



**Regular Meeting of the Metro Commission  
and Metro Wastewater JPA**

**AGENDA**

**Thursday, October 6, 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."*

IN LIGHT OF THE PROCLAIMED STATE OF EMERGENCY RELATED TO THE COVID-19 PANDEMIC, AND PURSUANT TO GOVERNMENT CODE SECTION 54953(e)(1), THIS METRO COMMISSION/METRO WASTEWATER JPA MEETING WILL BE CONDUCTED REMOTELY AND THERE WILL BE NO PHYSICAL LOCATION FOR IN-PERSON ATTENDANCE. THIS MEETING SHALL ONLY BE ACCESSIBLE TO MEMBERS OF THE PUBLIC TELEPHONICALLY OR VIA ZOOM. ALL MEMBERS OF THE PUBLIC WISHING TO OBSERVE THIS PUBLIC MEETING MUST DIAL IN TO THE TELEPHONE NUMBER INDICATED BELOW OR JOIN THE MEETING BY COMPUTER USING THE LINK BELOW, AND WHEN PROMPTED, USE THE MEETING ID IDENTIFIED BELOW. FURTHER DETAILS ARE BELOW.

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

1. **Providing Oral Comments During Meeting.** To provide comments in real time 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.** In order to provide written public comments, your comments must be submitted prior to the start of the meeting to [lpeoples@chulavistaca.gov](mailto: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. Please submit written comments at least two (2) hours before the start of the meeting. All comments received by such time will be provided to the Committee members in writing. At 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 less than two (2) hours prior to the start of the meeting will be collected, sent to the Metro Commission/Metro Wastewater JPA Committee members in writing, and made part of the public record.

When providing comments to the Metro Commission/Metro Wastewater JPA please provide your name and city of residence for the record. If you have a written record that you wish to distribute to the Commission/JPA, please provide it to the Secretary via [lpeoples@chulavistaca.gov](mailto:lpeoples@chulavistaca.gov), who will distribute the record to the members. With limited exceptions, all records distributed to the Commission/JPA Board or any Committee of the Board become public records upon distribution.

The public may participate using the following remote options

**Join Zoom Meeting**

<https://us02web.zoom.us/j/83673757911>

Meeting ID: 836 7375 7911

One tap mobile

+16699009128,,83673757911# 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**

*Persons speaking during Public Comment may address the Metro Commission/Metro Wastewater JPA on any subject matter within the jurisdiction of the Metro Commission/Metro Wastewater JPA that is not listed as an agenda item. Comments are limited to three (3) minutes.*

**4. ACTION:** APPROVAL OF AGENDA (Adriana Ochoa)

- X 5. **ACTION:** CONSIDERATION AND POSSIBLE ACTION TO MAKE FINDINGS TO CONTINUE HOLDING REMOTE/TELECONFERENCE MEETINGS PURSUANT TO ASSEMBLY BILL 361 (Adriana Ochoa – General Counsel) (**Attachments**)

- X 6. **ACTION:** CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE REGULAR MEETINGS OF [July 7, 2022](#), [August 4, 2022](#) AND THE SPECIAL MEETING OF [September 22, 2022](#) (**Attachments**)

- X 7. **ACTION:** CONSIDERATION AND POSSIBLE ACTION TO APPROVE RECOMMENDED CHANGES TO THE METRO JPA AGREEMENT (Adriana Ochoa) (**Attachment**)

**8. FINANCE COMMITTEE** (John Mullin):

- X A. **ACTION:** CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE METRO COMMISSION/METRO WASTEWATER JPA FY2022 YEAR END FINANCIAL STATEMENTS (Lee Ann Jones Santos/Karyn Keze) (**Attachment**)

- X B. **ACTION:** CONSIDERATION AND POSSIBLE ACTION TO APPROVE AMENDMENTS TO THE FY2023 METRO WASTEWATER JPA BUDGET BILLINGS (Lee Ann Jones-Santos, Karyn Keze) (**Attachment**)

- X 9. **DISCUSSION:** SANITARY SEWER MANAGEMENT PERFORMANCE RISK AND SYSTEM OPTIMIZATION (Mike Rosenberg - SD) (**Attachments**)

- X 10. **DISCUSSION:** REVIEW OF SAN DIEGO PUD EMERGENCY CHANGE ORDERS  
A. \$80M Change Order for Chemical Contracts (**Attachment**) (Tom Rosales)  
B. \$20M Construction Change Orders (CCO) for Morena Pump Station (Amy Dorman) (**Attachments**)

**11. UPDATE:** INDUSTRIAL WASTEWATER CONTROL COMMITTEE (Standing Item) (Beth Gentry)

- X 12. **UPDATE:** METRO WASTEWATER (*General*) (Standing Item) (Tom Rosales) (**Attachment**)
  - A. Pt. Loma Wastewater Treatment Plant Road
  - B. April 10, 2020 Spill Update – Supplemental Environmental Project Review, Duckbill Valve Sealing Details and Public Hearing Update
  - C. Capital Program Master Planning Process Overview and Status (no update)
  - D. Update on Tentative Order No. R9-2022-0078 Hearing and associated cost increases
- X 13. **UPDATE:** 4th QUARTER METRO CAPITAL IMPROVEMENT PROGRAM AND FUNDING (Standing Item) (Tung Phung) (**Attachment**)
- X 14. **UPDATE:** PURE WATER PROGRAM (Standing Item) (Amy Dorman)
  - A. PURE WATER COST CONSTRUCTION CONTRACTS UPDATE (Amy Dorman) (**Attachment**)
  - B. SECONDARY EQUIVALENCY LEGISLATION (Tom Rosales)
- X 15. **UPDATE:** METRO TAC UPDATE/REPORT (Standing Item) (Beth Gentry) (**Attachment**)
- 16. **REPORT:** AD HOC COMMITTEE ON SECOND AMENDED AND RESTATED METRO AGREEMENT (Standing Item) (Jerry Jones/Karyn Keze)
- 17. **REPORT:** IROC (Standing Item) (Jerry Jones)
- 18. **REPORT:** FINANCE COMMITTEE (Standing Item) (John Mullin)
- 19. **REPORT:** GENERAL COUNSEL (Standing Item) (Adriana Ochoa)
- 20. PROPOSED AGENDA ITEMS FOR THE NEXT METRO COMMISSION/METRO WASTEWATER JPA MEETING **November 3, 2022**
- 21. METRO COMMISSIONERS' AND JPA BOARD MEMBERS' COMMENTS
- 22. ADJOURNMENT OF METRO COMMISSION AND METRO WASTEWATER JPA

**NOTE:** ANNUAL SANDIST (*San Diego Area Wastewater Management District Meeting* **IMMEDIATELY following this meeting** – CORONADO, DEL MAR, IMPERIAL BEACH, NATIONAL CITY, POWAY, LEMON GROVE SANITATION DISTRICT, PADRE DAM, OTAY WATER, *Secretary, Treasurer & General Counsel* **Please stay**) *all others may leave.*

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***

Persons with disabilities that require modifications or accommodations, please *contact General Counsel Adriana Ochoa at [adriana.ochoa@procopio.com](mailto:adriana.ochoa@procopio.com)* by no later than two hours prior to the meeting to request reasonable modifications or accommodations consistent with the Americans with Disabilities Act and Metro Commission/Metro Wastewater JPA shall promptly work with you to resolve the matter in favor of accessibility.

**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

## FINDINGS TO CONTINUE HOLDING REMOTE/ TELECONFERENCE MEETINGS

AB 361



## **Metro Commission and Metro Wastewater JPA**

### **STAFF REPORT**

**TO:** Metro Commission and Metro Wastewater JPA

**DATE:** Thursday, October 6, 2022

**FROM:** Adriana Ochoa, General Counsel

**AGENDA ITEM NO. 5:** Consideration and Possible Action To Make Findings To Continue Holding Remote/Teleconference Meetings Pursuant To Assembly Bill 361

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### **BACKGROUND**

Assembly Bill No. 361 took effect September 16, 2021. It amends the Brown Act and allows for public agencies to utilize remote or virtual meetings through January 1, 2024 if any of the following circumstances are met:

- A. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- B. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- C. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

In accordance with AB No. 361, when a board wants to continue holding virtual meetings because a state of emergency continues, the board must make findings every 30 days that 1) the board has reconsidered the circumstances of the state of emergency and 2) the state of emergency continues to directly impact the ability of the members to meet safely in person or state or local officials continue to impose or recommend measures to promote social distancing.

On March 4, 2020, the Governor declared a state of emergency arising from the Covid-19 pandemic. California continues to remain in a proclaimed state of emergency relating to the Covid-19 pandemic. The State and San Diego County have phased out physical distancing mandates, and recommendations relating to social distancing are fairly limited as of the date of the preparation of this staff report.

Nonetheless, Covid-19 continues to threaten the community, particularly persons who are unvaccinated or that are in a high-risk category such as those who are over 65 years old, immune-compromised, or have underlying health conditions. The Omicron variant, designated a

“very high” risk by the World Health Organization, is currently the prevalent strain in San Diego County. The BA.2 omicron subvariant has also been surging in San Diego County with the Center for Disease Control recently moving San Diego into the “high-risk category.”

The County of San Diego Health and Human Services Agency’s Epidemiology and Immunization Services Branch prepares a Weekly Coronavirus Disease 2019 (COVID-19) Surveillance Report, which includes a Summary of Cases, Deaths, and Outbreaks by Date Reported for San Diego County, which can be found at [https://www.sandiegocounty.gov/content/sdc/hhsa/programs/phs/community\\_epidemiology/dc/2019-nCoV/status.html](https://www.sandiegocounty.gov/content/sdc/hhsa/programs/phs/community_epidemiology/dc/2019-nCoV/status.html). The Board is encouraged to review the current and local data and evaluate whether the pandemic continues to directly impact the ability of the Finance Committee to meet safely.

In light of the ongoing emergency, at a Special Meeting on September 22, 2022 the Metro Wastewater JPA Board of Directors made the required findings to holding virtual meetings under AB 361. The Board’s 30-day findings expire October 22, 2022. In order to continue holding virtual board, special and committee meetings over the next 30 days, the Metro Wastewater JPA Board of Directors must make the required findings set forth below, and must continue making these findings every 30 days thereafter.

## **RECOMMENDED ACTION**

Legal counsel respectfully recommends the Board of Directors discuss and evaluate the information provided in this staff report and, if appropriate, approve the following findings and actions:

1. The Board hereby FINDS AND DECLARES that it has reconsidered the circumstances of the proclaimed state of emergency declared by the Governor on March 4, 2020 relating to the Covid-19 pandemic and has determined, based on the information provided in this staff report, that the state of emergency continues to directly impact the ability of the members to meet safely in person.
2. The Board hereby makes these findings and approves for the upcoming 30-day period, October 6, 2022 to November 5, 2022, regular and special meetings of the Metro Wastewater JPA Board and its Standing Committees will continue to be virtual meetings held in accordance with AB 361’s Public Notice and Public Participation requirements.
3. Staff is hereby directed to notice the upcoming board and committee meetings as a virtual meeting if the proclaimed state of emergency remains, and to place AB 361 findings on the agenda for consideration at November Regular Board meeting so that the Board can at that point in time make a determination regarding whether the state of emergency continues to directly impact the ability of the members to meet safely in person.
4. Discuss or take other action as appropriate.

# ATTACHMENT 6

ACTION MINUTES OF  
REGULAR MEETINGS  
OF JULY 7, 2022 &  
AUGUST 4, 2022  
&  
SPECIAL MEETING OF  
SEPTEMBER 22, 2022





## **Regular Meeting of the Metro Commission**

### **and Metro Wastewater JPA**

### **Zoom Meeting Held Online**

**July 7, 2022**

### **Minutes**

Chairman Jones called the meeting to order at 12:02 p.m. A quorum of the Metro Wastewater JPA and Metro Commission was declared, and the following representatives were present:

#### **1. ROLL CALL**

<b><u>Agencies</u></b>	<b><u>Representatives</u></b>	<b><u>Alternate</u></b>
City of Chula Vista	Jill Galvez	
City of Coronado	Marvin Heinze	
City of Del Mar	Dan Quirk (absent)	
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 (absent)	
Otay Water District	Mark Robak	
Padre Dam MWD	Karen Jassoy	
Metro TAC Chair	Beth Gentry	

Others present: Metro JPA General Counsel Nicholas Norvell - BBK Law; Adriana Ochoa - Procopio; Metro Commission/Metro Wastewater JPA Secretary Lori Anne Peoples; Beth Gentry - City of Chula Vista; No one present - City of Coronado; Yazmin Arellano and Blake Berringer - City of El Cajon; No one present - City of Imperial Beach; Hamed Hashemian - City of La Mesa; Jennifer Mendoza - Lemon Grove Sanitation District; Carla Hutchinson - City of National City; Bob Kennedy - Otay Water District; Paul Clarke - Padre Dam Municipal Water District; Elisa Marrone, Jessica Parks and Eric Heidemann - City of Poway; City of San Diego Staff and Consultants: Tom Rosales, Amy Dorman, Adam Jones, Joy Newman, Doug Owen and Benjamin Stewart of Stantec; Victor Occiano, Michael Dyer and Carolyn Gino - Chief Deputy City Attorney - City of San Diego; Peejay Tubongbanua - County of San Diego; Metro JPA Staff & Consultants: Lee Ann Jones-Santos - Treasurer; Scott Tulloch - NV5; Karyn Keze - The Keze Group, LLC.; Dexter Wilson - Dexter Wilson Engineering; Sanjay Gaur - EC AWP JPA

#### **2. PLEDGE OF ALLEGIANCE TO THE FLAG**

Edward Spriggs, City of Imperial Beach 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**

**ACTION:** Motion Director Spriggs, seconded by Director Kendrick, the findings be approved. Motion carried as follows:

AYES: Galvez, Kendrick, Spriggs, Baber, Jones, Rodriguez, Robak, Jassoy  
NAYS: Heinze  
ABSTAIN: None  
ABSENT: Quirk, Anderson

Tom Rosales, City of San Diego stated they were still respecting the distance and limitations on compactly given the size of the JPA.

5. **ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF JUNE 6, 2022**

**ACTION:** Motion Director Baber, seconded by Director Mullin, the Minutes of June 6, 2022 be approved. Motion carried as follows:

AYES: Galvez, Heinze, Kendrick, Spriggs, Baber, Jones, Rodriguez, Robak, Jassoy, Mullin  
NAYS: None  
ABSTAIN: None  
ABSENT: Quirk, Anderson

Items 6 and 7 were heard at the same time.

6. **ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE ELECTION OF OFFICER (Vice Chair)**

General Counsel Norvell explained the established process of election of officers which included:

- A. Consideration of whether to appoint an Ad Hoc Vice Chair Nominating Committee pursuant to Article (V of the Metro Bylaws for Election of Vice Chair
- B. If no Ad Hoc Committee is appointed. Nominations
- C. Election

Chair Jones inquired if Director Heinze would be interested in serving as Vice Chair to which he responded in the affirmative.

**ACTION: SEE ACTION BELOW UNDER ITEM 7**

7. **ACTION: JPA FINANCE COMMITTEE APPOINTMENTS – OPEN POSITION**

- A. Review of JPA Finance Committee Membership (5 Members plus Alternate)
- B. Appointment by Chair of Vice Chair to the Finance Committee

Chair Jones noted that there was a current opening on the committee with several other openings coming soon due to members not running for re election. He stated that therefore he felt just a regular appointment would be best at this time. Chair Jones then inquired if the new Padre Representative, Director Jassoy would be interested in serving

on the Finance Committee due to her background in finance. She responded in the affirmative.

**ACTION:** Motion Chair Jones, seconded by Director Baber, to appoint Director Heinze as Vice Chair of the JPA and Director Jassoy as a Finance Committee member. Motion carried as follows:

AYES: Galvez, Kendrick, Spriggs, Baber, Jones, Rodriguez, Robak, Jassoy, Mullin

NAYS: Heinze

ABSTAIN: None

ABSENT: Quirk, Anderson

**8. PRESENTATION: LOCAL LIMITS**

Doug Owen of Stantec provided a brief overview of the Power Point presentation included in the agenda package and noted this was for information only.

