

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

September 28, 2022

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, September 28, 2022. Pursuant to provisions provided for by Assembly Bill 361, this meeting was held via teleconference. Chair Sotelo-Solis called the meeting to order at 6:01 p.m.

*(*Note: After calling the meeting to order, Chair Sotelo-Solis 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 Sotelo-Solis 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, Jose Preciado, Mona Rios, and Alejandra Sotelo-Solis.

Directors Absent: Paulina Martinez-Perez.

Management, Staff, and Others Present: General Manager Carlos Quintero, Legal Counsel Paula de Sousa, and Board Secretary Ligia Hoffman. Staff members: Director of Engineering and Operations Erick Del Bosque, Assistant Board Secretary Michael Garcia, Information Systems Manager Kevin Kasner, Public Affairs Manager Leslie Payne, and Director of Finance Rich Stevenson Others Present: Mary D and Russell Walsh.

- **Pledge of Allegiance to the Flag**

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

Mary D. commented on stopping the lowering of Loveland Reservoir water levels and related impact to residents, the environment, and fire service, and prior agreements with other public agencies regarding Loveland Reservoir use; and also commented on the state of the Sweetwater Reservoir Dam and its previous and ongoing inspections.

Russell Walsh commented on the removal of Loveland Reservoir and outreach to stakeholders; shared the endorsements of four groups/organizations of the Loveland Reservoir area land swap; encouraged removing the threat of draining Loveland Reservoir; and commented on the use of 2017 Bond funds for Sweetwater Dam and Loveland Stairwell repairs.

- **Chair's Presentation**

Comments from the Public Regarding Agency Staff

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 Items to be Added, Withdrawn, or Reordered on the Agenda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 14, 2022

Director Martinez made a motion, seconded by Director Castaneda, that the Governing Board approve the minutes of the Regular Board meeting of September 14, 2022. The motion carried unanimously, with Vice Chair Martinez-Perez absent.

Consent Calendar Items

Item 3 was pulled for public comment.

Director Castaneda recused himself from consideration of Agenda Item 4 (approval of San Diego Gas & Electric Demands and Warrants – check number 158574 and 158580) due to his contract with Sempra Energy, parent company of SDG&E, which Director Castaneda disclosed on the record.

Director Preciado made a motion, seconded by Director Calderon-Scott, that the Governing Board approve consent calendar items 4 through 8. The motion carried unanimously, with Vice Chair Martinez-Perez absent.

4. Approval of San Diego Gas & Electric Demands and Warrants – August 2022
5. Approval of Demands and Warrants (excludes the San Diego Gas & Electric Demands and Warrants) – August 2022
6. “Communications Update”, presentation by Gabriela Dow, Ardurra (Information Item) (Legislative Affairs and Communications Committee Meeting of 9/13/22)
Recommendation: No action was required by the Governing Board
7. Drought Outreach Update (Information Item) (Legislative Affairs and Communications Committee Meeting of 9/13/22)
Recommendation: No action was required by the Governing Board.
8. New Business
Consideration to Award Contract to Purchase Business, Microwave, SCADA Systems Firewall Replacements
Recommendation: Award a contract in the amount of \$121,460.60 to Savant Solutions for the purchase of Business, Microwave, SCADA Systems Firewall Replacements

ITEM PULLED FROM CONSENT CALENDAR

3. Findings to Continue Holding Remote/Teleconference Meetings Pursuant to Assembly Bill 361

Recommendation: Make the following findings: 1) The Governor-declared COVID-19 State of Emergency remains in effect and the Board has reconsidered the circumstances of the COVID-19 State of Emergency; 2) State or local officials continue to impose or recommend measures to promote social distancing; and 3) For the next thirty (30) days, the meetings of the Board, its committees, and any other Authority legislative bodies including the Citizens Advisory Committee, shall be held pursuant to the provisions of Government Code section 54953(e), allowing legislative body members and members of the public to participate in meetings remotely in accordance with that section.

Mary D. voiced strong opposition to the continued holding of virtual meetings, and asked the Board to adopt policy in relation to hybrid meetings.

Russell Walsh commented that the published meeting link was not working; on the Authority's open meetings procedures, Board member travel, and asked the Board to allow for in-person public participation.

(Note: Staff investigated and determined that the published meeting link was active and working during the meeting. Mr. Walsh communicated to staff by email approximately two hours prior to the meeting start time that the link was not working. The Zoom Webinar link is activated approximately 15 minutes before the meeting start time; this will be noted on future agendas.)

Chair Sotelo-Solis made a motion, seconded by Director Preciado, that the Governing Board make the following findings: 1) The Governor-declared COVID-19 State of Emergency remains in effect and the Board has reconsidered the circumstances of the COVID-19 State of Emergency; 2) State or local officials continue to impose or recommend measures to promote social distancing; and 3) For the next thirty (30) days, the meetings of the Board, its committees, and any other Authority legislative bodies including the Citizens Advisory Committee, shall be held pursuant to the provisions of Government Code section 54953(e), allowing legislative body members and members of the public to participate in meetings remotely in accordance with that section. The motion carried unanimously, with Vice Chair Martinez-Perez absent.

