

Metro Finance Committee

(Finance Advisory Committee to Metro JPA)

TO: Finance Committee Members and Metro JPA

DATE: Wednesday, February 22, 2023

TIME: 1:00 p.m.

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

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

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

The public may participate using the following remote options

Join Zoom Meeting https://us02web.zoom.us/j/85708515763

Meeting ID: 857 0851 5763

One tap mobile +16699009128,,85708515763# US

> Dial by your location +1 669 900 9128 US

THIS NOTICE HAS BEEN DISTRIBUTED TO THE METRO FINANCE COMMITTEE MEMBERS and METRO DIRECTORS

1. Roll Call

2. **Public Comments**

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

- 3. **ACTION**: Approval of Agenda (Jones)
- 4. **<u>DISCUSSION</u>**: Welcome and Introductions (Jones/Keze)
- 5. **ACTION:** Consideration and Possible Action to Approve Minutes from the November 28, 2022 Finance Committee Regular Meeting **(Attachment)**
- 6. **<u>ACTION</u>**: Consideration and Possible Action to Select and Appoint the Committee Chair and Vice Chair (Jones)
- 7. <u>ACTION</u>: Consideration and Possible Action to Recommend to the Metro JPA/Commission Approval of the Mid-Year JPA Financials FY2023 Treasurer's Report ending December 31, 2022 (Jones-Santos) (**Attachment**)
- 8. **<u>UPDATE</u>:** FY2023 Budget Status (Jones-Santos/Keze) (**Attachment**)
- 9. Review of Items to be Brought Forward to the Metro Commission/Metro JPA
- 10. Other Business of the Finance Committee
- 11. Adjournment

The Metro Finance Committee may take action on any item listed on the agenda whether or not it is listed "for action."

Materials provided to the Metro Finance Committee related to any open-session item on this agenda are available for public review by contacting Karyn Keze (619) 733-8876 during normal business hours.

ATTACHMENT 5

ACTION MINUTES OF NOVEMBER 28, 2022



Metro Wastewater JPA Finance Committee November 28, 2022 Minutes

Meeting called to order: 10:04 a.m. via Zoom by Committee Chairman Mullin

1. ROLL CALL

Committee Attendees:

John Mullin, Chair, Poway Jill Galvez, Chula Vista Jerry Jones, Lemon Grove Sanitation District Karen Jassoy, Padre Dam (arrived at 10:13)

Committee Members Absent:

Ed Spriggs, Imperial Beach Bill Baber, La Mesa

Support Staff:

Karyn Keze, The Keze Group, LLC Adriana Ochoa, Procopio Lee Ann Jones-Santos, Metro JPA Treasurer, El Cajon Beth Gentry, MetroTAC Chair Lori Anne Peoples, Metro Secretary

General Public:

There were no general public members.

2. PUBLIC COMMENT

There was no public comment.

3. <u>ACTION</u>: CONSIDERATION AND POSSIBLE ACTION TO MAKE FINDINGS TO HOLD REMOTE/TELECONFERENCE MEETINGS PURSUANT TO ASSEMBLY BILL 361

ACTION: Motion by JPA Chair Jones, seconded by Finance Chair Mullin to make the findings and continue holding remote/teleconference meetings. Motion carried as follows:

AYES: Galvez, Jones, Mullin NAYS: None ABSTAIN: None ABSENT: Spriggs, Baber, Jassoy

4. <u>ACTION:</u> APPROVAL OF MINUTES FROM THE AUGUST 24, 2022 FINANCE COMMITTEE MEETING

ACTION: Upon motion by JPA Chair Jones, seconded by Finance Chair Mullin, to approve the minutes as submitted. Motion carried as follows:

AYES: Galvez, Jones, Mullin NAYS: None ABSTAIN: None ABSENT: Spriggs, Baber, Jassoy

5. <u>ACTION:</u> CONSIDERATION AND POSSIBLE ACTION TO RECOMMEND TO THE METRO JPA/COMMISSION APPROVAL OF THE FY 2023 FIRST QUARTER FINANCIAL STATEMENTS AND TREASURER'S REPORT

Karyn Keze introduced the item and noted that Metro JPA Treasurer Lee Ann Jones-Santos would review the Treasurers Report and then there would be a second part of this item due to concerns she and Lee Ann have regarding some potential changes to the adopted budget and where she sees us going this coming year.

