

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

September 12, 2018

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, September 12, 2018, at the Sweetwater Authority Administrative Office, 505 Garrett Avenue, Chula Vista, California. Chair Thomas called the meeting to order at 6:00 p.m.

- **Roll Call**

Directors Present: Josie Calderon-Scott, Steve Castaneda, José F. Cerda, Ron Morrison, Jose Preciado, Terry Thomas, and
*Jess Van Deventer (*left at 8:12 p.m.*)

Directors Absent: None

Management, Staff and Others Present: General Manager Tish Berge, Assistant General Manager Jennifer Sabine, Legal Counsel Paula de Sousa Mills, and Acting Secretary Ligia Perez. Staff member: Director of Engineering Ron Mosher. Others present: Jerry Thomas.

- **Pledge of Allegiance to the Flag**

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

Jerry Thomas spoke against transferring funds from South Bay Irrigation District to Sweetwater Authority.

- **Chair's Presentation**

ACTION CALENDAR AGENDA

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 Items to be Added, Withdrawn, or Reordered on the Agenda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

2. Approval of Minutes

A. Special Meeting of August 20, 2018

Director Castaneda requested that the minutes be amended to reflect that he voted 'no' on the water rate increase.

Legal Counsel de Sousa Mills clarified that the vote cannot be changed; however, the minutes can be amended to include a note stating "Director Castaneda stated that he voted 'no,' but it was not heard in the Authority Board meeting room."

Chair Thomas made a motion, seconded by Director Preciado, that the Governing Board accept the amendment to item number 2, after the voting to read, "Note: Director Castaneda stated that he voted 'no,' but it was not heard in the Authority Board meeting room," and approve the minutes of the August 20, 2018 Special meeting. The motion carried, with Director Van Deventer abstaining.

B. Regular Meeting of August 22, 2018

Chair Thomas made a motion, seconded by Director Morrison, that the Governing Board approve the minutes of the August 22, 2018 Regular meeting. The motion carried, with Director Preciado abstaining.

Consent Calendar Items

Director Preciado made a motion, seconded by Director Morrison, that the Governing Board approve the consent calendar. Director Castaneda recused himself from consideration of warrant numbers 149584, 149621, and 149656 due to his contract negotiation with SDG&E, and Director Van Deventer recused himself from consideration of warrant number 149675 due to his position of Director on the U.S. Bank Advisory Board, which both Directors Castaneda and Van Deventer disclosed on the record. The motion carried, with Director Van Deventer opposing.

3. Approval of Demands and Warrants – Check numbers 149564 through 149672 and electronic fund transfers 23309 through 23753

Action and Discussion Items

4. Approval of Directors' Attendance at Meetings and Future Agenda Items
Council of Water Utilities Meeting, San Diego County - Hotel Karlan San Diego – Tuesday, September 18, 2018, 7:15 a.m. – Program Title: "How the Groundwater Replenishment System Overcame the "Yuck" Factor," presented by Diane Pinnick, Senior Communications Specialist, Orange County Water District. Directors who wish to attend this event will contact the Secretary. No action was required by the Governing Board.

REPORTS AND INFORMATIONAL ITEMS

5. Report of Sweetwater Authority Director to the Water Conservation Garden Authority
Director Castaneda reported that the JPA approved the new five-year operating agreement with the Friends of the Garden.
6. Report of Legal Counsel
Ms. de Sousa Mills reported on the status of the water tax bill and the legislative process.
7. Management Report
 - A. Report of Assistant General Manager – There was none.
 - B. Report of General Manager
Ms. Berge reported that the Open House for the 36-inch Transmission Main Replacement Project will be held on October 4, 2018 at the Bonita Sunnyside Library.
8. Reports by Directors on Events Attended
 - A. San Diego County Water Authority Legislative Roundtable with State Senator Ben

Hueso – August 1, 2018

The following Board member provided a report: Director Castaneda.

B. Third Avenue Village Association Lemon Festival – Sunday, August 5, 2018

The following Board member provided a report: Director Castaneda.

C. Sweetwater Authority Community Open House – August 9, 2018

The following Board members provided a report: Directors Castaneda and Preciado.

D. National City Auto Heritage Day – August 11, 2018

The following Board member provided a report: Director Castaneda.

E. California Special Districts Association – San Diego Chapter Quarterly Meeting – August 16, 2018

The following Board member provided a report: Director Preciado.

9. Directors' Comments

Director Calderon-Scott complimented staff on how they handled the water main break that happened a week ago in Bonita.

Director Preciado commented on the rights of individuals to speak before the Board; appreciates the Board for patiently listening and receiving information; and his disappointment on the quality and delivery of the information.

Chair Thomas expressed the Board's condolences to Director Van Deventer for the passing of his wife.

CLOSED SESSION

At 6:35 p.m., the Board convened to meet in closed session with legal counsel for item A., Conference with Legal Counsel – Anticipated Litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9 (d)(2): 1 potential case; item B., Conference with Legal Counsel – Anticipated Litigation – Initiation of litigation pursuant to Government Code Section 54956.9 (d)(4): 1 potential case; item C., Public Employee Performance Evaluation pursuant to Government Code Section 54957: Title: General Manager; and item D., Conference with Labor Negotiator pursuant to Government Code Section 54957.6: Agency Negotiators: Chair Thomas and Paula de Sousa Mills, Legal Counsel: Unrepresented Employee: General Manager.


There was no need for a 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.

(Note: Director Van Deventer left the meeting at 8:12 p.m.)

There were no minutes taken, and the session was not audio-recorded. At 8:22 p.m., Chair Thomas declared the meeting to be in open session. Legal Counsel de Sousa Mills reported that under item A, Conference with Legal Counsel – Anticipated Litigation, upon a motion by Director Calderon-Scott, which was seconded by Director Preciado, the Board took action by unanimous vote to reject the August 28, 2018 Government Code claim submitted by J.R. Filanc Construction Company Inc. No reportable action was taken by the Governing Board on closed session items B, C, and D.

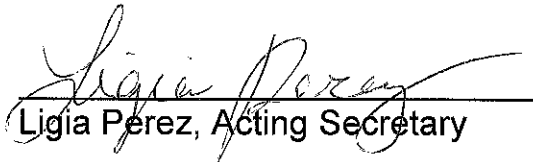
10. Adjournment

With no further business before the Board, Chair Thomas adjourned the meeting at 8:22 p.m.



Teresa Thomas, Chair

Attest:



Ligia Perez, Acting Secretary