

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

July 22, 2020

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, July 22, 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, Steve Castaneda, José F. Cerda, Hector Martinez, Jose Preciado, and *Alejandra Sotelo-Solis (6:03 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, Public Affairs Manager Leslie Payne, Director of Distribution Greg Snyder, Director of Finance Rich Stevenson, and Director of Administrative Services Dina Yorba. Others Present: Michael Bruder and Matthew Tessier of the Chula Vista Elementary School District, and Special Legal Counsel Leslie DeVaney and Christine Cameron of Devaney Pate Morris & Cameron, LLP.

- **Pledge of Allegiance to the Flag**

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

There was none.

- **Chair's Presentation**

A. CAPIO's EPIC Award for Excellence in Public Information and Communications

B. "Hydro Station," presented by Matthew Tessier, Assistant Superintendent and Michael Bruder, Instructional Services Coordinator, Chula Vista Elementary School District

C. COVID-19 Update

COVID-19 Pandemic Delayed Revenue Balance Dashboard

D. 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 Items to be Added, Withdrawn, or Reordered on the Agenda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 – Regular Board Meeting of July 8, 2020

Director Martinez made a motion, seconded by Director Calderon-Scott, that the Governing Board approve the minutes of the Regular Board meeting of July 8, 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 numbers 153745 and 153801) due to his contract with Sempra Energy, parent company of SDG&E, which Chair Castaneda disclosed on the record.

Director Calderon-Scott pulled item 8 for discussion.

Director Preciado made a motion, seconded by Director Sotelo-Solis, that the Governing Board approve the consent calendar items 3 through 7, 9, and 10. The motion carried unanimously.

3. Approval of San Diego Gas & Electric Demands and Warrants – Check numbers 153745 and 153801
4. Approval of Demands and Warrants – check number 153719 through 153803 and electronic fund transfers 35297 through 35564 (excluding the San Diego Gas & Electric Demands and Warrants)
5. Acquisition of Property: Thiefe Property (APN: 521-030-06) – 40 Acres of Vacant Land in the Lake Loveland Watershed
6. Consideration to Provide Hard Copies of Documents to Citizens Advisory Committee and Possible Revisions to Board Policies 522 - Citizens Advisory Committee and 608 – Mailed Notice of Meetings (Finance and Personnel Committee Meeting of 7/15/20)

Recommendation: Direct staff to provide hard copies of Board agenda packets in a cost-effective manner to Citizen Advisory Committee members and alternates upon their request for the next six months; and for staff to track the cost to produce hard copies of these documents and report back to the Finance and Personnel Committee to evaluate whether revisions should be made to Board Policies 522 and 608.

7. Consideration to Award a Time and Materials Contract for Professional Geotechnical Services (Operations Committee Meetings of 7/15/20)
Recommendation: Award an on-call Time and Materials contract for professional geotechnical services to Ninyo & Moore, San Diego, CA for one year, with an option to renew for one additional year.
9. FY 2019-20 Strategic Plan Work Plan Year-end Status Report (Finance and Personnel Committee and Operations Committee Meetings of 7/15/20)
Recommendation: No action was required by the Governing Board.
10. Consideration of Communications/Outreach Consulting Services (Communications Committee Meeting of 7/16/20)
Recommendation: Move \$15,000 Expense Contingency to the Communications Outreach Budget for the following services and re-evaluate the use of on-call communication outreach/assistance after consideration of results from the customer survey. 1) Translation services in the amount of \$5,000 to be procured through a Request for Quotes (RFQ); and 2) On-call Communications/Outreach Assistance in the amount of \$10,000 to be procured through a Request for Proposals (RFP).

Item Pulled from Consent Calendar

8. Sweetwater and Loveland Fishing Programs – Operations pursuant to COVID-19 Pandemic (Operations Committee Meetings of 7/15/20)
Recommendation: Direct staff to prepare and implement a Safe Reopening Plan and implement measures in compliance with the applicable State COVID-19 Industry Guidance, for both of the Fishing Programs utilizing current resources (may result in a reduced level of service such as hours/days of operation).

David Thomas addressed the Board regarding the reopening of Loveland Reservoir fishing program.

Mike Wilson submitted written comments regarding the reopening of Loveland Reservoir, which were read onto the record by the Board Secretary pursuant to the Authority's established process for public comments.

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

Director Calderon-Scott made a motion, seconded by Director Martinez, that the Governing Board direct staff to prepare and implement a Safe Reopening Plan and

implement measures in compliance with the applicable State COVID-19 Industry Guidance, for one or both of the Fishing Programs utilizing current resources (may result in a reduced level of service such as hours/day of operation); for the implementation to occur by August 1, 2020; and that a status report be provided to the Operations Committee 30 days after implementation. **The motion carried, with Directors Calderon-Scott, Cano, Castaneda, Cerda, and Martinez in favor, and Directors Preciado and Sotelo-Solis opposing.**

Action and Discussion Items

11. New Business

- A. Consideration of Proposed Administrative Services Department Reorganization and Adoption of Resolution 20-16, Amending the Salary Schedule for All Employees Effective July 22, 2020

Director Calderon-Scott made a motion, seconded by Director Cano, that the Governing Board continue this item to its next Board meeting to further discuss in Closed Session. The motion carried, with Directors Calderon-Scott, Cano, Castaneda, and Martinez in favor, and Directors Cerda, Preciado, and Sotelo-Solis opposing.