Lee Ann provided a verbal overview of the Treasurers Report noting that the presentation would be short until the Statement of Operations which would take a bit of time as that is where the budget is set forth and where we can see the expenditures to date. She pointed out that the cash balance, prior to her taking over the Treasurer's position in June 2021, was around \$500,000. However, at the end of September, waiting for the new payments from each agency to come in, it was down to \$138,000. She is carefully watching the amount we have in the bank prior to releasing payment checks. She then requested the Committee members to remind their Finance Departments to pay their invoices as soon as possible.

The first slide showed the Statement of Net Position as of July 1, 2022, through September 30, 2022 more as a balance sheet perspective of what is in checking, savings, accounts receivable and payable as well as where we finish at year-end. She stated that it was a good decision to not use any cash on hand from reserves to reduce the FYE 2023 PAs JPA budget billings because we no longer have the amount needed on hand for our 4 month reserve at this point in time.

The next slide, Statement of Operations Budget vs. Actual, shows the first quarter budget with actual payments through the end of September vs. on-quarter of the adopted budget (straight-line comparison). She then reviewed the expenditures by line item. Karyn Keze stated she would be providing a report for discussion which will show the actual monthly expenditures and she will explain what happened and what she thinks will happen. She wanted the committee to look at where we were financially considering the first couple of months which found higher than normal staff consultant costs because of the San Diego Residuals Agreement.

10:13 am Karen Jassoy joined the meeting.

General Counsel Ochoa reviewed for the Committee the issues surrounding the Residuals Agreement and its potential effects on the PAs. She further noted that the three items of concern to the JPA will continue to be negotiated between the Financial Implementation Group (JPA FIG members are Dexter Wilson and Karyn Keze) with Lisa Celaya and Adam Jones of the PUD staff before moving forward to the full 2nd ARA negotiating group for inclusion in the 2nd ARA.

Lee Ann completed her review by stating that currently we are over budget due to the unexpected staff consulting expenses. The final slide, the Statement of Cash Flows, shows our cash position at the end of September. This Statement will change over the next several months to include payments from all of the PAs for the FYE 2023 budget and should return to a positive position. She then turned the presentation over to Karyn Keze.

Finance Chair Mullin stated, for those who just joined, the Committee had spent most of their time on discussion of the Statement of Operations and whether or not this is an aberration having to do with one quarter vs. a trend we need to adjust, and it appears to be more of a cash flow problem than a profit and loss issue.

Karen Jassoy provided the way she used to provide the financials as Metro JPA Treasurer. Lee Ann stated that they were doing it currently on cash basis as she needed to project where we were at this time but may change back in future months.

Karyn Keze stated that this was the first time in JPA history that we were \$100,000 short of our required reserve level. She then presented a slide to assist in explaining what she sees is going on now and what she sees for the rest of the year. She also noted that this Committee, with exception of Karen Jassoy, could potentially all be new after January 2023, and therefore the current Committee will not be here. She wanted to identify if the present Committee feels there is anything that needs to be done now collectively or just note them in the minutes and move forward once a new Finance Committee is formed.

She then provided a vendor-by-vendor status overview of the budget and stated that hopefully the trend for the rest of the year will right itself due to the holidays and completion of the Residuals Agreement. However, the year-end budget may be tight and require amendments to all major staff consultant's contracts due to the work ahead of them and the large amount of effort expended in the first quarter. The JPA staff consultants are trying to move the 2nd ARA document forward and working closely with General Counsel Ochoa to try to get it before the ARA negotiating committee and accomplish this in the next 6 months (this fiscal year).

She used her contract to show how the FY 2023 budgeted scopes of work for the major JPA staff consultants have changed from what was anticipated when the budget was adopted in April 2022. The main driver is the volatility surrounding the ARA negotiations and that JPA staff has taken more of a leading role than anticipated, such as preparing technical schedules for cost allocations and preparing the draft 2nd ARA and thus increasing staff consultant expense. Also, the size of the turnover in JPA Directors was not anticipated in the FY2023 budget and has never happened before in JPA history. Therefore, she will be working with Lori on a New Directors Manual and Training Workshops that were unanticipated. Thus, there may be amendments needed to the staff consultants, Director Per Diems are currently over budget due to the increased number of AdHoc and Finance Committee meetings year-to-date. Once again this is mainly due to the 2nd ARA negotiations and the amount of additional time required by the JPA Chair and Directors to support this effort.

