

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

**October 14, 2020**

The Governing Board of Sweetwater Authority held a Regular meeting on Wednesday, October 14, 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 6:02 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, Program Analyst Clay Clifton, Public Affairs Manager Leslie Payne, Director of Engineering Ron Mosher, Director of Finance Rich Stevenson, Director of Administrative Services Dina Yorba, Labor Counsel Alison Alpert of Best, Best, & Krieger, and Special Legal Counsel Christine Cameron of Devaney Pate Morris & Cameron, LLP. Others present: Don Gilchrest of Thomas Walters and Associates.

- **Pledge of Allegiance to the Flag**

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

There were none.

- **Chair's Presentation**

"Sweetwater Authority 2020 Federal Update," presented by Don Gilchrest, Thomas Walters & Associates

## ACTION CALENDAR AGENDA

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 Items to be Added, Withdrawn, or Reordered on the Agenda

There were none.

2. Approval of Minutes

A. Regular Board Meeting of September 23, 2020

B. Special Board Meeting of September 30, 2020

**Director Cano made a motion, seconded by Director Calderon-Scott, that the Governing Board approve the minutes of the Regular Board meeting of September 23, 2020 and the Special Board meeting of September 30, 2020. The motion carried unanimously.**

### Consent Calendar Items

**Director Sotelo-Solis made a motion, seconded by Director Cano, that the Governing Board approve the consent calendar. The motion carried unanimously.**

3. Consideration of Proposals to Update Sweetwater Authority's Urban Water Management Plan and Water Distribution System Master Plan (Consultant Selection Committee Meeting of 9/22/20)

Recommendation: The Governing Board interview the two highest-scoring proposers, CDM Smith and HDR, as a potential consultant for the Authority's Urban Water Management Plan and the Water Distribution System Master Plan.

4. Update of the Emergency Response and Recovery Plan (Information Item) (Finance and Personnel Committee Meeting of 10/7/20)

Recommendation: No action was required by the Governing Board.

5. Customer Fine Dispute – 2931 Sylvia Street, Bonita, CA (Finance and Personnel Committee Meeting of 10/7/20)

Recommendation: Reject the customer's request to waive the penalty assessed for tampering with and unauthorized use of an Authority meter.

6. Consideration to Approve an Easement Quitclaim – 3418 Valley Road, Bonita (A.P.N. 591-100-49-00) (Operations Committee Meeting of 10/7/20)

Recommendation: Approve the quitclaim with the owner paying all costs associated with processing the quitclaim.

### Action and Discussion Items

7. Consideration to Award Contract for the FY 2020-21 Pipeline Replacement Program and Douglas Street Interconnection Improvements (Operations Committee Meeting of 10/7/20)

Recommendation: Waive the bid's minor deviations as immaterial and award a contract in the amount of \$1,284,965 to Ortiz Corporation of National City, CA.

**Director Cano made a motion, seconded by Director Calderon-Scott, that the Governing Board waive the bid's minor deviations as immaterial and awarded a contract in the**

amount of \$1,284,965 to Ortiz Corporation of National City, CA. The motion carried unanimously.

8. Old and Unfinished Business

Establishment of Weighting for Evaluation Criteria set out in RFP for Public Opinion Survey Consultant

**Chair Castaneda made a motion, seconded by Director Cano, that the Governing Board continue this item to a future Board meeting. The motion carried with Directors Calderon-Scott, Cano, Castaneda, Cerda, and Martinez in favor, and Directors Preciado and Sotelo-Solis opposing.**

9. New Business

A. Direction on Committee Involvement for SCADA Integrator Selection Process

**Director Calderon-Scott made a motion, seconded by Director Cano, that the Governing Board engage the Operations Committee for the SCADA Integrator Selection Process. The motion carried unanimously.**

B. Direction on Committee Involvement for National City Wells Iron and Manganese Removal System

**Chair Castaneda made a motion, seconded by Director Cano, that the Governing Board engage the Operations Committee for the National City Wells Iron and Manganese Removal System. The motion carried unanimously.**

C. Planning for Water Transfer from Loveland Reservoir to Sweetwater Reservoir

**Director Preciado made a motion, seconded by Chair Castaneda, that the Governing Board implement a phased approach to lowering the water level at Loveland Reservoir by conducting a water transfer between January 2, 2021 and January 15, 2021 and transfer water until the water level in Loveland Reservoir reaches 7,525 AF (1,000 AF lower than previous transfer protocols); direct staff to identify the costs associated with design and permitting of the project features needed to modify the boat ramp, boat dock anchors, and log boom anchors at Loveland Reservoir; and return to the Board within 30 days to seek approval for allocating contingency or reserve funds for design and permitting activities. The motion carried unanimously.**

