



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

AGENDA

**Thursday, December 1, 2022
12:00 p.m.**

**Coronado Club Room & Boathouse
1845 Strand Way, Coronado, CA**

"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."

Note: Any member of the Public may address the Metro Commission/Metro Wastewater JPA on any Agenda Item. Please complete a Speaker Slip and submit it to the Administrative Assistant or Chairperson prior to the start of the meeting if possible, or in advance of the specific item being called. Comments are limited to three (3) minutes per individual.

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)

5. ACTION: APPROVAL OF MINUTES FROM OCTOBER 6, 2022 (Attachment)

6. ACTION: APPROVAL OF MEETING CALENDAR FOR 2023 (Attachment)

7. PRESENTATION: CHAIR JONES TO PRESENT A SMALL TOKEN OF APPRECIATION TO SEVERAL OF OUR WONDERFUL COMMISSIONERS (GALVEZ, HEINZE, SPRIGGS, MULLIN) WHO ARE LEAVING US TO GO ON TO BIGGER AND BETTER ADVENTURES

8. PRESENTATION: VICE CHAIR HEINZE TO MAKE PRESENTATION TO CHAIR JONES

9. UPDATE: FINANCE COMMITTEE (Finance Committee Chair Mullin)

10. ADJOURNMENT OF METRO COMMISSION AND METRO WASTEWATER JPA

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 by contacting L. Peoples at (619) 548-2934 during normal business hours.

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 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 2023 Meeting Schedule

January 5, 2023
April 6, 2023
July 6, 2023
October 5, 2023

February 2, 2023
May 4, 2023
August 3, 2023
November 2, 2023

March 2, 2023
June 1, 2023
September 7, 2023
December 7, 2024

ATTACHMENT 5

ACTION MINUTES OF OCTOBER 6, 2022



**Regular Meeting of the Metro Commission
and Metro Wastewater JPA
Zoom Meeting Held Online**

October 6, 2022

Minutes

Chairman Jones called the meeting to order at 12:04 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	Dwight Worden	
City of El Cajon	Gary Kendrick (absent)	
City of Imperial Beach	Ed Spriggs	
City of La Mesa	Bill Baber (absent)	
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; 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; Joe Kuhn – City of La Mesa; None – Lemon Grove Sanitation District; Carmen Kasner – City of National City; Bob Kennedy – Otay Water District; Paul Clarke – Padre Dam Municipal Water District; None – City of Poway; City of San Diego Staff and Consultants: Tom Rosales, Amy Dorman, Tung Phung, Doug Owen, Mike Rosenberg, Tom Lawton, Layla Al-Khafaji; None – County of San Diego; Metro JPA Staff: Lee Ann Jones-Santos – JPA 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

John Mullin, City of Poway led the pledge.

3. PUBLIC COMMENT

None

4. ACTION: APPROVAL OF AGENDA

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

AYES: Galvez, Heinze, Worden, Spriggs, Jones, Robak, Jassoy, Mullin, Anderson

NAYS: None

ABSTAIN: None

ABSENT: Kendrick, Baber, Rodriguez

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

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

AYES: Galvez, Worden, Spriggs, Jones, Robak, Jassoy, Mullin, Anderson

NAYS: Heinze

ABSTAIN: None

ABSENT: Kendrick, Baber, Rodriguez

6. ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF July 7, 2022, August 4, 2022 AND THE SPECIAL MEETING OF September 22, 2022

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

AYES: Galvez, Heinze, Spriggs, Jones, Robak, Jassoy, Mullin, Anderson

NAYS: None

ABSTAIN: Worden

ABSENT: Kendrick, Baber, Rodriguez

7. ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE RECOMMENDED CHANGES TO THE METRO JPA AGREEMENT

General Counsel Ochoa provided a brief overview noting that this item proposes revisions to remedy the issue that says that the General Counsel of the Metro JPA is to be one of the PAs. It eliminates the requirement only by deleting the once sentence in section 3.06 Legal Advisor. During discussion it was determined that this clause was put into the agreement because they original members thought a PA would volunteer their legal counsel to serve the JPA.

ACTION: Motion Director Anderson, seconded by Director Heinze, the proposed amendment be approved. Motion carried as follows:

AYES: Galvez, Heinze, Worden, Spriggs, Jones, Robak, Jassoy, Mullin, Anderson

NAYS: None

ABSTAIN: None

ABSENT: Kendrick, Baber, Rodriguez

8. FINANCE COMMITTEE

Finance Committee Chair Mullin provided a brief overview of the items the noted that the Finance Committee had reviewed them and recommended approval to the JPA.

A. ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE METRO COMMISSION/METRO WASTEWATER JPA FY2022 YEAR END FINANCIAL STATEMENTS

B. ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE AMENDMENTS TO THE FY2023 METRO WASTEWATER JPA BUDGET BILLINGS

Metro JPA Treasurer Jones-Santos provided a verbal overview of her slide presentations included in the agenda package for both items A and B. She noted that FY2022 ended with higher-than-expected expenditures due to the residuals agreement currently being negotiated between the City of San Diego and the East County JPA. Although the PAs are not parties to this Agreement there are included in the Agreement, provisions to charge the PAs for construction cost of the East County Residuals Line.

With lower than anticipated reserves the entire FY2023 JPA adopted budget must be billed to the PAs. There are no recommended changes at this time to the adopted budget, only the change in using reserves to lower each PAs contributions to the JPA's FY 2023 budget.