**9. UPDATE: INDUSTRIAL WASTEWATER CONTROL COMMITTEE**

MetroTAC Chair and Industrial Wastewater Control Committee Chair Gentry stated she had no update. The committee has new team members and are bringing them up to speed on the Pretreatment and Industrial Wastewater Control committee actions.

**10. UPDATE: METRO WASTEWATER**

**A. Pt. Loma Wastewater Treatment Plant Road**

Tom Rosales reported regarding the access road, the Natural Park Services had removed the traffic controls on the closed lane. The City of San Diego is working on finalizing the RFP for long term remediation.

**B. April 10, 2020 Spill Update**

Tom Rosales reported that they are finalizing their negotiations with the Regional Board and expect that by the end of summer, they should receive the draft orders which are likely to include a SUP to fund a program or project with nexus to the spill to protect the environment in the area of the spill. The City of San Diego has narrowed down potential projects with the Regional Board and once a final is received, they will take it to the City Council to approve an agreement with the Regional Board. A hearing in September/October would be public and wrap up at the end of the year.

**C. Capital Program Master Planning Process Overview and Status**

Tom Rosales stated that the City of San Diego Public Utilities Department had selected CVM Smith to plan out to 2050 on how to integrate all projects and develop a prioritization approach. This needs to go to the City Environmental Committee in September/October and then will go to the City Council for approval.

**11. UPDATE: METRO CAPITAL IMPROVEMENT PROGRAM AND FUNDING SOURCES 3rd QUARTER FY2022 (this report to be presented in August)**

**12. UPDATES: PURE WATER PROGRAM**

**A. PURE WATER PHASES 1 & 2 DESIGN & CONSTRUCTION**

Amy Dorman stated that all but 2 projects had been awarded and notice to proceed had been issued.

**B. SECONDARY EQUIVALENCY LEGISLATION**

Tom Rosales stated that Allie from the City of San Diego Mayor's Office, External Affairs was back and the update was not planned at the present. They are trying to package it with other Clean Water Items that the Lobbyists' are working on.

**13. UPDATE/REPORT: METRO TAC UPDATE/REPORT**

MetroTAC Chair Gentry stated they had not met so there was no update.

**14. REPORT: AD HOC COMMITTEE ON SECOND AMENDED AND RESTATED METRO AGREEMENT.**

MetroTAC Chair Gentry stated that the committee was meeting every 3 to 4 weeks and will be bringing items forward to the JPA starting with the next meeting. Additionally that they were working on 10 items on the topic list.

**15. REPORT: IROC UPDATE**

Chair Jones stated the IROC had heard the normal updates and not much relating to the JPA.

**16. REPORT: FINANCE COMMITTEE**

Finance Committee Chair Mullin stated they had not met but Karyn Keze stated they were hoping to have the FY 2019 Exhibit E Audit completed shortly and bring it to the Finance Committee.

**17. REPORT: GENERAL COUNSEL**

General Counsel Norvell stated they were monitoring bills to update the Brown Act to provide more flexibility for members to participate remotely.

**18. CLOSED SESSION: PUBLIC EMPLOYEE APPOINTMENT (Gov. Code 54957(b)(1))  
Position: General Counsel**

**19. CLOSED SESSION: PUBLIC EMPLOYEE EMPLOYMENT/DISMISSAL**

At 1:03 p.m. the Directors entered Closed Session.

**20. REPORT OUT OF CLOSED SESSION**

At 1:51 p.m. the meeting was reconvened by MetroTAC Chair Gentry. She stated all Directors were present and the report covered both Closed Sessions listed in Agenda Item 18 and 19.

**ACTION:** Ms. Gentry reported that Director Baber moved and Spriggs seconded, to transition General Counsel Services from BBK to Procopio effective July 15, 2022. Motion carried as follows:

AYES: Galvez, Heinze, Kendrick, Spriggs, Baber, Jones, Rodriguez, Robak, Mullin

NAYS: None

ABSTAIN: Jassoy

ABSENT: Quirk, Anderson

**21. PROPOSED AGENDA ITEMS FOR THE NEXT METRO COMMISSION/METRO WASTEWATER JPA MEETING AUGUST 4, 2022**

Director Galvez requested to hear the topic list in more detail at a future meeting.

**22. METRO COMMISSIONERS' AND JPA BOARD MEMBERS' COMMENTS**

None

**23. ADJOURNMENT**

There being no further business, Chair Jones declared the meeting adjourned at 1:54 p.m.



## **Regular Meeting of the Metro Commission**

### **and Metro Wastewater JPA**

### **Zoom Meeting Held Online**

**August 4, 2022**

### **Minutes**

Chairman Jones called the meeting to order at 12:02 p.m. A quorum of the Metro Wastewater JPA and Metro Commission was declared, and the following representatives were present:

#### **1. ROLL CALL**

<b><u>Agencies</u></b>	<b><u>Representatives</u></b>	<b><u>Alternate</u></b>
City of Chula Vista	Jill Galvez	
City of Coronado	Marvin Heinze	
City of Del Mar	Dan Quirk (absent)	
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 (absent)	
City of Poway	John Mullin	
County of San Diego	Joel Anderson (absent)	
Otay Water District	Mark Robak	
Padre Dam MWD	Karen Jassoy	
Metro TAC Chair	Beth Gentry	

Others present: Metro JPA General Counsel Adriana Ochoa - Procopio; Metro Commission/Metro Wastewater JPA Secretary Lori Anne Peoples; Beth Gentry – City of Chula Vista; No one present – City of Coronado; Yazmin Arellano, Mike James and Blake Berringer - City of El Cajon; No one present – City of Imperial Beach; Hamed Hashemian– City of La Mesa; No one present – Lemon Grove Sanitation District; Carmen Kasner – City of National City; Bob Kennedy – Otay Water District; No one present – Padre Dam Municipal Water District; Elisa Marone – City of Poway; City of San Diego Staff and Consultants: Tom Rosales, Amy Dorman, Adam Jones, Huy Nguyen, Tung Phung, Doug Owen and Benjamin Stewart from; Peejay Tubongbanua – County of San Diego; Metro JPA Staff: Lee Ann Jones-Santos – Treasurer; Scott Tulloch – NV5; Karyn Keze – The Keze Group, LLC.; Dexter Wilson - Dexter Wilson Engineering

Additional present: Sanjay Gaur - EC AWP JPA; Augie Caires Padre Dam; John Helminski

#### **2. PLEDGE OF ALLEGIANCE TO THE FLAG**

Joel Anderson, County of San Diego led the pledge.

Chair Jones deviated from the agenda to announce that Vice Chair Peasley had passed away Tuesday and requested a moment of silence. Staff was requested to send a card to his family

and find out if and when services would be held and send the information to the members should they wish to attend.

**3. PUBLIC COMMENT**

None

**4. ACTION: APPROVAL OF AGENDA**

Chair Jones welcomed and introduced new Legal Counsel, Adriana Ochoa of Procopio, to the JPA members. Adriana explained the purpose of having this item on the agenda and that it was not mandatory but works well in other agencies. For example, on this agenda, the Board Secretary has requested Item 6, Minutes from the July 7, 2022, be pulled to be revised to reflect how each member voted on action items.

**ACTION:** Motion by Chair Jones, seconded by Bill Baber to approve the request to pull the minutes for revision. Motion carried as follows:

AYES: Galvez, Heinze, Kendrick, Spriggs, Baber, Jones, Robak, Jassoy, Mullin

NAYS: None

ABSTAIN: None

ABSENT: Quirk, Rodriguez

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

General Counsel Ochoa provided a brief overview of the item. MetroTAC Chair Gentry stated she had spoken with the City of San Diego again regarding use of the Auditorium and they are still not prepared to allow that. She will be looking into other possible options with staff. The challenge is finding a central location with proper spacing and air circulation. She then requested if any of the members knew of a potential space to contact her.

**ACTION:** Motion Director Jassoy, seconded by Director Anderson, the findings be approved. Motion carried as follows:

AYES: Galvez, Kendrick, Spriggs, Baber, Jones, Robak, Jassoy

NAYS: Heinze

ABSTAIN: None

ABSENT: Quirk, Rodriguez

**6. ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF July 7, 2022**

**Item 6 was removed from the agenda for revision under Item 4**

**7. FINANCE COMMITTEE ITEMS:**

Finance Committee Chair Mullin provided a brief overview of the items.

**A. ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE FY 2019 EXHIBIT E AUDIT**

Karyn Keze noted MGO was unavailable to attend today due to personal issues in the organization. She then reported that almost everyone was getting refunds. An overview of the tables included in the report and notations was provided and it was noted that we received a clean opinion.

Adam Jones, Deputy Director of Finance for the Public Utilities Department of San Diego provided an overview of the Fiscal Year 2019 Exhibit E Summary staff report included in the agenda and the City of San Diego Public Utilities Department Reconciliation Charts also included.

**ACTION:** Motion Director Anderson, seconded by Director Heinze, the FY 2019 Exhibit E Audit be approved. Motion carried as follows:

AYES: Galvez, Heinze, Kendrick, Spriggs, Baber, Jones, Robak, Jassoy  
NAYS: None  
ABSTAIN: None  
ABSENT: Quirk, Rodriguez

**B. ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE RECOMMENDED CHANGES FROM THE FINANCE COMMITTEE TO THE METRO JPA INVOICE PROCESSING POLICY**

Finance Committee Chair Mullin stated he was made aware of issues with getting checks processed in a timely manner which may become worse as after the next election many of the current Directors are departing. The Finance Committee has reviewed the item and recommends approval of the streamlining process.

Karyn Keze stated that this was reviewed and approved by the JPA Auditors as well.

**ACTION:** Motion Director Mullin, seconded by Director Baber, the recommended changes be approved. Motion carried as follows:

AYES: Galvez, Heinze, Kendrick, Spriggs, Baber, Jones, Robak, Jassoy  
NAYS: None  
ABSTAIN: None  
ABSENT: Quirk, Rodriguez

**8. PRESENTATION: STRENGTH BASED BILLING FRAMEWORK UPDATE**

Adam Jones provided a brief verbal overview of the item and introduced the City's main consultant for the project, Ben Stewart of STANTEC. Ben proceeded to provide a verbal overview of the presentation included in the agenda noting that everything started with Dexter Wilson's hard work in preparing a framework for allocating the costs of each of the Metro facilities to potentially new fixed and variable charges based on the existing function and use of each facility. The current framework for the strength-based billing system is based on 1991 cost allocations of how the facilities were used at that time. Further, JPA staff members, Dexter and Karyn had been meeting and working with his team bi-weekly.

Dexter thanked the city for allowing them to be involved in the process step-by-step and he hoped to continue to work in a cooperative manner.

Chair Jones stated he was aware of the collaborative effort and felt very much included in the process which was very much appreciated.

**9. ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE CONTRACT WITH ADS CORP. FOR WASTEWATER FLOW MONITORING EQUIPMENT, SOFTWARE AND SERVICES**



Huy Nguyen, Senior Civil Engineer for San Diego provided an overview of his presentation included in the agenda.

**ACTION:** Motion Director Galvez, seconded by Director Baber, to approve the contract. Motion carried as follows:

AYES: Galvez, Heinze, Kendrick, Spriggs, Baber, Jones, Robak, Jassoy

NAYS: None

ABSTAIN: None

ABSENT: Quirk, Rodriguez

**10. UPDATE: INDUSTRIAL WASTEWATER CONTROL COMMITTEE**

MetroTAC Chair and Industrial Wastewater Control Committee Chair Gentry stated there was not an update at this time.

**11. UPDATE: METRO WASTEWATER**

**A. Pt. Loma Wastewater Treatment Plant Road**

Tom Rosales stated there was no update.

**B. April 10, 2020, Spill Update**

Tom Rosales reported that he was going to present on the settlement options to the Regional Board after the July TAC but had an emergency and had to leave the meeting so he will present to TAC and then the JPA in September/October timeframe.

**C. Capital Program Master Planning Process Overview and Status**

Tom Rosales stated he had no report, but the plan would next go to the Environmental Committee and the City Council dates are currently unknown.

**12. UPDATE: 3rd QUARTER FY2022 METRO CAPITAL IMPROVEMENT PROGRAM AND FUNDING SOURCES**

Tung Phung, San Diego, provided an overview of his presentation included in the agenda.

**13. UPDATES: PURE WATER PROGRAM**

**A. PURE WATER PHASES 1 & 2 DESIGN & CONSTRUCTION**

Amy Dorman provided an overview of the schedule and contract information included in the agenda package. She noted that the last contract to award was the Miramar Reservoir Pump Station Improvements.

**B. SECONDARY EQUIVALENCY LEGISLATION**

Tom Rosales stated he had no update at this time.

**14. UPDATE/REPORT: METRO TAC UPDATE/REPORT**

MetroTAC Chair Gentry stated that TAC had reviewed the items included in this JPA Agenda and had voted unanimously in favor of all action items on this agenda to be moved forward to the JPA for their consideration and possible approval.

**15. REPORT: AD HOC COMMITTEE ON SECOND AMENDED AND RESTATED METRO AGREEMENT.**

Karyn Keze provided a brief report noting they had met once on July 27<sup>th</sup>. They reviewed the status of agreements between the City of San Diego and the ECAWP JPA residuals agreement. The JPA's technical and legal consultants and the Chair/Vice Chair of TAC are participating in the review as "staff" and received 3 contracts to review and were not interested in the first. The second was mainly for the Reimbursement Agreement for the East County Brine Line. Direction was provided by the Ad Hoc and presented to San Diego staff. Dexter Wilson provided a baseline on potential draft changes to the existing Exhibit B in the Amended Restated Agreement in a brief presentation (copy attached to these minutes as Exhibit A)

**16. REPORT: IROC UPDATE**

Chair Jones stated the IROC had heard what was presented by the Public Utilities Department and expressed lots of concern on the supply train issue.

**17. REPORT: FINANCE COMMITTEE**

Finance Committee Chair Mullin stated he had nothing further to report.

**18. REPORT: GENERAL COUNSEL**

General Counsel Ochoa thanked the Directors for the opportunity to serve the board

**19. PROPOSED AGENDA ITEMS FOR THE NEXT METRO COMMISSION/METRO WASTEWATER JPA MEETING SEPTEMBER 1, 2022**

None

**20. METRO COMMISSIONERS' AND JPA BOARD MEMBERS' COMMENTS**

None

**21. ADJOURNMENT**

There being no further business, Chair Jones declared the meeting adjourned at 2:13 p.m.

# Exhibit A

## Presentation under Item 15

AUGUST 2022

# UPDATED CONTRACT CAPACITY AND USE BY AGENCY FOR NEW BILLING SYSTEM AND SECOND ARA

# EXHIBIT B

## EXHIBIT B CONTRACT CAPACITIES

Annual Average Daily Flow in Millions of Gallons Per Day

Metro Agency	Original Contract Capacity	Additional Contract Capacity	New Contract Capacity	Transferred Contract Capacity	Total Contract Capacity	Percent of Total
Chula Vista	19.843	1.021	0.000	0.000	20.864	8.182%
Coronado	3.078	0.172	0.000	0.000	3.250	1.275%
Del Mar	0.821	0.055	0.000	0.000	0.876	0.344%
East Otay Mesa*	0.000	0.000	0.000	1.000	1.000	0.392%
El Cajon	10.260	0.655	0.000	0.000	10.915	4.280%
Imperial Beach	3.591	0.164	0.000	0.000	3.755	1.473%
La Mesa	6.464	0.359	0.000	0.170	6.993	2.742%
Lakeside-Alpine*	4.586	0.255	0.000	0.000	4.841	1.898%
Lemon Grove	2.873	0.154	0.000	0.000	3.027	1.187%
National City	7.141	0.346	0.000	0.000	7.487	2.936%
Otay	1.231	0.056	0.000	0.000	1.287	0.505%
Padre Dam	6.382	0.343	0.000	(0.500)	6.225	2.441%
Poway	5.130	0.264	0.000	0.500	5.894	2.312%
Spring Valley/ Otay Ranch*	10.978	0.545	0.000	(1.170)	10.353	4.060%
Wintergardens*	1.241	0.068	0.000	0.000	1.309	0.513%
Subtotal	83.619	4.459	0.000	0.000	88.078	34.540%
San Diego	156.381	10.541	0.000	0.000	166.922	65.460%
Total	240.000	15.000	0.000	0.000	255.000	100.00%

# DEFINITION OF CONTRACT CAPACITY (EXISTING ARA)

**Contract Capacity** is the contractual right possessed by each Participating Agency to discharge wastewater into the Metro System pursuant to this Agreement up to the limit set forth in Exhibit B attached hereto. Contract Capacity is stated in terms of annual Average Daily Flow.

