



Regular Meeting of the Metro Commission and Metro Wastewater JPA

AGENDA

Thursday, April 7, 2022 - 12:00 p.m.

"The Metro JPA's mission is to create an equitable partnership with the San Diego City Council and Mayor on regional wastewater issues. Through stakeholder collaboration, open dialogue, and data analysis, the partnership seeks to ensure fair rates for participating agencies, concern for the environment, and regionally balanced decisions." "The Metro JPA's mission is to create an equitable partnership with the San Diego City Council and Mayor on regional wastewater issues. Through stakeholder collaboration, open dialogue, and data analysis, the partnership seeks to ensure fair rates for participating agencies, concern for the environment, and regionally balanced decisions."

MEMBERS OF THE METRO COMMISSION/METRO JPA WILL BE PARTICIPATING REMOTELY FOR THIS MEETING AND THERE WILL BE NO LOCATION FOR IN-PERSON ATTENDANCE PURSUANT TO GOVERNMENT CODE SECTION 54953(e)(1)(A), WHICH PROVIDES WAIVERS TO CERTAIN BROWN ACT TELECONFERENCING RULES DURING A PROCLAIMED STATE OF EMERGENCY WHEN STATE OR LOCAL OFFICIALS HAVE IMPOSED OR RECOMMENDED SOCIAL DISTANCING. IN COMPLIANCE WITH THE BROWN ACT, METRO COMMISSION/METRO JPA IS PROVIDING ALTERNATIVES TO IN-PERSON ATTENDANCE FOR OBSERVING AND PARTICIPATING IN THE MEETING. FURTHER DETAILS ARE BELOW.

Note: Any member of the public may provide comments to the Metro Commission/Metro JPA on any agenda item or on a matter not appearing on the agenda, but within the jurisdiction of the Commission/JPA. Public comments must be submitted in either of the following manners:

1. Providing Oral Comments During Meeting. To provide comments during the meeting, join the Zoom meeting by computer, mobile phone, or dial-in number. On Zoom video conference by computer or mobile phone, use the "Raise Hand" feature. This will notify the Secretary that you wish to speak during a specific item on the agenda or during non-agenda Public Comment. If joining the meeting using the Zoom dial-in number, you can raise your hand by pressing *9. Comments will be limited to three (3) minutes
2. Written Comments. Written public comments must be submitted prior to the start of the meeting to lpeoples@chulavistaca.gov. Please indicate whether your comment is on a specific agenda item or a non-agenda item. Comments are limited to four hundred (400) words. It is requested that comments and other information be provided at least two (2) hours before the start of the meeting. All comments received by such time will be provided to the Commission/JPA members in writing. In the discretion of the Chair, the first five (5) comments received on each agenda item, or on non-agenda matters, may be read into the record at the meeting. Comments received after the two (2) hour limit will be collected, sent to the Commission/JPA members in writing, and be part of the public record.

When providing comments to the Commission/JPA, it is requested that you provide your name and city of residence for the record. Those commenting are requested to address their comments to the Commission/JPA as a whole through the Chair. If you have anything that you wish to be distributed to the Commission/JPA, please provide it to the Secretary via lpeoples@chulavistaca.gov, who will distribute the information to the members.

The public may participate using the following remote options to Join Zoom Meeting:

Join Zoom Meeting
<https://us02web.zoom.us/j/86499965995>

Meeting ID: 864 9996 5995

Passcode: 176699

April 7, 2022

Metro Commission/Metro
Wastewater JPA Meeting Agenda

One tap mobile
+16699009128,,86499965995# US

Dial by your location
+1 669 900 9128 US

Documentation
Included

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. PUBLIC COMMENT
Opportunity for members of the public to provide comments to the Commission/JPA on any items not on the agenda but within the jurisdiction of the Commission/JPA. Members of the public may use the e-mail noted above to provide a comment.
4. **ACTION:** CONSIDERATION AND POSSIBLE ACTION TO MAKE FINDINGS TO CONTINUE HOLDING REMOTE/TELECONFERENCE MEETINGS PURSUANT TO ASSEMBLY BILL 361
- X 5. **ACTION:** CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF [March 3, 2022](#) (**Attachment**)
- X 6. **ACTION:** CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PUDs LATEST FIVE-YEAR FINANCIAL PROJECTION (Adam Jones/Karyn Keze) (**Attachment**)
- X 7. **ACTION:** CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PROPOSED MODIFICATIONS TO THE METRO JPA BYLAWS; RECEIVED DIRECTION REGARDING POLICY AND PROCEDURES MANUAL (Nicholaus Norvell) (**Attachment**)
- X 8. **ACTION:** CONSIDERATION AND POSSIBLE ACTION TO APPROVE PURE WATER PROGRAM PHASE II COST SPLIT (Jerry Jones/Dexter Wilson) (**Attachment**)
- X 9. **PRESENTATION:** PURE WATER EARLY SITE WORK CHANGE ORDER SUMMARY & PROJECT CLOSE OUT (Akram Bassyouni Deputy Director, Engineering & Capital Projects) (**Attachment forthcoming**)
10. **UPDATE:** INDUSTRIAL WASTEWATER CONTROL COMMITTEE (Beth Gentry)
11. **UPDATE:** Metro Wastewater (*General*) (Standing Item) (Tom Rosales)
 - a. Pt. Loma Wastewater Treatment Plant Road
 - b. April 10, 2020 Spill Update
 - c. Capital Program Master Planning Process Overview and Status

Documentation

Included

- X 12. **UPDATE**: METRO CAPITAL IMPROVEMENT PROGRAM AND FUNDING SOURCES 2nd QUARTER FY2022 (Standing Item) (Tung Phung) (**Attachment**)
- 13. **UPDATE**: PURE WATER PROGRAM (Standing Item) (Amy Dorman)
- X A. PURE WATER PHASES 1 & 2 DESIGN & CONSTRUCTION (Amy Dorman)
- B. SECONDARY EQUIVALENCY LEGISLATION (Tom Rosales)
- X 14. **UPDATE**: METRO TAC UPDATE/REPORT (Standing Item) (Beth Gentry) (**Attachment**)
- 15. **REPORT**: AD HOC COMMITTEE ON SECOND AMENDED AND RESTATED METRO AGREEMENT (Standing Item) (Jerry Jones)
- 16. **REPORT**: IROC (Standing Item) (Jerry Jones)
- 17. **REPORT**: FINANCE COMMITTEE (Standing Item) (John Mullin)
- 18. **REPORT**: GENERAL COUNSEL (Standing Item) (Nicholaus Norvell)
- 19. PROPOSED AGENDA ITEMS FOR THE NEXT METRO COMMISSION/METRO WASTEWATER JPA MEETING **May 5, 2022**
- 20. METRO COMMISSIONERS' AND JPA BOARD MEMBERS' COMMENTS
- 21. ADJOURNMENT OF METRO COMMISSION AND METRO WASTEWATER JPA

The Metro Commission and/or Metro Wastewater JPA may take action on any item listed in this Agenda whether or not it is listed "For Action."

Materials provided to the Metro Commission and/or Metro Wastewater JPA related to any open-session item on this agenda are available for public review at our website: <https://www.metrojpa.org>

In compliance with the AMERICANS WITH DISABILITIES ACT

The Metro Commission/Metro Wastewater JPA requests individuals who require alternative agenda format or special accommodations to participate in the Metro Commission/ Metro Wastewater JPA meetings, contact Lori Peoples at lpeoples@chulavistaca.gov. Requests for disability-related modifications or accommodations require different lead times and should be provided at least 72-hours in advance of a meeting.

