**Chair Castaneda recused himself from consideration of Agenda Item 3 (approval of San Diego Gas & Electric Demands and Warrants – check numbers 153414 and 153453) due to his contract with Sempra Energy, parent company of SDG&E, which Chair Castaneda disclosed on the record.**

**Director Sotelo-Solis made a motion, seconded by Director Martinez, that the Governing Board approve the consent calendar items 3, 6, and 7. The motion carried unanimously, with Director Cano absent.**

Director Calderon-Scott pulled items 4 and 5 for discussion.

3. Approval of San Diego Gas & Electric Demands and Warrants – Check numbers 153414 and 153453

6. Consideration to Award Annual Contract for Water Treatment Chemicals (Operations Committee Meeting of 5/20/20)

Recommendation: Award contracts to the lowest responsive bidders as follows: \$164,200 to Polydyne Inc., Riceboro, GA, for Cationic Polymer; \$112,400 to Univar Solutions USA, Inc, Kent, WA (\$8,000 for Ammonium Sulfate and \$104,400 for Sodium Hydroxide); \$186,300 to JCI Jones Chemicals, Inc., Torrance, CA, (\$49,600 for Ton Cylinders of Chlorine, \$106,100 for Sodium Hypochlorite 12.5%, and \$30,600 for Sodium Hydroxide 50%); \$74,800 to California Water Technologies, Santa Fe Springs, CA, for Ferric Chloride 43%; \$34,700 to Hill Brothers Chemical Co., Brea, CA (\$25,400 for Aqua Ammonia 19.0%, and \$9,300 for citric acid); \$26,700 to Industrial Services Solutions, Inc, Upland, CA for Liquid Ammonium Sulfate 40%; \$34,700 to Pencco, Inc., San Felipe, TX for Ferrous Chloride 33%; \$11,700 to Prominent Systems Inc., City of Industry, CA for Activated Carbon Powder; \$130,000 to International Dioxide, Inc., North Kingstown, RI for Sodium Chlorite 31%; and \$48,800 to Dubois Chemical Inc., Cincinnati, OH for Fluorosilicic Acid 23%; and direct staff to bring the bids for Aluminum

Sulfate or Sodium Fluoride to the Operations Committee for review of efforts to reach out to local businesses and recommendation for award of contract.

7. Recommendation to Adopt Resolution 20-11 Amending and Adopting Local Guidelines for Implementing the 2020 California Environmental Quality Act (Operations Committee Meeting of 5/20/20)  
Recommendation: Adopt Resolution 20-11, Amending and Adopting Local Guidelines for Implementing the 2020 California Environmental Quality Act.

### RESOLUTION 20-11

#### 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, Castaneda, Cerda, Martinez, Preciado, and Sotelo-Solis  
 Noes: None  
 Absent: Director Cano  
 Abstain: None

#### Items Pulled from the Consent Calendar

4. Approval of Demands and Warrants – check number 153390 through 153464 and electronic fund transfers 34352 through 34606 (excluding the San Diego Gas & Electric Demands and Warrants)
5. Consideration of Proposed Citizens Advisory Committee Meeting Dates and Times (Citizens Advisory Committee Meeting of 5/18/20)  
Recommendation: Approve the proposed Citizens Advisory Committee meeting schedule for June through December 2020.

**Director Calderon-Scott made a motion, seconded by Chair Castaneda, that the Governing Board approve items 4 and 5. The motion carried unanimously, with Director Cano absent.**

#### Action and Discussion Items

8. Provide Input on the Draft COVID-19 Pandemic Delayed Revenue Offsets (Finance and Personnel Committee Meeting of 5/20/20)  
Recommendation: Utilize the Rate Stabilization Reserve to offset any deferred revenue due to the COVID-19 Pandemic and replenish the reserve when deferred revenues are realized.

**Director Preciado made a motion, seconded by Director Cerda, that the Governing Board approve to utilize the Rate Stabilization Reserve to offset any deferred revenues due to the COVID-19 Pandemic and replenish the reserve when deferred revenues are realized. The motion carried unanimously.**

9. Consideration to Fund a Sediment Characterization Study at Sweetwater and Loveland Reservoirs (Finance and Personnel Committee Meeting of 5/20/20)  
Recommendation: Conduct the Sediment Characterization Study and Hydrographic Survey in phases and funding Phase I only (Sweetwater Authority) at this time; and direct staff to return to the Board with a proposed funding source at the June 10 2020 Board meeting.

