

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

July 8, 2020

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, July 8, 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 6:00 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 (6:05 p.m.), Steve Castaneda, José F. Cerda, Hector Martinez, Jose Preciado, and *Alejandra Sotelo-Solis (6:10 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, Administrative Assistant Michael Garcia, Director of Engineering Ron Mosher, Director of Distribution Greg Snyder, and Director of Finance Rich Stevenson. Others Present: David Thomas.

- **Pledge of Allegiance to the Flag**

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

(Note: Director Cano entered the meeting at 6:05 p.m.)

David Thomas commented on the reopening of the fishing program at Loveland Reservoir.

Russell Walsh submitted written comments regarding the reopening of the Authority's Fishing Programs, which were read onto the record by the Board Secretary pursuant to the Authority's established process for public comments.

(Note: Director Sotelo-Solis entered the meeting at 6:10 p.m.)

John Cassidy submitted written comments regarding the impacts of not opening the Fishing Programs at Sweetwater Reservoir, which were read onto the record by the Board Secretary pursuant to the Authority's established process for public comments.

John July Blake submitted written comments regarding the reopening of the Loveland and Sweetwater Reservoirs for fishing, which were read onto the record by the Board Secretary pursuant to the Authority's established process for public comments.

- **Chair's Presentation**

COVID-19 Update

COVID-19 Pandemic Delayed Revenue Balance Dashboard

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 June 10, 2020
 - B. Regular Board Meeting of June 24, 2020

Director Preciado made a motion, seconded by Director Cerda, that the Governing Board approve the minutes of the Regular Board meeting of June 10, 2020 and the Regular Board meeting of June 24, 2020. The motion carried unanimously.

Consent Calendar Items

Director Calderon-Scott pulled item 3 for discussion.

Director Preciado made a motion, seconded by Director Sotelo-Solis, that the Governing Board approve consent calendar items 4 and 5. The motion carried unanimously.

4. Consideration to Award Annual Requirement Contracts for Waterworks Fittings (Operations Committee Meeting of 7/1/20)
Recommendation: Award the following contracts for waterworks fittings: \$45,298.80 to Core & Main LP, San Marcos, CA; \$42,181.11 to Ferguson Waterworks, Poway, CA; \$58,751.46 to Pacific Pipeline Supply, San Marcos, CA; and \$76,510.38 to Western Water Works Supply Co., El Cajon, CA.
5. Consideration to Award Annual Contracts for Water Treatment Chemicals (Sodium Fluoride and Aluminum Sulfate) (Operations Committee Meeting of 7/1/20)
Recommendation: Award contracts to the lowest responsive bidder for water treatment chemicals as follows: \$10,500 to Univar Solutions USA, Inc., Kent, WA (\$7,500 for Sodium Fluoride 90-98% and \$3,000 for Aluminum Sulfate 45-55%).

Items Pulled from Consent Calendar

3. Approval of Demands and Warrants (excludes the San Diego Gas & Electric Demands and Warrants) – Check number 153601 through 153718 and electronic fund transfers 35082 through 35296

Director Calderon-Scott made a motion, seconded by Director Martinez, that the Governing Board approve the Demands and Warrants. The motion carried with Directors Calderon-Scott, Cano, Castaneda, Cerda, Martinez, and Sotelo-Solis in favor, and Director Preciado opposing.

Action and Discussion Items

6. New Business

Community Clean-ups Near Desalination Facility (Item Requested by Director Martinez)
(No Enclosure)

Director Martinez made a motion, seconded by Director Cerda, that the Governing Board approve preparation of a letter by Director Cerda and staff to the San Diego River Conservancy to seek funds to help coordinate a cleaning effort near the Desalination Facility. The motion carried unanimously.

7. Old and Unfinished Business

A. Consideration of Items Related to Presentation of Demands and Warrants:

- a. Sample Payment Register-Accounts Payable Checks with General Ledger Account
- b. Enhanced Descriptions, Conceptual Companion Document of Contracts and Agreements
- c. Consideration of Resolution 20-15 Authorizing the General Manager or Assistant General Manager to Approve Payment of Demands and Repealing Resolution Nos. 80-07 and 97-14
- d. Consideration of Monthly Presentment

Chair Castaneda made a motion, seconded by Director Cano, that the Governing Board continue this item for 30 days. The motion carried unanimously.

8. Approval of Directors' Attendance at Meetings and Future Agenda Items
There were none.

REPORTS AND INFORMATIONAL ITEMS

9. Committee Minutes

10. Report of Legal Counsel

Legal Counsel de Sousa reported on FPPC regulations regarding recusal from meeting discussions.

11. Report of Management

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

General Manager Berge reported on:

- The safe reopening of Authority programs, including the reopening of the Board room; thanked staff and the Employee Pandemic Response Team for their efforts.
- The customer newsletter contents and that it will be mailed to customers beginning July 17 through September 4.
- Previewed the agenda items for the upcoming Committee and Board meetings.

12. Reports by Directors on Events Attended

A. South County Economic Development Council (SCEDC) – June 2, 2020

Director Cerda provided a written report for the record.

Chair Castaneda provided a verbal report.

B. Other Events Attended – There were none.

13. Directors' Comments

Director Sotelo-Solis thanked staff for their efforts on bringing staff back into the office; and reminded all to continue to wear face masks, adhere to social distancing, and staying within their family units.

Director Cerda thanked staff for the protocols they put together to keep staff and Board members safe; and thanked Director Sotelo-Solis for the food distribution event in which he participated in the City of National City.

Director Martinez commented on being thankful for being back at the administrative offices for Board meetings. Thanked staff for hosting a successful meeting.

CLOSED SESSION

At 7:32 p.m., the Board convened in closed session with legal counsel for:

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

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|--------------------------|--|
| Agency Negotiators: | Tish Berge, General Manager
Jennifer Sabine, Assistant General Manager |
| Employee Organizations: | Sweetwater Authority Employees' Committee
Sweetwater Authority Middle Management Group
Sweetwater Authority Confidential Group |
| Unrepresented Employees: | Director of Administrative Services |

Director of Engineering
Director of Distribution
Director of Finance
Director of Water Quality

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

Title: General Manager

- C. Public Employee Appointment pursuant to Government Code section 54957:

Title: Special Legal Counsel

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

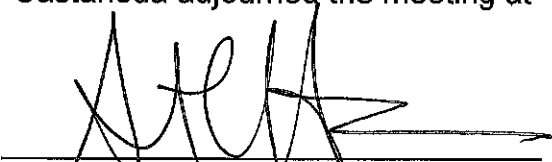
There were no minutes taken, and the session was not audio-recorded. At 9:37 p.m., Chair Castaneda declared the meeting to be in open session.

The following action was taken in closed session for Closed Session Agenda Item C (Public Employee Appointment pursuant to Government Code section 57457, Title: Special Legal Counsel): Upon a motion made by Vice-Chair Martinez, seconded by Chair Castaneda, the Board by a 4-3 vote appointed the law firm of Devaney, Pate, Morris and Cameron, as Special Legal Counsel, subject to approval of an agreement for legal services at a future Board meeting, with Directors Castaneda, Martinez, Calderon-Scott and Cano voting in favor and Directors Preciado, Cerda, and Sotelo-Solis opposing.

There was no reportable action on Closed Session Agenda Items A and B, and there was no need to meet in closed session for Closed Session Agenda Item D.

14. Adjournment

With no further business before the Board, Chair Castaneda adjourned the meeting at 9:45 p.m.



Steve Castaneda, Chair

Attest:



Ligia Perez, Board Secretary