- B. Consideration of Membership to the Water Conservation Garden for FY 2021-22

Director Calderon-Scott made a motion, seconded by Chair Castaneda, that the Governing Board direct the General Manager to include funds to remain a member of the Water Conservation Garden Authority when preparing the FY 2021-22 Budget. The motion carried unanimously, with Director Martinez absent.

- C. Approve a Professional Services Agreement for As Needed Labor and Employment Legal Services

Chair Castaneda made a motion, seconded by Director Cano, that the Governing Board approve the professional services agreement for As Needed Labor and Employment Legal Services with Devaney Pate Morris & Cameron, LLP and directed the Chair to execute the agreement. The motion carried, with Directors Calderon-Scott, Cano, Castaneda, and Martinez in favor, and Directors Cerda, Preciado, and Sotelo-Solis opposing.

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

There were none.

REPORTS AND INFORMATIONAL ITEMS

13. Committee Minutes

14. Financial Reports

- Quarterly Consultant Report – Fourth Quarter FY 2019-20
- Please note, the following reports will be presented in August due to the year-end accounting processes:

- Monthly Financials – June 2020
- Quarterly Capital Projects Report – Fourth Quarter FY 2019-20

15. Quarterly Reports

- Quarterly Performance Measurement Report – Fourth Quarter FY 2019-20
- Quarterly Report of One-time Water Bill Adjustments – Fourth Quarter FY 2019-20
- Quarterly Report of Directors' Expenses – Fourth Quarter FY 2019-20
- Quarterly Report on Communications Plan Metrics – Fourth Quarter FY 2019-20

16. Update from Legal Counsel on Election Laws

There was none.

17. Report of Management

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

General Manager Berge reported on:

- Uncovering an abandoned riveted steel pipe from 1926 during the construction of the 36-inch pipeline replacement project. The Authority is working with the Bonita Museum on a potential display.
- Crews responded to a leak at East L Street and Cuyamaca Avenue and repaired an 8-inch main.
- The presentation to the Chula Vista Chamber Utilities Subcommittee was cancelled.
- The Authority is a sponsor of the Olivewood Garden's Day of Play and provided reusable straws for their Day of Play Activity Kits.
- The Sediment Characterization Study is starting next week.
- Joining the San Diego County Water Authority's Fiscal Sustainability Task Force, which will assess a variety of issues to ensure the agency's long-term financial health.
- Previewed the agenda items for the upcoming Operations Committee, Finance and Personnel Committee, Board, and Citizens Advisory Committee meetings.

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

Director Preciado reported on a recent meeting with the City of National City's SDCWA Representative Mona Rios and the Authority's General Manager; the SDCWA's recent budget meeting involved adopting a new rate structure and long-term debt restructuring; a presentation on Climate Change and atmospheric rivers; agencies are exchanging process improvements and resource optimizations through Metropolitan Water District's (MWD) Local Resource Program; SDCWA is piloting a Hispanic outreach initiative to encourage the use of agency water and minimize purchase of bottled water; the SDCWA Operations Committee is reviewing a change order on an aqueduct project; the U.S. Senate's review of stimulus funds

related to water projects is lagging; and upcoming closed session meetings regarding the lawsuits with MWD.

19. Reports by Directors on Events Attended

A. Other Events Attended

There were none.

20. Directors' Comments

Director Cano thanked and reminded staff to use caution when the Authority's fishing programs reopen, to use proper PPE, and provide any concerns to the General Manager.

Director Cerda commented on his interaction with staff while working on the 36-inch Transmission Main and sees the progress; and invited Board members to the Chula Vista Democratic Club meeting.

Director Calderon-Scott thanked employees for stepping up to provide thoughtful ideas on reopening the fishing programs at Authority reservoirs.

Chair Castaneda thanked Director Cerda and the Hydro Station team for their presentation and program adaptation during COVID-19 pandemic.

CLOSED SESSION

At 8:11 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:

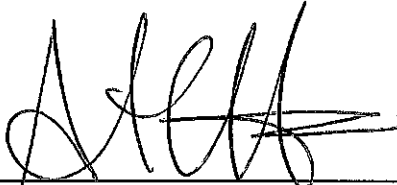
- C. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9 (d)(1):
United States, et al. ex rel John Hendrix v. J-M Manufacturing Company Inc., and Formosa Plastics Corporation, U.S.A., Case No. ED CV06-00055-GW

At 8:51 p.m. Chair Castaneda called a short recess. The meeting was called back to order at 9:15 p.m., with all Board members present.

There were no minutes taken, and the session was not audio-recorded. At 10:16 p.m., Chair Castaneda declared the meeting to be in open session. No reportable action was taken by the Governing Board.

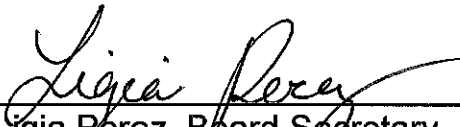
21. Adjournment

With no further business before the Board, Chair Castaneda adjourned the meeting at 10:16 p.m.



Steve Castaneda, Chair

Attest:



Ligia Perez, Board Secretary