



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

**AGENDA**

**Thursday, June 1, 2023 - 12:00 p.m.**

**9192 Topaz Way (PUD MOC II) Auditorium, San Diego, CA**

**IN PERSON MEETING ONLY**

*"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 WASTEWATER JPA/COMMISSION ON ANY AGENDA ITEM. PLEASE COMPLETE A SPEAKER SLIP AND SUBMIT IT TO THE BOARD SECRETARY 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**

**Documentation  
Included**

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **PUBLIC COMMENT:**  
*Persons speaking during Public Comment may address the Metro Wastewater JPA/Metro Commission on any subject matter within the jurisdiction of the Metro Wastewater JPA/Metro Commission that is not listed as an agenda item. Comments are limited to three (3) minutes.*
4. **ACTION: APPROVAL OF AGENDA** (Chair Jones)
- X 5. **ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF [May 4, 2023](#)** (Attachment)
- X 6. **PRESENTATION: PURE WATER PROGRAM UPDATE**
  - a. Summary of Presentation to the City of San Diego's Environmental Committee (Amy Dorman) (Attachment)
  - b. Direct Potable Reuse (Doug Owen) (Attachment)

**Documentation  
Included**

- X     7.     **ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE METRO JPA RESOLUTION NO. 2023-01 ESTABLISHING A RESERVE FUND POLICY (Adriana Ochoa/Karyn Keze) (Attachment)**
  
- X     8.     **ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE METRO JPA AMENDED BYLAWS (Adriana Ochoa/Karyn Keze)**
  - a. Staff Report (Attachment)
  - b. Metro JPA Amended Bylaws (Attachment)
  
- X     9.     **ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE METRO JPA RESOLUTION NO 2023-02 ESTABLISHING COMPENSATION OF THE DIRECTORS (Adriana Ochoa) (Attachment)**
  
- X     10.    **UPDATE: METRO WASTEWATER (General) (Tom Rosales)**
  - a. April 2020 Spill Update
  - b. January 2023 Spill Update (Attachment)
  
- X     11.    **UPDATE: METRO TAC UPDATE/REPORT (Standing Item) (Yazmin Arellano) (Attachment)**
  
- 12.    **UPDATE: Finance/Administration (Karyn Keze)**
  
- 13.    **REPORT: IROC (Chair Jones)**
  
- 14.    **REPORT: FINANCE COMMITTEE (Bill Baber)**
  
- 15.    **REPORT: GENERAL COUNSEL (Adriana Ochoa)**
  
- 16.    **PROPOSED AGENDA ITEMS FOR THE NEXT METRO JPA/COMMISSION MEETING [July 6, 2023](#)**
  
- 17.    **METRO COMMISSIONERS AND JPA DIRECTORS COMMENTS**
  
- 18.    **ADJOURNMENT**

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

Materials provided to the Metro Wastewater JPA/Metro Commission 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 2023 Meeting Schedule**

January 5, 2023	February 2, 2023	March 2, 2023
April 6, 2023	May 4, 2023	June 1, 2023
July 6, 2023	August 3, 2023	September 7, 2023
October 5, 2023	November 2, 2023	December 7, 2023

# ATTACHMENT 5

Minutes of May 4, 2023



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

**9192 Topaz Way (PUD MOC II) Auditorium, San Diego, CA**

**May 4, 2023**

**Minutes**

Chairman Jones called the meeting to order at 12:08 p.m. A quorum of the Metro JP/Commission was declared, and the following representatives were present:

**1. ROLL CALL**

**Agencies**

City of Chula Vista  
City of Coronado  
City of Del Mar  
City of El Cajon  
City of Imperial Beach  
City of La Mesa  
Lemon Grove San District  
City of National City  
City of Poway  
County of San Diego  
Otay Water District  
Padre Dam MWD  
Metro TAC Chair

**Representatives**

Jose Preciado (absent)  
John Duncan  
Dwight Worden  
Gary Kendrick  
Mitch McKay  
Bill Baber  
Jerry Jones  
Ditas Yamane (absent)  
Peter De Hoff (absent)  
Joel Anderson  
Mark Robak  
Karen Jassoy (absent)  
Beth Gentry

**Alternate**

Alonso Gonzalez

Others present: Metro JPA General Counsel Kevin Davis - Procopio; Metro JPA/Commission Board Secretary Lori Anne Peoples; Beth Gentry – City of Chula Vista, MetroTAC Chair; None – City of Coronado; Yazmin Arellano, MetroTAC Vice Chair - City of El Cajon; Eric Minicilli – City of Imperial Beach; Joe Kuhn – City of La Mesa; Jennifer Mendoza (alternate) and Izzy Murguia – Lemon Grove Sanitation District; Carmen Kasner – City of National City; Bob Kennedy – Otay Water District; None – Padre Dam Municipal Water District; None – City of Poway; Tom Rosales - City of San Diego Staff and Consultants; None – County of San Diego; Metro JPA Staff: Scott Tulloch – NV5; Karyn Keze – The Keze Group, LLC.; Dexter Wilson - Dexter Wilson Engineering; Lee Ann Jones-Santos – Treasurer

Others present: Paul Redvers Brown

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

Director Robak, Otay Water District, led the pledge

**3. PUBLIC COMMENT**

Sanjay Gaur, Consultant for EC AWP Project. Mr. Gaur reemphasized details he had read in the Metro JPA 2020 Strategic Plan regarding transparency and requested information be provided in Microsoft Excel format to assist him and others to do their jobs.

**4. ACTION: APPROVAL OF AGENDA**

Chair Jones requested Items 9 and 11 be heard at the beginning of the meeting due to the need for Tom Rosales to leave early.