# DEFINITION OF ANNUAL AVERAGE DAILY FLOW (EXISTING ARA)

**Annual Average Daily Flow** is the number, in millions of gallons of wastewater per day (“MGD”), calculated by dividing total Flow on a fiscal year basis by 365 days.

# LIMITATION OF PEAK FLOW (EXISTING ARA)

- 2.6.2** Each Participating Agency will minimize to the maximum extent practicable, the infiltration and inflow of surface, ground or stormwaters into its respective wastewater systems.



# EXHIBIT G (EXISTING ARA)

## EXHIBIT G PURE WATER CAPITAL BILLING TABLE

1	2	3	4	5	6	7	8	9	10	11	12
Agency	Estimated Average Daily Flow (MGD)	Net Offload For Padre Dam Project (MGD)	Projected Metro Flow 2050 (MGD)		COD Applied to 2050 Flows (mg/l)	COD Applied to 2050 Flows (lb/day)	Percent COD Contributed	SS Applied to 2050 Flows (mg/l)	SS Applied to 2050 Flows (lb/day)	Percent SS Contributed	Pure Water Capital Melded Percentage <sup>3</sup>
			Flow	%							
Chula Vista	18.33	0	18.33	11.601%	701.947	107377.684	11.889%	250.011	38244.530	11.701%	11.699%
Coronado	1.9	0	1.9	1.202%	587.457	9314.884	1.031%	241.493	3829.176	1.172%	1.152%
Del Mar	0.031	0	0.031	0.020%	542.195	140.270	0.016%	305.112	78.935	0.024%	0.020%
East Otay Mesa (County) <sup>1</sup>	1.788	0	1.788	1.132%	621.049	9267.041	1.026%	240.016	3581.421	1.096%	1.096%
El Cajon	7.8	7.0	0.805	0.510%	650.914	4373.460	0.484%	236.265	1587.450	0.486%	0.497%
Imperial Beach	2.473	0	2.473	1.565%	540.757	11160.249	1.236%	205.193	4234.820	1.296%	1.411%
La Mesa	5.03	0	5.03	3.183%	523.099	21958.348	2.431%	197.537	8292.107	2.537%	2.823%
Lakeside/Alpine (County) <sup>1</sup>	4.619	4.4	0.260	0.165%	638.686	1387.995	0.154%	197.667	429.570	0.131%	0.153%
Lemon Grove	2.4	0	2.4	1.519%	593.836	11893.920	1.317%	203.567	4077.236	1.247%	1.395%
National City	4.65	0	4.65	2.943%	685.192	26589.642	2.944%	219.881	8532.740	2.611%	2.852%
Otay Water District	0.38	0	0.38	0.240%	1442.632	4574.952	0.507%	818.053	2594.253	0.794%	0.457%
Padre Dam	2.486	1.8	0.696	0.441%	696.892	4049.236	0.448%	251.288	1460.088	0.447%	0.444%
Poway	3.101	0	3.101	1.963%	563.551	14584.185	1.615%	243.460	6300.522	1.928%	1.869%
Spring Valley (County) <sup>2</sup>	6.231	0	6.231	3.944%	597.292	31059.332	3.439%	235.079	12224.151	3.740%	3.765%
Wintergardens (County) <sup>1</sup>	0.979	0.9	0.074	0.047%	633.136	392.817	0.043%	208.768	129.526	0.040%	0.044%
San Diego	109.855	0	109.855	69.526%	703.556	645009.168	71.419%	252.229	231239.253	70.751%	70.323%
Total	172.053	14.048	158.005	100%	10722.190	903133.183	100%	4305.618	326835.778	100%	100%

<sup>1</sup> Subareas of the San Diego County Sanitation District

<sup>2</sup> Includes Otay Ranch (0.87 mgd) and Spring Valley (5.361 mgd). Flow from Otay Ranch that would flow to Metro through Chula Vista pipelines.

<sup>3</sup> These fractions used to calculate the melded percentage: (Based on 5 year average and not subject to change except by agreement of the parties.)

FLOW	SS	COD
0.482	0.275	0.243

# FY19 AUDIT

TABLE C

CITY OF SAN DIEGO - PUBLIC UTILITIES DEPARTMENT  
SYSTEM WASTEWATER CHARACTERISTICS - FISCAL YEAR 2019  
SYSTEM STRENGTH LOADINGS INCLUDED

AGENCY	WASTEWATER CHARACTERISTICS			UNADJUSTED ANNUAL USE			ADJUSTED ANNUAL USE				
	AVERAGE FLOW - mgd (a)	SS mg/l (b)	COD mg/l (b)	2019 FLOWS million gallons	SS thousand pounds	COD thousand pounds	2019 FLOWS million gallons	Flow Difference (c)	FY 2019 Billing Flows	SS thousand pounds	COD thousand pounds
CHULA VISTA	16.324	311	767	5,958.400	15,480	38,148	6,377.591	(189.058)	6,188.533	21,049	36,622
CORONADO	1.284	284	643	468.698	1,111	2,513	501.672	(14.872)	486.801	1,511	2,413
DEL MAR	0.046	297	488	16.663	41	68	17.835	(0.529)	17.306	56	65
EAST OTAY MESA	0.263	277	683	96.149	222	548	102.913	(3.051)	99.862	302	526
EL CAJON	6.865	405	813	2,505.574	8,459	16,993	2,681.848	(79.501)	2,602.347	11,503	16,313
IMPERIAL BEACH	2.180	214	569	795.626	1,419	3,778	851.601	(25.245)	826.356	1,929	3,627
LA MESA	4.704	228	667	1,716.832	3,270	9,559	1,837.617	(54.475)	1,783.142	4,446	9,177
LAKESIDE/ALPINE	3.134	286	709	1,144.067	2,735	6,767	1,224.556	(36.301)	1,188.255	3,718	6,497
LEMON GROVE	1.735	246	669	633.344	1,302	3,536	677.902	(20.096)	657.806	1,771	3,395
NATIONAL CITY	3.910	254	721	1,427.182	3,020	8,588	1,527.589	(45.284)	1,482.304	4,106	8,245
OTAY	0.400	669	804	146.161	816	981	156.444	(4.638)	151.806	1,110	942
PADRE DAM	2.084	889	1,486	760.788	5,645	9,433	814.312	(24.140)	790.172	7,676	9,056
POWAY	2.409	259	599	879.414	1,904	4,395	941.284	(27.904)	913.380	2,589	4,219
SPRING VALLEY	4.216	272	675	1,538.935	3,490	8,673	1,647.204	(48.830)	1,598.374	4,745	8,326
WINTERGARDENS	0.963	324	676	351.441	951	1,983	378.166	(11.151)	365.015	1,293	1,904
SUBTOTAL PARTICIPATING AGENCIES	50.519	324	754	18,439.276	49,866	115,964	19,736.533	(585.073)	19,151.460	67,805	111,327
SAN DIEGO	110.379	271	746	40,288.277	91,075	250,810	43,122.675	(1,278.336)	41,844.340	123,840	240,779
REGIONAL SLUDGE RETURNS	11.320	285	173	4,131.656	9,822	5,951					
FLOW DIFFERENCE	(5.105)			(1,863.409)	40,882	(20,620)					
TOTAL	167.112	377	692	60,995.800	191,644	352,105	62,859.209	(1,863.409)	60,995.800	191,644	352,105

# PROPOSED EXHIBIT B

## FULL CONTRACT CAPACITY AND USE TABLE

DISTRIBUTION OF WASTEWATER SYSTEM CONTRACT CAPACITY AND USE ADDITIONAL DETAIL																				
AGENCY	CONTRACT CAPACITY										USE									
	Average Flow, MGD		Peak Demand, MGD		Brine		TSS, 1,000 lbs.		COD, 1,000 lbs.		Metered Flow, MGD		Peak Demand, MGD		Brine, MGD		TSS, 1,000 lbs.		COD, 1,000 lbs.	
Chula Vista	18.33	10.6%	35.72	9.7%	0	0.0%	22,082	12.0%	38,419	11.0%	17.47	10.9%	17.47	10.9%	0	0.0%	21,049	12.3%	36,622	11.3%
Coronado	1.90	1.1%	3.70	1.0%	0	0.0%	2,089	1.1%	3,336	1.0%	1.37	0.9%	1.37	0.9%	0	0.0%	1,511	0.9%	2,413	0.7%
Del Mar	0.05	0.0%	0.10	0.0%	0	0.0%	59	0.0%	68	0.0%	0.05	0.0%	0.05	0.0%	0	0.0%	56	0.0%	65	0.0%
East Otay Mesa	1.79	1.0%	3.48	1.0%	0	0.0%	1,915	1.0%	3,336	1.0%	0.28	0.2%	0.28	0.2%	0	0.0%	302	0.2%	526	0.2%
El Cajon	1.29	0.7%	15.39	4.2%	0.6	3.8%	2,087	1.1%	2,897	0.8%	0.84	0.5%	0.84	0.5%	0.27	4.0%	1,488	0.9%	2,047	0.6%
Imperial Beach	2.47	1.4%	4.82	1.3%	0	0.0%	2,045	1.1%	3,844	1.1%	2.33	1.5%	2.33	1.5%	0	0.0%	1,929	1.1%	3,627	1.1%
La Mesa	5.29	3.1%	10.30	2.8%	0	0.0%	4,668	2.5%	9,636	2.8%	5.03	3.1%	5.03	3.1%	0	0.0%	4,446	2.6%	9,177	2.8%
Lakeside/Alpine	0.09	0.1%	11.67	3.2%	0.6	3.8%	287.29	0.2%	352.28	0.1%	0.08	0.1%	0.08	0.1%	0.27	4.0%	346	0.2%	346	0.1%
Lemon Grove	2.40	1.4%	4.68	1.3%	0	0.0%	2,289	1.2%	4,387	1.3%	1.86	1.2%	1.86	1.2%	0	0.0%	1,771	1.0%	3,395	1.1%
National City	4.65	2.7%	9.06	2.5%	0	0.0%	4,562	2.5%	9,161	2.6%	4.19	2.6%	4.19	2.6%	0	0.0%	4,106	2.4%	8,245	2.6%
Otay	0.45	0.3%	0.88	0.2%	0	0.0%	1,166	0.6%	989	0.3%	0.43	0.3%	0.43	0.3%	0	0.0%	1,110	0.7%	942	0.3%
Padre Dam	0.04	0.0%	4.92	1.3%	0.3	1.9%	125.11	0.1%	152.41	0.0%	0.04	0.0%	0.04	0.0%	0.14	2.1%	119.62	0.1%	145.93	0.0%
Poway	3.10	1.8%	6.04	1.6%	0	0.0%	3,113	1.7%	5,073	1.5%	2.58	1.6%	2.58	1.6%	0	0.0%	2,589	1.5%	4,219	1.3%
Spring Valley	6.23	3.6%	12.14	3.3%	0	0.0%	6,551	3.6%	11,496	3.3%	4.51	2.8%	4.51	2.8%	0	0.0%	4,745	2.8%	8,326	2.6%
Wintergardens	1.08	0.6%	2.11	0.6%	0	0.0%	1,358	0.7%	1,999	0.6%	1.03	0.6%	1.03	0.6%	0	0.0%	1,293	0.8%	1,904	0.6%
<b>SUBTOTAL</b>	<b>49.2</b>	<b>28.4%</b>	<b>125</b>	<b>34.1%</b>	<b>1.5</b>	<b>9.5%</b>	<b>54,395</b>	<b>29.5%</b>	<b>95,145</b>	<b>27.3%</b>	<b>42.1</b>	<b>26.3%</b>	<b>42.10</b>	<b>26.3%</b>	<b>0.7</b>	<b>10.2%</b>	<b>46,861</b>	<b>27.5%</b>	<b>82,000</b>	<b>25.4%</b>
San Diego																				
Wastewater	124.05	71.6%	241.76	65.9%	0	0.0%	130,032	70.5%	252,818	72.7%	118.14	73.7%	118.14	73.7%	0	0.0%	123,840	72.5%	240,779	74.6%
Water	0.00	0.0%	0.00	0.0%	14.3	90.5%	0	0.0%	0	0.0%	0.00	0.0%	0.00	0.0%	6	89.8%	0	0.0%	0	0.0%
<b>SUBTOTAL</b>	<b>124.1</b>	<b>71.6%</b>	<b>242</b>	<b>65.9%</b>	<b>14.3</b>	<b>90.5%</b>	<b>130,032</b>	<b>70.5%</b>	<b>252,818</b>	<b>72.7%</b>	<b>118.1</b>	<b>73.7%</b>	<b>118.14</b>	<b>73.7%</b>	<b>6.0</b>	<b>89.8%</b>	<b>123,840</b>	<b>72.5%</b>	<b>240,779</b>	<b>74.6%</b>
	173.2	100.0%	367	100.0%	15.8	100.0%	184,427	100.0%	347,963	100.0%	160.2	100.0%	160.25	100.0%	6.7	100.0%	170,701	100.0%	322,779	100.0%

Exhibit G Flow

2019 Audit Plus 5%

East County Derived  
Numbers

Brine Use Projections  
2050 (Does not match  
Residuals Agreement)

Based on Peak Hour  
Flow

Derived numbers from  
flow column and 2019  
audit data for strength

Directly from 2019 Audit

Peak Demand (Avg x 2,  
No cost assigned)

Brine Use Projections  
2026

East County Derived  
Projections 2050



## Special Meeting of the Metro Commission

### and Metro Wastewater JPA

### Zoom Meeting Held Online

September 22, 2022

### Minutes

Chairman Jones called the meeting to order at 12:02 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)	
City of El Cajon	Gary Kendrick	
City of Imperial Beach	Ed Spriggs	
City of La Mesa	Bill Baber	Jack Shu
Lemon Grove San District	Jerry Jones	
City of National City	Jose Rodriguez (absent)	
City of Poway	John Mullin	
County of San Diego	Joel Anderson	
Otay Water District	Mark Robak	
Padre Dam MWD	Karen Jassoy	
Metro TAC Chair	Beth Gentry	

Others present: Metro JPA General Counsel Adriana Ochoa - Procopio; Metro Commission/Metro Wastewater JPA Secretary Lori Anne Peoples; Karyn Keze – The Keze Group, LLC.; MetroTAC Vice Chair – Yazmin Arellano; Scott Tulloch – NV5; Dexter Wilson - Dexter Wilson Engineering

#### 2. PLEDGE OF ALLEGIANCE TO THE FLAG

Jack Shu, 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 GOVERNMENT CODE 54953(e)(1)(B) and (C)**

General Counsel Ochoa stated that every 30 days they have to re-approve findings to continue to hold the remote/teleconference meetings

**ACTION:** Motion by Director Mullin, seconded by Director Anderson to approve the findings..  
Motion carried as follows:

AYES: Galvez, Kendrick, Spriggs, Baber, Jones, Robak, Jassoy, Mullin  
NAYS: Heinze  
ABSTAIN: None  
ABSENT: Quirk, Rodriguez

**5. CLOSED SESSION: ANTICIPATED LITIGATION (GOV. CODE 54956.9(d)(4)**

**- One potential matter**

At 1:11 p.m. General Counsel Ochoa called for closed session and the Directors left the meeting and went into a Zoom Closed Session.

At 2:16 p.m. General Counsel Ochoa and the Directors returned from Closed Session and reported out that no reportable actions were taken during Closed Session.

General Counsel Ochoa then noted a typo in the Staff Report for Item 4 under recommended action 2 should be amended to read September 22, 2022 through October 31, 2022 and this be reflected in the minutes as a clerical correction with no opposition.

Director Heinze requested that a pdf of the letter after being sent to the City of San Diego and the EC AWP JPA be sent to the JPA Board with the attached findings of the approved letter.

**6. ADJOURNMENT**

There being no further business, Chair Jones declared the meeting adjourned at 2:18 p.m.

