

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

**September 13, 2023, 6:00 p.m.
Sweetwater Authority Administration Building
505 Garrett Avenue
Chula Vista, CA 91910**

Directors Present: Josie Calderon-Scott, Steve Castaneda, Manny Delgado, Hector Martinez, Paulina Martinez-Perez, Ron Morrison, and Ditas Yamane

Staff Present: General Manager Carlos Quintero, Assistant General Manager Roberto Yano, Legal Counsel Nicholas Norvell, Board Secretary Ligia Hoffman, Engineering Manager Chris Bauer, Director of Water Quality Justin Brazil, Director of Engineering and Operations Erick Del Bosque, Assistant Board Secretary Michael Garcia, Engineering Manager Paul Oberbauer, Director of Administrative Services Leslie Payne, and Director of Finance Rich Stevenson

Others Present: Sharmane Estolano and Karen Henry

1. Call Meeting to Order and Roll Call

Chair Martinez called the meeting to order at 6:01 p.m.

2. Pledge of Allegiance to the Flag

3. Opportunity for Public Comment

Karen Henry commented on the upcoming release of the draft water rate study.

Sharmane Estolano commented on the presentation regarding cell tower revenue at the last meeting, and addressed concerns and risks about the floating solar project at Sweetwater Reservoir.

4. Chair's Presentation

There was none.

ACTION CALENDAR AGENDA

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 Items to be Added, Withdrawn, or Reordered on the Agenda

There were none.

6. Approval of Minutes - Regular Board Meeting of August 23, 2023

Motion by: Director Delgado

Seconded by: Director Castaneda

that the Governing Board approve the minutes of the Regular Board meeting of August 23, 2023.

Ayes (7): Director Calderon-Scott, Director Castaneda, Director Delgado, Director Martinez, Director Martinez-Perez, Director Morrison, and Director Yamane

Motion Carried Unanimously (7 to 0)

7. Consent Calendar Items

Motion by: Director Castaneda

Seconded by: Director Delgado

that the Governing Board approve Consent Calendar Items 7.1 through 7.3.

Ayes (7): Director Calderon-Scott, Director Castaneda, Director Delgado, Director Martinez, Director Martinez-Perez, Director Morrison, and Director Yamane

Motion Carried Unanimously (7 to 0)

7.1 Consideration to Authorize the General Manager to Execute Contracts with Three Consultants for On-call General Civil Engineering Services

(Engineering and Operations Committee Meeting of 9/5/23)

Recommendation: Authorize the General Manager to execute on-call general civil engineering services contracts with Ardurra Group, Inc., Dudek, and LEE+RO, Inc. based on the hourly rates provided with their Statements of Qualifications with not-to-exceed amount of \$200,000 for twelve months from the date of agreement execution; authorize each contract to contain four one-year optional extensions upon mutual agreement; and direct staff to bring back to the Board each following year, if consultant work is satisfactory to the Authority, requests for one-year extensions and an additional amount based on the Authority's approved budget and other potential needs, subject to a maximum contract term of 5 years.

7.2 Consideration to Authorize the General Manager to Execute Contracts with Three Consultants for On-call Survey Services

(Engineering and Operations Committee Meeting of 9/5/23)

Recommendation: Authorize the General Manager to execute on-call professional survey services contracts with Berggren and Associates, Guida Surveying, Inc., and Hunsaker and Associates based on the hourly rates provided with their Statements and Qualifications with not-to-exceed amount of \$100,000 for twelve months from the date of agreement execution; authorize each contract to contain four one-year optional extensions upon mutual agreement; and direct staff to bring back to the Board each following year, if consultant work is satisfactory to the Authority, requests for one-year extensions and an additional amount based on the Authority's approved budget and projected development activity, subject to a maximum contract term of 5 years.

7.3 Consideration to Authorize the General Manager to Execute a Joint Funding Agreement with the U.S. Geological Survey (USGS) for Surface Water and Groundwater Monitoring

(Engineering and Operations Committee Meeting of 9/5/23)

Recommendation: Authorize the General Manager to execute a Joint Funding Agreement with the United States Geological Survey for surface water and groundwater monitoring during federal fiscal year 2023-24, with Sweetwater Authority's contributions not exceeding \$216,810.

Action and Discussion Items

8. Consideration to Authorize the General Manager to Execute an Agreement with Consulting Engineering, Inc. for Acoustic Leak Detection Services

(Engineering and Operations Committee Meeting of 9/5/23)

Recommendation: Authorize the General Manager to execute an agreement with Consulting Engineering, Inc. for acoustic leak detection services, for an amount not to exceed \$154,500; \$30,000 in FY 2023-24, and an additional \$124,500 in FY 2024-25 contingent on budget approval; and to review the Authority's fiscal ability to increase complete the work in FY 2023-24.

Director of Engineering and Operations Del Bosque provided a presentation.

Motion by: Director Castaneda

Seconded by: Director Morrison

that the Governing Board authorize the General Manager to execute an agreement with Consulting Engineering, Inc. for acoustic leak detection services, for an amount not to exceed \$154,500.