**ACTION:** Motion by Director Robak, seconded by Director Kendrick to approve the agenda with Items 9 and 11 moved to the front. Motion carried as follows:

AYES: Gonzalez, Duncan, Worden, Kendrick, McKay, Baber, Jones, Anderson

NAYS: None

ABSTAIN: None

ABSENT: Yamane, Jassoy, De Hoff

**Items 9 and 11 were heard here.**

**5. ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF April 6, 2023**

**ACTION:** Motion by Vice Chair Baber, seconded by Director Anderson, the minutes be approved. Motion carried as follows:

AYES: Gonzalez, Duncan, Worden, Kendrick, McKay, Baber, Jones, Anderson

NAYS: None

ABSTAIN: None

ABSENT: Yamane, Jassoy, De Hoff

**6. ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE AWARD OF A CONSTRUCTION CONTRACT WITH J.R. FILANC CONSTRUCTION COMPANY, INC. FOR PW PHASE 2 – CENTRAL AREA SMALL SCALE FACILITY**

Andrea Demich, City of San Diego provided a brief verbal overview of her PowerPoint presentation included in the agenda package. She responded to a question of Director Robak, that the article in the paper stating that a tentative decision had been made for the facility location had not been made at this point and stated that JPA staff would be included in the meeting discussions prior to a decision being made. This is an ongoing process.

Director McKay inquired as to the difference between direct potable and pure water in the reservoir to which an explanation was provided.

Chair Jones then noted that the rules for direct potable reuse (DPR) were not yet finalized and that additional O&M costs could be incurred due to adding an additional layer of certified staff being required and the process involved in educating/certifying them to operate DPR facilities. This could potentially decrease repurified water revenues to the PAs from those projected.

**ACTION:** Motion by Director Anderson, seconded by Director McKay, to approve the contract award. Motion carried as follows:

AYES: Gonzalez, Duncan, Worden, Kendrick, McKay, Baber, Jones, Anderson

NAYS: None

ABSTAIN: None

ABSENT: Yamane, Jassoy, De Hoff

**7. FINANCE COMMITTEE FY 2023 ITEMS:**

Finance Chair Baber explained how Item 7 affects 8 and that the MetroTAC and Finance Committee had reviewed and unanimously approved all items to move forward to the JPA.

**ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE METRO JPA/COMMISSION FY 2023 BUDGET ADJUSTMENTS AND CORRESPONDING CONTRACT AMENDMENTS**

General Counsel Kevin Davis noted that all 3 amendments under Item 7 follow basically the same template.

Karyn Keze stated that the amendments were needed due to budget increases caused by unforeseen work during FY 2023 which required an increase to the contract ceilings. Additionally, the level of effort anticipated for the duration of the contracts (three years) is anticipated to be higher and contingencies were included in the contract amounts for unforeseen occurrences such as additional Metro sewage spills, implementation issues regarding the 2nd ARA, and planning for Phase 2.

MetroTAC Chair Gentry spoke regarding one of the changes in Karyn Keze's contract, (Item 7b), and explained it was formalizing a position of administration which she currently performs in providing oversight of the various TAC tasks and JPA committees. The position is to be known as "Administrative Coordinator" and is descriptive of her responsibilities.

- a. BUDGET INCREASE OF \$58,400 FOR ENGINEERING SERVICES; AND CORRESPONDING AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN METRO WASTEWATER JOINT POWERS AUTHORITY AND DEXTER WILSON ENGINEERING**
- b. BUDGET INCREASE OF \$50,000 FOR TECHNICAL, FINANCIAL, AND ADMINISTRATIVE COORDINATION SERVICES; AND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN METRO WASTEWATER JOINT POWERS AUTHORITY AND THE KEZE GROUP, LLC.**
- c. BUDGET INCREASE OF \$10,000 FOR ENGINEERING TECHNICAL SUPPORT; AND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN METRO WASTEWATER JOINT POWERS AUTHORITY AND NV5, INC.**

**ACTION:** Motion by Vice Chair Baber, seconded by Director Anderson, to approve Items 7a through c. Motion carried as follows:

AYES: Gonzalez, Duncan, Worden, Kendrick, McKay, Baber, Jones, Anderson

NAYS: None

ABSTAIN: None

ABSENT: Yamane, Jassoy, De Hoff

**8. FINANCE COMMITTEE FY 2024 ITEMS:**

Finance Committee Chair Baber provided a brief verbal overview of the FY 2024 Contracts listed as Items 8 a and b and noted that the MetroTAC and Finance Committee had reviewed the contracts and unanimously recommended approval to forward them to the JPA.

Karyn Keze stated that the contract with Paul Redvers Brown is for his role as facilitator for the 2nd Amended Restated Agreement. He facilitates the negotiations and guides the process between the JPA and the City of San Diego. His current FY 2023 contract is for one year only and therefore he needs a new contract for FY 2024 as the negotiations are not complete. There is no change to the terms of the contract or his hourly rate. In addition, the reimbursement agreement (Item 8b), which is a companion agreement to Item 8a, also needs to be extended for FY 2024 as the City of San Diego reimburses the JPA for 70% of Mr. Brown's time and expenses.

Ms. Keze then introduced Mr. Brown, who was present in the audience as many had not seen or met him previously.

**ACTION: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE METRO JPA/COMMISSION BUDGET/CONTRACT ITEMS RELATING TO FY 2024**

- a. PROFESSIONAL SERVICES AGREEMENT WITH PAUL REDVERS BROWN, INC. FOR FACILITATOR SERVICES FOR FY 2024**
- b. REIMBURSEMENT AGREEMENT WITH THE CITY OF SAN DIEGO FOR FACILITATOR SERVICES WITH PAUL REDVERS BROWN, INC. FOR FY 2024**

**ACTION:** Motion by Vice Chair Baber, seconded by Director McKay, to approve Items 7a and b. Motion carried as follows:

AYES: Gonzalez, Duncan, Worden, Kendrick, McKay, Baber, Jones, Anderson  
NAYS: None  
ABSTAIN: None  
ABSENT: Yamane, Jassoy, De Hoff

Finance Committee Chair Baber next introduced Item 8C and stated it had also been reviewed by MetroTAC and the Finance Committee and unanimously approved to bring forward to the JPA.

Lee Ann Jones-Santos, Treasurer, provided a brief verbal overview of her PowerPoint presentation included in the agenda packet.