# ATTACHMENT 7

## RECOMMENDED CHANGES TO THE METRO JPA AGREEMENT



## Metro JPA Board Meeting

### STAFF REPORT

**TO:** Metro Wastewater JPA Board Members

**DATE:** Thursday, September 15, 2022

**FROM:** Adriana Ochoa, General Counsel

**AGENDA ITEM NO. 3:** Consideration and Possible Action to Approve an Amendment to Section 3.05 of the Metro Joint Powers Agreement to Eliminate Legal Advisor Conflict Language and Forward to Participating Agency Boards for Approval

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### BACKGROUND

Section 3.05 of Metro Wastewater JPA's ("Metro") Joint Powers Agreement requires its legal counsel to also be legal counsel to one of the Participating Agencies:

***"3.05 Legal Advisor. The Board shall have the power to appoint the legal advisor of the JPA who shall perform such duties as may be prescribed by the Board. Such legal advisor shall be legal counsel to one of the Participating Agencies."***

The Joint Powers Agreement has been amended three times since its adoption for various purposes; for the most part, these amendments have added Participating Agencies to Metro. However, Section 3.05 has not been amended since the Joint Powers Agreement was originally approved in October of 2000. Recent discussions among the Metro Board at public meetings indicate that there is a desire to amend Section 3.05 to remove the requirement that Metro's legal advisor also be legal counsel to one of the Participating Agencies. The current language is not required by law and arguably invites prospective conflicts of interest for Metro's legal advisor.

Each Participating Agency's respective governing board must approve any proposed amendment or revision to the Metro Joint Powers Agreement in order for it to be effective; a proposed amendment is not effective until and unless all Participating Agency's governing boards approve it. Therefore, we recommend the Metro Wastewater JPA approve and forward to their respective Participating Agencies for approval a Fourth Amendment to the Joint Powers Agreement which simply removes the second sentence from Section 3.05:

***"3.05 Legal Advisor. The Board shall have the power to appoint the legal advisor of the JPA who shall perform such duties as may be prescribed by the Board. ~~Such legal advisor shall be legal counsel to one of the Participating Agencies.~~"***

The Fourth Amendment to the Joint Powers Agreement in its proposed final draft is attached to this staff report for review.

### RECOMMENDED ACTION

Legal counsel respectfully recommends the Metro Board of Directors approve the proposed Fourth Amendment to the Joint Powers Agreement and authorize the Board Secretary to forward the proposed Fourth Amendment to each Participating Agency for their approval.



**FOURTH AMENDMENT TO JOINT EXERCISE OF POWERS AGREEMENT  
FOR THE METRO WASTEWATER JOINT POWERS AUTHORITY  
TO AMEND SECTION 3.05 OF THE JOINT POWERS AGREEMENT**

This Fourth Amendment to the Joint Exercise of Powers Agreement for the Metro Wastewater Joint Powers Authority is made effective as of \_\_\_\_\_, 2022, in the County of San Diego, State of California by each of the participating agencies of the Metro Wastewater JPA, a Joint Powers Agency (“JPA”) existing and organized pursuant to the provisions of Government Code section 6500 et seq.

**RECITALS**

WHEREAS, on October 25, 2000, the City of Coronado, a municipal corporation; the City of Del Mar, a municipal corporation; the City of El Cajon, a municipal corporation; the City of Imperial Beach, a municipal corporation; the City of La Mesa, a municipal corporation; the Lemon Grove Sanitation District, a political subdivision of the State of California, the City of Poway, a municipal corporation; Padre Dam Municipal Water District, a political subdivision of the State of California; and the County of San Diego (on behalf of: the Winter Gardens Sewer Maintenance District, a maintenance district established pursuant to California Streets & Hwys. Code section 5820 et seq.; the Lakeside/Alpine Sanitation District, a political subdivision of the State of California; and the Spring Valley Sanitation District, a political subdivision of the State of California) (the “Participating Agencies”) entered into a Joint Exercise of Powers Agreement (“Agreement”), creating the JPA for the purpose of taking responsibility, actions, and decisions pertaining to the Regional Waste Water Disposal Agreement; and

WHEREAS, on February 12, 2003, the Otay Water District was added as a Participating Agency of the JPA; and

WHEREAS, on June 4, 2003, the City of National City was added as a Participating Agency of the JPA; and

WHEREAS, on October 17, 2007, the City of Chula Vista was added as a Participating Agency of the JPA; and

WHEREAS, Article VIII, Section 8.05 of the Agreement allows for amendments of the Agreement; and

WHEREAS, Section 3.05 states that the legal advisor to the JPA shall also be legal counsel to one of the Participating Agencies; and

WHEREAS, the JPA wishes to amend Section 3.05 of the Agreement to remove the requirement that the legal advisory to the JPA also be legal counsel to one of the Participating Agencies;

**AGREEMENT**

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

A. Pursuant to Article VIII, Section 8.05 of the Agreement, each of the Participating Agencies hereby amend the Joint Exercise of Powers Agreement for the Metro Wastewater JPA, as follows:

1. Article III, Section 3.05 is hereby revised in its entirety to read as follows:

The Board shall have the power to appoint the legal advisor of the JPA who shall perform such duties as may be prescribed by the Board.

C. All other terms and conditions of the Joint Exercise of Powers Agreement for the Metro Wastewater JPA shall remain in full force and effect and shall be binding upon each of the Participating Agencies.

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment as of the date first written above.

1. CITY OF CORONADO

ATTEST

By: \_\_\_\_\_

2. CITY OF DEL MAR

ATTEST

By: \_\_\_\_\_

3. CITY OF EL CAJON

ATTEST

By: \_\_\_\_\_

4. CITY OF IMPERIAL BEACH

ATTEST

By: \_\_\_\_\_

5. CITY OF LA MESA

ATTEST

By: \_\_\_\_\_

6. LEMON GROVE SANITATION  
DISTRICT

ATTEST

By: \_\_\_\_\_

7. CITY OF POWAY

ATTEST

By: \_\_\_\_\_

\_\_\_\_\_

8. PADRE DAM MUNICIPAL WATER  
DISTRICT

ATTEST

By: \_\_\_\_\_

\_\_\_\_\_

9. COUNTY OF SAN DIEGO on behalf of  
WINTER GARDENS SEWER  
MAINTENANCE DISTRICT, LAKESIDE  
SANITATION DISTRICT, ALPINE  
SANITATION DISTRICT, AND SPRING  
VALLEY SANITATION DISTRICT

ATTEST

By: \_\_\_\_\_

\_\_\_\_\_

10. OTAY WATER DISTRICT

ATTEST

By: \_\_\_\_\_

\_\_\_\_\_

11. NATIONAL CITY

ATTEST

By: \_\_\_\_\_

\_\_\_\_\_

12. CHULA VISTA

ATTEST

By: \_\_\_\_\_

\_\_\_\_\_

# ATTACHMENT 8

A. APPROVAL OF  
FY2022 FINANCIAL  
STATEMENTS

&

B. AMENDMENTS TO  
FY2023 JPA BUDGET  
BILLINGS



Metro Wastewater Joint Powers Authority  
Treasurer's Report  
**Year ended June 30, 2022**

# **Metro Wastewater JPA**

## **Treasurer's Report**

Year ended June 30, 2022

<b>Beginning Cash Balance at July 1, 2021</b>	\$ 567,325
<b>Operating Results</b>	
Membership Dues & Interest Income	229,913
Expenses	<u>(489,888)</u>
Change in Net Position	(259,975)
Net change in Receivables & Payables	<u>(9,937)</u>
<b>Cash used in Operations</b>	(269,912)
<b>Ending Cash Balance at June 30, 2022</b>	\$ 297,413

**Metro Wastewater JPA**  
**Statement of Net Position**

As of July 1, 2021 and June 30, 2022  
Unaudited

	<u>July 1, 2021</u>	<u>June 30, 2022</u>	<u>\$ Change</u>
<b><u>ASSETS</u></b>			
Checking/Savings	\$ 567,325	\$ 297,413	\$ (269,912)
Accounts Receivable	7,696	11,412	3,717
Total Assets	<u>\$ 575,021</u>	<u>\$ 308,825</u>	<u>\$ (266,196)</u>
<b><u>LIABILITIES</u></b>			
Accounts Payable	\$ 8,264	\$ 2,044	\$ (6,220)
Unearned Membership Billings	-	-	-
Total Liabilities	<u>\$ 8,264</u>	<u>\$ 2,044</u>	<u>\$ (6,220)</u>
<b><u>NET POSITION</u></b>			
Net Position at Beginning of Period	\$ 261,960	\$ 566,757	\$ 304,796
Change in Net Position	304,796	(259,975)	(564,771)
Net Position at End of Period	<u>\$ 566,757</u>	<u>\$ 306,782</u>	<u>\$ (259,975)</u>
<b><u>TOTAL LIABILITIES &amp; NET POSITION</u></b>	<b><u>\$ 575,021</u></b>	<b><u>\$ 308,826</u></b>	<b><u>\$ (266,195)</u></b>
		FY23 Budget	Cash on Hand
<i>Net Position at 06/30/22</i>		\$ 306,782	\$ 308,826
<i>FY '23 Required Reserve (4 months of Op Exp)</i>		<u>209,485</u>	<u>209,485</u>
<i>Over (under) required reserve</i>		\$ 97,297	\$ 99,341

**Metro Wastewater JPA**  
**Statement of Operations**  
**Budget vs. Actual**

Year ended June 30, 2022  
Unaudited

	<u>Actual</u>	<u>Budget</u>	<u>Over (Under) Budget</u>
<b>Income</b>			
<b>Membership Dues</b>	\$ 220,545	\$ 220,545	\$ -
<b>City of San Diego</b>	\$ 9,368		
<b>Interest Income</b>	-	150	(150)
<b>Total Income</b>	<u>\$ 229,913</u>	<u>\$ 220,695</u>	<u>\$ (150)</u>
<b>Expense</b>			
<b>Administrative Assistant-LP</b>	\$ 17,655	\$ 8,940	\$ 8,715
<b>Bank Charges</b>	-	200	(200)
<b>Contingency</b>	-	-	-
<b>Dues &amp; Subscriptions</b>	-	600	(600)
<b>Financial Services</b>			
<b>Audit Fees</b>	5,300	12,000	(6,700)
<b>Financial - The Keze Group</b>	92,432	92,450	(18)
<b>Treasurer - Padre Dam/El Cajon</b>	8,193	31,500	(23,307)
<b>JPA/TAC meeting expenses</b>	-	5,000	(5,000)
<b>Per Diem - Board</b>	22,650	18,000	4,650
<b>Professional Services</b>			
<b>Engineering - Dexter Wilson</b>	141,700	141,700	-
<b>Engineering - NV5</b>	17,725	30,000	(12,275)
<b>Legal - Procopio</b>	125,281	65,000	60,281
<b>Legal - BB&amp;K</b>	37,704	60,000	(22,296)
<b>Paul Redvers Brown, Inc.</b>	13,906	24,900	(10,994)
<b>Strategic Planning</b>	-	-	-
<b>Other</b>	4,457	2,150	2,307
<b>Website Architecture Update</b>	-	10,500	(10,500)
<b>Website Maintenance &amp; Hosting</b>	2,885	2,900	(15)
<b>Total Expense</b>	<u>\$ 489,888</u>	<u>\$ 505,840</u>	<u>\$ (15,952)</u>
<b>Net Income (Loss)</b>	<u><u>\$ (259,975)</u></u>	<u><u>\$ (285,145)</u></u>	<u><u>\$ 25,170</u></u>



**Metro Wastewater JPA**  
**Statement of Cash Flows**

Year ended June 30, 2022  
Unaudited

**OPERATING ACTIVITIES**

<b>Change in Net Position</b>	\$ (259,975)
-------------------------------	--------------

**Adjustments to Reconcile Change in Net  
Position to Net Cash Provided by Operations:**

<b>Accounts Receivable</b>	(3,717)
----------------------------	---------

<b>Accounts Payable</b>	(6,220)
-------------------------	---------

<b>Deferred Revenue</b>	-
-------------------------	---

<b>As of June 30, 2022</b>	(269,912)
----------------------------	-----------

<b>Net cash increase (decrease) for period</b>	567,325
--	---------

<b>Cash at end of period</b>	<u><u>\$ 297,413</u></u>
------------------------------	--------------------------

**METRO WASTEWATER JPA**  
**PROPOSED BUDGET - FY '23 Adjusted For Year-End Actuals**

	FY '22 FORECAST 3/22						FY'22 ACTUALYEAR-END				FY '23		
	Actual Through 2/28/22	Estimate remaining Months	Forecast Through 6/30/22	Approved Annual Budget	Forecast Over /(Under) Budget		Amended Budget	Forecast Over /(Under) Budget			Proposed Annual Budget	Difference from FY '22 Forecast	Difference from FY '22 Budget
					\$	%		Actual	\$	%			
<b>Income</b>													
Membership Dues	\$ 225,553	\$ (5,008)	\$ 220,545	\$ 220,545	\$ -	0%	\$ 220,545	\$ 220,545	\$ -	0%	\$ 398,082	\$ 177,537	\$ 177,537
Use of Reserves*		150,472	174,173	\$ 245,295	(71,122)	-29%	\$ 285,145	259,975	\$ (25,170)	-9%	186,163	11,990	(59,132)
City of San Diego			13,293	-	13,293	17%	-	9,368	\$ 9,368		44,210	30,917	44,210
Interest Income	-	-	-	150	(150)	0%	150	-	\$ (150)		-	-	(150)
<b>Total Income</b>	\$ 225,553	\$ 145,464	\$ 408,011	\$ 465,990	\$ (57,979)	-12%	\$ 505,840	\$ 489,888	\$ (15,952)	-3%	\$ 628,455	\$ 220,444	\$ 162,465
<b>Expense</b>													
Administrative Assistant-LP	\$ 5,335 <sup>(1)</sup>	\$ 5,000	\$ 10,335	\$ 8,940	\$ 1,395	16%	\$ 8,940	\$ 17,655	\$ 8,715	97%	\$ 37,100	\$ 26,765	\$ 28,160
Bank Charges	-	-	-	200	(200)		200	-	\$ (200)		200	200	-
Contingency	-	-	-	-	-		-	-	\$ -		-	-	-
Dues & Subscriptions	-	-	-	600	(600)		600	-	\$ (600)		-	-	(600)
Financial Services													
Audit Fees	5,300 <sup>(1)</sup>	-	5,300	12,000	(6,700)	-56%	12,000	5,300	\$ (6,700)	-56%	12,000	6,700	-
Financial Consulting Support (Auditor)								-	\$ -		2,500	2,500	2,500
Financial - The Keze Group**	52,440 <sup>(3)</sup>	40,010	92,450	\$77,600	14,850	19%	\$92,450	92,432	\$ (18)	0%	100,000	7,550	22,400
Treasurer - Padre Dam/El Cajon	5,528 <sup>(3)</sup>	5,000	10,528	31,500	(20,972)	-67%	31,500	8,193	\$ (23,307)	-74%	30,000	19,472	(1,500)
JPA/TAC meeting expenses	-	-	-	5,000	(5,000)		5,000	-	\$ (5,000)		5,000	5,000	-
Miscellaneous (Other)	-	-	-	250	(250)		2,150	4,457	\$ 2,307	107%	250	250	-
Per Diem - Board	11,850 <sup>(3)</sup>	5,550	17,400	18,000	(600)	-3%	18,000	22,650	\$ 4,650	26%	18,000	600	-
Printing, Postage, Supplies	295	150	445	500	(55)	-11%			\$ -		860	415	360
Professional Services									\$ -				
Engineering - Dexter Wilson***	90,645 <sup>(3)</sup>	51,055	141,700	116,700	25,000	21%	141,700	141,700	\$ -	0%	141,700	-	25,000
Engineering - NV5	7,950 <sup>(2)</sup>	9,975	17,925	30,000	(12,075)	-40%	30,000	17,725	\$ (12,275)	-41%	30,000	12,075	-
Legal - Procopio	49,680 <sup>(3)</sup>	11,000	60,680	65,000	(4,320)	-7%	65,000	125,281	\$ 60,281	93%	150,000	89,320	85,000
Legal - BB&K	20,887 <sup>(3)</sup>	6,962	27,849	60,000	(32,151)	-54%	60,000	37,704	\$ (22,296)	-37%	60,000	32,151	-
Paul Redvers Brown	8,990 <sup>(2)</sup>	10,000	18,990	24,900	(5,910)	-24%	24,900	13,906	\$ (10,994)	-44%	24,900	5,910	-
Telephone, Internet, Software	762 <sup>(1)</sup>	762	1,524	1,400	124	9%		-	\$ -		2,140	616	740
Website Architecture Update	-	-	-	10,500	(10,500)		10,500	-	\$ (10,500)		10,500	10,500	-
Website Maintenance & Hosting	2,885	-	2,885	2,900	(15)	-1%	2,900	2,885	\$ (15)	-1%	3,305	420	405
<b>Total Expense</b>	\$ 262,547	\$ 145,464	\$ 408,011	\$ 465,990	\$ (57,979)	-12%	\$ 505,840	\$ 489,888	\$ (15,952)	-3%	\$ 628,455	\$ 220,444	\$ 162,465
<b>Net Income (Loss)</b>	\$ (36,994)	\$ (0)	\$ (0)	\$ -	\$ (0)	0%	\$ -	\$ -	\$ -		\$ -	\$ 0	\$ -