Metro JPA 2022 Meeting Schedule

January 6, 2022
April 7, 2022
July 7, 2022
October 6, 2022

February 3, 2022
May 5, 2022
August 4, 2022
November 3, 2022

March 3, 2022
June 2, 2022
September 1, 2022
December 1, 2022

ATTACHMENT 5

ACTION MINUTES FOR THE MEETING OF MARCH 3, 2022



Regular Meeting of the Metro Commission

and Metro Wastewater JPA

Zoom Meeting Held Online

March 3, 2022

Minutes

Chairman Jones called the meeting to order at 12:10 p.m. A quorum of the Metro Wastewater JPA and Metro Commission was declared, and the following representatives were present:

1. ROLL CALL

<u>Agencies</u>	<u>Representatives</u>	<u>Alternate</u>
City of Chula Vista	Jill Galvez	
City of Coronado	Marvin Heinze	
City of Del Mar	Dan Quirk (absent)	Joe Bride
City of El Cajon	Gary Kendrick	
City of Imperial Beach	Ed Spriggs	
City of La Mesa	Bill Baber	
Lemon Grove San District	Jerry Jones	
City of National City	Jose Rodriguez	
City of Poway	John Mullin	
County of San Diego	Joel Anderson	
Otay Water District	Mark Robak	
Padre Dam MWD	Jim Peasley	(Doug Wilson)
Metro TAC Chair	Beth Gentry	

Others present: Metro JPA General Counsel Paula de Sousa - BBK Law; Metro JPA Secretary Lori Anne Peoples; Beth Gentry – City of Chula Vista; Yazmin Arellano and Blake Berringer - City of El Cajon; No one present – City of Imperial Beach; Hamed Hashemian– City of La Mesa; Mike James – Lemon Grove Sanitation District; Carla Hutchinson – City of National City; Bob Kennedy – Otay Water District; Doug Wilson – Padre Dam Municipal Water District; Jessica Parks – Poway; Tom Rosales, Amy Dorman, Adam Jones, Tung Phung - City of San Diego and Carolyn Gino – Chief Deputy City Attorney, City of San Diego; Dan Brogadir and Peejay Tubongbanua, – County of San Diego; Metro JPA Staff & Consultants: Lee Ann Jones-Santos – Treasurer; Scott Tulloch and Carmen Kasner – NV5; Karyn Keze – The Keze Group, LLC.; Dexter Wilson and Fernando Fregoso from Dexter Wilson Engineering; Adriana Ochoa – Procopio`.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

Director Bill Baber of the City of La Mesa led the pledge.

3. PUBLIC COMMENT

None

4. **ACTION: CONSIDERATION AND POSSIBLE ACTION TO MAKE FINDINGS TO CONTINUE HOLDING REMOTE/TELECONFERENCE MEETINGS PURSUANT TO ASSEMBLY BILL 361**

General Counsel Norvell provided an overview of the findings needed pursuant to AB 361.

ACTION: Motion Director Anderson, seconded by Director Baber, the findings be approved.
Carried unanimously

5. **ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 3, 2022**

ACTION: Motion Commissioner Kendrick, second by Commissioner Anderson, the Minutes of February 3, 2022, be approved. Motion carried unanimously

6. **ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE TREASURER'S REPORT FOR SIX MONTHS ENDING DECEMBER 31, 2021**

Treasurer Lee Ann Jones-Santos provided a verbal overview of the report. Karyn Keze, Financial Consultant noted that this was the kick-off to the start of the budget session which was ahead of schedule and thanked Lee Ann for getting the Mid-Year report to us early.

ACTION: Motion Director Spriggs, second by Vice Chair Peasley, to approve the treasurer's report. Motion carried unanimously

7. **PRESENTATION: POINT LOMA WASTEWATER TREATMENT PLANT PERMIT STATUS**

Scott Tulloch of NV5 with the assistance of Fernando Fregoso of Wilson Engineering provided a brief verbal overview of the PowerPoint presentation included in the agenda package. He noted that the presentation covered the current waiver and the one in the process of being prepared. Both waivers need to be thought of in the context of the Pure Water requirement of 83 mgd of water production by 2035 as well as the idea of OPRA II, the Secondary Equivalency legislation that the city has proposed. The current waiver when presented and approved by the Regional Board included some construction dates and a commissioning date for the Phase 1 Project. The dates were actually goals rather than firm requirements and reflected the cities intentions, however due to delays such as the lawsuit that went on for some time and now must update the dates. The city has coordinated with the Regional Board who is in concurrence. He then explained that the permit had language in it to allow for this. The original dates were to have Phase 1 online by July 1, 2022, which has now been extended to June 30, 2027, and they need 6 months for commissioning which they should be well ahead of. The city is in the process of sending these new dates to the Regional Board with whom they have spoken and there does not appear to be any objections anticipated.

Based on the September 30, 2022, expiration of the current permit, the new application is due to be submitted in early April, but the city has the goal of submitting it by the end of March. The new permit will comply with all conditions of the Clean Water Act that have to do with a modified or waiver type permit. It would also comply with the OPRA II legislation and the cooperative agreement the city has with the environmental community. It takes a year or so to get these permits approved so the city is also looking to put additional dates in the new permit for Phase II Pure Water as well as the leftover dates for Phase I.

The construction completion dates have been consolidated into the June 30, 2027, implementation date and have listed the OPRA II and requirement of the environmental community to have the 30 mgd online is the end of 2027 for Phase 1. Additionally, some NTP dates of Phase 2, the demonstration project at Pt. Loma and a notice of preparation for project EIR have been included and are within the 5-year period for the next permit. The footnotes set the opportunity for change if necessary.

Something that the JPA is typically interested in is the mass emission limits that would be in a permit. Several years ago, there were over 13,000 metric tons per year in our permits and every 5 years it typically went down 1 metric ton. The last waiver application had 12,000 metric tons as a good faith effort from the city to begin reducing the mass emissions to the ocean with the anticipation that we would get down to 9,942 which is the description of secondary equivalency. Last year we were at 6,371 so we are currently well below that without secondary and the pure water program.

Dexter Wilson of Wilson Engineering emphasized that this application would comply with the new OPRA requirements if approved during this process so whether the old waiver or success in getting OPRA II the application that goes in at the end of March will meet the need for both.

8. UPDATE: INDUSTRIAL WASTEWATER CONTROL COMMITTEE

MetroTAC Chair and Industrial Wastewater Control Committee Chair Beth Gentry of Chula Vista stated that that the committee had met on the topics of the pretreatment agreement and industrial wastewater permits. They plan to bring the pretreatment agreement back to the next meeting for action.

9. UPDATE: METRO WASTEWATER

a. Pt. Loma Treatment Plant Access Road

Tom Rosales, City of San Diego stated that they have spent the last 14 months developing monitoring to come up with a plan and the instrumentation is in the ground with the information being documented in the dashboard which can be logged into and viewed daily. They will continue to add additional features and continue monitoring for 12-18 months. The next step is to work on the long-term plan. They are developing an RFP to get people to help make good decisions.

b. April 10, 2020, Sanitary Overflow Update

Tom Rosales, City of San Diego stated that the city was wrapping up the response letter to the regulatory board and that they had a good meeting on March 14th and provided additional context. It is expected that they will review the response letter and then request another meeting to go over it. This will take a couple more sessions into summer prior to them having a working final decision on action that will be taken.

c. Capital Program Master Planning Process Overview and Status

Tom Rosales, City of San Diego stated that the city staff all collectively recognized that they needed to integrate all condition assessments and come up with a master plan to focus on. They are in the process of contracting with CVM and expect an early kick off in June with a 2-year process to complete the master plan and prioritize and then they will have a dashboard as a tool to help with project planning.

d. Public Utilities Department Director - Transition

Tom Rosales stated that Director Shauna Lorange left February 11th and Juan Guerrero has been named the Interim Director for the Department, Lisa Celaya is Executive Assistant Director at the moment and Amy Dorman has been brought into a new role in the department with a new role as Assistant Director of purely Pure Water (Engineering and Operations) and the other two elements of Engineering as a Department and the Laboratory Sector will now go under a new Assistant Director. Tom is acting in those capacities in his branch in the interim. They have also brought in Drew Kleis from the Stormwater Dept to act as the Assistant Director on the water delivery side.

**10. UPDATE: METRO CAPITAL IMPROVEMENT PROGRAM AND FUNDING SOURCES
1st QUARTER FY2022**

Tung Phung, Senior Engineer, City of San Diego provided a brief verbal overview of his report on the metro funded projects from July through September 2022 costs and wastewater projects (copy included in the agenda package).

Director Spriggs requested an overview of each of the projects in the future. Chair Jones stated that usually the presentations come through during the funding phase and requested he submit his questions to MetroTAC Chair Beth Gentry and she could work with the City of San Diego on preparing a presentation.

Karyn Keze stated that as far as financial due diligence she is very aware of all the projects as she and Dexter pick them up on the CIP audits when they incur their first dollar i.e. when they go into design. They ask questions and get all the detail so on a staff level there is due diligence.

Director Heinze stated he does not know what some of the projects are but would prefer just a short description on what the purpose of the project and a few sentences of what the project is on the report rather than a full presentation.

Tung Phung stated that he could add a project description for each project onto his report.

Adam Jones, Deputy Director Finance Department for the Public Utilities Department included in the meeting chat, the link to the departments capital improvement budget which is available on the City's website which does have a lot of descriptions and the updates that have gone to the City Council.