Karyn Keze provided the FY 2024 budget highlights.

- c. CONSIDERATION AND POSSIBLE ACTION TO RECOMMEND TO THE METRO WASTEWATER JOINT POWERS AUTHORITY (JPA) APPROVAL OF THE FY 2024 METRO WASTEWATER JPA BUDGET**

**ACTION:** Motion by Vice Chair Baber, seconded by Director Anderson, to approve Item 8c, the FY 2024 Metro Wastewater JPA Budget. Motion carried as follows:

AYES: Gonzalez, Duncan, Worden, Kendrick, McKay, Baber, Jones, Anderson  
NAYS: None  
ABSTAIN: None  
ABSENT: Yamane, Jassoy, De Hoff

**Items 9 was heard prior to Item 5**

- 9. UPDATE: metro wastewater (Standing Item)**

- a. April 2020 Spill**



Tom Rosales, City of San Diego stated they were positioned on the June 14th meeting Regional Board Agenda. The San Diego City Council approved entering into the agreement with the Regional Board back in February. He will be presenting on two supplemental environmental projects the city is committed to doing as part of the settlement agreement and is expecting to get questions from the Regional Board on the January spill and what San Diego is looking at in their system to prevent future spills.

**b. January 2023 Spill**

Mr. Rosales stated that this spill was not the same as the April 2020 spill. The required technical report was completed and submitted to the Regional Board two weeks ago. A copy of the report was shared with Dexter Wilson prior to its submittal, who thought it was a good report which was prepared with the assistance of consultant Kleinfelder Engineering.

Chair Jones requested that JPA staff be included in all report preparation. Karyn Keze stated that Dexter Wilson had been provided a copy of the 100-page report the day before it was submitted to the Regional Board and has preliminarily reviewed it twice and will bring his observations forward to the Metro TAC and JPA once his analysis is complete.

Tom Rosales stated that this report was considered "Draft 1" and will more than likely be amended. He also touched on what they were offering the Regional Board – facilities condition assessments to be done, holistically entertaining bringing more on the whole system or a conditional assessment of the entire system.

Chair Jones again stated that he certainly would want the JPA consultants, Dexter and Scott, to have a place at the table especially with the amount of money being spent, to which Tom Rosales stated he wanted them there also.

Director McKay requested, and Chair Jones explained the role of IROC on which he represents the JPA.

**10. UPDATE: METRO CAPITAL IMPROVEMENT PROGRAM AND FUNDING SOURCES**

No report.

**Item 11 was heard prior to Item 5**

**11. UPDATE: PURE WATER PROGRAM (Standing Item)**

Tom Rosales, City of San Diego presented this item on behalf of Amy Dorman. He provided a brief verbal overview of a PowerPoint presentation attached to these minutes as Exhibit A and noted that this presentation had been prepared for the City of San Diego Environmental Committee last Thursday. He additionally stated that all 10 Phase 1 contracts had been awarded and the costs came in \$1.15 billion below the authorized \$1.2 billion. Additionally, they are 1/3 of the way through construction.

**12. UPDATE: FINANCIAL  
a. Quarterly Website Update**

Karyn Keze stated that she and Lori were working to provide quarterly updates to the JPA Website and that the first quarter update had been completed. A link to the new sections of the New Director's Manual is provided on the home page of the Website. In addition, all the new Director's contact information and Committee members have been included. Also, she is working closely with Adam Jones, Deputy Director of Finance for the Public Utilities Department, and the San Diego IT department toward being able to provide Hybrid meetings for the JPA Commission members in the near future.

**13. REPORT: IROC**

Chair Jones stated that the IROC had not met.

**14. FINANCE COMMITTEE:**

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

**15. GENERAL COUNSEL:**

General Counsel Ochoa stated that she and General Counsel Kevin Davis would be attending the CASA Meeting and would provide an update at a future meeting.

**16: PROPOSED AGENDA ITEMS FOR THE NEXT METRO JPA/COMMISSION MEETING JUNE 1, 2024**

None

**17. METRO JPA DIRECTORS' COMMENTS**

Director Robak invited everyone to attend the Cuyamaca Water Conservation Garden this Saturday from 9 am to 3 pm for the Spring Garden and Butterfly Festival and that admission was free.

Vice Chair Baber recognized City of Chula Vista Alternate Alonso Gonzalez and noted that he had worked with him at the City of San Diego many years ago.

**18. ADJOURNMENT**

Chair Jones declared the meeting adjourned at 1:55 pm.

# **EXHIBIT A**

**May 4, 2023 Agenda Item 11  
Pure Water Program Update  
Tom Rosales**

# Pure Water Program Update

Item #11

Metro JPA Meeting  
May 4, 2023

# Agenda

- Phase 1 Construction
  - *Progress*
  - *Challenges*
  - *Financing*
  - *Outreach*
  - *Project Labor Agreement*
- Phase 1 Operations Readiness
- Phase 2 Status
- Regulatory Update
  - *Point Loma Permit Renewal*
  - *Direct Potable Reuse Regulations*







### Miramar Water Treatment Plant

Construction Contract	Bid Award	Contractor
Morena Pump Station	\$110.4M	Flatiron
Morena Southern/Middle Alignment	\$129.7M	Sukut
Morena Northern Alignment	\$95.2M	OHL
Penasquitos Pump Station Oxygenation System	\$4.4 M	Blue Pacific Engineering
Water Reclamation Plant Expansion	\$255.1M	Kiewit
Water Reclamation Plant Equalization Basin	\$11.9M	Kiewit
Metro Biosolids Center Improvements	\$40.1M	PCL
NCWRP/NCPWF Early Sitework	\$16.4M	AECOM/ Shimmick
Pure Water Facility and Pump Station	\$356.7M	Shimmick
Pure Water Pipeline	\$123.5M	W.A. Rasic
Miramar Reservoir Water Quality Monitoring System	\$1M	Soundnine, Inc.
Miramar Reservoir PS	\$12.7M	Shimmick
<b>Total</b>	<b>\$1,157.1 M</b>	<b>Authorized: \$1,212.2M</b>