**Director Martinez made a motion, seconded by Director Preciado, that the Governing Board approve to conduct the Sediment Characterization Study and Hydrographic Survey in phases and fund Phase I only (Sweetwater Reservoir) at this time; and directed staff to return to the Board with a proposed funding source for inclusion in the FY 2020-21 Budget at the June 10, 2020 Board meeting. The motion carried unanimously.**

10. New Business

Consideration of Committee Assignment for Process to Select a Dam Consultant (No Enclosure)

**Chair Castaneda made a motion, seconded by Director Calderon-Scott, that the Governing Board refer the process to select a Dam Consultant to the Operations Committee. The motion carried unanimously.**

11. Old Business

A. Review of draft FY 2020-21 Budget

**Director Martinez made a motion, seconded by Director Calderon-Scott, that the Governing Board direct staff to modify the Vehicle Fleet Budget and reduce it from \$1,500,000 to \$500,000; use the \$500,000 for the purchase of lease buy-backs, two electric vehicles, and other high priority items; and place the \$1,000,000 in a Vehicle Equipment Replacement Fund that may be used mid-budget year. The motion carried unanimously.**

**Director Martinez made a motion, seconded by Director Calderon-Scott, that the Governing Board direct staff to decrease the Desal Painting Rehabilitation budget from \$125,000 to \$5,000 for touch-up maintenance and pressure-wash cleaning of the Desal Facility. The motion carried unanimously.**

**Director Martinez made a motion, seconded by Director Calderon-Scott, that the Governing Board submit their recommended changes by Friday, May 29, close of business to be considered by the Chair in potentially setting a Special Meeting prior to the June 10, 2020 meeting, and that adoption of the FY 2020-21 Budget could be deferred until June 24, 2020. The motion carried with Directors Calderon-Scott, Cano, Castaneda, Cerda, Martinez, and Preciado in favor, and Director Sotelo-Solis opposed.**

B. Review of draft FY 2020-21 Strategic Plan Work Plan

No action was taken by the Governing Board.

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

A. National Water Resources Association (NWRA) 2020 Western Water Seminar, Spokane, WA – August 5-7, 2020

No action was required by the Governing Board.

B. California Special Districts Association (CSDA) 2020 Annual Conference, Palm Desert, CA – August 24-27, 2020 *(Note: Early bird registration deadline is July 24, 2020)*

No action was required by the Governing Board.

### **REPORTS AND INFORMATIONAL ITEMS**

13. Committee Minutes

14. Financial Reports

- Monthly Financials – April 2020

15. Management Report

- Recent/Upcoming Community Events (No Enclosures):
  - Upcoming Community Events (Information Item) (No Enclosures)
  - Presentation to the Chula Vista Chamber of Commerce Utilities Subcommittee – May 27, 2020 and July 29, 2020

General Manager Berge reported on:

- The CAC met on May 18<sup>th</sup> and adopted its manual. A presentation on energy audits and implementations previously performed at the Authority will be presented at their June 15<sup>th</sup> meeting.
- Staff has applied copper sulfate to the Sweetwater Reservoir because of a weeks-long battle with an algae bloom that can affect taste and odor.
- General Manager Berge and Director Calderon-Scott presented to the Chula Vista Chamber of Commerce's Utilities Subcommittee.
- Outlined next steps on the Preferential Purchasing for Local Businesses policy.
- Staff is developing a lobby reopening plan with a reopen date of June 8, 2020.
- The No-Discharge Flushing program restarted this week, and
- Previewed the upcoming agenda items for the upcoming Committee and Board meetings.

16. Report of Representatives to the San Diego County Water Authority (SDCWA)

Director Preciado reported on budget-related activities at SDCWA including a public hearing in June 2020, a 6 percent rate increase, water sales have decreased by 14 percent,

use of local water reserves rather than purchasing water from Metropolitan Water District, 30 million dollars' worth of capital projects will be reduced, and debt restructuring; and an open session meeting on the potential detachment of Fallbrook and Rainbow Water Districts.

17. Reports by Directors on Events Attended

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

Director Preciado provided a report.

Director Cerda will report at the next Regular Board meeting.

18. Directors' Comments

Director Cerda thanked staff for their continued work during the pandemic.

Director Sotelo-Solis thanked staff; keep safety a priority in future phases during the pandemic.

Director Calderon-Scott commented on her positive experience at a local hospital during the pandemic.

CLOSED SESSION

At 8:58 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 9:16 p.m., Chair Castaneda declared the meeting to be in open session. No reportable action was taken by the Governing Board.

*(Note: Due to technical issues which prevented the report and adjournment from being recorded, the document, "Written Report of Action Taken in Closed Session and Notice of Time of Adjournment of Meeting (due to technical issues)" was posted to the Authority website with the materials for the meeting.)*

19. Adjournment

With no further business before the Board, Chair Castaneda adjourned the meeting at 9:16 p.m.



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Steve Castaneda, Chair

Attest:



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Ligia Perez, Board Secretary