\* Use of Reserves adjusted to cover Change Orders

\*\*Includes approved change order of: \$14,850

\*\*\*Includes approved change order of: \$25,000

(1) Invoices received through 12/31/21

(2) Invoices received through 1/31/22

(3) Invoices received through 2/28/22

FY '23 PROJECTED RESERVE REQUIREMENT	
Projected Fund Balance at 6/30/22	\$ 380,911
Projected Net Income FY '22	-
Projected Fund Balance at 6/30/22	\$ 380,911
4 Months Operating Expenses FY '23	(194,748)
Amount over Required Reserve	\$ 186,163

FY '23 AMENDED RESERVE REQUIREMENT	
Actual Fund Balance at 6/30/22	\$ 308,825
Projected Net Income FY '22	(0)
Actual Fund Balance at 6/30/22	\$ 308,825
4 Months Operating Expenses FY '23	(209,485)
Amount over Required Reserve	\$ 99,340

METRO WASTEWATER JPA

ALTERNATIVE AGENCY FY'23 BILLINGS WITHOUT FY2020 TRUE-UP

Agency	FY'22				FY'23 Projected				
	Estimated Flow/Strength Distribution	Total Agency Billings @ 50% of Budget	FY'19 Audit True-up	Revised Agency Billings Per Audit	Estimated Flow/Strength/ Exhibit G Distribution	Total Agency Billing Without Reserves	Difference From Prior Year	Total Agency Billing With Reserves	Difference From Prior Year
Chula Vista	31.26%	\$ 68,932	\$ 9,745	\$ 78,677	31.72%	\$ 185,323	\$ 106,646	\$ 126,272	\$ 47,595
Coronado	2.84%	6,256	\$ (8,081)	\$ (1,826)	2.58%	\$ 15,074	\$ 16,899	\$ 10,271	\$ 12,096
County of SD*	16.20%	35,726	\$ (1,864)	\$ 33,862	16.46%	\$ 96,167	\$ 62,305	\$ 65,524	\$ 31,663
Del Mar	0.05%	121	\$ 99	\$ 220	0.05%	\$ 292	\$ 73	\$ 199	\$ (20)
El Cajon	15.07%	33,228	\$ 1,952	\$ 35,180	14.56%	\$ 85,066	\$ 49,887	\$ 57,961	\$ 22,781
Imperial Beach	3.66%	8,072	\$ 262	\$ 8,334	3.71%	\$ 21,675	\$ 13,341	\$ 14,769	\$ 6,435
La Mesa	8.37%	18,463	\$ 2,173	\$ 20,636	8.18%	\$ 47,791	\$ 27,156	\$ 32,563	\$ 11,928
Lemon Grove	3.38%	7,452	\$ (3,298)	\$ 4,154	3.36%	\$ 19,631	\$ 15,477	\$ 13,376	\$ 9,222
National City	7.57%	16,694	\$ 122	\$ 16,816	8.45%	\$ 49,369	\$ 32,553	\$ 33,638	\$ 16,822
Otay Water District	0.88%	1,935	\$ 951	\$ 2,886	0.60%	\$ 3,505	\$ 619	\$ 2,388	\$ (498)
Padre Dam MWD	5.76%	12,694	\$ (117)	\$ 12,577	5.67%	\$ 33,127	\$ 20,550	\$ 22,571	\$ 9,995
Poway	4.98%	10,975	\$ (1,944)	\$ 9,031	4.66%	\$ 27,226	\$ 18,195	\$ 18,551	\$ 9,520
<b>Total Flow &amp; Strength</b>	<b>100.00%</b>	<b>\$ 220,545</b>	<b>\$ -</b>	<b>\$ 220,545</b>	<b>100.00%</b>	<b>\$ 584,245</b>	<b>\$ 363,700</b>	<b>\$ 398,082</b>	<b>\$ 177,537</b>
						\$ -	Planned Use of Reserves: \$ 186,163		

\* County of SD includes East Otay Mesa, Lakeside/Alpine, Spring Valley and Wintergardens

# ATTACHMENT 9

## SANITARY SEWER MANAGEMENT PERFORMANCE RISK AND SYSTEM OPTIMIZATION

City of San Diego Public Utilities  
Wastewater Collection Division

Metro TAC

Sewer System Maintenance Optimization

September 21, 2022

Mike Rosenberg  
Deputy Director, Wastewater Collection



### Wastewater Collection System Overview

- 2,880 miles of collection sewer mains (30" and less)
- 60,228 collection manholes
- 74 collection pump stations



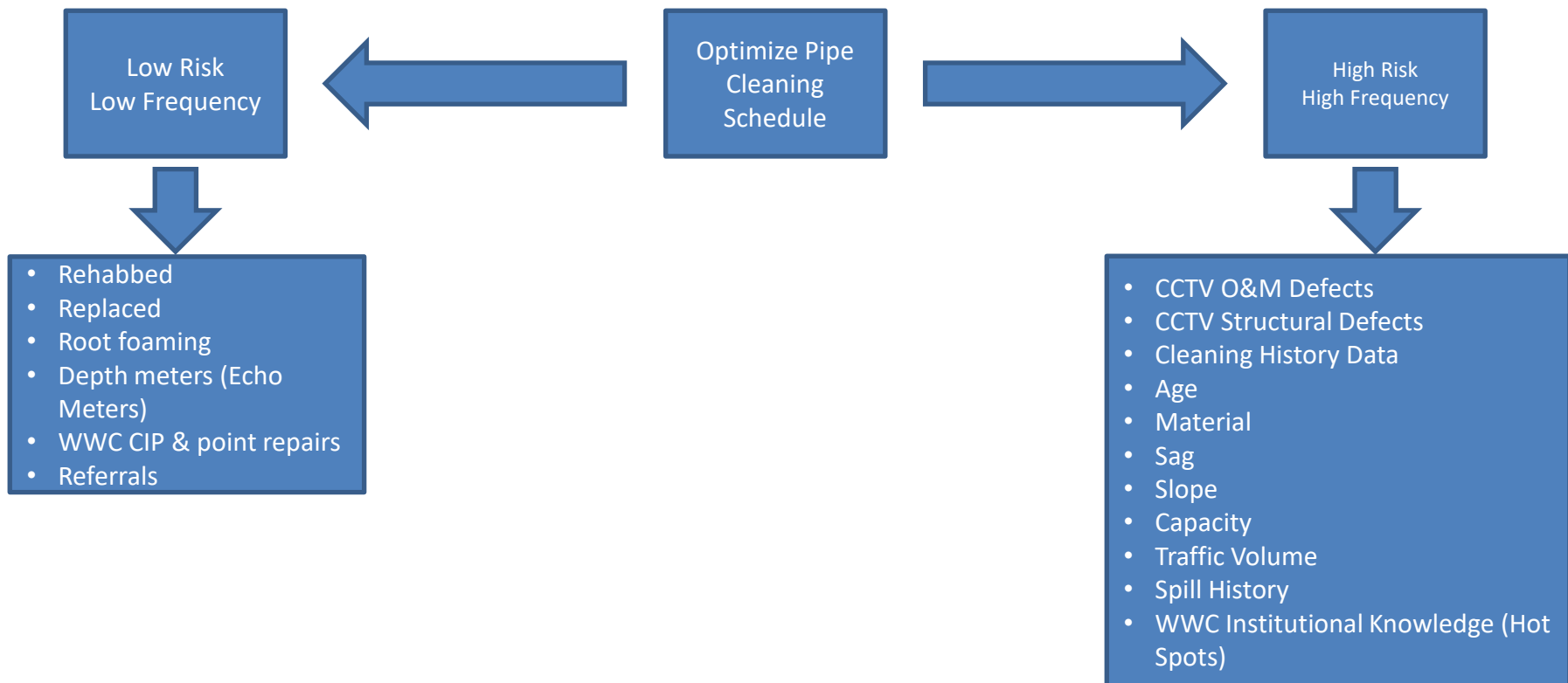


# Project Goals and Objectives

Optimization
• Maintain the right pipe at the right time
• Develop maintenance zones by grouping assets into Work Orders in small geographic areas
• Enhance proactive maintenance approach
• Develop a risk-based maintenance schedule
• Develop a 5-year maintenance plan for the entire collection system
• Reduce overflows
• Eliminate Backlog by March 2023
• Reduce CCTV red and blue flags

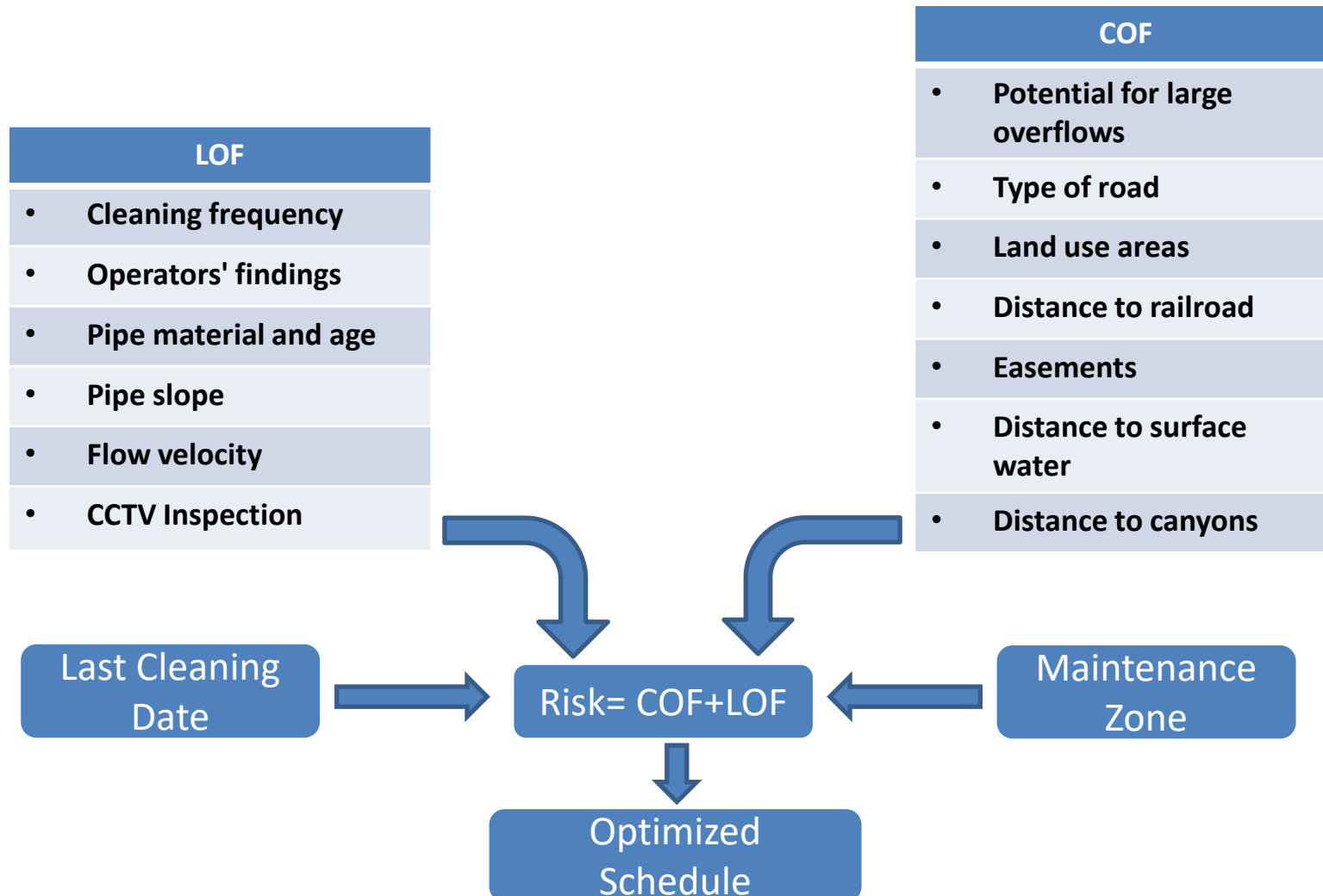
# Sewer Optimization Strategies

Sewer cleaning optimization provides efficiency, while preventing or minimizing the high-risk factors





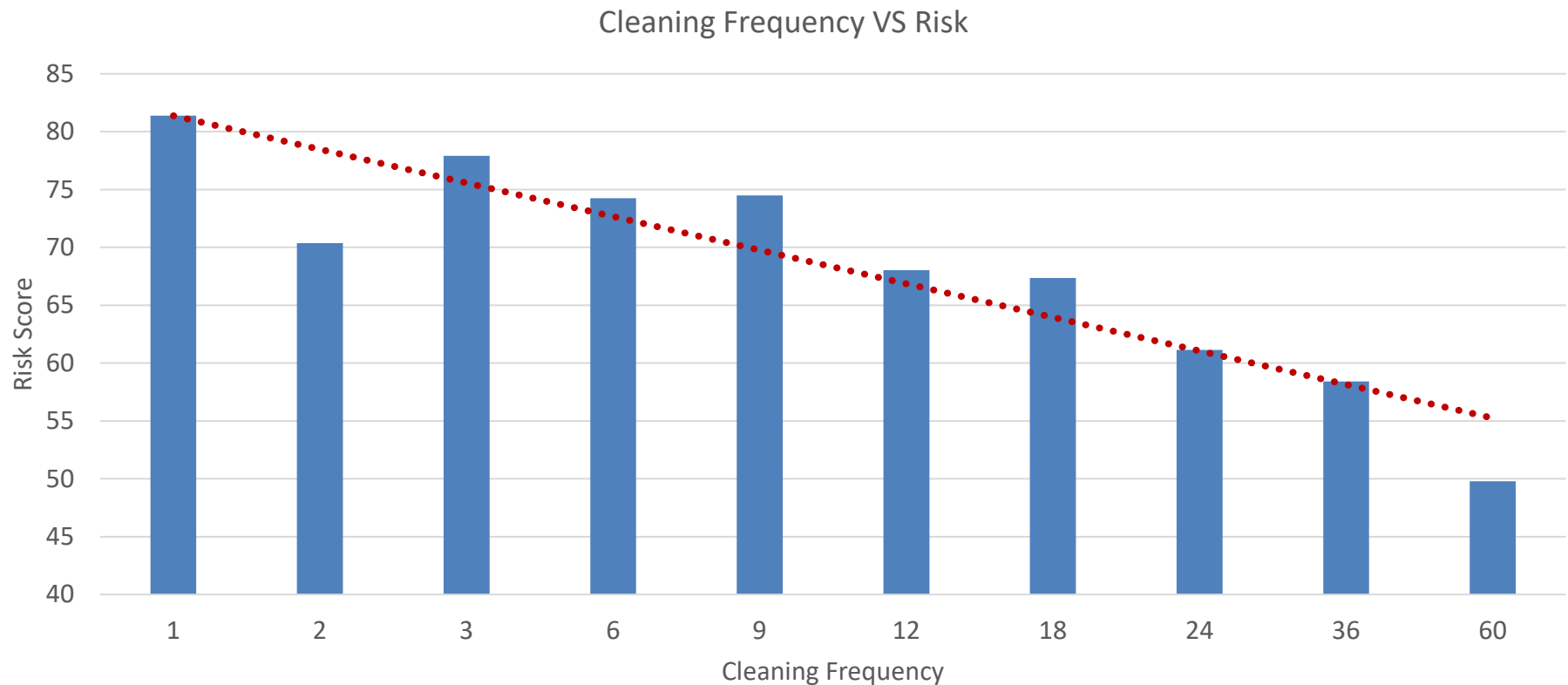
## Maintenance optimization risk analysis uses LoF and CoF to calculate the sewer pipe segments risk