JPA Chair Jones stated that they were having three Ad Hoc meetings per month and with a big turnover of Directors, he feels a higher number will be needed considering the work ahead. JPA Metro TAC Chair Beth Gentry added that staff did not anticipate the Residuals Agreement and all the work involved in that. She also added that due to San Diego having such past high staff turnover and current reduced staff, JPA staff consultants and General Counsel Ochoa were drafting the initial proposed 2nd ARA language for San Diego to review which is a lot more work intensive and cost more but was the only way to move forward.

General Counsel Ochoa stated that San Diego is on their fourth set of attorneys, and they also assign different attorneys for different things, so it takes a lot for them to confer and every time there is turnover it takes a minimum of two months for them to get up to speed.

Finance Chair Mullin stated he felt the first quarter ending in September was a bit early to look at budget status, but he did want to look at cash flow and inquired as to what cash had come in as of the end of October. Lee Ann estimated that \$118,000 in payments from various PAs had been received.

Finance Chair Mullin stated that with \$100,000 plus cash came in and we spent roughly \$55,000 so we added \$45,000 to \$50,000 to our cash balance which Lee Ann confirmed as true. Lee Ann stated we are probably good for the month of November and December for invoices because additional PAs will pay over the next three months. Karen Jassoy, past Treasurer of the JPA, stated that the majority usually do pay within three months and there is only a couple that normally needs reminding.

JPA Chair Jones stated that for quite a few years we had maintained a much higher reserve level than the four months policy and during that time, when doing the first ARA and lawsuit against the San Diego EIR, we had the extra cash to meet the additional costs incurred during those years. However recently it had been the decision to use those reserves to lower annual JPA member's annual billings due to economic circumstances surrounding Covid. He suggested we might need to increase size of our reserves, so we do not run into this again, as we have a lot more unknowns ahead of us going into Pure Water Phase 1 construction and Phase 2 planning. These items will take more negotiation and as staff has pointed out San Diego staff is inexperienced so our staff is carrying the weight.

It was consensus that the four-month reserve level needs to be upped. It was suggested that Karyn Keze and Lee Ann provide recommendations to the Committee for a reserve level that better suits where we are as circumstances have changed drastically over the last two years as we move forward with the Pure Water Program. Although it is not something that can be fixed today, it needs to be talked about. Karen Jassoy concurred with JPA Chair Jones that the reserve level in the past was more of a cash flow so would support increasing the reserves for unknowns and agreed to work with Karyn Keze and Lee Ann during the budget process.

Finance Chair Mullin stated his perspective. He felt we have a perfect storm based upon at the same time we have increased staff consultant work load we also have a typical timing cash flow problem. He then asked staff if everyone paid their billings and the funds were in the bank, what was their anticipation of how short the budget would be for this fiscal year. Would there need to be a supplemental billing to the PAs? Karyn Keze stated her guess was that with how low the reserves are, a supplemental bill is possible for cash flow purposes. If we had a six months reserve, we might be okay but we don't even have our regular four month reserve level.

Lee Ann noted that even being conservative, we may go over the annual budget that has been adopted by \$50k to \$75K. If reserves were increased, we would be able to cover that if needed and then modify moving forward. Even if November through January are quieter, we would ramp up work again with negotiations in February and the remainder of the year would be impacted. She felt we could increase the reserves and then adjust the budget later for the year if needed.

Finance Chair Mullin stated he felt what would be in order - to look at a mid-year budget adjustment if our projected reserves had not returned above the four-month level. He would rather do that, get things back on track in two phases with a supplemental assessment and

then if we want to increase from 4 to 6 months for reserves let that be as part of the upcoming year's budget.

Karyn Keze inquired as to when he saw this being done. Finance Chair Mullin stated he felt this should happen in the first quarter of 2023, with a recommendation from the current Committee and approved by the current Board to the next Board and Committee. JPA Chair Jones agreed. Finance Chair Mullin stated if consensus could be reached at this meeting, it could be taken forward to the December JPA meeting for action. JPA Chair Jones stated that he felt this Finance Committee should take steps to make the corrections and leave the reserve discussion to the incoming board. But a recommendation could be left that this Finance Committee has reviewed the reserves and feels it would be appropriate to increase the reserve amount and recommend this take place during the next budget cycle. Finance Chair Mullin stated he would rather focus on why additional funds are needed now and emphasize that, because primarily this was due to scope-of-work increases for our staff consultants because of the Pure Water Program which will be returned to us in the long run.

