

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

August 12, 2020

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, August 12, 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, 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 Finance Rich Stevenson, Director of Administrative Services Dina Yorba. Others present: 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 were none.

- **Chair's Presentation** _

Certificate of Appreciation from USGS

ACTION CALENDAR AGENDA

1. Adoption of Resolution 20-17 of the Governing Board of Sweetwater Authority Recognizing, Honoring, and Commending Patci Garcia, Administrative Services Specialist, Upon Her Retirement on July 6, 2020 from Sweetwater Authority

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

RESOLUTION 20-17

**RESOLUTION OF THE GOVERNING BOARD OF
SWEETWATER AUTHORITY RECOGNIZING, HONORING, AND COMMENDING
PATRICIA GARCIA, ADMINISTRATIVE SERVICES SPECIALIST,
UPON HER RETIREMENT ON JULY 6, 2020 FROM SWEETWATER AUTHORITY**

was passed and adopted by the following vote to wit:

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

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 Items to be Added, Withdrawn, or Reordered on the Agenda

Per General Manager Berge's request, the Governing Board concurred to move agenda item 7. B. after Closed Session.

3. Approval of Minutes

A. Special Board Meeting of July 21, 2020

B. Regular Board Meeting of July 22, 2020

Director Martinez made a motion, seconded by Director Cano, that the Governing Board approve the minutes of the Special Board meeting of July 21, 2020 and the Regular Board meeting of July 22, 2020. The motion carried unanimously.

Consent Calendar Items

Chair Castaneda recused himself from consideration of Agenda Item 4 (Approval of San Diego Gas & Electric Demands and Warrants – check numbers 153859 and 153956) due to his contract with Sempra Energy, parent company of SDG&E, which Chair Castaneda disclosed on the record.

Director Calderon-Scott pulled item 5 for discussion.

Director Preciado made a motion, seconded by Director Cerda, that the Governing Board approve the consent calendar items 4 and 6. The motion carried unanimously.

4. Approval of San Diego Gas & Electric Demands and Warrants

6. Consideration of Award of Contracts for FY 2020-21 SCADA Design and Integration (Operations Committee Meeting of 8/5/20)

Recommendation: Award the following contracts: \$280,000 for SCADA Design to Timberline Engineering, Albuquerque, NM; and \$671,200 for SCADA Integration to

Enterprise Automation, Irvine, CA for FY 2020-21 System Control and Data Acquisition (SCADA) Expenses and Capital Projects.

Items Pulled from the Consent Calendar

5. Approval of Demands and Warrants (excludes the San Diego Gas & Electric Demands and Warrants) – Check number 153831 through 153980 and electronic fund transfers 35565 through 35853

Director Calderon-Scott made a motion, seconded by Director Cano, that the Governing Board approve the Demands and Warrants – check numbers 153831 through 153980 and electronic fund transfers 35565 through 35853. The motion carried unanimously.

Action and Discussion Items

7. Old and Unfinished Business

- A. Consideration of Items Related to Presentation of Demands and Warrants (Updates):
 - 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

Director Sotelo-Solis made a motion, seconded by Director Cerda, that the Governing Board continue this item to its August 26, 2020 meeting. The motion carried unanimously.

8. New Business

Consideration of Safe and Affordable Funding for Equity and Resilience (SAFER Advisory Group) Application

Director Cerda made a motion, seconded by Director Cano, that the Governing Board nominate Director Martinez to the SAFER Advisory Group. The motion carried unanimously.

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

- A. Per diem approval for Directors meeting with Special Legal Counsel Devaney, Pate, Morris & Cameron LLP
- B. Per diem approval for Directors who wish to attend the National Water Resources Association Western Water Table Talks – August 6, 13, 20, 27, and September 10 and 17, 2020

Director Martinez made a motion, seconded by Chair Castaneda, that the Governing Board approve per diem for Directors meeting with Special Legal Counsel Devaney, Pate, Morris, & Cameron, LLP; and for Directors who wish to attend the National Water Resources Association Western Water Table Talks – August 6, 13, 20, 27, and September 10 and 17,

2020. The motion carried, with Directors Calderon-Scott, Cano, Castaneda, Cerda, Martinez, and Preciado in favor, and Director Sotelo-Solis opposing.

REPORTS AND INFORMATIONAL ITEMS

10. COVID-19 Pandemic Delayed Revenue Balance Dashboard
11. Committee Minutes
12. Report on San Diego County Water Authority's Regional Conveyance Cost Review for Member Agencies
13. Report of Legal Counsel/Update from Legal Counsel on Election Laws
Legal Counsel de Sousa provided an update on election laws.
14. Report of Management
 - Recent/Upcoming Community Events (No Enclosures):
General Manager Berge reported on:
 - The Authority was featured in ACWA News highlighting the \$64 million budget approval with no rate increases.
 - The Feasibility Study Fine Screening report will be presented to the Board in October 2020. Meetings are being scheduled with Otay Water District and Padre Municipal Water District to discuss mutually-beneficial projects.
 - Two members of Authority staff were awarded safety awards by the Authority's insurance provider, ACWA/JPIA.
 - The sediment characterization study at Sweetwater Reservoir is on schedule.
 - Previewed the agenda items for the upcoming Committee and Board meetings.
15. Report of Sweetwater Authority Director to the Water Conservation Garden Authority
Chair Castaneda reported the Garden is still closed due to the COVID-19 pandemic, with limited outdoor activities; Garden staff is exploring the potential of hosting camps for young people as a good use of outdoor space, and ways to accommodate a structured learning environment to generate additional revenue; staff continues its diligence in seeking grants; and is exploring options that allows the public to take advantage of the Garden during the pandemic.
- 16.. Reports by Directors on Events Attended
 - A. Chula Vista Chamber of Commerce Utilities Subcommittee – July 29, 2020
Director Cerda provided a written report.

Director Calderon-Scott provided a verbal report.
 - B. South County Economic Development Council (SCEDC) – August 4, 2020
Director Cerda provided a written report.

Chair Castaneda provided a verbal report.

C. Other Events Attended – There were none.

17. Directors' Comments

Director Preciado asked for a presentation on the Authority's small business program at a future meeting.

Director Cerda thanked Authority leadership and staff for following COVID-19 safety protocols; and commented on the reopening of the Authority's Fishing Programs

Director Cano gave kudos to staff regarding the reopening of the Authority's Fishing Programs.

Director Martinez congratulated Jose Preciado on his South Bay Irrigation District – Seat 3 victory.

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

Agency Negotiators: Tish Berge, General Manager
Jennifer Sabine, Assistant General Manager
Dina Yorba, Director of Administrative Services

Employee Organizations: Sweetwater Authority Employees' Committee
Sweetwater Authority Middle Management Group
Sweetwater Authority Confidential Group

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

Agency Negotiators: Tish Berge, General Manager
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
Management Position

C. Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation pursuant to Government Code Section 54956.9 (d)(4): One case

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

Title: General Manager

There was no need for closed session on item:

E. 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. Legal Counsel de Sousa announced on the record that at 9:57 p.m., Chair Castaneda declared the meeting to be in open session.

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

7. Old and Unfinished Business

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

No action was taken by the Governing Board.

18. Adjournment

Legal Counsel de Sousa announced on the record that with no further business before the Board, Chair Castaneda adjourned the meeting at 9:57 p.m.



Steve Castaneda, Chair

Attest:



Ligia Perez, Board Secretary