Ayes (7): Director Calderon-Scott, Director Castaneda, Director Delgado, Director Martinez, Director Martinez-Perez, Director Morrison, and Director Yamane

Motion Carried Unanimously (7 to 0)

9. Progress Update on the Water Resources Master Plan (Information Item)

(Engineering and Operations Committee Meeting of 9/5/23)

Recommendation: No action is required by the Governing Board.

Karen Henry commented on the Water Resources Master Plan.

Engineering Manager Paul Oberbauer provided a presentation.

No action was required by the Governing Board.

10. New Business**10.1 Consideration to Authorize Repair of Perdue Water Treatment Plant Washwater Pumps and Award Contract to Brax Company, Inc. with a Not to Exceed Amount of \$92,178.42**

Karen Henry commented on the pump failure at the Perdue Water Treatment Plant and asked the Authority to address the repair of this critical asset.

Director of Water Quality Justin Brazil provided a presentation.

Motion by: Director Castaneda

Seconded by: Director Calderon-Scott

that the Governing Board select Brax of Valley Center, CA, to repair both washwater pumps in an amount not to exceed \$92,178.42.

Ayes (7): Director Calderon-Scott, Director Castaneda, Director Delgado, Director Martinez, Director Martinez-Perez, Director Morrison, and Director Yamane

Motion Carried Unanimously (7 to 0)

11. Approval of Directors' Attendance at Meetings and Future Agenda Items**11.1 Per diem approval for Directors who wish to attend the San Diego Regional Policy & Innovation Center's Government & Agency Council Meeting focused on Water Resources & Funding - September 20, 2023****11.2 Per diem approval for Director Martinez to attend the San Diego Regional Water Quality Control Board's Equity and Water Quality Listening Session - September 21, 2023**

Motion by: Director Martinez-Perez

Seconded by: Director Yamane

that the Governing Board approve per diem for items 11.1 and 11.2.

Ayes (7): Director Calderon-Scott, Director Castaneda, Director Delgado, Director Martinez, Director Martinez-Perez, Director Morrison, and Director Yamane

Motion Carried Unanimously (7 to 0)

REPORTS AND INFORMATIONAL ITEMS

12. Delayed Revenue Balance Dashboard

13. Committee Minutes

14. Report of Legal Counsel

Legal Counsel Norvell commented on pending legislative bill sponsored by CSDA that would extend the authorization to have teleconferenced meetings during a state of emergency (AB 361), and make it a permanent feature of the law.

15. Report of Management

General Manager Quintero reported on

- The legislative bill AB 399 related to the detachment from SDCWA passed the assembly.
- The Authority received a \$750,000 grant for trails at Loveland Reservoir. There is an upcoming meeting with State Senator Brian Jones' office to host a workshop with stakeholders.

16. Reports by Directors on Events Attended

16.1 Lemon Festival, Chula Vista - August 12, 2023

Director Castaneda provided a report.

16.2 San Diego Chapter CSDA Quarterly Dinner Meeting - August 17, 2023

Director Castaneda provided a report.

16.3 CSDA Annual Conference, Monterey - August 28-31, 2023

Directors Calderon-Scott, Castaneda, Delgado, and Morrison provided a report.

16.4 NADBank Summit, San Antonio, TX August 30-31, 2023

Director Martinez provided a report.

16.5 Tour of Floating Solar Facility, Healdsburg, CA - September 12, 2023

Directors Castaneda, Delgado, and Martinez provided a report.

17. Directors' Comments

There were none.

18. Closed Session

At 7:37 p.m. the Board convened in closed session for items 18.1 through 18.6 as stated on the agenda.

18.1 Conference with Labor Negotiator pursuant to Government Code Section 54957.6

Agency Negotiator: General Manager Carlos Quintero

Unrepresented Employees: Assistant General Manager, Director of Administrative Services, Director of Engineering and Operations, Director of Finance, and Director of Water Quality

18.2 Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiators: General Manager Carlos Quintero and Assistant General Manager Roberto Yano

Employee Organizations: Sweetwater Authority Employee's Committee, Sweetwater Authority Middle Management Group, and Sweetwater Authority Confidential Group

18.3 Public Employee Performance Evaluation pursuant to Government Code Section 54957:

Title: General Manager

18.4 Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9 (d)(1): Two Cases

Amber Recklau v. Sweetwater Authority, Case No. 37-2023-00023586-CU-PT-CTL

Recklau et al. v. Sweetwater Authority, Case No. 37-2023-00005870-CU-PO-CTL

18.5 Public Employee Appointment pursuant to Government Code Section 54957:

Title: Legal Counsel

18.6 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. The Board came out of closed session at 9:05 p.m. and reconvened in open session at 9:05 p.m. There was no reportable action during closed session.

19. Adjournment

With no further business before the Board, Chair Martinez adjourned the meeting at 9:05 p.m.

Hector Martinez, Chair

Ligia Hoffman, Board Secretary