# Phase 1 Construction Progress

- 10 contracts, 1 system for producing pure water
- Scope
  - *Pipeline: ~30 miles*
  - *Pumping capacity: nearly 100 million gallons per day (mgd)*
  - *New Treatment capacity: 55 mgd*
- Total Amount Awarded, \$1.15 billion
- Thru December 31, 2022:
  - *Total Expenditures, \$274.46 million*
  - *Pooled Contingency Use, \$13.5 million*
- Estimated completion, 1/3



# Project-Specific Highlights

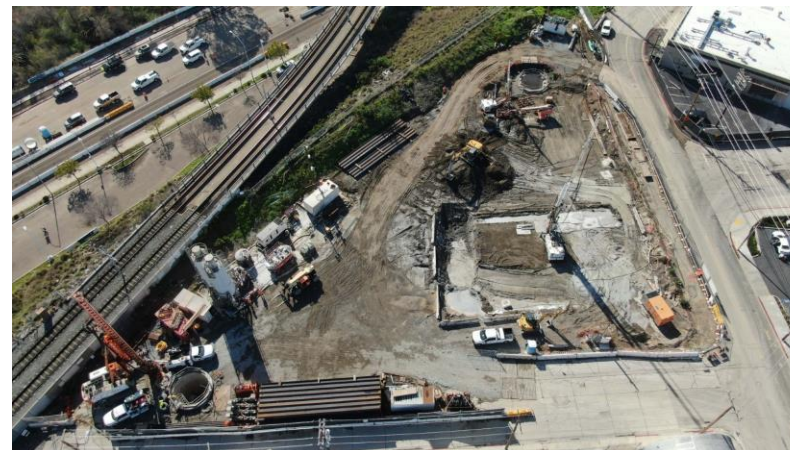
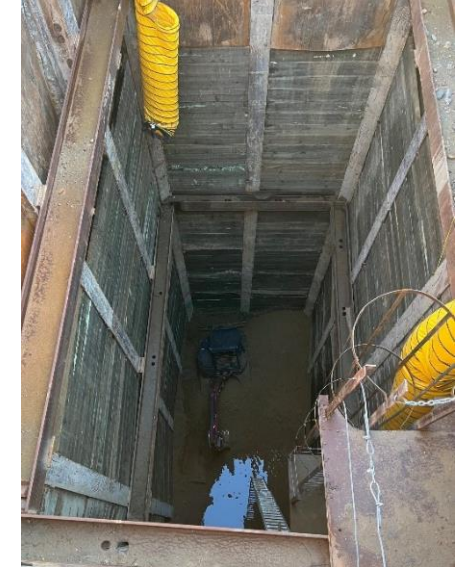
- North City Pure Water Facility and Pump Station
  - *Majority of subsurface work completed*
  - *Process and Operations/Maintenance buildings in progress*
  - *Equipment for the pump station is being delivered and installed*
- North City Water Reclamation Plant Expansion
  - *"Mega" trench complete*
  - *All areas of the plant have active construction*





# Project-Specific Highlights

- Morena Northern Pipelines and Tunnels
  - *Interstate-805 tunnel – Installation started this month, 10% complete*
  - *Pipe installation on Genesee Avenue and Executive Drive is underway*
- Morena Pump Station
  - *Junction chamber excavation complete*
    - Rebar and concrete forms installed
  - *Secant wall under construction*

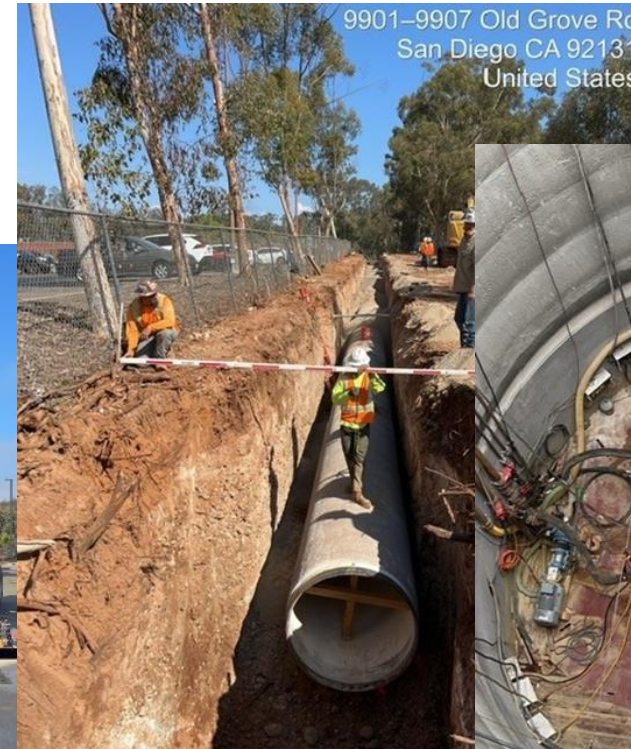
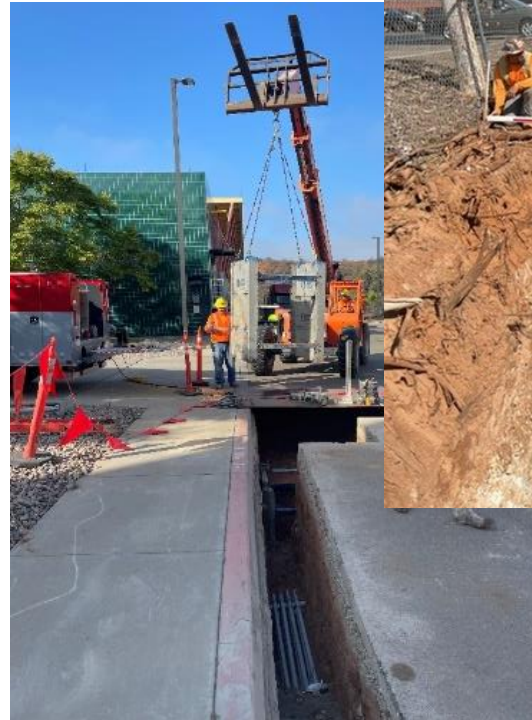