11. UPDATES: PURE WATER PROGRAM

A. PURE WATER PHASES 1 & 2 DESIGN & CONSTRUCTION

Amy Dorman, City of San Diego stated that on Pure Water Phase 1 all construction contracts were awarded and are under construction except for two, the Marina Southern and Mid Conveyance Project which will connect to the Marina Pump Station. It went out to bid in late December and bids will be open this month. That will be the last wastewater construction contract. There is one more bid, the water contract which will be for improvements required at the Miramar Pump Station.

Amy then stated that Phase 2 was becoming more active. They are at about 60% design for the Phase 2 Test Facility at Pt. Loma. The construction document will be put out to bid later this summer with construction starting in FY 2023.

Other planning activities for Phase 2, they have started the evaluation to determine which reservoir to put the pure water in. and are working through some of the operational issues and engineering considerations.

B. SECONDARY EQUIVALENCY LEGISLATION

Tom Rosales stated he had nothing new to report from the last meeting where he indicated the Mayor had gone to Washington DC at the end of January and met with the Speaker and had universal support from the 5 House representatives or San Diego and 2 California Senators. It is proposed that OPRA II is to be included in an Omnibus. There is no additional information as to where that stands currently, but the intent is to get to the President for signature once it passes through Congress.

12. REPORT: METRO TAC UPDATE/REPORT

MetroTAC Chair Beth Gentry noted that several 2nd Amended and Restated Agreement proposals were approved through MetroTAC and are being set to go to the new Metro JPA Ad Hoc Committee. Additionally, she stated that Chair Jones had sent a letter to the City of San Diego regarding the April 2020 spill as a follow-up to the original letter sent to Shauna Lorance, identifying San Diego as the operator of the system and identifying that it was an operational issue. All JPA members should have received copies as well as the primary TAC members. The letter requested that a City representative reach out to her to set up a meeting and Tom Rosales did reach out to her although a meeting has not yet been scheduled.

13. REPORT: METRO TAC UPDATE/REPORT

Chair Jones stated that the Ad Hoc had not yet met and it has been a challenge getting all together for the 1st meeting on March 16th from 2-4 p.m. A meeting had been held with senior staff on how to proceed as they may want to hold more than one meeting per month to start.

14. REPORT: IROC UPDATE

Chair Jones stated that he had not been able to attend the meeting so had nothing to report.

15. REPORT: FINANCE COMMITTEE

Finance Committee Chair Mullin stated the budget season was starting and the first meeting will be held at 10 am on Wednesday April 27th for the JPA FY 2023 budget and potentially the FY 2019 Exhibit E Audit.

Karyn Keze, Financial Consultant requested the finance committee members mark their calendars now with the April meeting date.

16. REPORT: GENERAL COUNSEL

General Counsel de Sousa stated that AB 1944 appears to be trying to make permanent the ability of elected and appointed officials to participate in Brown Act meetings via teleconference. Also, there is an initiative that has been cleared for circulation with a due date of June 6, 2022 and they need just fewer than one million signatures. The title given by the proponent is "The Taxpayer Protection and Government Accountability Act" but the circulating title provided by the Attorney General is "Limit Ability of Voters and State and Local Governments to Raise Revenue for Government Services." It will likely get the signatures needed to be placed on the ballot later this year. It will negatively impact public agencies in significant ways such as: eliminating the ability to adopt a special tax by initiative which currently is possible with a 50% voter approval; restricts

the ability to charge fees for services at actual costs which could be interpreted to remove discretion from local agencies with respect to how to allocate unrestricted revenues and could impede the ability to offer low income discounts or subsidies to services that are often times funded with unrestricted revenues; requires that fees for use of government property be reasonable which is currently an issue being litigated by the Supreme Court and may impact franchise fees and tolls; increases the evidentiary burden on challenges to a clear and convincing standard, currently the standard is a preponderance of the evidence for non property related fees or substantial evidence for fees and charges subject to Prop 218 so would increase the cost of litigation on challenges to such fees and charges and also creates new procedural requirements for adopting fees and taxes. The good thing is there was a worse version being bantered about and was tailored down to this. It is something everyone should keep an eye on so that a position could be taken as to explain why this would not work and does not help as ultimately the services we provide are what the people of the County rely on.

17. PROPOSED AGENDA ITEMS FOR THE NEXT METRO COMMISSION/METRO WASTEWATER JPA MEETING JANUARY 5, 2022

None

18. METRO COMMISSIONERS' AND JPA BOARD MEMBERS' COMMENTS

None

19. ADJOURNMENT

There being no further business, Chair Jones declared the meeting adjourned at 1:10 p.m.

ATTACHMENT 6

PUD 5-YEAR FINANCIAL PROJECTION

Public Utilities Department

PUD Fiscal Year 2023-2027 Five-Year Financial Outlook

March 16, 2022

Adam Jones, Finance Deputy Director

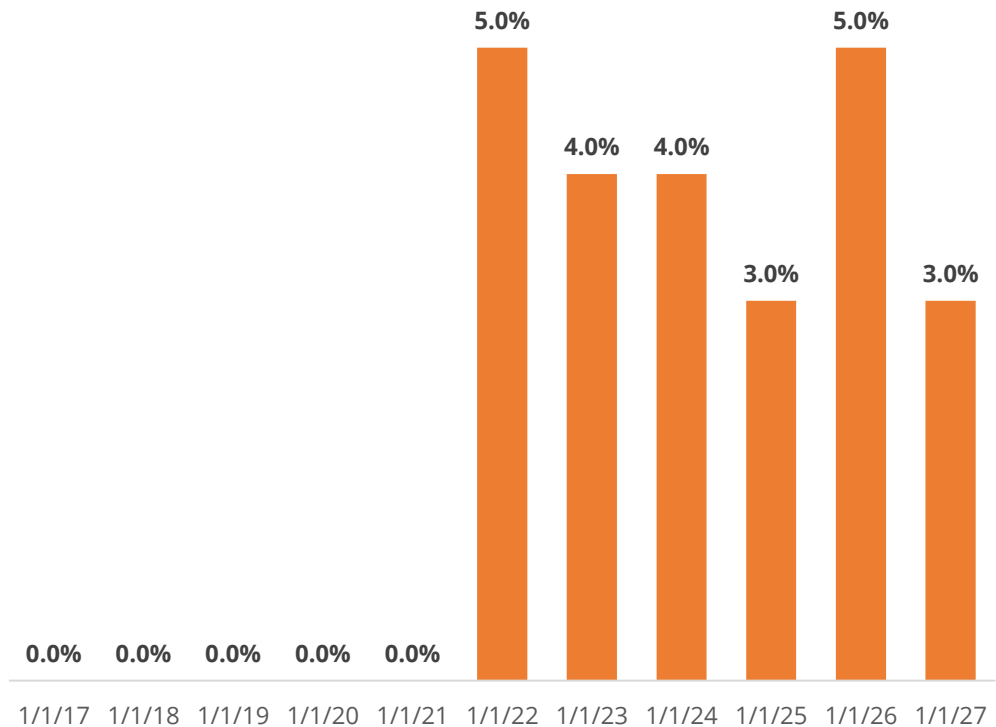
Overview

- Public Utilities charges rates to cover its operations using a Cost of Service process
 - Wastewater completed process (September 2021)
- PUD Five-Year Financial Outlook
 - Identifies system-wide revenue need for each utility under a Cost of Service process

Key Cost Drivers - Wastewater

- Aligned with Rates Approved by Council
- Prior Critical adds moved to the Baseline, New FY 2022 adds Continue
- Critical Expenditures for Upcoming/new Programs
 - Pure Water
 - Point Loma Erosion Monitoring

