

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

September 22, 2021

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, September 22, 2021. Pursuant to Governor Newsom's Executive Orders N-08-21, this meeting was held via teleconference. Chair Martinez called the meeting to order at 6:01 p.m.

*(*Note: After calling the meeting to order, Chair Martinez 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 Martinez 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, Steve Castaneda, *Hector Martinez (*left at 7:07 p.m.*), Paulina Martinez-Perez, Jose Preciado, and Mona Rios

Directors Absent: Alejandra Sotelo-Solis

Management, Interim General Manager Jennifer Sabine, Legal Counsel Paula de
Staff, and Others Sousa, and Board Secretary Ligia Perez. Staff members: Director of
Present: Water Quality Justin Brazil, Administrative Assistant Michael Garcia,
Director of Engineering Ron Mosher, and Director of Finance Rich
Stevenson. Others present: Andre Monette of Best Best & Krieger LLP,
and Kevin Chicas of Liebert Cassidy Whitmore.

- **Pledge of Allegiance to the Flag**

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

There were none.

- **Chair's Presentation**

ACTION CALENDAR AGENDA

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 **Items to be Added, Withdrawn, or Reordered on the Agenda**

There were none.

2. **Approval of Minutes – Regular Board Meeting of September 8, 2021**

Director Rios made a motion, seconded by Director Calderon-Scott, that the Governing Board approve the minutes of the Regular Board meeting of September 8, 2021. The motion carried unanimously, with Director Sotelo-Solis absent.

Consent Calendar Items

Director Castaneda recused himself from consideration of Agenda Item 3 (approval of San Diego Gas & Electric Demands and Warrants – check numbers 156234, 156262, and 156293) due to his contract with Sempra Energy, parent company of SDG&E, which Director Castaneda disclosed on the record.

Director Calderon-Scott pulled item 4 for discussion.

Director Preciado made a motion, seconded by Director Martinez-Perez that the Governing Board approve the consent calendar items 3 and 5. The motion carried unanimously, with Director Sotelo-Solis absent.

3. Approval of San Diego Gas & Electric Demands and Warrants – Check numbers 156234, 156262, and 156293.
5. Consideration of Scope of Work and Schedule with MIG, Inc. for the 2022 Strategic Plan Update (Engineering, Capital, and Development Services Committee Meeting of 9/13/21)
Recommendation: Approve the scope of work and schedule as presented.

ITEM PULLED FROM CONSENT CALENDAR

4. Approval of Demands and Warrants (excludes the San Diego Gas & Electric Demands and Warrants) – August 2021

Director Calderon-Scott made a motion, seconded by Director Castaneda that the Governing Board approve the Demands and Warrants (excludes the San Diego Gas & Electric Demands and Warrants) – August 2021. The motion carried unanimously, with Director Sotelo-Solis absent.

Action and Discussion Items

6. New Business
 - A. Consideration to Approve Labor Agreement and Related Actions
 1. Consideration to Adopt Resolution 21-19, Authorizing Execution of a Memorandum of Understanding between Sweetwater Authority and the Sweetwater Authority Employees Committee, Effective July 1, 2021
 2. Consideration to Adopt Resolution 21-20, Adopting a Revised Pay Schedule Effective July 1, 2021

Upon a motion by Director Castaneda, seconded by Director Calderon-Scott, the following resolution was adopted:

RESOLUTION 21-19

**RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY
AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN**

SWEETWATER AUTHORITY AND THE SWEETWATER AUTHORITY EMPLOYEES COMMITTEE, EFFECTIVE JULY 1, 2021

was passed and adopted by the following vote to wit:

Ayes: Directors Calderon-Scott, Castaneda, Martinez, Martinez-Perez, Preciado, and Rios
Noes: None
Absent: Director Sotelo-Solis
Abstain: None

Upon a motion by Director Preciado, seconded by Director Rios, the following resolution was adopted:

RESOLUTION 21-20

RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY ADOPTING A REVISED PAY SCHEDULE FOR SWEETWATER AUTHORITY EMPLOYEES COMMITTEE EFFECTIVE JULY 1, 2021

was passed and adopted by the following vote to wit:

Ayes: Directors Calderon-Scott, Castaneda, Martinez, Martinez-Perez, Preciado, and Rios
Noes: None
Absent: Director Sotelo-Solis
Abstain: None

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

REPORTS AND INFORMATIONAL ITEMS

8. COVID-19 Pandemic Delayed Revenue Balance Dashboard
9. Committee Minutes
10. Financial Reports – July and August 2021
11. Report of Management

Legal Counsel de Sousa reported on the details of Assembly Bill 361 and its effect on the Authority's meeting agendas and operations.

Interim General Manager Sabine reported on:

- The Annual Report on the Strategic Plan; and
- Thanked the Board for their support, and Authority staff for their hard work during these the past seven months during her role as Interim General Manager.

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

Director Rios previewed the agenda items for the upcoming meeting of the SDCWA, including the discussion of adopting the long-range financial plan.

Director Preciado previewed the agenda items for the upcoming meeting of the SDCWA, including an update on the SDCWA litigation with the Metropolitan Water District and reaffirmation of court rulings by the Appeals Court; impacts of the drought, including potential water use restrictions, the position of the SDCWA water reserves, and potential storage of excess water in the Colorado River; and receiving a presentation on climate change.

13. Reports by Directors on Events Attended

A. Water Education Foundation (WEF) Bay-Delta Water Virtual Tour --

Directors Martinez-Perez and Rios provided a report.

B. Other Events Attended – There were none.

14. Directors' Comments

Director Martinez-Perez thanked Interim General Manager for leading the Authority during the previous several months.

CLOSED SESSION

Before going into closed session, Chair Martinez stated for the record his recusal from one of the potential litigation cases listed under Closed Session Agenda Item A, due to a potential conflict of interest under Government Code Section 87100.

At 6:52 p.m. the Board convened in closed session for:

A. Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation pursuant to Government Code Section 54956.9 (d)(2): Two Potential Cases

(Note: Chair Martinez left the meeting at 7:07 p.m.)

There was no need for closed session on item:

B. 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

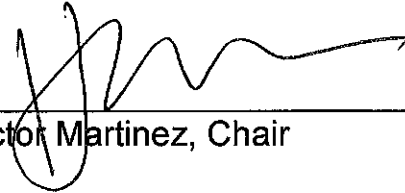
There were no minutes taken, and the session was not audio-recorded.

Legal Counsel de Sousa reported that the Board came out of Closed Session 7:30 p.m. and reconvened in open session at 7:32 p.m., with Directors Castaneda, Calderon-Scott,

Martinez-Perez, Preciado, and Rios in attendance. There was no reportable action taken by the Governing Board.

15. Adjournment

With no further business before the Board, Director Rios adjourned the meeting at 7:33 p.m.



Hector Martinez, Chair

Attest:


Ligia Perez, Board Secretary