ACTION: Motion Director Anderson, seconded by Director Spriggs, the year end financials under item **A** be approved. Motion carried as follows:

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

ACTION: Motion Director Mullin, seconded by Chair Jones, the FY 2024 Metro Wastewater JPA Budget Billings under item **B** be approved. Motion carried as follows:

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

9. DISCUSSION: SANITARY SEWER MANAGEMENT PERFORMANCE RISK AND SYSTEM OPTIMIZATION

Tom Rosales, City of San Diego provided a brief introduction to the item and introduced Mike Rosenberg, City of San Diego who provided a verbal overview of his Power Point presentation included in the agenda package.

10. DISCUSSION: REVIEW OF SAN DIEGO PUD EMERGENCY CHANGE ORDERS

A. \$80M Change Order for Chemical Contracts

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

A. Tom Rosales, City of San Diego provided an overview of his Power Point presentation included in the agenda package.

B. Amy Dorman, City of San Diego provided an overview of her PowerPoint presentation included in the agenda package.

11. INDUSTRIAL WASTEWATER CONTROL COMMITTEE

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

12. UPDATE: METRO WASTEWATER

Tom Rosales provided the background and updates via a PowerPoint presentation included in the agenda package.

A. Pt. Loma Wastewater Treatment Plant Road

Drone photos of grids were presented noting Quarter 3 of monitoring did not show any difference from Quarters 1 and 2 in the erosion of the Treatment Plant Road.

B. April 10, 2020, Spill Update

The City is still in negotiations with the Regional Board on the Settlement Agreement which is still confidential. They have not received the final agreement and when it is received it will go to City Council for approval. There will then be a Public Hearing in the September to November timeframe.

C. Capital Program Master Planning Process Overview and Status

The item went to the Environmental Committee on September 15, 2022 will go to City Council next and then they would be ready to enter into a contract with CDM.

D. Update on Tentative Order No. R9-2022-0078

The amendment to the NPDES permit included additional monitoring with terms and conditions. Costs are unknown at this time. It was adopted by the Regional Board in August.

13. UPDATE: 4th QUARTER FY2022 METRO CAPITAL IMPROVEMENT PROGRAM AND FUNDING SOURCES

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

14. UPDATES: PURE WATER PROGRAM

A. PURE WATER PHASES 1 & 2 DESIGN & CONSTRUCTION

Amy Dorman provided an overview of the table she had included in the agenda package.

B. SECONDARY EQUIVALENCY LEGISLATION

Tom Rosales stated he had asked Allie in the Mayors office to provide an update to MetroTAC and will take it to the next MetroTAC meeting followed by the JPA.

15. 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.

The MetroTAC Update Report was attached to the agenda.

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

Karyn Keze provided a brief report noting they had 3 scheduled meetings wherein they discussed the residual agreement negotiation and continued discussion on how repurified water revenues are calculated and the additional cost versus revenue between a 41.5 MGD and a 53 MGD Pure Water facility for Phase 2.

17. REPORT: IROC UPDATE

Chair Jones stated the IROC had 2 discussions, 1 on the retirement system and the 2nd on the annual reports.

18. REPORT: FINANCE COMMITTEE

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

19. REPORT: GENERAL COUNSEL

General Counsel Ochoa provided a update on AB 2449 that was approved by the Governor on September 13th which codifies exceptions to the Brown Act Rules. She noted that AB 361 will sunset on January 1, 2023 and until then would remain in effect until the State of Emergency for COVID is recalled.

20. PROPOSED AGENDA ITEMS FOR THE NEXT METRO COMMISSION/METRO WASTEWATER JPA MEETING November 3, 2022

None

21. METRO COMMISSIONERS' AND JPA BOARD MEMBERS' COMMENTS

None

21. ADJOURNMENT

There being no further business, Chair Jones declared the meeting adjourned at 1:52 p.m.

ATTACHMENT 6

2023 MEETING CALENDAR

**Metro Commission/Metro Wastewater JPA
and
MetroTAC Committee**

2023 Meeting Calendars

METRO COMM/METROJPA 1st Thursday of the month		METRO TAC 3rd Wednesday of the month	
January 5, 2023 (if needed)	12:00 – 2:00	January 18, 2023	11:00 – 2:30
February 2, 2023	12:00 – 2:00	February 15, 2023	11:00 – 2:30
March 2, 2023	12:00 – 2:00	March 15, 2023	11:00 – 2:30
April 6, 2023	12:00 – 2:00	April 19, 2023	11:00 – 2:30
May 4, 2023	12:00 – 2:00	May 17, 2023	11:00 – 2:30
June 1, 2023	12:00 – 2:00 (SANDIST meeting immediately following)	June 21, 2023	11:00 – 2:30
July 6, 2023	12:00 – 2:00	July 19, 2023	11:00 – 2:30
August 3, 2023	12:00 – 2:00	August 16, 2023	11:00 – 2:30
September 7, 2023	12:00 – 2:00	September 20, 2023	11:00 – 2:30
October 5, 2023	12:00 – 2:00	October 18, 2023	11:00 – 2:30
November 2, 2023	12:00 – 2:00	November 15, 2023	11:00 – 2:30
December 7, 2023	12:00 – 2:00	December 20, 2023	11:00 – 2:30
January 4, 2024 (if needed)	12:00 – 2:00	January 17, 2024	11:00 – 2:30

Meetings locations will be noted on the agenda