Projected Sewer Service Charge Increases





Summary of Operating & Maintenance Key Financial Data (\$ in Millions)						
	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Sewer Service Charges	\$281.8	\$287.3	\$299.2	\$310.1	\$323.5	\$343.2
Capacity Charges	\$19.7	\$21.9	\$21.9	\$21.9	\$21.9	\$21.9
Grants	\$12.9	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Other Revenue	\$127.4	\$103.2	\$105.7	\$107.1	\$108.3	\$109.0
TOTAL SYSTEM REVENUES	\$441.8	\$412.4	\$426.8	\$439.1	\$453.7	\$474.1
Salaries & Wages	\$61.0	\$64.4	\$66.6	\$68.9	\$71.1	\$73.3
Fringe Benefits	\$44.8	\$46.0	\$46.8	\$47.6	\$48.9	\$50.1
Other Non-Personnel Expenditures	\$171.0	\$174.3	\$175.3	\$177.7	\$181.1	\$185.2
BASELINE EXPENDITURES	\$276.8	\$284.7	\$288.7	\$294.3	\$301.0	\$308.6
CRITICAL OPERATING EXPENDITURES	\$0.0	\$5.0	\$8.2	\$10.6	\$19.3	\$19.0
Contributions to CIP	(\$26.7)	\$140.4	(\$1.7)	(\$7.6)	\$13.4	\$33.5
Debt Service	\$105.1	\$116.2	\$100.2	\$106.4*	\$89.3	\$107.8
(Use of) / Contributions to Reserves	\$18.2	(\$35.9)	(\$3.5)	(\$11.2)	\$8.6	(\$9.7)
NON-OPERATING EXPENDITURES	\$96.5	\$220.7	\$95.0	\$87.6	\$111.3	\$131.6
TOTAL EXPENDITURES	\$373.3	\$510.4	\$391.8	\$392.5	\$431.6	\$459.2
Impact to Fund Balance	\$68.5	(\$98.0)	\$35.0	\$46.6	\$22.1	\$14.9
Debt Service Coverage Ratio	1.40 x	1.37 x	1.33 x	1.37 x	1.40 x	1.45 x
Assumed Rate Increase	5.0%	4.0%	4.0%	3.0%	5.0%	3.0%

Metro System Expenditures – Personnel

	FY2023	FY2024	FY2025	FY2026	FY2027
PERSONNEL					
Salary & Wages	\$ 38,561,530	\$ 39,708,605	\$ 41,018,581	\$ 42,313,081	\$ 43,647,281
Fringe	\$ 26,262,688	\$ 26,540,167	\$ 26,946,048	\$ 27,649,148	\$ 28,369,748
Critical Adds					
Phase I	\$ 1,054,293	\$ 1,871,051	\$ 2,439,806	\$ 2,439,806	\$ 2,439,806
Phase II	\$ 53,288	\$ 106,577	\$ 159,865	\$ 159,865	\$ 159,865
SUBTOTAL PERSONNEL	\$ 65,931,800	\$ 68,226,400	\$ 70,564,300	\$ 72,561,900	\$ 74,616,700

- ❖ Baseline expenditures include approximately 502 FTE in FY 2022 Adopted Budget
- ❖ Critical Strategic Expenditures are largely driven by Pure Water Program



Metro System Expenditures – Contracts

	FY2023	FY2024	FY2025	FY2026	FY2027
CONTRACTS					
Baseline Contracts	\$ 61,162,683	\$ 60,783,532	\$ 61,104,812	\$ 63,223,142	\$ 65,032,433
Critical Adds					
Phase I - Operations	-	\$ 657,034	\$ 1,377,068	\$ 5,886,267	\$ 5,886,267
Phase II - Program Management	\$ 1,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000
PLWTP Road Erosion Monitoring	\$ 2,860,000	\$ 1,360,000	\$ 1,360,000	\$ 360,000	-
SUBTOTAL CONTRACTS	\$ 65,022,683	\$ 65,800,566	\$ 66,841,880	\$ 72,469,409	\$ 73,918,700

- ❖ Contracts baseline expenditures includes various growth rates, and each component uses a different growth rate

Metro System Expenditures – Supplies

	FY2023	FY2024	FY2025	FY2026	FY2027
SUPPLIES					
Baseline Supplies	\$ 22,677,240	\$ 22,045,466	\$ 22,706,830	\$ 23,388,035	\$ 24,185,894
Phase 1	-	\$ 1,157,754	\$ 1,701,055	\$ 3,207,506	\$ 3,207,506
SUBTOTAL SUPPLIES	\$ 22,677,240	\$ 23,203,220	\$ 24,407,885	\$ 26,595,541	\$ 27,393,400

- ❖ Supplies baseline expenditures includes various growth rates, and each component uses a different growth rate

Metro System Expenditures – IT

	FY2023	FY2024	FY2025	FY2026	FY2027
INFORMATION TECHNOLOGY					
Baseline IT	\$10,366,508	\$10,496,298	\$10,628,684	\$10,841,318	\$11,058,100
SUBTOTAL IT	\$10,366,508	\$10,496,298	\$10,628,684	\$10,841,318	\$11,058,100

❖ IT Baseline uses estimates of IT costs and California CPI

Metro System Expenditures – Energy/Utilities

	FY2023	FY2024	FY2025	FY2026	FY2027
ENERGY & UTILITIES					
Baseline E&U	\$17,648,453	\$17,719,046	\$17,789,923	\$17,861,082	\$17,949,057
Phase I	-	-	\$416,434	\$4,164,343	\$4,164,343
<u>SUBTOTAL E&U</u>	<u>\$17,648,453</u>	<u>\$17,719,046</u>	<u>\$18,206,357</u>	<u>\$22,025,425</u>	<u>\$22,113,400</u>

- ❖ Energy and Utilities Baseline includes various components
 - ❖ Energy Growth Rates are based on US Energy Information Administration's Annual Energy Outlook
- ❖ Pure Water Program requires significant energy costs as new and expanding Pure Water facilities come online, which are included in Critical Strategic Expenditures

Metro System Expenditures – Other

	FY2023	FY2024	FY2025	FY2026	FY2027
OTHER					
Baseline	\$3,576,953	\$3,576,953	\$3,576,953	\$3,576,953	\$3,576,953
SUBTOTAL	\$3,576,953	\$3,576,953	\$3,576,953	\$3,576,953	\$3,576,953

Metro System Expenditures – Total O&M and Debt

	FY2023	FY2024	FY2025	FY2026	FY2027
Operations Budget	\$185,223,637	\$189,022,484	\$194,226,059	\$208,070,546	\$212,677,253
Baseline	\$180,256,056	\$180,870,068	\$183,771,831	\$188,852,759	\$193,819,466
Phase I Adds	\$1,054,293	\$3,685,839	\$5,934,363	\$15,697,922	\$15,697,922
Phase II Adds	\$1,053,288	\$3,106,577	\$3,159,865	\$3,159,865	\$3,159,865
Other Metro Adds	\$2,860,000	\$1,360,000	\$1,360,000	\$360,000	\$0
Debt Service	\$69,475,085	\$58,527,926	\$60,645,659	\$47,543,615	\$54,728,969
Metro Total	\$254,698,721	\$247,550,411	\$254,871,717	\$255,614,161	\$267,406,222

Metro System CIP Expenditures by Category

	FY2023	FY2024	FY2025	FY2026	FY2027
EXPENSES: CIP					
Pure Water Program	\$242,757,165	\$109,813,129	\$42,616,305	\$11,371,137	\$16,246,763
Trunk Sewers	\$800,000	\$1,500,000	\$5,700,000	\$7,000,000	\$6,000,000
Miscellaneous (Other)	\$8,825,212	\$11,056,822	\$18,079,878	\$23,217,464	\$7,941,849
SDG&E Relocation	-	-	-	-	-
Sewer Treatment Plants	\$32,395,672	\$25,232,417	\$12,908,512	\$2,083,542	\$395,487
Large Sewer Pump Stations	\$6,337,500	\$3,680,734	\$7,552,599	\$8,438,966	\$3,954,875
Recycled Water	\$350,000	\$360,856	\$372,049	\$383,589	\$395,487
TOTAL CIP	\$291,465,549	\$151,643,958	\$87,229,343	\$52,494,699	\$34,934,462
CIP Budget Breakdown					
Baseline	\$48,708,384	\$41,830,829	\$44,613,038	\$41,123,561	\$18,687,699
Phase I	\$233,168,953	\$99,685,738	\$38,951,396	\$7,592,551	\$200,359
Phase II	\$9,588,212	\$10,127,390	\$3,664,909	\$3,778,587	\$16,046,404
Total	\$291,465,549	\$151,643,958	\$87,229,343	\$52,494,699	\$34,934,462

Metro System CIP Funding Sources

	FY2023	FY2024	FY2025	FY2026	FY2027
Pure Water CIP					
SRF Loans	\$226,168,243	\$139,730,703	\$57,171,699	\$11,833,367	\$1,187,157
Grants	-	-	-	-	-
Pay-Go	\$16,588,922	-\$29,917,575	-\$14,555,394	-\$462,229	\$15,059,607
Subtotal	\$242,757,165	\$109,813,129	\$42,616,305	\$11,371,137	\$16,246,763
Baseline CIP					
Revenue Bonds	-	\$55,000,000	\$30,000,000	-	-
SRF Loans	\$5,261,010	\$5,552,117	\$11,090,000	\$50,260,969	\$18,892,272
Grants					
Pay-Go	\$43,447,374	-\$18,721,288	\$3,523,038	-\$9,137,408	-\$204,573
Subtotal	\$48,708,384	\$41,830,829	\$44,613,038	\$41,123,561	\$18,687,699