## Risk and Frequency Correlation - Existing

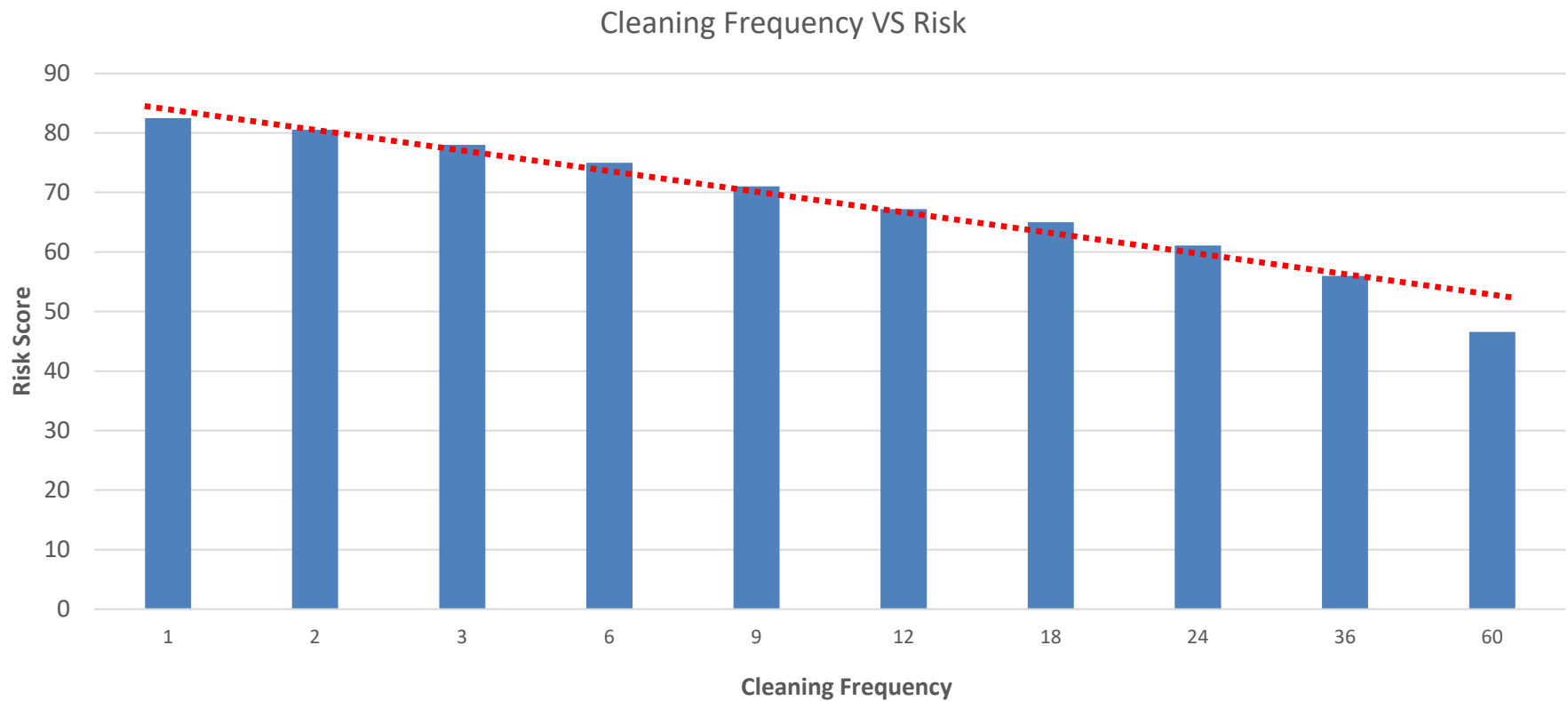
Before risk scores were developed, looked at each frequency to determine the amount of “risky” pipes





## Risk and Frequency Correlation- Recommended

After risk scores were developed, looked at each frequency to determine the amount of “risky” pipes



## Frequency Adjustment Based on Risk, Rehabilitation and Replace

366 miles (13%) of sewer pipes were moved out from aggressive maintenance





# Benefits of the Optimization

## Project Benefits

- Clean pipes at optimized frequency
- Reduce fuel usage (diesel cost increased by 75%)
- Reduce potable water used for flushing
- Reduce overtime
- Reduce travel to the same neighborhood
- Efficient use of resources
- Eliminate the risk of overflow
- Expand the useful life of the assets
- Substantial Financial saving in labor and resources
- Establish a protocol to update cleaning frequencies based on timely data collection

- Questions





# ATTACHMENT 10

A. \$80M Change Order  
for Chemical Contracts  
&

B. \$20M Construction  
Change Orders (CCO)  
for Morena Pump Station

Public Utilities Department

# Contract Amendments for Critical Chemicals

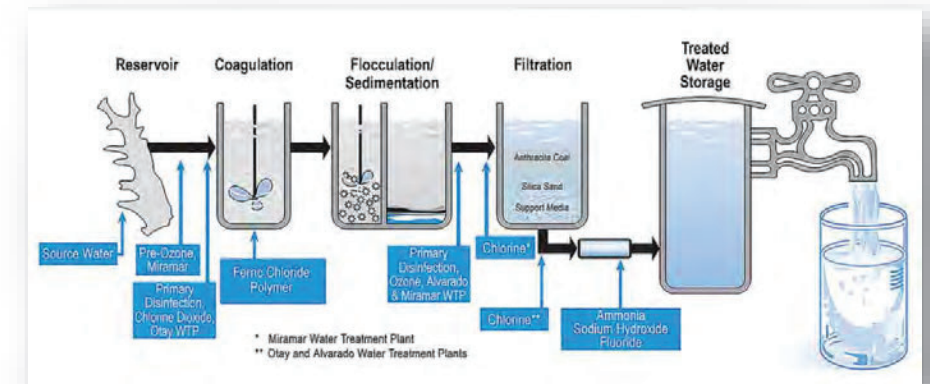
Metro TAC, September 21, 2022  
Agenda Item 9



# Purpose

## City Council Authoritization to Negotiate and Execute Amendments to Six Critical Chemical Contracts

- All contracts were competitively procured
- Contracts provide critical chemicals required to operate water and wastewater facilities to comply with all Federal, State, and County regulations and to ensure the health and safety of our residents
- Raw materials costs have, and continue to, significantly increase
  - COVID-19, supply chain issues, inflation
- Insufficient or any interruption in the application of these chemicals would directly impact public health and safety, protection of the environment and could results in fines and penalties





## Public Utilities Department

Vendor	Chemical	Purpose	Estimated Volume (annually)	Cost/Unit Changes	Increase in Value of Contract (term)
Hill Brothers	Ammonium Hydroxide	Prolong the effectiveness of disinfecting chlorine when added to drinking water	1.46M gallons	\$0.56/gallon (orig) \$2.03/gallon (now)	\$4.3M (5yrs)
JCI Jones Chemical	Sodium Hypochlorite	Disinfection and odor control at wastewater facilities	3.1M gallons	\$0.644/gallon (orig) \$1.6836/gallon (now)	\$25.0M (5yrs)
	Caustic Soda	Corrosion control throughout water distribution system	2,780 dry tons W 2,128 dry tons WW	\$550/ton (orig) \$1,106/ton (now)	\$6.8M (5yrs)
	Liquid Chlorine	Disinfectant at water treatment facilities	2.1M lbs	\$439.79/ton (orig) \$1,450/ton (now)	\$5.7M (6yrs)
Kemira	Ferric Chloride	Coagulate particulates for sedimentation in water and wastewater facilities	2,750 dry tons	\$642/ton (orig) \$1,128/ton (now)	\$13.5M (5yrs)
US Peroxide	Hydrogen Peroxide and Ferrous Chloride	Odor control at wastewater facilities	667,245 gallons 219,101 dry tons	Varies	\$25.0M (6yrs)



## The City of San Diego

### Staff Report

DATE ISSUED: July 12, 2022

TO: City Council

FROM: Strategic Capital Projects

SUBJECT: Authority to Approve Construction Change Orders (CCO) for K-21-1807-DBB-3-A Morena Pump Station

Primary Contact: Akram Bassyouni, Deputy Director Phone: (619) 533-3616

Secondary Contact: Steve Lindsay, Sr. Civil Engineer Phone: (858) 495-7878

Council District(s): 2, 7

#### OVERVIEW:

This action will adopt a resolution authorizing the Mayor, or his designee to issue one or more construction change orders for the Morena Pump Station to address the dewatering changed condition to the construction contract with Flatiron West, Inc. for a total amount not to exceed \$20,000,000.

#### PROPOSED ACTIONS:

1. The Mayor or his designee is authorized to execute one or more Change Orders to Flatiron West Inc. for a total amount not to exceed \$20,000,000 for the dewatering changed condition;
2. The Chief Financial Officer is authorized to expend an additional amount not to exceed \$20,000,000 from CIP ALA00001 Pure Water Phase 1 (B-21061, PWP Morena Wastewater Pump Station), Fund 700009, Metro Sewer CIP, for one or more Change Orders for the construction of the Morena Pump Station, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

#### DISCUSSION OF ITEM:

The City entered into a contract for the Morena Pump Station (K-21-1801-DBB-3-A) with Flatiron West, Inc. on April 28, 2021 for an amount not to exceed \$110,386,350.00 per resolution R-312062. The original contract was for 925 working days with a Notice to Proceed (NTP) date of June 14, 2021 to start construction activities. The Morena Pump Station project consists of the demolition of existing facilities at the proposed Morena Pump Station site, the construction of a new 37.7 million gallons per day (MGD) Morena Wastewater Pump Station facility, including Odor Control Systems, Electrical Building, Screening Facility, High Purity oxygen System, Maintenance Building, associated civil site work including storm drainage, yard piping, perimeter walls, access gates, pavement, landscaping and other appurtenances. The project also includes the construction of 48-inch, 60-inch & 66-inch diversion and overflow sewers, three diversion structures with slide gates and one junction structure on Friars Rd.

The majority of the pump station support infrastructure are underground, below the water table. Therefore, dewatering was required to lower the water table for construction. Unfortunately, the

construction effort is experiencing excessive amounts of dewatering flow rates greater than anticipated during the design and construction contract bid phase. The contract specifications stated that the Contractor shall assume a dewatering system capacity of 860,000 gallons per day and that this volume was provided as a guideline for the contractor assuming soldier beam and lagging excavation shoring. The Contractor has implemented the soldier beam and lagging shoring system. The 860,000 gpd flow rate was first exceeded on March 23, 2022 when the Contractor's dewatering system attained a sustained discharge rate of approximately 1.1 million gallons per day (MGD) with no measurable effect on the ground water as demonstrated in the subsequent daily measurements taken in the piezometers. The Contractor has since continued to perform modifications to include upsizing of equipment to the dewatering system in attempts to increase the discharge flow rate and lower the water table which, as of this date, has proven ineffective.

This has resulted in a changed condition to the construction contract that has impacts to the project's schedule and its ability to meet the overall program schedule. Major delays to this project can result in delays to the Pure Water Program schedule. This change has resulted in this urgent request due to the potential impacts to the critical path schedule and costs of the project and the Pure Water Program.

This action will authorize the Mayor, or his designee to execute one or multiple construction change orders with Flatiron West, Inc. for a total amount not to exceed \$20,000,000.00 for unforeseen conditions that were encountered during construction which resulted in additional costs. The additional costs associated with this changed condition include:

- Backfill existing excavation from elevation 0.00 Mean Sea Level (MSL) to elevation 10.00 MSL.
- Removal of the Existing Shoring System.
- Installation of Secant Pile & Jet Grouting Floor.
- Re-excavation from elevation 0.00 MSL to elevation 10.00 MSL.
- Removal of Internal Bracing.
- Reshoring Hydro-Modification Tank at elevation -2.00 MSL.
- Demolition of 140 LF of secant wall from elevation 10.00 MSL to elevation -2.00 MSL for installation of Hydro-Modification Tank.
- Removal of the Dewatering System.
- Prime and Sub's Time Related Overhead (TRO) costs due to impacts to critical path.

The time impacts associated with the changed condition will be presented in a subsequent staff report once the impacts have been determined.

The Total Construction cost to date is \$111,126,107.47. With this Change Order, it will bring the Total Construction cost to \$131,126,107.47.

Full accounting of all Pure Water Phase I construction contracts, including all construction change orders to date, will be provided to the Environment Committee as part of the semi-annual Pure Water update. Funding to cover this Action is currently available in the Pure Water Pooled Contingency and within the previously authorized budget.

#### City of San Diego Strategic Plan:

Pure Water San Diego is the City's 20-year program to provide a safe, secure, and sustainable local drinking water supply for San Diego. Awarding and funding the construction contracts for Phase 1 of the project directly supports the Strategic Plan's Priority Area: Championing Sustainability by diversifying San Diego's water supply and reducing dependence on imported water.

#### Fiscal Considerations:

The total cost of the original construction amount of \$110,386,350.00 was previously authorized per Resolution R-312062. The total cost of the contract to date is \$111,126,107.47 which includes six executed change orders.

The total cost of this changed condition is not to exceed \$20,000,000.00. Funding to cover this action is included in CIP P-19002, Pure Water Pooled Contingency.

Charter Section 225 Disclosure of Business Interests:

N/A; the contract is with a publicly traded company.

Environmental Impact:

This action, to authorize the Mayor or his designee to execute a construction change order for the Morena Pump Station to Flatiron West, Inc., is adequately addressed in the Final EIR prepared for the Pure Water San Diego Program, North City Project (No. 499621/SCH No. 2016081016), which was certified on April 10, 2018 by City Council Resolution R-311671. This activity is a subsequent discretionary action and therefore not considered a separate project for the purposes of CEQA pursuant to State CEQA Guidelines Section 15378(c), and there is no change in circumstance, additional information, or project changes to warrant additional environmental review.

Climate Action Plan Implementation:

The Pure Water Program is not specified in the Climate Action Plan, but it supports climate resiliency, Strategy 5, by providing a diversified, sustainable, and drought-proof source of water supply to the City of San Diego.

Equal Opportunity Contracting Information (if applicable):

The construction contract is subject to the City's Equal Employment Opportunity Outreach Program (San Diego Ordinance No. 18173, San Diego Municipal Code Sections 22.2701 through 22.2708) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517).

Previous Council and/or Committee Actions:

On April 29, 2014, City Council adopted Resolution Number R-308906 in support of the Pure Water Program.

On April 10, 2018, City Council passed Resolution Number R-311671 which certified the Environmental Impact Report (EIR) No. 499621 and adopted the Mitigation Monitoring and Reporting Program (MMRP).

On April 10, 2018, City Council passed Resolution Number R-311672 granting the Site Development Permit (SDP) and a Multi-Habitat Planning Area Boundary Line Adjustment for the Pure Water North City Project.

On November 15, 2018, City Council adopted Resolution Number R-312062 authorizing the Mayor to advertise and execute the Pure Water Program construction contracts to the lowest responsible and reliable bidders and to expend funds for City Forces.

On December 4, 2018, City Council adopted Ordinance Number O-21029 authorizing the Mayor to execute construction change orders up to \$1,000,000.

On October 26, 2021, City Council adopted Resolution Number R-313764 authorizing the Mayor to execute construction change orders up to \$2,000,000.

This action will be heard by the Environment Committee prior to full Council.

Key Stakeholders and Community Outreach Efforts:

The stakeholders for this project include local planning groups, community organizations, business groups, civic associations, environmental groups, social services agencies, local businesses, civic and community leaders, commuters and community event organizers near the project alignment, and schools and religious centers near the alignment, and property owners and residents near the alignment. In 2018, Phase 1 Community Working Groups were established to gather input on community construction impacts, and the Bay Park/Morena and Clairemont Working Groups will continue to be engaged throughout construction of this project. Extensive community outreach will be conducted through doorhangers and printed notices, online notices and an established phone line for the community.