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

A. Per diem approval for Chair Castaneda's meeting with Federal Lobbyist – September 30, 2020

B. Per diem approval for Directors Calderon-Scott, Cerda, and Martinez's attendance at the SCEDC Economic Summit – October 2, 2020

C. Per diem approval for Directors who wish to attend the California Water Policy Conference California Streamin' Webinar – October 20, 2020

D. Per diem approval for Directors who wish to attend the Water Education for Latino Leaders (Well) 2020 Virtual Conference – November 13, 2020

E. Per diem approval for Directors who wish to attend the ACWA 2020 Fall Virtual Conference – December 2-3, 2020

**Director Sotelo-Solis made a motion, seconded by Director Martinez, that the Governing Board approve per diem for items 10. A. through 10. E. The motion carried unanimously.**

## **REPORTS AND INFORMATIONAL ITEMS**

11. COVID-19 Pandemic Delayed Revenue Balance Dashboard

12. Committee Minutes

13. Report of Legal Counsel

Legal Counsel de Sousa provided a report on state legislation.

14. Report of Management

• Recent/Upcoming Community Events (No Enclosures):

- South County Economic Development Council (SCEDC) Transportation and Infrastructure Committee: October 8, 2020

General Manager Berge reported on:

- Staff asked County Supervisor Greg Cox's office about any COVID-19 funding available to assist the Authority and its customers, considering the Authority serves disadvantaged communities, and the office replied they have no funding available at this time.
- All pipeline for the 36-inch main project has been installed except the portion within Caltrans right-of-way on Bonita Road at the 805. Caltrans Structure Maintenance and Investigations section has concerns about potential future seismic events in the area. The Authority has been in close coordination with Caltrans to resolve concerns however, there is potential to issue a change order to interconnect the new main to the existing main.
- After consultation with the Chair, the Authority selected NV5 to provide on-call communications consulting that was approved by the Board.
- The Chula Vista Bayfront RV Resort is looking at additional RV sites. Staff participated in a call with the developer, the Port of San Diego, and the City of Chula Vista to discuss the proposed project.
- Previewed the agenda items for the upcoming Operations Committee, Finance and Personnel Committee, and Regular and Special Board meetings.
- The presentation to SCEDC Transportation and Infrastructure Committee including how the presentation highlighted low interest rating funding for developers and the preferential purchasing for local business program.

## 15. Reports by Directors on Events Attended

## A. National Water Resources Association Western Water Table Talks

The Chair continued this item to the next Board meeting.

## B. South County Economic Development Council (SCEDC) – October 2, 2020

Director Cerda provided a written report.

Director Calderon-Scott provided a report.

## C. Other Events Attended – There were none.

## 16. Directors' Comments

Director Cano commented on the COVID-19 vaccine trials happening in the City of National City.

Director Sotelo-Solis also commented on the COVID-19 vaccine trials happening in the City of National City.

Director Cerda commented on Olivewood Garden's virtual event happening on Saturday, October 24 at 11:00 a.m.; and the positive results of the South Bay Irrigation District audit.

CLOSED SESSION

At 7:58 p.m., Chair Castaneda called for a short recess. At 8:05 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: Alison Alpert, Legal Counsel  
Paula de Sousa, Legal Counsel

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

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

Agency Negotiators: Alison Alpert, Legal Counsel  
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. Public Employee Performance Evaluation pursuant to Government Code Section 54957:

Title: General Manager

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

Agency Negotiators: Steve Castaneda, Chair  
Paula de Sousa, Legal Counsel

Unrepresented Employee: General Manager

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

There was no need for closed session on item:

F. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9 (d)(1):

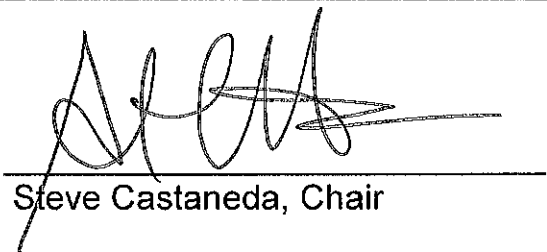
United States, et al. ex rel John Hendrix v. J-M Manufacturing Company Inc., and Formosa Plastics Corporation, U.S.A., Case No. ED CV06-00055-GW

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

At 9:10 p.m. Chair Castaneda declared the meeting in open session, with Directors Calderon-Scott, Cano, Castaneda, and Martinez in attendance. No reportable action was taken by the Governing Board.

17. Adjournment

With no further business before the Board, Chair Castaneda adjourned the meeting at 9:11 p.m.



Steve Castaneda, Chair

Attest:



Ligia Perez, Board Secretary