- ❖ Funding consists of various loans/debt, grants, and cash
- ❖ SRF Loans are assumed to fund Pure Water Projects
 - ❖ Expect execution of all Pure Water Loans by May 14

Conclusion

- ❖ Based on Expenses and Other Revenue, Projections assume PAs continue contributing \$81 million on average each year
- ❖ Projections were based on assumptions through November of 2021
 - ❖ Inflation, Energy Prices, Supply Chain and Construction Market
- ❖ Does not assume any funding being applied for in the Federal Bi-partisan Infrastructure Law, which would decrease contributions

ATTACHMENT 7

METRO JPA BYLAWS

**BYLAWS
OF
METRO WASTEWATER JOINT POWERS AUTHORITY**

PREAMBLE

The Metro Wastewater Joint Powers Authority (“Metro JPA” or “JPA”) was established in October of 2000 pursuant to the Joint Exercise of Powers Law Act, Government Code section 6500 *et seq.*, for the purpose of creating a public agency with the authority to take action pertaining to the Participating Agencies’ responsibilities and obligations to provide for the financing of public capital improvements for the Metro Sewerage System which are constructed pursuant to the Metro Agreement and to take such other actions as are necessary for the Participating Agencies to fulfill the obligations and responsibilities and obtain rights and benefits set forth in the Metro Agreement.

**ARTICLE I
Definitions**

In addition to the other terms defined herein, the following terms, whether in the singular or in the plural, when used herein and initially capitalized, shall have the meanings specified:

Agreement shall mean the Joint Exercise of Powers Agreement creating Metro Wastewater Joint Powers Authority, dated as of October 25, 2000, among the parties thereto, as amended from time to time.

Act, Participating Agencies, Board, Member, and Directors shall have the respective meanings set forth in the Agreement.

Metro TAC shall mean the Metro Technical Advisory Committee, a committee composed of public works directors and engineers from the Participating Agencies. Metro TAC predates the existence of Metro JPA and is not established or governed by the JPA.

State shall mean the State of California.

**ARTICLE II
Offices**

Section 1. **Principal Office.** The principal office of the JPA shall be located at P.O. Box 1072, National City, CA 91951^[A1] 200 Civic Center Way, El Cajon, CA 92020, Attn: Deputy Finance Director/Metro JPA Treasurer P.O. Box 719003, Santee, California 92072.

Section 2. **Additional Offices.** The JPA may also have offices at such other places both within and outside the State, as the Board may from time to time determine or the business of the JPA may require.

ARTICLE III

Board

- Section 1. Power and Duties of the Board.** The Board shall have the responsibility for the general management of the affairs, property and business of the JPA and may, from time to time, adopt and modify these Bylaws and other rules and regulations for that purpose and for the conduct of its meetings as it may deem proper. The Board may exercise and shall be vested with all powers of the JPA insofar as not inconsistent with law, the Agreement or these Bylaws.
- Section 2. Directors and Advisory Directors.**
- (a) **Directors.** Directors of the Board are appointed to serve as Directors of the JPA in accordance with the provisions of Section 2.03 of the Agreement.
 - (b) **Advisory Directors.** The Board may, from time to time, appoint representatives from non-Participating Agencies to serve as Advisory Directors. Advisory Directors shall participate in meetings as a Director, but shall not be counted toward establishing a quorum, shall not attend closed session, and shall not vote. Advisory Directors shall not receive a per diem as set forth in Article IV, Section 4.
- Section 3. Adjournments and Adjourned Meetings.** The Board may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified by the Board in accordance with law. If less than a majority is present at a meeting, a majority of those members of the Board present may adjourn the meeting from time to time.
- Section 4. Method of Voting.** Votes on all questions shall be viva voce.
- Section 5. Organization.** Each meeting of the Board shall be presided over by the Chair or, in his or her absence, by the Vice Chair, or in the absence of both the Chair and Vice Chair, by any member of the Board selected to preside by vote of a majority of the members of the Board present. The Secretary, or in his or her absence any person designated by the individual presiding over the meeting, shall act as secretary of the meeting.
- [A2]
- Section 6. Meetings.** Regular meetings of the JPA shall be held on the first Thursday of each month, or as scheduled by the Board.

ARTICLE IV

Officers

Section 1. Appointment of Officers. The Chair, the Vice Chair, Treasurer, and Secretary of the JPA shall be the persons as set forth in Article III of the Agreement.

(a) Ad Hoc Nominating Committee for Chair and Vice Chair. At the January regular Board meeting in odd numbered years, or at any other time deemed appropriate by the Board, the Board, in its sole reasonable discretion, may appoint an ad hoc Chair and Vice Chair Nominating Committee (“Nominating Committee”) consisting of three (3) members of the Board.

i. If the Board appoints a Nominating Committee, the Nominating Committee shall nominate one Director for the position of Chair and one Director for the position of Vice Chair. No member of the Nominating Committee may be nominated for the position of Chair or Vice Chair.

ii. The Nominating Committee shall present its nominations for Board consideration and action at the next scheduled regular Board meeting. The Board shall consider the Nominating Committee’s nominations and elect a Chair and Vice Chair.

iii. The members of the Nominating Committee shall be compensated for attendance at meetings of the Nominating Committee in accordance with Section 4 of this Article, which allows Per Diem compensation for attendance at meetings of an advisory body of the JPA.

iv. Nothing in this section requires that a Nominating Committee be appointed.

Section 2. Term of Office and Qualification. Each officer elected or appointed pursuant to Section 1 of this Article IV shall hold office:

(a) until such time as such officer (1) ceases (in the case of the Chair or Vice Chair) to be a member of the Board, (2) resigns from such office in accordance with the provisions of Article V of these Bylaws, or (3) is unable to perform the duties of such office; or.

(b) for a term of two years or until a successor is elected or appointed such officer resigns from such office in accordance with the provisions of Article V of these Bylaws or is unable to perform the duties of such office.

Section 3. Official Bond. The Treasurer to the extent such officer’s duties and responsibilities pursuant to the Joint Powers Law may require, is designated as the public officer or person who has charge of, handles, or has access to any property of the JPA, and

such officer shall file an official bond as required by Section 6505.1 of the Joint Powers Law in the amount of \$25,000.

Section 4. **Compensation and Reimbursement.** [A3] The compensation of, and reimbursement for, all Directors of the JPA, excluding Advisory Directors, shall be:

- (a) fixed from time to time by the Board, or pursuant to authority of (general or specific) resolutions of the Board;
- (b) as follows:

- i. Compensation in the amount of \$150.00 per day (“Per Diem”) for attendance at meetings of the JPA, including attendance at meetings of an advisory body of the JPA, such as standing or ad hoc subcommittees, or for each day’s service rendered as a Director of the JPA by request of the Chair/Board, with a maximum of three (3) Per Diems per month for all Directors of the JPA, and a total of six (6) Per Diems per month for the Chair. All Per Diem requests must be submitted to the JPA Treasurer within sixty (60) days of the day for which a Per Diem is requested.

Directors, to whom the JPA would pay a Per Diem pursuant to this Section (b)(i) above, shall not receive a Per Diem if they are otherwise eligible to receive compensation, including per diem, from their respective agencies for attendance at meetings of the JPA or for service rendered as a Director of the JPA by request of the Board.

- ii. Reimbursement of actual and necessary expenses incurred in the performance of official duties in the course of serving as a Director of the JPA by request as approved by a motion of the Board, such as but not limited to travel, car rental, if appropriate, lodging, registration, meals (excluding alcoholic beverages), and incidental expenses as follows:
 - 1. Reimbursement for each mile actually traveled when utilizing their vehicles to attend conferences or other meetings when acting by request of the Board, provided such mileage compensation does not exceed Coach Class airfare plus normal cost for transportation to and from the airport at the point of departure and the airport at the destination. Reimbursement per mile to be equal to the standard rate in effect for business miles deduction by the United States Internal Revenue Service, as such rate is established from time to time. If a Director chooses to travel in his or her private automobile, rather than by scheduled airlines, and the

distance traveled requires more than 8 hours driving, overnight lodging and three (3) meals will be reimbursed to the Director, provided that such reimbursement does not exceed the cost of Coach Class airfare plus normal cost for transportation to and from the airport at the point of departure and the airport at the destination.