# Project-Specific Highlights



- North City Pure Water Pipeline
  - *Pipe installation on Miramar Road underway*
  - *Tunnel from Scripps Ranch Business Park to Evans Pond – complete*
  - *Shaft for tunnel into Miramar Reservoir - complete*
- Metro Biosolids Center Improvements
  - *Specialty equipment completed factory testing, scheduled for delivery*





# Phase 1 Construction Challenges

- Industry-wide
  - *COVID / War in Ukraine*
    - Supply chain disruptions
    - Limited skilled labor pool
- Pure Water-specific
  - *Pipeline installation*
    - 9 tunnels to cross freeways, railroads, sensitive habitat
    - Deepest tunneling shaft: 100 feet deep
    - 1-mile subaqueous pipeline at bottom of Miramar Reservoir
    - 11 miles requires 14-foot-wide trench
  - *SDGE conflicts*
  - *North City Water Reclamation Plant – must maintain plant operation during construction*
  - *Complexity of Systemwide Start-up*



# Morena Pump Station Update

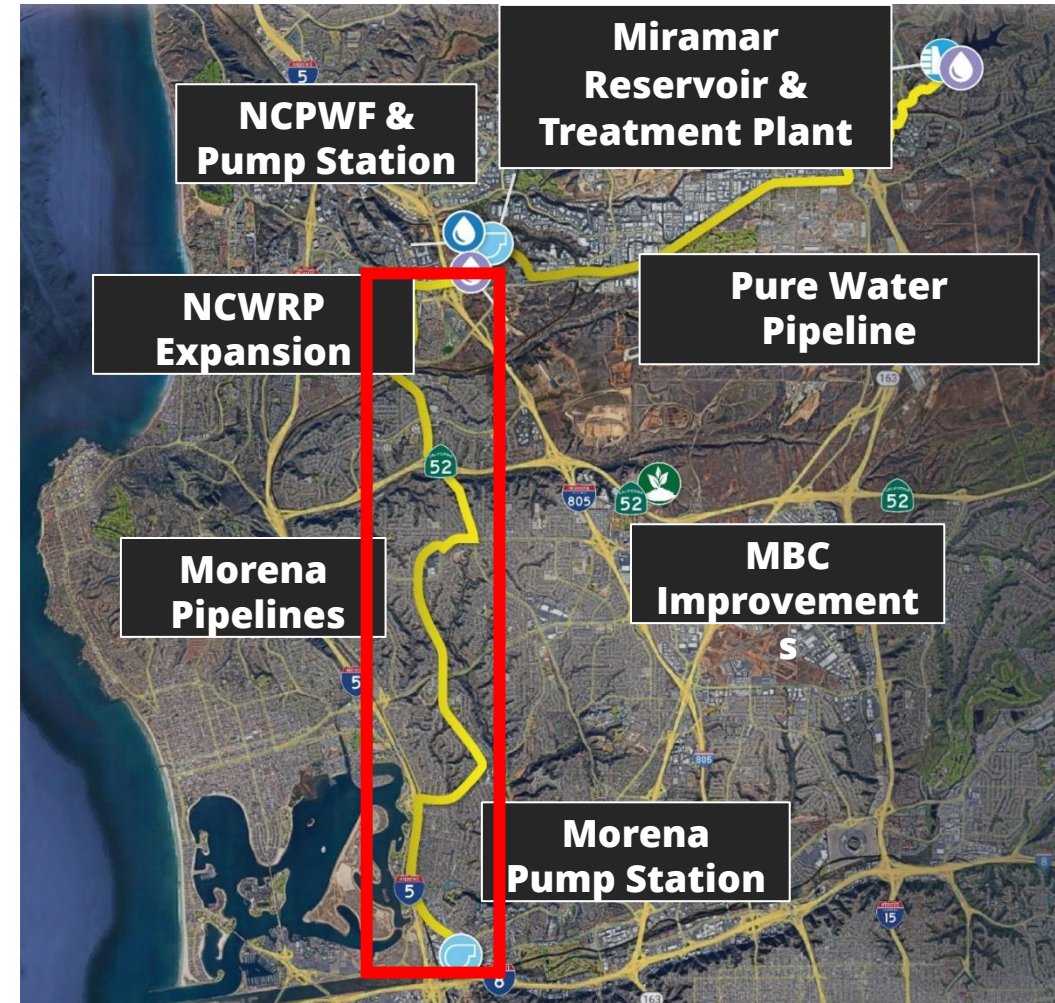
- New 37-mgd pump station
- Contractor – Flatiron, Inc., began construction in April, 2021
- Contract Amount - \$110 Million
- Site Dewatering Changed Condition
  - *Council-authorized not-to-exceed amount (August 2022) - \$20 million*
  - *Secant wall construction cost - \$12.5 million*
  - *Contractor time impact analysis under review*





# Revised Commissioning Strategy

- Wastewater flow to North City is greater than recycled water demand
- Leverage surplus wastewater to start producing Pure Water prior to Morena Pump Station completion
- Increase Pure Water production to 30 mgd after Morena Pump Station is online
- "Partial" Phase 1 Commissioning to begin when all non-Morena projects are completed
  - *Isolates Morena, minimizes program impacts*



# Pure Facility Operations Readiness

- Hiring Progress
- Operator Certification Training
  - *City recognized as a “founding agency” of the State’s certification program*
- Engagement in Construction





# Phase 2 Status

## Demonstration Testing – Small Scale Facility

- Award: May 2023
- End of Construction: Early 2025
- Operations: 2025 - 2026

## Program Management Consultant Procurement

- Interviews: January 2023
- Finalize negotiations: May 2023
- Request approval to award: July/Sept 2023
- Initial task: validate Phase 2 facility plan and basis