James Nagelvoort

Department Director

Kris McFadden

Interim Deputy Chief Operating Officer

## Environment Committee Item # 3

# Authority to Approve Construction Change Orders (CCO) for K-21-1807-DBB-3-A Morena Pump Station



Strategic Capital Projects Department



1. The Mayor or his designee is authorized to execute one or more Change Orders to Flatiron West Inc. for a total amount not to exceed \$20,000,000 for the dewatering changed condition;
2. The Chief Financial Officer is authorized to expend an additional amount not to exceed \$20,000,000 from CIP ALA00001 Pure Water Phase 1 (B-21061, PWP Morena Wastewater Pump Station), Fund 700009, Metro Sewer CIP, for one or more Change Orders for the construction of the Morena Pump Station, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer





# Pure Water Phase 1 Overview







# Morena Wastewater Pump Station

## Location



The City of  
**SAN DIEGO** Public Works

### Morena Pump Station

SENIOR ENGINEER  
Nabil Batta  
858-614-4524

PROJECT MANAGER  
Nabil Batta  
858-614-4524

PROJECT ENGINEER  
Darin Sanchez  
858-292-6420

FOR QUESTIONS ABOUT THIS PROJECT  
Call: 619-533-4207  
Email: [engineering@sanidiego.gov](mailto:engineering@sanidiego.gov)



### Legend

- Morena Pump Station
- Influent and Overflow Sewers
- Morena Conveyance South (Outside of Contract)

COMMUNITY NAME: Linda Vista, Morena

COUNCIL DISTRICT: 2, 7

SAP ID: B15141 (S)

Morena Pump Station

Appendix E - Location Map



2054 | Page



## Project Overview

The Morena Pump Station will divert an average of 32 million gallons per day (mgd) of wastewater through the Morena Pipeline to the North City Water Reclamation Plant for treatment and the Pure Water Facility for purification. Dewatering is required to construct pump station.



### Summary of Major Construction Package Components

- Sewer Pump Station (43 feet deep)
- Screening Facility (22 feet deep)
- High Purity Oxygen System
- 48-inch to 60-inch diameter influent diversion sewers in Friars Road
- 66-inch Overflow Sewer
- Electrical and Instrumentation

## Construction Contract Overview

- Original Contract K-21-1801-DBB-3-A) Morena Pump Station with Flatiron West, Inc. was signed and executed on April 28, 2021 in the amount of \$110,386,350.00 and 925 working days.
- Six Construction Change Orders have been approved and executed to date with no additional working days to the Contract. The total cost of the contract to date is \$111,126,107.47



## Changed Condition: Overview

- Contract included a dewatering system capacity of 860,000 gallons per day (gpd) as a guideline for the contractor assuming soldier beam and lagging excavation shoring
- Soldier beam and lagging shoring system implemented by Contractor
- 860,000 gpd flow rate exceeded on March 23, 2022 when the Contractor's dewatering system attained a sustained discharge rate of approximately 1.1 million gallons per day (MGD) with no measurable effect on the ground water as demonstrated in the subsequent daily measurements taken in the piezometers.
- Contractor has since continued to perform modifications, to include, upsizing of equipment to the dewatering system in attempts to increase the discharge flow rate and lower the water table which, as of this date, has proven ineffective.



Beam and Lagging Shoring System Installation- March 1, 2022



Stone Column Installation- May 23, 2022

# Changed Condition: Mitigation Options

## Option 1- Upsizing Dewatering System

Upsizing (from 14" to 24" wells) the existing dewatering system to handle up to 2x the current discharge rates in attempt to lower water table to elevation -39.00 MSL

## Option 2- Secant Pile Wall and Jet Grouting

Removal of the current shoring system (partially installed), installation of a secant pile and a jet grout treatment at the bottom of the excavation which should, all but eliminate the need for the current dewatering system

## Option 3- Soil Freezing and Grout Plug

Installation of small diameters wells (~185 ea.) around the perimeter of the excavation and then install a jet grout bottom to eliminate the water intrusion into the excavation



Secant Pile Wall



Soil Freezing



- The contractor is currently experiencing a day for day delay since Critical Path work is on hold
- Delay Impacts
  - Project
    - Time related overhead costs for Prime and Subcontractors
    - Material escalation (concrete, steel, mechanical and electrical/instrumentation equipment)
  - Programmatic
    - Schedule impacts to testing and commissioning
    - Potential impact to meeting programmatic funding deadlines
    - Delay and cost impacts to other Pure Water contracts



- The total cost of this changed condition is not to exceed \$20,000,000.00. Funding to cover this action is included in CIP P-19002, Pure Water Pooled Contingency
- Full accounting of all Pure Water Phase I construction contracts, including all construction change orders to date will be provided to the Environment Committee as part of the semi-annual Pure Water update



## Environment Committee Item # 3

# Authority to Approve Construction Change Orders (CCO) for K-21-1807-DBB-3-A Morena Pump Station

## Questions



Strategic Capital Projects Department



# ATTACHMENT 12

A. Pt. Loma Wastewater Treatment Plant Road

B. April 10, 2020 Spill Update – Supplemental Environmental Project Review, Duckbill Valve Sealing Details and Public Hearing Update

C. Capital Program Master Planning Process Overview and Status

D. Update on Tentative Order No. R9-2022-0078 Hearing and associated cost increases

# Public Utilities Department

## Metro TAC General Updates (Item 11)

September 21, 2022



## Access road monitoring sites

- X Cave

- South Cove







# Public Utilities Department – PLWTP Access Road issue







## Public Utilities Department – PLWTP Access Road issue







# Public Utilities Department – PLWTP Access Road issue

## Monitoring Program

- Topo surveys
- Visual inspections
- Drone imagery surveys
- Drone LIDAR surveys
- Geophysical investigations (surface waves and electrical resistivity)
- Groundwater monitoring
- Shape array ground movement monitoring (displacement and deformation)
- Dashboard operational
- Emergency Response Plan (finalized)





# Status – Settlement and SEP

- Regional Water Quality Control Board will issue draft settlement agreement
- RWQCB allowing 50% for Supplemental Environmental Project (SEP) of total fine amount
- PUD would have to obtain City Council approval (closed session) to enter into agreement
- Timing (Sept-Nov)







## Potential SEPs for Sweetwater River SSO

PROJECT	ORGANIZATION	FUNDING NEED	SEP APPROVAL	DESCRIPTION
D St Fill Restoration Project	Living Coast	\$30,000	No	Restoration project to be completed with community volunteers
Habitat Restoration & Education Program	Ocean Connectors	\$500,000	Yes	Free educational programs for community schools through hands-on restoration & classes
SD Bay Native Oyster Living Shoreline	Port of SD & CA Coastal Conservancy	\$836,428	No	Develop and deploy a nature-based solution to increase coastal ecosystem through a living shoreline
Chula Vista Bayfront Restoration/Enhancement Project	Port of SD	*\$10,500,000	Pending	Enhancement & restoration to create an additional 14 acres of wetland and coastal scrub habitat
Environmental Education Program	Port of SD	TBD	No	Stewardship approach to educate students & public on SD Bay



## Port of San Diego

### Chula Vista Bayfront Restoration & Enhancements

#### Sweetwater Shoreline Buffer

Shoreline restoration and enhancement buffer south of Sweetwater River.

Part of a larger project; The Chula Vista Bayfront Redevelopment project. Port is working on with the City of Chula Vista. The buffer will surround new Sweetwater Park.







## Ocean Connectors

### Habitat Restoration and Education Program

Outreach and education to local school district with in-classroom and hands-on restoration of upland, wetland, and river corridor habitat within SD Bay.

Provide free programs to half of the schools in National City. Want to expand to the entire district.

Program established in 2007.

Education is the focus of this program; restoration is part of the education.





## Ocean Connectors

### Goals & Impacts

To enhance student knowledge of marine science, environmental literacy, and conservation using case-study migratory species and related stewardship themes

- Approved and on current SEP list
- \$500,000 (funding need)
- Scalable?
- Application submitted 8/12/22



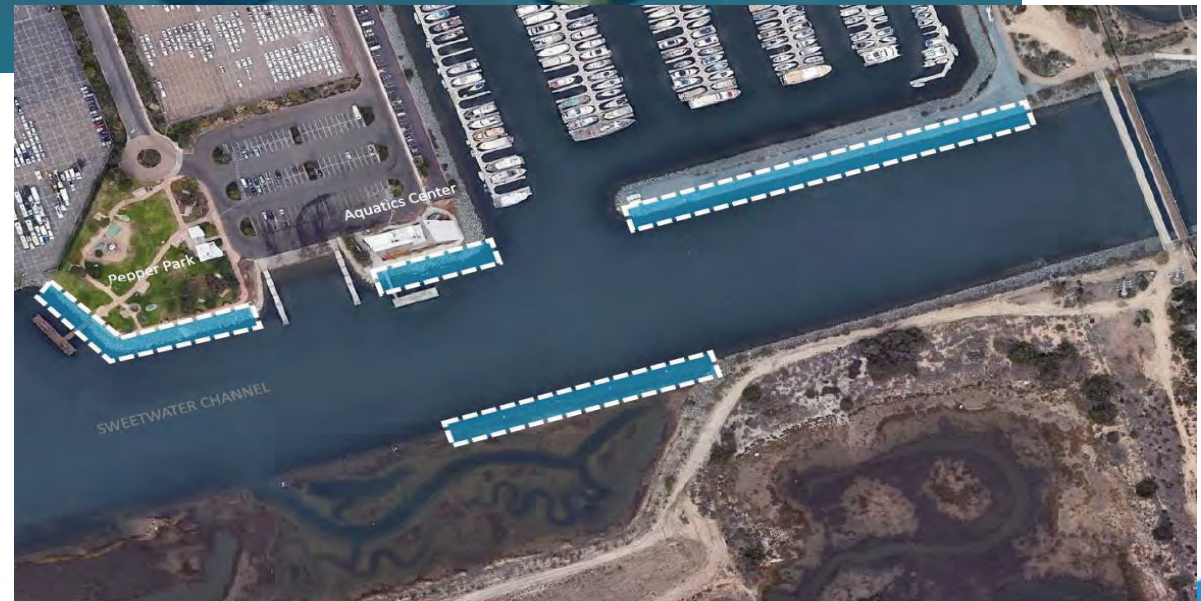




## Port of San Diego

### Israeli company (ECONcreteTech)

- Enables responsible building underwater and meet climate action goals
- Innovative concrete material provides a sustainable and ecological alternative to inorganic riprap, traditionally used to stabilize and secure shores in marine construction
- Project location very near proximity to spill event
- SEP application being prepared





# South Metro Interceptor South Siphon Transition Structure



Looking north across Sweetwater River



South Siphon Transition Structure



## Sealing structure – Pros and Cons

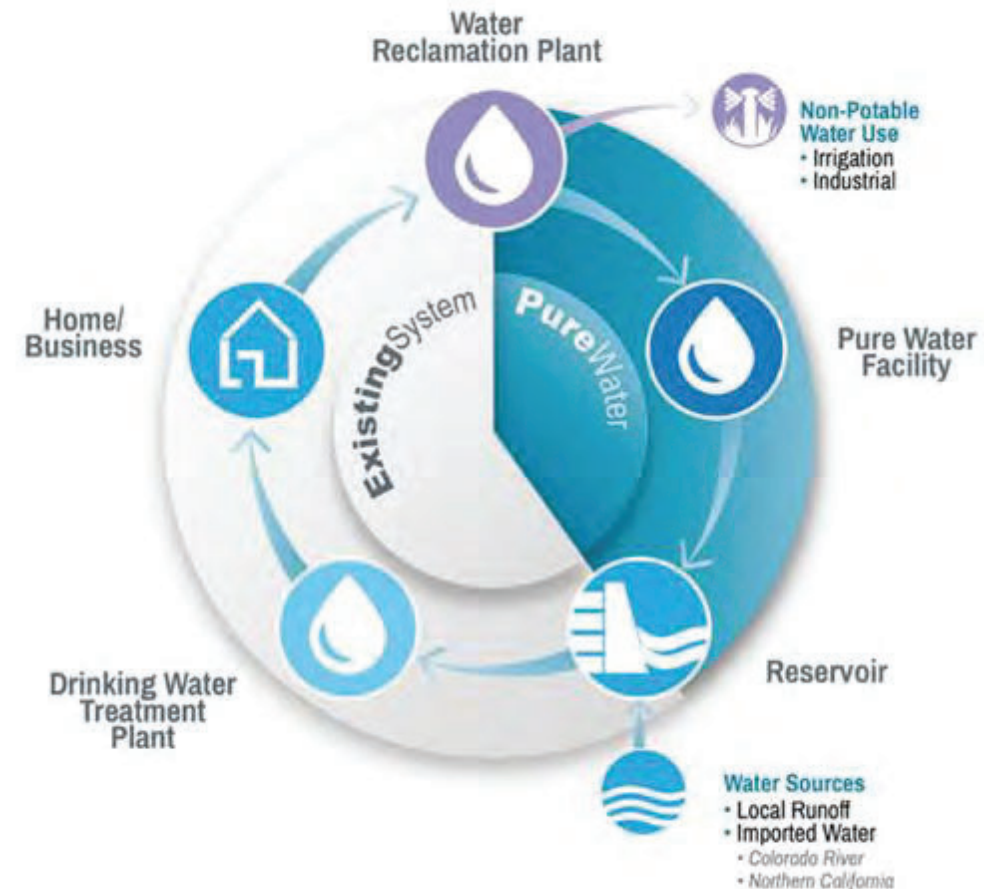
- Pro – would mean no spills from this location
- Pro – inexpensive, blind flange and bolted manhole cover
- Con - maintenance still required, very high H<sub>2</sub>S odors and corrosion
- Con - high system flows would possibly exit elsewhere





## Purpose

- Examine the existing protocols used to manage all PUD assets including raw water, wastewater, pure water, potable water and recycled water
- Provide a standardized prioritization scoring framework for all asset types consistent with council policy
- Identify projects that can extend the useful life of existing assets
- Supports Climate Action Plan and Resiliency Plan Goals
- Environment Committee meeting (9/15/22) on consent calendar



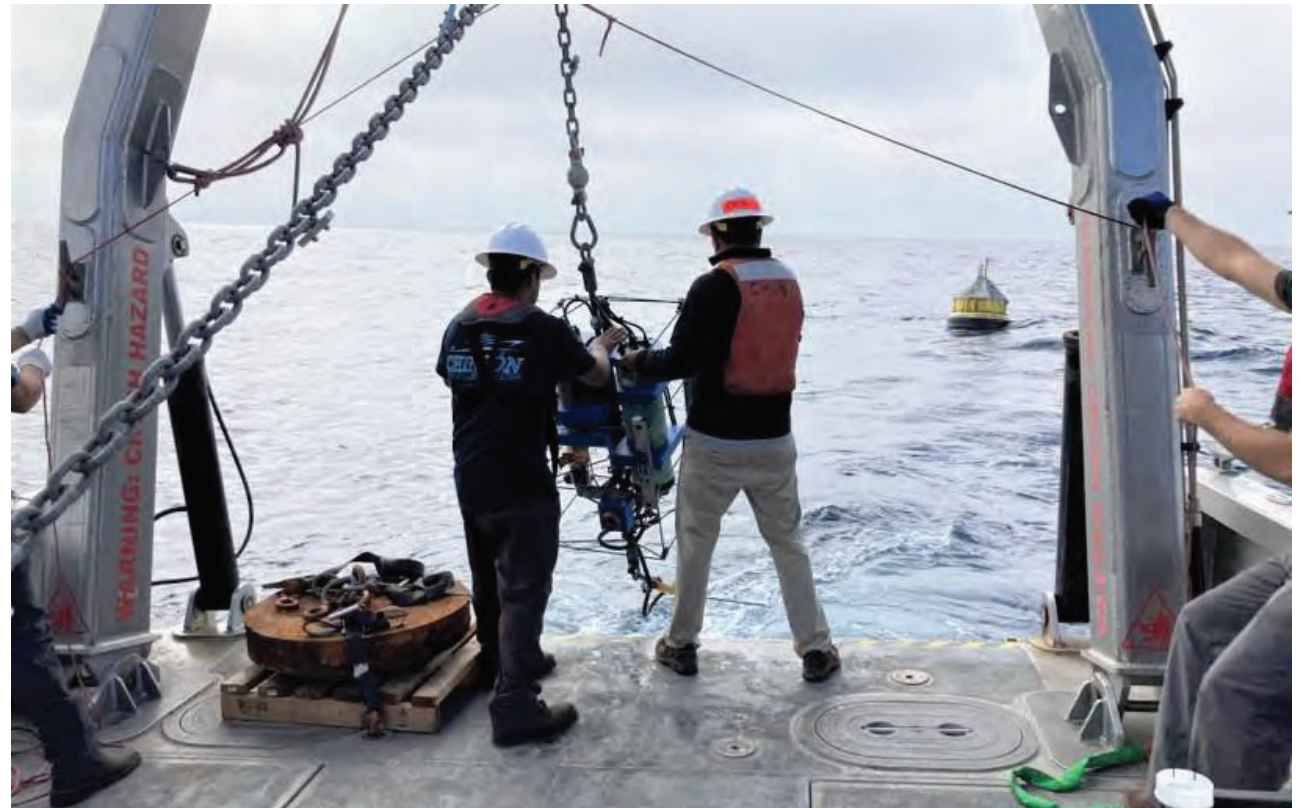




## Amendment to NPDES permit

The additional monitoring included in this amendment addresses terms and conditions from National Marine Fisheries Service:

- a phased study of nutrients and algal blooms in the receiving water, including an assessment of the euphotic zone (the area where light can penetrate, and thus is the depth of the ocean that can stimulate plankton and algae growth when nutrients are present)
- nutrient monitoring of the PLWTP's influent
- nutrient monitoring along with a handful of other parameters (associated with plankton/algae growth in the receiving water) in PLWTP's effluent
- effluent monitoring for constituents of emerging concern (CECs), specifically flame retardants
- Cost unknown at this point
- Adopted by RWQCB on 8/10/22 on consent calendar



# ATTACHMENT 13

## 4th QUARTER METRO CAPITAL IMPROVEMENT PROGRAM AND FUNDING



THE CITY OF SAN DIEGO

## M E M O R A N D U M

DATE: August 9, 2022

TO: Metro Technical Advisory Committee (Metro TAC)

FROM: Surraya Rashid, Deputy Director, Public Utilities Department

SUBJECT: FY2022 Capital Improvements Projects (CIP) Report – 4th Quarter

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The Public Utilities Department hereby submits the FY2022 CIP updates for the period of April 1, 2022 through June 30, 2022.