2. Reimbursement for lodging, if the lodging is in connection with a conference or organized, educational activity. Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Director at the time of booking. If the group rate is not available, the Director shall use comparable lodging, consistent with this Section.
3. Directors shall use government and/or group rates offered by a provider of transportation or lodging services or travel and lodging, when available.
4. All expenses that do not fall within this subsection (b) or the rates provided herein, shall be approved by the Board in a public meeting before the expense is incurred.
5. If a Director chooses to incur additional costs that are above the rates established under this subsection (b)(ii), then the Director may do so at his or her own expense.^[A4]
6. Expenses shall not be reimbursed unless an expense form is submitted to the JPA within sixty (60) days after the expenditure. Expense forms shall be accompanied by receipts documenting each expense. If no receipt is available, a written explanation of the expenditure is required. Furthermore, Directors will be required to provide a brief report on the conference or meeting attended at the next regular meeting of the JPA.

ARTICLE V

Resignations

Section 1. Voluntary Resignation; Notice of Effectiveness. Any member of the Board or officer of the JPA may, subject to contrary provisions in any applicable contract, resign at any time by giving written notice to the Board or to the Chair or to the Secretary of the JPA. Any such resignation shall take effect at the time specified therein or, if the time be not specified, upon receipt thereof; and unless otherwise specified therein, acceptance of such resignation shall not be necessary to make it effective.

Section 2. Involuntary Resignation; Request. The Board, in the exercise of its discretion, may request the resignation of any officer elected or appointed pursuant to Article IV of these Bylaws. Pursuant to such request, subject to contrary provisions in any applicable contracts, such officer shall resign by giving written notice to the Board. Any such resignation shall take effect at the time specified in such request. Notwithstanding the above, this section shall not be interpreted to prohibit the Board from removing any elected or appointed officer or electing or appointing a successor.

ARTICLE VI

Vacancies Among Officers

If the office of any officer elected or appointed pursuant to Article IV of these Bylaws becomes vacant at any time by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, such vacancy may be filled at any time by the Board.

ARTICLE VII

Meetings^[A5]

Section 1. ^[A6] **Regular Meetings.** Regular meetings of the JPA shall be held on the first Thursday of each month at 12:00 p.m., or as otherwise scheduled by a resolution of the Board.

Section 2. Special and Emergency Meetings. Special and emergency meetings of the Board may be called in accordance with the provisions of Government Code sections 54956 and 54956.5.

Section 3. Open Meetings. All meetings of the Board shall be conducted in accordance with the provisions of the Ralph M. Brown Act (California Government Code § 54950 *et seq.*). Directors may participate in meetings telephonically, with full voting rights, only to the extent permitted by law.

Section 4. Preparation of Agendas. The Metro TAC Chair or a designee shall prepare the agenda for each Board meeting. Agenda items will be generated by the need to conduct JPA business in a timely manner. The Metro TAC Chair shall review with the Board Chair, or the Vice-Chair in the absence of the Chair, the agenda for regular meetings of the Board.

Section 5. Addition of Agenda Items Before a Meeting. Board Members may add a “Board Member Initiated Agenda Item” to a future meeting agenda. Board Member Initiated Agenda Items are prepared by the requesting Board Member and require no staff or consultant time. Board Member Initiated Items must be submitted to the Metro TAC Chair at least ten (10) days prior to the next Board meeting.

In addition, items may be added to a future Board meeting agenda in the following

ways:

- (a) For items not requiring staff or consultant time, the Chair provides an express oral direction to the Metro TAC Chair during a Board meeting. If a Board Member disagrees with the Chair's direction, the Board Member may make a motion regarding the addition of the item without discussion of the substance of the item.
- (b) For items requiring staff or consultant time, an item shall be added by motion without discussion of the substance of the item.
- (c) Requests from members of the audience, after being authorized to speak, may be added to a future agenda by a Board Member as a Board Member Initiated Agenda Item, as discussed above. If the item requires staff time, the item may be added only by motion without discussion of the substance of the item.
- (d) The Chair or a majority of the Board may refer items to a committee for further review.

Section 6. **Modification of Agenda Order; Addition of Items During a Meeting.** The order of items on the agenda may be modified by the Chair if there is no objection, or by a motion and majority vote of the Board. No action or discussion may be undertaken on any item not appearing on the posted agenda, except as allowed under the Brown Act.

Section 7. **Consent Calendar.** The consent calendar shall consist of items which appear to be routine or ministerial in nature on which no Board discussion will be required. Before adopting the consent calendar, the Chair will ask Board Members whether anyone wishes to move a matter from the consent calendar to the regular agenda. The Board will then proceed with consideration of the remaining consent calendar. The consent calendar will be acted upon in one motion without discussion. Items pulled from the consent calendar will be considered immediately following adoption of the remaining consent calendar, and staff reports will only be given if requested by the Board Member who pulled them.

Section 8. **Public Comments.** Agendas of regular meetings shall provide an opportunity for members of the public to address the Board on any item within the jurisdiction of the JPA which are not on the agenda. Generally, speakers shall be limited to three (3) minutes each, with 15 minutes being provided for non-agenda public comments. If the number of speakers is estimated to exceed the 15-minute period, the Chair may, in his or her discretion, reduce the time allotted to each speaker, extend the period for non-agenda public comment, or continue the remaining comments to the end of the agenda. For public comments on agenda items, the Chair may reduce the time allotted to each speaker in his or her discretion.

Section 9. **Order and Procedure at Meetings.** All meetings of the Board shall be conducted in an orderly manner designed to expedite the business of the Board in accordance with applicable law, the JPA Agreement, and these Bylaws. Except as otherwise provided in these Bylaws, Rosenberg’s Rules of Order (Rev. 2011) will be used as a guide to resolve questions of parliamentary procedures. The General Counsel shall serve as the Parliamentarian.

Section 10. **Rules of Debate and Decorum.** Debate upon all matters pending before the Board shall be under the supervision of the Chair and conducted in such a manner as to expedite the business of the Board. Every Board Member desiring to speak shall so indicate by using the “request to speak” button, if available, or otherwise address the Chair. Upon recognition by the Chair, the Board Member shall confine remarks to the item under consideration. A Board Member, once recognized, shall not be interrupted when speaking unless it is to call the Board Member to order. If a Board Member while speaking is called to order, the Board Member shall cease speaking until the question of order is determined.

ARTICLE VIII

Quorum and Voting^[A7]

Section 1. **Quorum.** Directors holding a majority of the votes shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time. The affirmative votes of at least a majority of the Directors present at any meeting at which a quorum is present shall be required to take any action by the Board.

Section 2. **Voting.** Each Director shall have one vote.

ARTICLE IX

Policy Regarding Confidential Information Disclosed During Closed Sessions^[A8]

Information obtained during closed sessions of the Board shall be confidential. Notwithstanding, under certain circumstances, it may be necessary and appropriate for Directors to divulge certain confidential information obtained in closed sessions to representatives of their Participating Agencies as authorized by law. Therefore, these Bylaws adopt the policy set forth in California Government Code section 54956.96, which authorizes the disclosure of confidential closed session information that has direct financial or liability implications for that Participating Agency as follows:

- (a) A Director who is also a member of the governing body of a Participating Agency may disclose information obtained in a JPA closed session that has direct financial or liability implications for that Participating Agency to the following individuals:

- i. Legal counsel of that Participating Agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that Participating Agency; and
 - ii. Other members of the governing body of the Participating Agency present in a closed session of that Participating Agency.
- (b) The governing body of the Participating Agency may, upon the advice of its legal counsel, conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the JPA pursuant to this Article.

ARTICLE X
Board Committees^[A9]

Section 1. **Committees.** The Board may establish committees as the Board deems appropriate to assist the Board in carrying out its functions.

The Finance Committee is an existing Standing Committee of the Board. Other committees composed of Board members with continuing subject matter jurisdiction, or having a meeting schedule fixed by charter, ordinance, resolution, or formal action of the Board, shall also be Standing Committees of the Board.

Section 2. **Appointment to Standing Committees.** For Standing Committees, the Chair shall nominate committee members, subject to approval by a majority vote of the Board. If the Board fails to approve the Chair's nomination(s) to a Standing Committee, the Board may entertain a motion for the appointment of committee members.

Section 3. **Committee Voting.** Action by a committee on all matters shall require an affirmative vote of a majority of the members of the committee who are present at the meeting.