Finance Chair Mullin stated he had no problem blaming this on Pure Water because it was the cause, and the implementation of the Pure Water Program is critical and will benefit all of us in the end.

JPA Chair Jones stated he felt everyone was saying the same thing in a different way; his biggest challenge is that Metro today is not what it was when he came in. Pure Water has changed all of that. It is new territory and makes the JPA budgeting and financial tracking difficult due to its volatility. He felt the biggest problem is the JPA reserve level. The main discussion has to revolve around the reserve and those uncertainties and the costs associated there with. When his city did their last sewer user rate case, the consultants wanted to use the reserves to subsidize the rates to bring the costs down and that is exactly what we had been doing the last several years. He noted that practice could then require charging people more money to replenish the reserves, as we are seeing now.

Finance Chair Mullin stated he appreciated the thoughts and concerns that have come forward, and still felt in terms of how this is presented, we should not mention reserves. We should state that what we are seeing is a ramp up of required staff consultant time and we have more expertise than San Diego when it comes to Pure Water, and we are taking the initiative on these things and it is more expensive to the PAs. We are expending money because we choose to because it is beneficial to all the PAs. As to the steps to follow, he feels the recommendation from the Finance Committee to the JPA is to do a first quarter adjustment to the budget if needed and leave it up to staff to handle it.

Finance Chair Mullin stated he could see a strategy that the budget adjustment that comes from staff could be quite liberal and then if we turn out to be under budget at year-end, they can change the reserve polity and add it to the reserves. General Counsel Ochoa stated she was comfortable with this proposed process.

ACTION: Motion by JPA Chair Jones, seconded by member Galvez, that the Committee recommend to the JPA to take action to make corrections and bill for the budget shortfalls, if needed, and at sometime during the budget process reevaluate the reserve policy. Motion carried as follows:

AYES: Galvez, Jones, Jassoy, Mullin NAYS: None ABSTAIN: None ABSENT: Spriggs, Baber

6. REVIEW OF ITEMS TO BE BROUGHT FORWARD TO THE METRO JPA/COMMISSION

Finance Chair Mullin will provide a brief overview of the meeting with the action taken above at the December Metro JPA/Commission meeting.

7. OTHER BUSINESS OF THE FINANCE COMMITTEE

Member Galvez thanked her colleagues and staff for all of their hard work, leadership and education on the JPA financial process.

Karyn Keze also expressed her thanks to the Committee members and stated she would miss everyone.

8. <u>ADJOURNMENT</u>: There being no further business, Finance Chair Mullin declared the meeting adjourned at 11:35 a.m.

ATTACHMENT 7

MID YEAR JPA FINANCIALS

FY2023 TREASURER'S REPORT ending December 31, 2022



Metro Wastewater Joint Powers Authority Treasurer's Report ending December 31, 2022

Metro Wastewater JPA

Treasurer's Report

ending December 31, 2022

Beginning Cash Balance at July 1, 2022	\$ 297,413
Operating Results	
Membership Dues & Interest Income	435,204
Expenses	 (305,238)
Change in Net Position	129,966
Net change in Receivables & Payables	 21,654
Cash used in Operations	 151,620
Ending Cash Balance at February 2023	\$ 449,032.64

Metro Wastewater JPA Statement of Net Position

As of July 1, 2022 and December 31, 2022 Unaudited

		July 1, 2022 December 31, 2022 \$		December 31, 2022		Change	
ASSETS							
Checking/Savings	\$	297,413	\$	449,032	\$	151,619	
Accounts Receivable		11,412		-		(11,412)	
Total Assets	\$	308,825	\$	449,032	\$	140,207	
LIABILITIES							
Accounts Payable	\$	2,044	\$	12,286	\$	10,242	
Unearned Membership Billings		-		-		-	
Total Liabilities	\$	-	\$	12,286	\$	10,242	
NET POSITION							
Net Position at Beginning of Period	\$	566,757	\$	306,782	\$	(259,975)	
Change in Net Position		(259,975)		129,966		389,941	
Net Position at End of Period	\$	306,782	\$	436,748	\$	129,966	
TOTAL LIABILITIES & NET POSITION	\$	308,826	\$	449,034	\$	140,208	
Net Position at 02/28/22			\$	436,748			
FY '22 Required Reserve (4 months of Op Exp)			209,485			
Over (under) required reserve			\$	227,263			