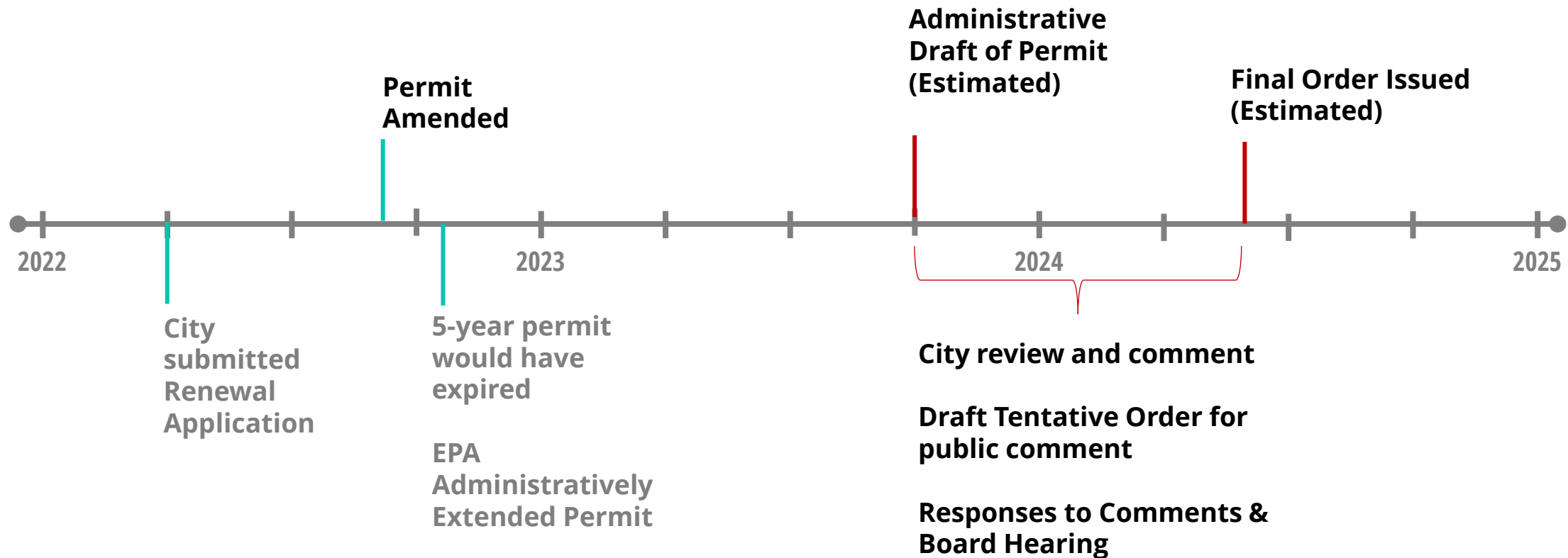
# Regulatory Update – DPR Regulations

- Direct Potable Reuse Regulations must be adopted: December 31, 2023
- City submitted a detailed Phase 2 Concept Proposal as a “real world” example of how draft regulations could be applied
- Phase 2 Concept Proposal identified several areas for improvement
- Division of Drinking Water modifying permit conditions in final





# Regulatory Update – Point Loma Permit



# Questions



# ATTACHMENT 6

## Pure Water Program Update

- a. Summary of presentation  
to City of San Diego  
Environmental Committee
- b. Direct Potable Reuse