Section 4. **Removal of Committee Members.** The Board may remove a committee member from a committee, with or without cause, by a majority vote of the Board. A committee member may also resign from a committee.

Section 5. **Ad Hoc Committees.** The Board may establish temporary ad hoc advisory committees that: (a) are composed of less than a quorum of the Board, (b) have no continuing subject matter jurisdiction, and (c) have no meeting schedule fixed by charter, ordinance, resolution, or formal action of the Board. The Chair shall appoint the members of such ad hoc committees.

ARTICLE XVII
Amendments

These Bylaws may be modified, amended or repealed or new Bylaws may be adopted by the affirmative vote of the Board at any regular or special meeting of the Board.

ARTICLE XVIII
Severability

Any adjudication that these Bylaws or any part thereof is invalid shall not affect the validity of the remainder of these Bylaws.

These Bylaws are hereby adopted on this _____ day of _____ 202217.

Jerry Jones
Chair

SECRETARY'S CERTIFICATE

The undersigned hereby certifies that he/she is the Secretary of the Metro Wastewater Joint Powers Authority, a joint exercise of powers authority; that attached hereto is a true, correct and complete copy of the Bylaws of the Metro Wastewater Joint Powers Authority; and that said Bylaws are in full force and effect as of the date hereof.

Dated: _____

Lori Anne Peoples
Secretary of the Metro Wastewater Joint
Powers Authority

ATTACHMENT 8

PURE WATER

PROGRAM

PHASE 2 COST SPLIT

PHASE 2 PURE WATER PRELIMINARY WATER/WASTEWATER COST SPLIT ALTERNATIVE 1E

DESCRIPTION OF ALTERNATIVE 1E

- Secondary Treatment Harbor Drive
- Pure Water Mission Valley
- 41.5 mgd of Pure Water Production
- Least costly with waiver
- Least costly at 53 mgd without waiver

CAPITAL COST INCLUDE

- Wastewater Pure Water Costs
- Water Pure Water Costs
- Wastewater Point Loma Rehabilitation Costs (\$170,113,600)
- ECAWP Conveyance Costs (\$40,357,320)

PHASE 2 ALTERNATIVE 1E CONSTRUCTION COST

PHASE 2 ALTERNATIVE 1E CONSTRUCTION COST												
Item	Total Capacity		Amount	%			ECAWP Conveyance	Costs				
	Average	Unit		Water	Wastewater	Sewer Rehabilitation		Water	Wastewater	Sewer Rehabilitation	ECAWP Conveyance	Total
TREATMENT												
Facilities Construction Cost Total			\$1,272,110,000	Facilities Construction Subtotal				\$628,488,400	\$643,621,600	\$0	\$0	\$1,272,110,000
Miscellaneous Direct Total			\$77,016,000	Miscellaneous Direct Costs Subtotal				\$0	\$812,000	\$76,204,000	\$0	\$77,016,000
Miscellaneous Construction Cost Total			\$130,940,000	Miscellaneous Construction Cost Subtotal				\$0	\$1,380,400	\$129,559,600	\$0	\$130,940,000
Treatment Construction Cost Total			\$1,403,050,000	TREATMENT COST TOTAL				\$628,488,400	\$645,002,000	\$129,559,600	\$0	\$1,403,050,000
CONVEYANCE												
Dechlorination Station Total			\$2,283,000	Dechlorination Station Subtotal				\$2,283,000	\$0	\$0	\$0	\$2,283,000
Pump Stations Total			\$106,400,000	Pump Stations Subtotal				\$70,760,000	\$35,640,000	\$0	\$0	\$106,400,000
PRS Total			\$660,000	PRS Subtotal				\$323,400	\$336,600	\$0	\$0	\$660,000
Conveyance Piping Total			\$272,086,000	Conveyance Piping Subtotal				\$187,529,943	\$46,544,896	\$0	\$38,011,161	\$272,086,000
Tunnels Total			\$200,188,000	Tunnels Subtotal				\$171,949,143	\$25,892,698	\$0	\$2,346,159	\$200,188,000
Direct Costs Subtotal			\$581,617,000	Direct Costs Subtotal				\$432,845,486	\$108,414,194	\$0	\$40,357,320	\$541,259,680
Conveyance Construction Cost Total			\$988,849,000	Conveyance Construction Cost Total				\$735,910,486	\$184,325,194	\$0	\$40,357,320	\$920,235,680
Treatment Cost Total			\$1,403,050,000	Treatment Cost Total				\$628,488,400	\$645,002,000	\$129,559,600	\$0	\$1,403,050,000
Conveyance Cost Total			\$988,849,000	Conveyance Cost Total				\$735,910,486	\$184,325,194	\$0	\$40,357,320	\$920,235,680
Program Construction Cost Total			\$2,391,899,000	Treatment and Conveyance Cost Subtotals				\$1,364,398,886	\$829,327,194	\$129,559,600	\$40,357,320	\$2,323,285,680
Delivery and Other Costs												
Consultant Engineering Costs Total			\$253,542,000	Consultant Engineering Costs Subtotal				\$144,626,000	\$87,908,000	\$13,734,000		\$246,268,000
Consultant CMS Total			\$172,217,000	Consultant CMS Subtotal				\$98,237,000	\$59,711,000	\$9,329,000		\$167,277,000
Administration Total			\$253,542,000	Administration Subtotal				\$144,626,000	\$87,908,000	\$13,734,000	\$0	\$246,268,000
Land Acquisition	2.90%		\$69,365,000	Land Acquisition Subtotal				\$39,568,000	\$24,050,000	\$3,757,000	\$0	\$67,375,000
SDG&E Power Supply Improvements (w/ 40% contingency)			\$78,000,000	SDG&E Subtotal				\$50,700,000	\$27,300,000			\$78,000,000
Subtotal Delivery and Other Costs			\$826,666,000	DELIVERY AND OTHER COSTS TOTAL				\$477,757,000	\$286,877,000	\$40,554,000	\$0	\$805,188,000
Treatment Cost Total			\$1,403,050,000	Treatment Cost Total				\$628,488,400	\$645,002,000	\$129,559,600	\$0	\$1,403,050,000
Conveyance Cost Total			\$988,849,000	Conveyance Cost Total				\$735,910,486	\$184,325,194	\$0	\$40,357,320	\$920,235,680
Delivery and Other Costs Total			\$826,666,000	Delivery and Other Costs Total				\$477,757,000	\$286,877,000	\$40,554,000	\$0	\$805,188,000
All Costs Total			\$3,218,565,000	All Costs Subtotal				\$1,842,155,886	\$1,116,204,194	\$170,113,600	\$40,357,320	\$3,128,473,680
Total Program Construction Cost												\$3,128,473,680
Upper Range + 100%												\$6,437,130,000
Lower Range -50%												\$1,609,282,500
I. Equalization to reduce tank sizes at CAWRP												
								Water 62%	Wastewater 38%			

PURPOSE OF WATER/WASTEWATER COST SPLIT INFORMATION

1. Establish a cost split for Phase 2 Pure Water General Items
2. Gain support to change from initial 50/50 split to 62/38 for General Items Now. (Pilot Plant)

ATTACHMENT 9

EARLY SITE WORK CHANGE ORDER SUMMARY & PROJECT CLOSE OUT

(Attachment
forthcoming)

ATTACHMENT 12

METRO CIP & FUNDING SOURCES 2ND QUARTER FY2022



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: February 9, 2021

TO: Metro Technical Advisory Committee (Metro TAC)