The report includes the following:

- Project Highlights
- Forecast versus actual expenditures report
- Projects expenditure updates

## Project Highlights

Project	Total Project Cost	Status
SBWRP Variable Frequency Drive Replacement	\$955,500	Construction

Remove and replace two 600 HP Variable Frequency Drive and one 200 HP Variable Frequency Drive at the South Bay Wastewater Treatment Plant.

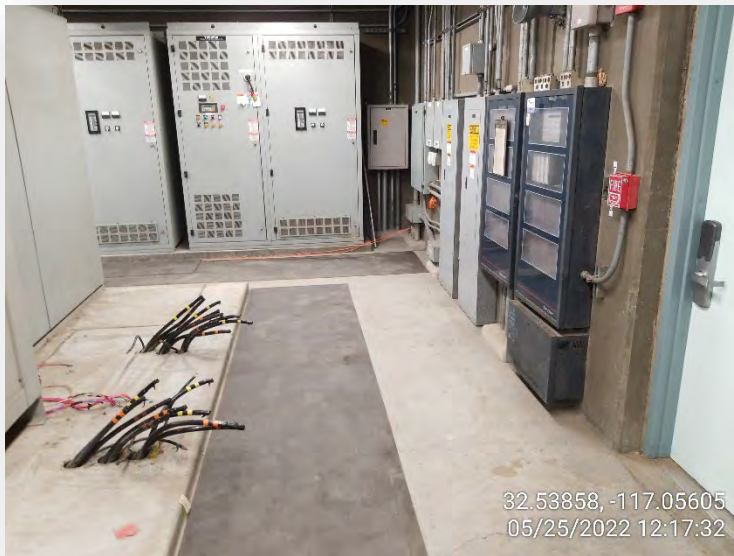


Photo 1. Removal of the old VDF.

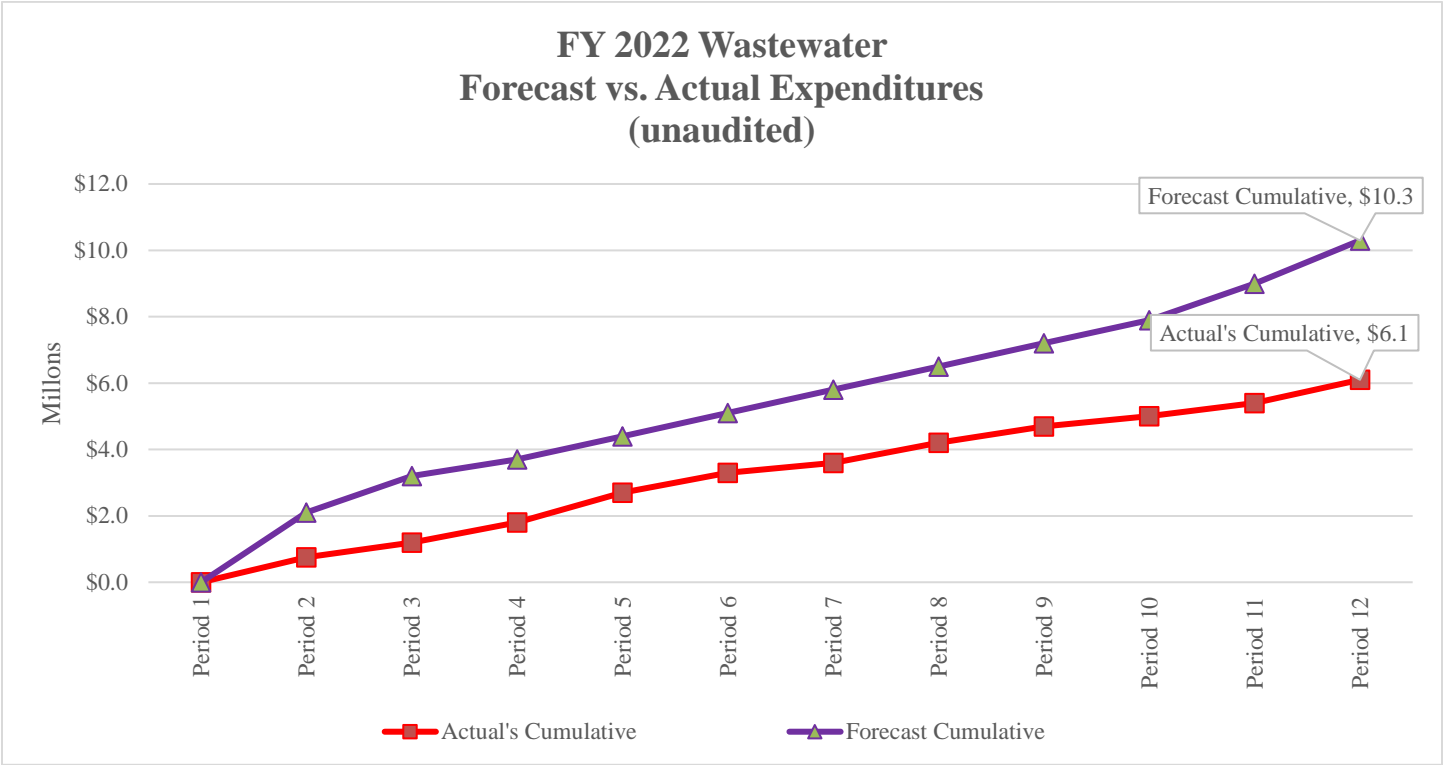


Photo 2. Crews installing new VDF.



Photo 3. The new installed VDF.

**FORECAST VERSUS ACTUAL EXPENDITURES UPDATES**





WASTEWATER PROJECTS  
FY 2022 - 4th Quarter (Financial Data run June 30, 2022)

NOTES:  
- Wastewater projects are separated into Muni and Metro

WASTEWATER PROJECTS								Design Phase			Construction Phase		
WBS	Project Name	Status	Estimated Total Project Cost	Project to Date Expenditures FY22, Pd 11	Encumbrance at FY22, Pd 11	Project Balance (Revised Proj Cost less Expenditures less Encumbrances)	% Spent (Expenditures /Revised Project Cost)	Design Start	Design Finish	Final Design Approval - End Variance	COSS BO/BU	BO/BU	BO/BU Variance
	LARGE SEWER PUMP STATIONS - METRO												
S00312	PS2 Power Reliability & Surge Protection Improve power reliability and provide standby power at the pump station, thus protecting against surges during outages and ultimately preventing sewage spills.	Construction	\$75,600,800	\$65,262,119	\$7,368,876	\$2,969,804	86.32%	2/1/2011	9/20/2016	2058	10/20/2021	9/11/2024	1057
	OTHER - METRO												
B20001	STORM WATER DIVERSION AT THE PLWTP Divert storm water discharge to comply with the Consent Decree to reduce pollutants in the storm water discharges at the Point Loma Wastewater Treatment Plant.	Design	\$5,233,240	\$932,210	\$456,057	\$3,844,973	17.81%	11/7/2019	8/24/2022	1021	12/30/2022	6/4/2023	156
B20002	STORM WATER DIVERSION AT THE SBWRP Divert storm water discharge to comply with the Consent Decree to reduce pollutants in the storm water discharges at the South Bay Water Reclamation Plant.	Bid / Award	\$3,908,100	\$859,321	\$164,138	\$2,884,641	21.99%	11/1/2019	5/12/2022	923	9/30/2022	4/5/2023	187
B19197	STORM DRAIN DIVERSION AT THE MBC Divert storm water discharge to comply with the Consent Decree to reduce pollutants in the storm water discharges at the Metro Biosolids Center.	Bid / Award	\$3,481,800	\$1,054,053	\$16,697	\$2,411,050	30.27%	10/1/2019	4/26/2022	938	11/30/2022	1/11/2024	407
S00319	EMT&S Boat Dock Esplanade Construct one (1) acre esplanade between the existing EMTS building and channel.	Design	\$3,333,000	\$779,904	\$77,483	\$2,475,613	23.40%	10/1/2018	5/2/2022	1309	12/27/2022	8/2/2024	584
	SEWER TREATMENT PLANTS - METRO												
B20137	PLWTP Scum Injection Concentrators Improvements Remove existing scum concentrators and replace with scum screens, a decanter and associated piping so that the scum can be injected into the digesters.	Design	\$2,987,400	\$152,441	\$603,154	\$2,231,805	5.10%	8/13/2022	1/4/2023	144	4/19/2024	8/20/2024	123
B20121	Metro Biosolids Ctr Gas Detection Syst Replacement Replace the existing gas sensors with the most up-to-date gas sensors and ensure compatibility with the existing system.	Bid / Award	\$3,049,000	\$498,554	\$137,210	\$2,413,236	16.35%	8/13/2020	4/18/2022	613	12/29/2023	2/29/2024	62
B19066	SBWRP Variable Frequency Drive Repl Remove and replace two 600 HP Variable Frequency Drive and one 200 HP Variable Frequency Drive at the South Bay Wastewater Treatment Plant.	Construction	\$955,500	\$356,122	\$485,729	\$113,648	37.27%	1/29/2020	4/2/2020	64	2/1/2021	10/7/2022	613
B20122	SBWRP Reverse Osmosis System Remove two existing trailer mounted Electrodialysis Reversal (EDR) units and replace the entire EDR system with a two new slab mounted Reverse Osmosis Units.	Design	\$10,700,000	\$273,064	\$1,303,497	\$9,123,439	2.55%	9/18/2020	2/14/2023	879	9/19/2023	12/17/2024	455
B20148	NCWRP - Chiller Replacement Replace three (3) chillers and two (2) cooling towers, including the integration into the Distributed Controls System (DCS) at North City Water Reclamation Plant. This project also includes the installation of 65 Linear Feet (LF) of 12-inch Ductile Iron (DI) pipe and 35 LF of 16-inch DI pipe.	Design	\$3,000,000	\$216,965	\$18,511	\$2,764,524	7.23%	9/1/2020	9/30/2021	394	9/30/2022	6/9/2023	252

# ATTACHMENT 14A

## PURE WATER COST CONSTRUCTION CONTRACTS UPDATE

Schedule Data Date: August 31, 2022

21-Sep-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	\$14,500,000	\$16,403,300	\$1,184,211	\$17,587,511	\$17,282,294	Shimmick
NC Pure Water Facility & NC Pure Water Pump Station	August 7, 2020	April 19, 2021	September 18, 2025	\$455,704,000	\$356,681,930	\$977,483	\$357,659,413	\$92,344,016	Shimmick
Morena Northern Alignment & Tunnels	August 17, 2020	June 14, 2021	February 4, 2025	\$98,936,360	\$95,243,645	\$5,900,000	\$101,143,645	\$6,585,068	OHL USA, Inc
Morena Pump Station	October 21, 2020	June 14, 2021	July 14, 2025	\$109,700,000	\$110,386,350	\$339,757	\$110,726,107	\$33,970,391	Flat Iron West
NC Pure Water Pipeline and Dechlorination Facility & Subaqueous Pipeline	November 30, 2020	June 1, 2021	December 30, 2025	\$138,010,000	\$123,456,027	\$0	\$123,456,027	\$11,610,831	W.A. Rasic Construction Company, Inc.
NCWRP Expansion & PWF Influent Conveyance	December 16, 2020	August 4, 2021	July 14, 2025	\$208,660,000	\$255,138,000	\$61,145	\$255,199,145	\$27,855,129	Kiewit Infrastructure West Co.
NC MBC Improvements	February 9, 2020	September 15, 2021	July 14, 2025	\$40,384,677	\$40,086,690	\$203,664	\$40,290,354	\$10,984,251	PCL Construction, Inc.
NCWRP EQ Basins	May 11, 2021	December 6, 2021	July 8, 2024	\$10,540,000	\$11,886,000		\$11,886,000	\$1,065,971	Kiewit Infrastructure West Co.
Morena Conveyance Southern & Middle	December 28, 2021	October 3, 2022	July 18, 2025	\$115,954,829	\$129,753,895		\$129,753,895		Sukut Construction, LLC
Miramar Reservoir Pump Station Improvements	March 18, 2022	October 7, 2022	November 1, 2024	\$10,253,000	\$12,692,000		\$12,692,000		Shimmick
				<b>\$1,202,642,866</b>	<b>\$1,151,727,837</b>	<b>\$8,666,260</b>	<b>\$1,160,394,097</b>	<b>\$201,697,951</b>	

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 June 30, 2022 WIFIA report.



# ATTACHMENT 15

## METROTAC UPDATE/REPORT

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

Active Items	Description	Member(s)
Metro JPA AdHoc 2 <sup>nd</sup> ARA	JPA Board work group. Formed to review all items being negotiated in the 2 <sup>nd</sup> ARA prior to going to the full Board. Meets every 2-3 weeks as needed. First meeting March 16, 2022.	Jerry Jones Marvin Heinze Gary Kendrick Ed Spriggs JPA Support staff
IRWMP	JPA Members should monitor funding opportunities at: <a href="http://www.sdirwmp.org">http://www.sdirwmp.org</a> 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. 4/11/2022: FY2019 scheduled to complete April/May 2022; FY 2020 audit final field work completed. Owner controlled insurance program detail discussion (future). 6/13/22: FY 2021 Entrance Conference 7/14/22: FY2019 Audit received <b>8/22: FY2019 audit approved. OCIP meeting held.</b>	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: Monthly meetings to discuss the pretreatment agreement and considerations for the 2nd ARA, reviews of local limits, and the industrial user permit fees and program	Beth Gentry Interested JPA members Dexter Wilson SD Staff & Consultants
Emergency Mutual Aid Committee	Formed with the intent the sharing of resources during an emergency. First draft was completed and the next draft will be circulated for interested agencies.	Peejay Tuongbanua Steve Beppler, Yazmin Arellano, Mike James Hamed Hashemian
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.	Karyn Keze Dexter Wilson SD staff & consultants
2 <sup>nd</sup> ARA Negotiating Team	This group was created to negotiate the 2 <sup>nd</sup> 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: Procopio, 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.	Procopio JPA members as appropriate

Sewer Rate Comparison: Metro Participating Agencies  
Single Family Monthly Rates Based on 7 HCF Water Usage  
Effective January 1, 2022 for FY 2023