# ATTACHMENT 6a

Summary of presentation  
to City of San Diego  
Environmental Committee

Public Utilities Department

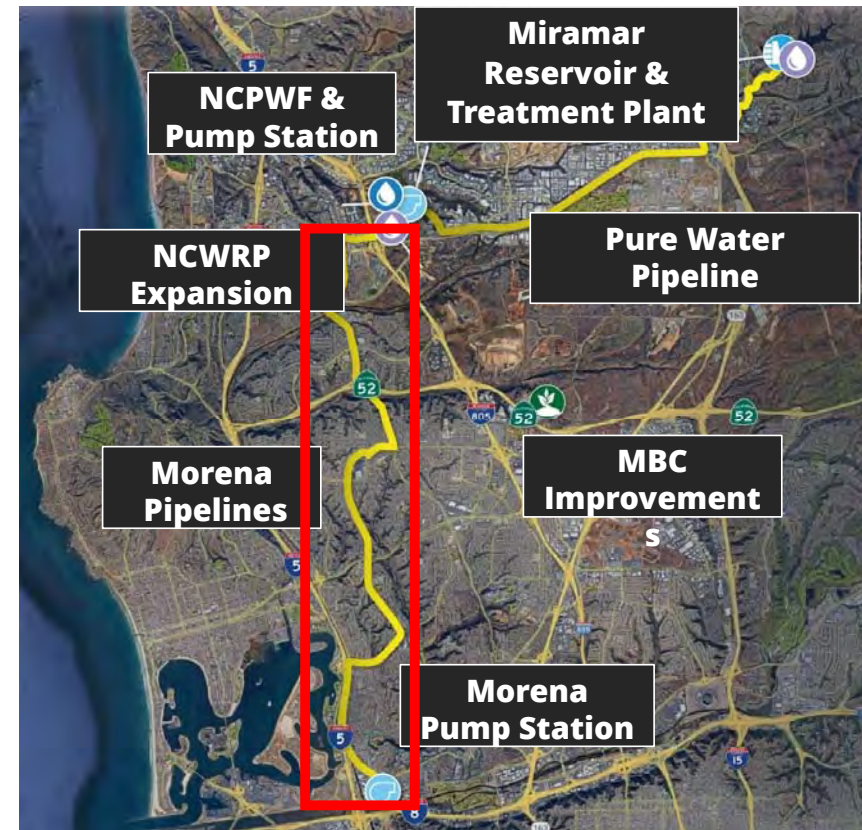
# Pure Water Program Update

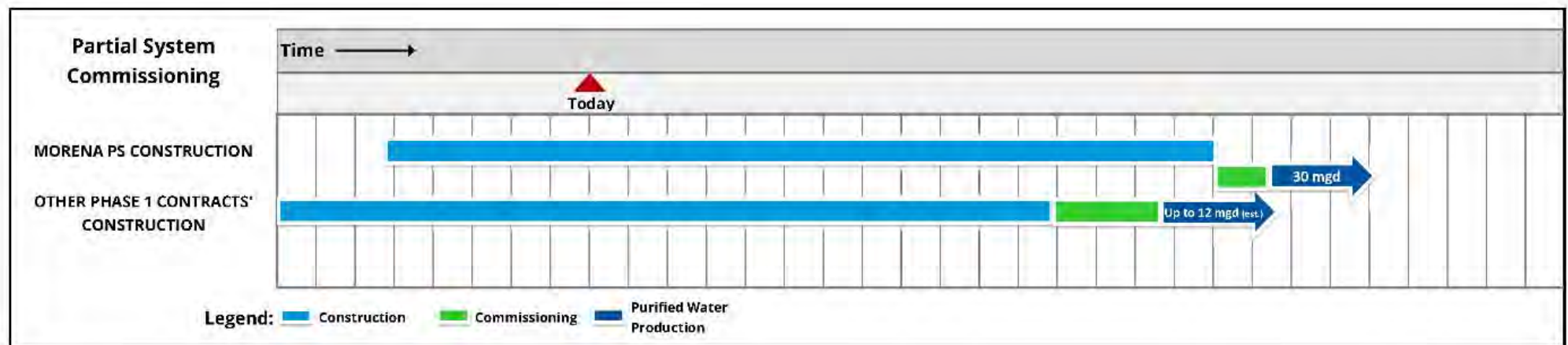
Metro TAC  
May 17, 2023



# Revised Commissioning Strategy

- Wastewater flow to North City is greater than recycled water demand
- Leverage surplus wastewater to start producing Pure Water prior to Morena Pump Station completion
- Increase Pure Water production to 30 mgd after Morena Pump Station is online
- "Partial" Phase 1 Commissioning to begin when all non-Morena projects are completed
  - *Isolates Morena, minimizes program impacts*







# Pure Facility Operations Readiness

- Hiring Progress
- Operator Certification Training
  - *City recognized as a “founding agency” of the State’s certification program*
- Engagement in Construction







# Phase 2 Status

## Demonstration Testing – Small Scale Facility

- Award: May 2023
- End of Construction: Late 2023/Early 2024
- Operations: 2024 - 2026

## Program Management Consultant Procurement

- Interviews: January 2023
- Finalize negotiations: May 2023
- Request approval to award: July/Sept 2023
- Initial task: validate Phase 2 facility plan and basis





# Questions



# ATTACHMENT 6b

## Direct Potable Reuse

# Direct Potable Reuse Regulatory Update

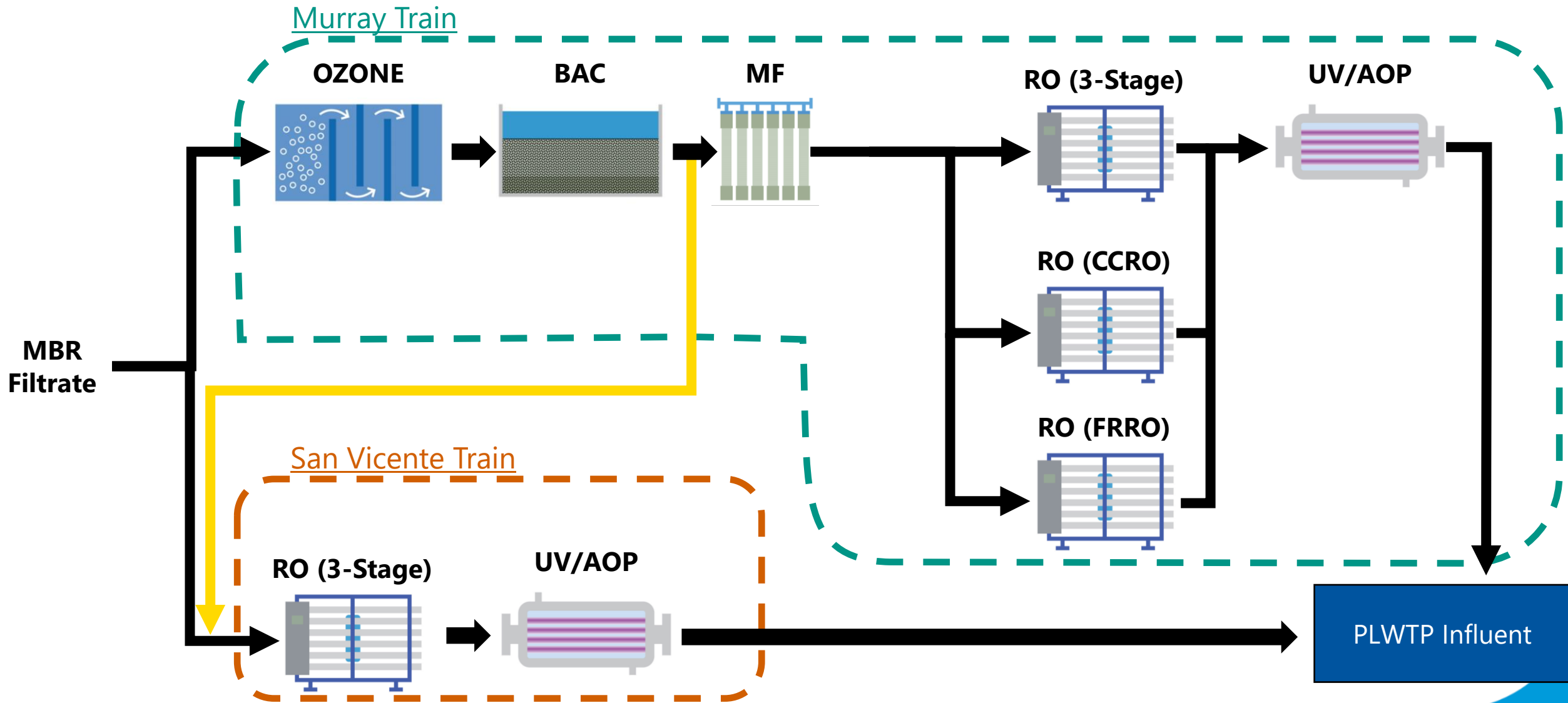
Metro JPA Commission

June 1, 2023

- San Vicente is larger and would be Indirect Potable Reuse.
- Murray Reservoir is smaller and would be Direct Potable Reuse.
- Many factors involved in ongoing assessment.