FROM: Surraya Rashid, Deputy Director, Public Utilities Department

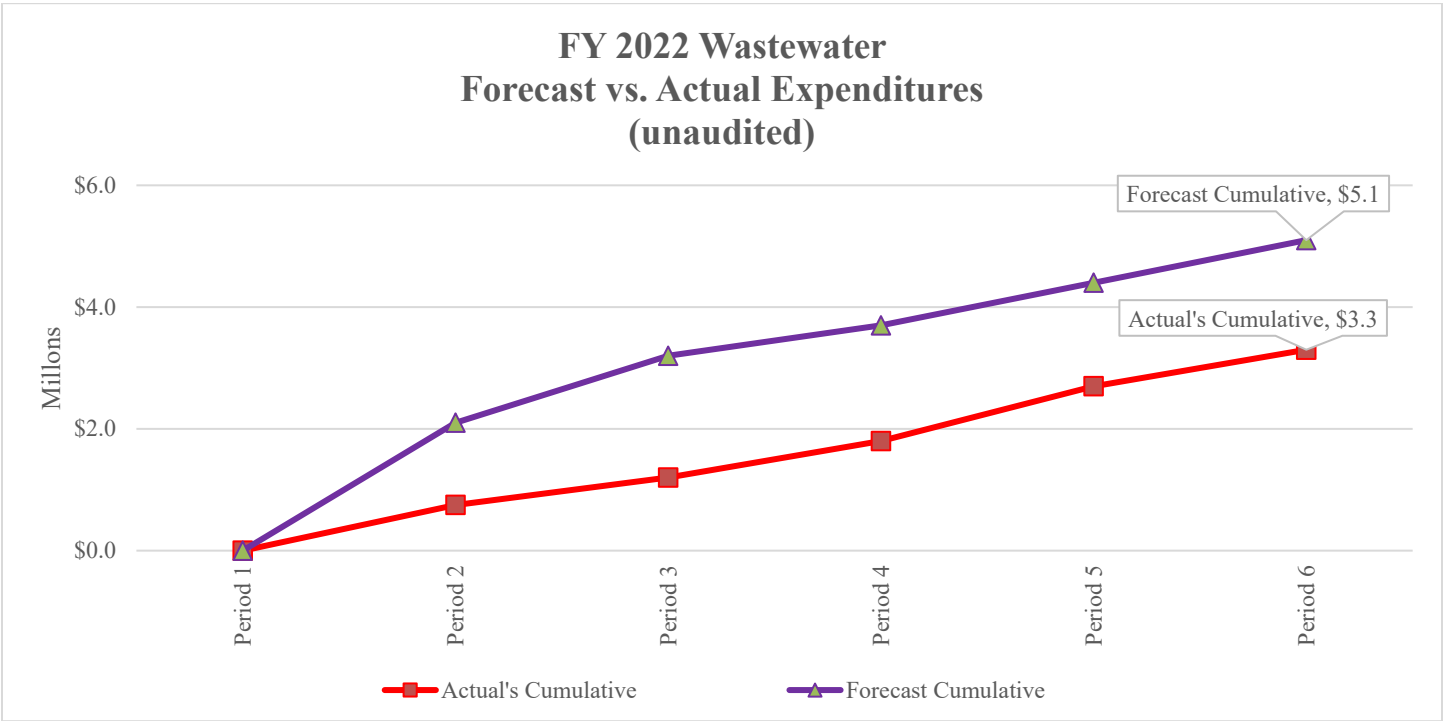
SUBJECT: FY2022 Capital Improvements Projects (CIP) Report – 2nd Quarter

The Public Utilities Department hereby submits the FY2022 CIP updates for the period of October, 2021 through December 31, 2021.

The report includes the following:

- Forecast versus actual expenditures report
- Projects expenditure updates

FORECAST VERSUS ACTUAL EXPENDITURES UPDATES



WASTEWATER PROJECTS

FY 2022 - 2nd Quarter (Financial Data run December 31, 2022)

NOTES:
- Wastewater projects are separated into Muni and Metro

[illegible]

ATTACHMENT 13 A

PURE WATER

PHASES 1 & 2

DESIGN &

CONSTRUCTION

Schedule Data Date: February 28, 2022

16-Mar-22

Construction Package	Projected/Actual Bid Date	Projected/Actual Contractor Notice-To-Proceed	Projected Substantial Completion	Updated Engineer's Estimate	Bid Award (1)	Change Orders (2)	Total Contract	Paid to Date (2)	Construction Company
Early Sitework	October 18, 2018	May 22, 2019	July 27, 2021	\$14,550,450	\$16,403,300	\$1,184,211	\$17,587,511	\$17,587,511	Shimmick
NC Pure Water Facility & NC Pure Water Pump Station	August 7, 2020	April 19, 2021	June 16, 2025	\$455,704,000	\$356,681,930	\$440,601	\$357,122,531	\$46,544,541	Shimmick
Morena Northern Alignment & Tunnels	August 17, 2020	June 14, 2021	June 14, 2024	\$98,936,360	\$95,243,645		\$95,243,645	\$1,231,209	OHL USA, Inc
Morena Pump Station	October 21, 2020	June 14, 2021	April 9, 2025	\$109,700,000	\$110,386,350		\$110,386,350	\$12,845,885	Flatiron West, Inc.
NC Pure Water Pipeline and Dechlorination Facility & Subaqueous Pipeline	November 30, 2020	June 1, 2021	June 14, 2025	\$138,010,000	\$123,456,027		\$123,456,027	\$3,162,568	W.A. Rasic Construction Company, Inc.
NCWRP Expansion & PWF Influent Conveyance	December 16, 2020	August 4, 2021	April 9, 2025	\$208,660,000	\$255,138,000	\$61,145	\$255,199,145	\$9,478,405	Kiewit Infrastructure West Co.
NC MBC Improvements	February 9, 2020	September 15, 2021	April 9, 2025	\$40,384,677	\$40,086,690		\$40,086,690	\$822,450	PCL Construction, Inc.
NCWRP EQ Basins	May 11, 2021	December 6, 2021	October 20, 2023	\$10,540,000	\$11,886,000		\$11,886,000		Kiewit Infrastructure West Co.
Morena Conveyance Southern & Middle	December 28, 2021	July 25, 2022	April 9, 2025	\$115,954,829	\$0		\$0		
Miramar Reservoir Pump Station Improvements	March 18, 2022	October 5, 2022	January 2, 2025	\$10,253,000	\$0		\$0		
					\$1,009,281,942	\$1,685,957	\$1,010,967,899		

1. Bid Award values are entered when Notice-of-Intent to Award has been issued.

2. Change order and paid-to-date amounts based on December 31, 2021 quarterly cash flow.

ATTACHMENT 14

METROTAC UPDATE/REPORT

Metro TAC & JPA Work Plan
Active & Pending Items
March 2022
Updated Items in Red Italics

Active Items	Description	Member(s)
<i>Metro JPA AdHoc 2nd ARA</i>	<i>JPA Board work group. Formed to review all items being negotiated in the 2nd ARA prior to going to the full Board. Meets every 2-3 weeks as needed. First meeting March 16, 2022.</i>	<i>Jerry Jones Marvin Heinze Gary Kendrick Jim Peasley Ed Spriggs JPA Support staff</i>
IRWMP	JPA Members should monitor funding opportunities at: http://www.sdirwmp.org 1/21: Beth Gentry continues to give monthly TAC updates. Details can be found in minutes of each meeting.	Beth Gentry Yazmin Arellano
Exhibit E Audit	1/21: FY2019 Exhibit E audit is in fieldwork stage. JPA team reviewing SD responses to sample questions. 3/16/2022: FY2019 scheduled to complete April/May 2022; FY 2020 audit in final field work & question review	Lee Ann Jones-Santos Karyn Keese Dexter Wilson
Industrial Wastewater Control Committee	Formed to work with San Diego on new standards for industrial waste discharge and cost allocation of same. 1/2021: SD is trying to formalize a pretreatment rate case and has hired a consultant. Monthly updates are presented at TAC and JPA. 3/16/2022: Per Section 2.9.X includes... , reviews local limits, and Industrial Discharge Permit Fees and Coordination	Beth Gentry Interested JPA members Dexter Wilson SD Staff & Consultants
Phase I Financial Implementation Working Group (FIG)	This working group was formed to continue to work on Section 2.9.1 and other financial implementations issues in Exhibit F associated with the Amended Restated Agreement. 1/2021: Group will start meeting once the ARA is fully signed (January 2021) on a regular basis with a goal to complete all tasks by 1/2022. 3/16/2022: Group continues to meet every two weeks.	Beth Gentry Karyn Keze Dexter Wilson SD staff & consultants
2 nd ARA Negotiating Team	This group was created to negotiate the 2 nd Amended Restated Agreement ARA2) which will incorporate the completed financial and other items from the first ARA. 3/16/2022: Negotiating Team meets every 3 weeks to follow through with topics raised during the First ARA.	Beth Gentry Yazmin Arellano Karyn Keze Scott Tulloch Dexter Wilson SD staff & consultants
Changes in wastewater/water legislation	NOTE: BBK, Metro TAC and the Commission should monitor and report on proposed and new legislation or changes in existing legislation that impact wastewater conveyance, treatment, and disposal, including recycled water issues.	BBK JPA members as appropriate

Sewer Rate Comparison for Metro Participating Agencies
Single Family Monthly Rates Based on 7 HCF of Water Usage
Effective January 1, 2022 for FY 2022