Action and Discussion Items

9. Consideration of Award of Contracts for State and Federal Lobbying and Advocacy Services (Legislative Affairs and Communications Committee Meeting of 9/13/22)

Recommendation: Approve a one-year contract with GF Advocacy and Thomas Walters and Associates with the scope of work and rates as presented.

Director Castaneda made a motion, seconded by Director Rios, that the Governing Board approve a one-year contract with GF Advocacy and Thomas Walters and Associates with the scope of work and rates as presented. The motion carried unanimously, with Vice Chair Martinez-Perez absent.

10. Emergency Communications Outreach (Information Item) (Legislative Affairs and Communications Committee Meeting of 9/13/22)

Recommendation: No action was required by the Governing Board.

No action was required by the Governing Board.

11. Development Services Update (Information Item) (Engineering, Capital, and Development Services Committee Meeting of 9/19/22)

Recommendation: No action was required by the Governing Board.

No action was required by the Governing Board.

12. New Business

- A. Consideration to Approve Proposed Amendments to Conflict of Interest Code and Adopt Resolution 22-11

Upon a motion by Director Castaneda, seconded by Director Preciado, the following resolution:

RESOLUTION 22-11

**RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER
AUTHORITY ADOPTING AN AMENDED CONFLICT OF INTEREST
CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

was passed and adopted by the following vote to wit:

Ayes: Directors Calderon-Scott, Castaneda, Martinez, Preciado, Rios,
and Sotelo-Solis

Noes: None

Absent: Director Martinez-Perez

Abstain: None

- B. Consideration of Updates to Board Policy 518, General Manager Performance Management – Performance Evaluation Form

Director Preciado made motion, seconded by Director Calderon-Scott, that the Governing Board approve the recommended changes to the General Manager Performance Evaluation Form as presented. The motion carried unanimously, with Director Martinez-Perez absent.

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

- A. Per diem approval for Directors who wish to attend the Chula Vista Chamber of Commerce First Friday Breakfast – October 7, 2022
- B. Per diem approval for Directors who wish to attend The Southern California Water Coalition What Matters Webinar – Thursday, October 6, 2022, 10:30 a.m. – Program Topic: A Collaborative Approach to Colorado River Management
- C. Water Education Foundation Water Summit 2022, Sacramento – October 27, 2022 – Program Title: "Rethinking Water in the West"
- D. Per diem approval for Directors who wish to attend the 2022 Colorado River Water Users Association (CRWUA) Conference, Las Vegas, NV – December 14-16, 2022

Director Castaneda made a motion, seconded by Director Preciado, that the Governing Board approve per diem for Items 13. A. through 13. D. The motion carried unanimously, with Vice Chair Martinez-Perez absent.

REPORTS AND INFORMATIONAL ITEMS

14. COVID-19 Pandemic Delayed Revenue Balance Dashboard

15. Committee Minutes

16. Financial Reports – August 2022

17. Report of Management

General Manager Quintero reported:

- Staff held an Emergency Recovery and Response Plan table-top exercise that simulated various emergency scenarios;
- San Diego County Board of Supervisors directed the Chief Administration Officer to return to the Board of Supervisors with a mid-year (6 months) and a final report within 12 months after funding is received that focuses on an updated comprehensive regional assessment of current drought management and water infrastructure sustainability strategies which identifies availability in regional stormwater reuse capacity and identifies metrics with a timeline to implement short-term and long-term infrastructure projects in regional facilities. The Authority staff will coordinate with County staff and identify any collaboration opportunities.
- The Authority received its CSDA Transparency Certificate;
- Low-income Household Water Assistance Program (LIHWAP) program identified the first disbursement for assistance and communication has greatly improved with program staff;
- General Manager Quintero will attend the SDCWA Affordability Roundtable; and
- Chair of the State Water Resources Board will be touring the Desalination Facility

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

Director Rios reported on the SDCWA Board meeting, which included the election of new Board officers.

Director Preciado reported that a SDCWA subcommittee is currently reviewing the agricultural rate, which is a special rate for customers in certain parts of county who opt for lower water rate in lieu of water priority access during droughts, and its relevance and impacts today versus during rate adoption; advocacy regarding water affordability and its implications; specialized outreach efforts by the SDCWA staff; the retirement of the General Counsel; and at the next meeting, a committee will review the cost of the new intake structure at the Carlsbad Desalination Plant.

19. Reports by Directors on Events Attended

A. Council of Water Utilities Meeting – September 20, 2022

Directors Calderon-Scott, Castaneda, and Martinez provided reports.

B. Other Events Attended

There were none.

20. Directors' Comments

Director Calderon-Scott commented on enjoying meeting in person.

CLOSED SESSION

At 7:49 p.m. the Board convened in closed session for:

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

Agency Negotiators: Alejandra Sotelo-Solis, Chair
Paula de Sousa, Legal Counsel

Unrepresented Employee: General Manager

There was no need for closed session on the following item:

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

Title: General Manager

C. 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.

The Board came out of closed session at 8:00 p.m. and reconvened in open session at 8:01 p.m., with Directors Calderon-Scott, Castaneda, Preciado, and Sotelo-Solis present. There was no reportable action taken by the Governing Board.

21. Adjournment

With no further business before the Board, Chair Sotelo-Solis adjourned the meeting at 8:02 p.m.


Alejandra Sotelo-Solis, Chair

Attest:


Ligia Hoffman, Board Secretary