Metro Wastewater JPA Statement of Operations Budget vs. Actual

ending December 31, 2022 Unaudited

		Actual	Budget		Over (Under) Budget		
Income							
Membership Dues	\$	435,204	\$	292,122.50	\$	143,082	
City of San Diego			\$	22,105.00		(22,105)	
Interest Income		-		-		-	
Total Income	\$	435,204	\$	314,228	\$	120,977	
Expense							
Administrative Assistant-LP	\$	13,792	\$	18,550.00	\$	(4,758)	(1)
Bank Charges		-		100.00		(100)	
Contingency		-		-		-	
Dues & Subscriptions		-		-		-	
Financial Services				-			
Audit Fees		-		7,250.00		(7,250)	(1)
Financial - The Keze Group		59,600		50,000.00		9,600	(1)
Treasurer - Padre Dam/El Cajon		3,435		15,000.00		(11,565)	(1)
JPA/TAC meeting expenses		1,917		2,500.00		(583)	
Miscellaneous				125.00		(125)	
Per Diem - Board		10,650		9,000.00		1,650	(1)
Printing, Postage, Supplies		-		430.00		(430)	
Professional Services				-			
Engineering - Dexter Wilson		89,548		70,850.00		18,698	(1)
Engineering - NV5		15,225		15,000.00		225	(1)
Legal - Procopio (Pure Water/2nd ARA		60,682		75,000.00		(14,318)	(1)
Legal - Procopio (General)		17,479		30,000.00		(12,521)	
Legal - Procopio (SD Spill 2020 & 2023))	21,375		-		21,375	(1)
Legal - BB&K		1,561		-		1,561	(1) (1)
Paul Redvers Brown, Inc.		6,888		12,450.00		(5 <i>,</i> 563)	(1)
Strategic Planning		-		-		-	(1)
Telephone, Software & Internet		-		1,070.00		(1,070)	(1)
Website Architecture Update		-		5,250.00		(5,250)	
Website Maintenance & Hosting	. <u> </u>	3,087		1,652.50		1,435	
Total Expense	\$	305,238	\$	314,228	\$	(8,989)	
Net Income (Loss)	\$	129,966	\$	-	\$	129,966	

(1) Invoices received through 12/31/22

Metro Wastewater JPA Statement of Cash Flows

ending December 31, 2022 Unaudited

OPERATING ACTIVITIES	
Change in Net Position	\$ 129,966
Adjustments to Reconcile Change in Net Position to Net Cash Provided by Operations:	
Accounts Receivable	11,412
Accounts Payable	10,242
Deferred Revenue	 -
Year ended June 30, 2022	151,620
Net cash increase (decrease) for period	 297,413
Cash at end of period	\$ 449,033

ATTACHMENT 8

FY2023 BUDGET STATUS



Overview of FY2023 Budget Status

Finance Committee

February 22, 2023

Issues At Play at Calendar Year 2022 Yearend

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FYE 2022 budget year-end costs higher than FYE 2023 budget projections

Residuals Agreement

• Starts drawdown of reserves

Major staff consultants – Residuals Agreement Director Per Diems

• Continued drawdown of reserves

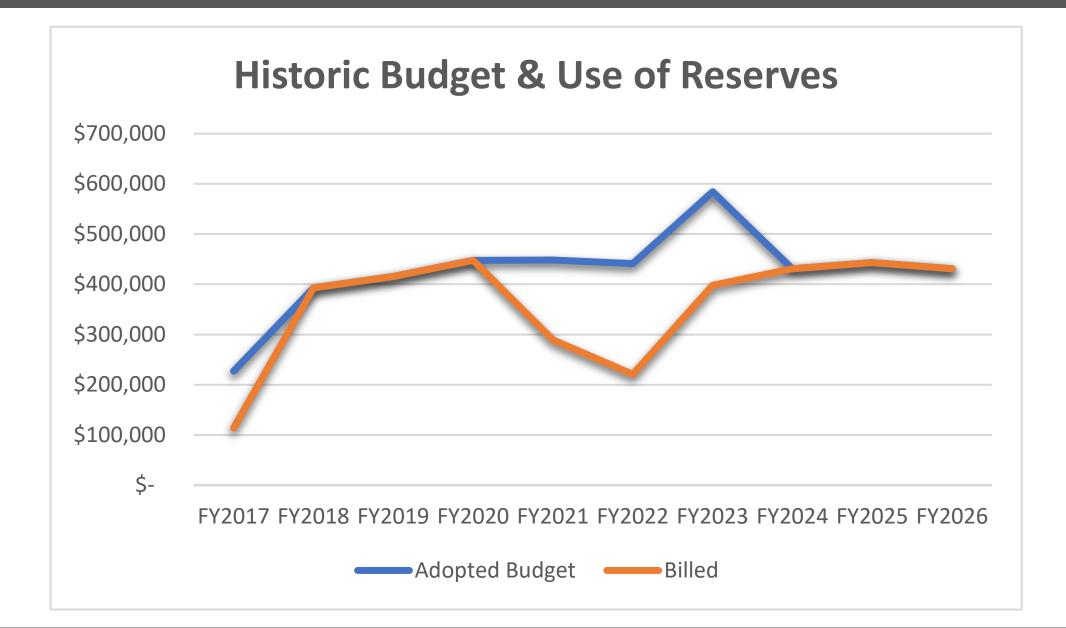


Timing of FYE JPA budget payments

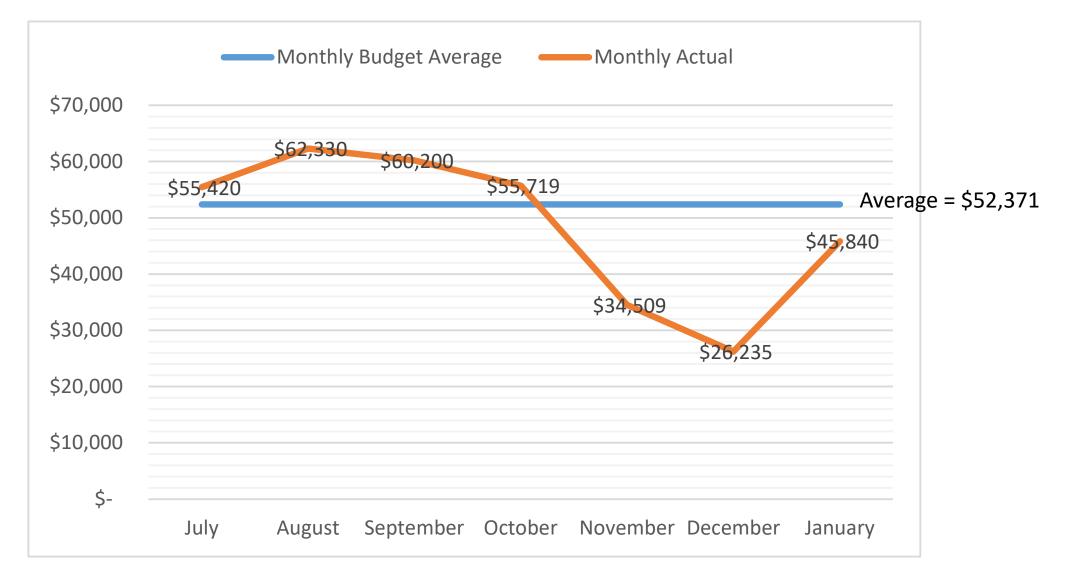
Increased first quarter spending

Four-month lead-lag for payments

Four months of operating reserve proving inadequate



Seven Month FY 2023 Budget Tracking



Current Status

All PAs have paid

Last three months below expense average target

Current reserves are tight but should be adequate to year-end to fund increased budget

Next Steps

- Sub-Committee to review reserve policy and recommend appropriate level to the Committee during FYE 2024 budget process
- During FYE 2024 budget process
 - Prepare Amendments to consultant contracts
 - Amend FYE 2023 budget to included additional expenses
 - Update and create funding plan for recommended reserve levels.

FYE 2024 Budget Schedule:

Action	Targe	Target MeetingDates				
	Metro TAC	Finance	JPA			
Mid-Year Financials Presentation	3/15/2023	2/20/2023	4/6/2023			
FYE 2024 Budget Presentation	4/19/2023	4/26/2023	5/4/2023			
* Consultant contract amendments to go with budget again this year.						