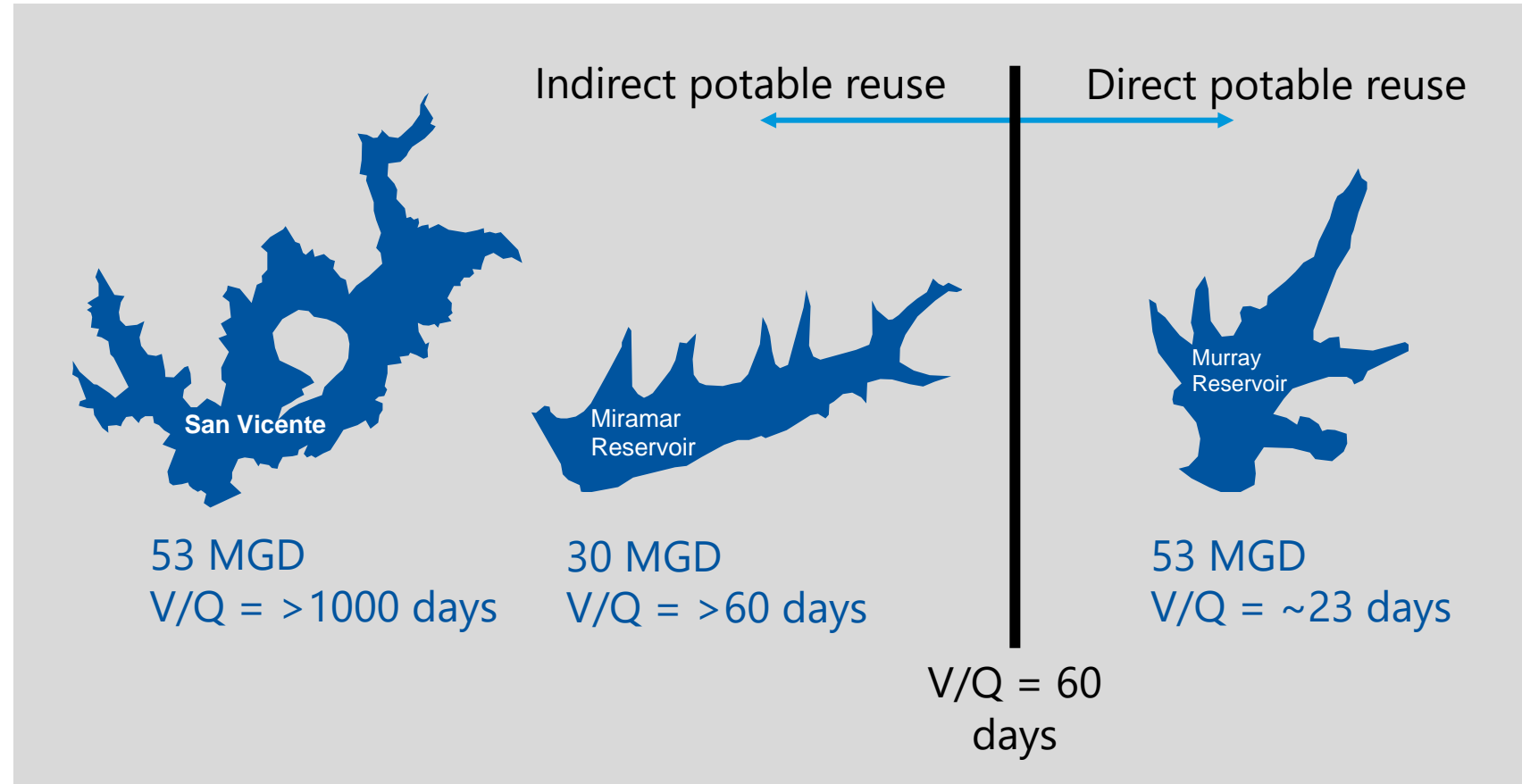


# Central Area Small Scale Facility has Two Trains



# SD 53 MGD to Murray Reservoir considered DPR

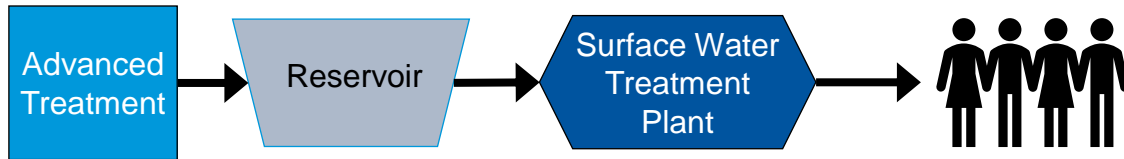
- Indirect potable reuse regulations require minimum retention time of 60 days
- At 53 MGD, Murray Reservoir has retention time of 23 days



# SD CA DPR Criteria Developed for All Forms of DPR

## Raw Water Augmentation (RWA)

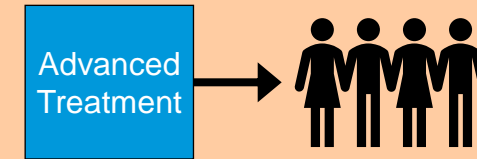
Raw Water Augmentation with a reservoir



Raw Water Augmentation without a reservoir



## Treated Water Augmentation (TWA)

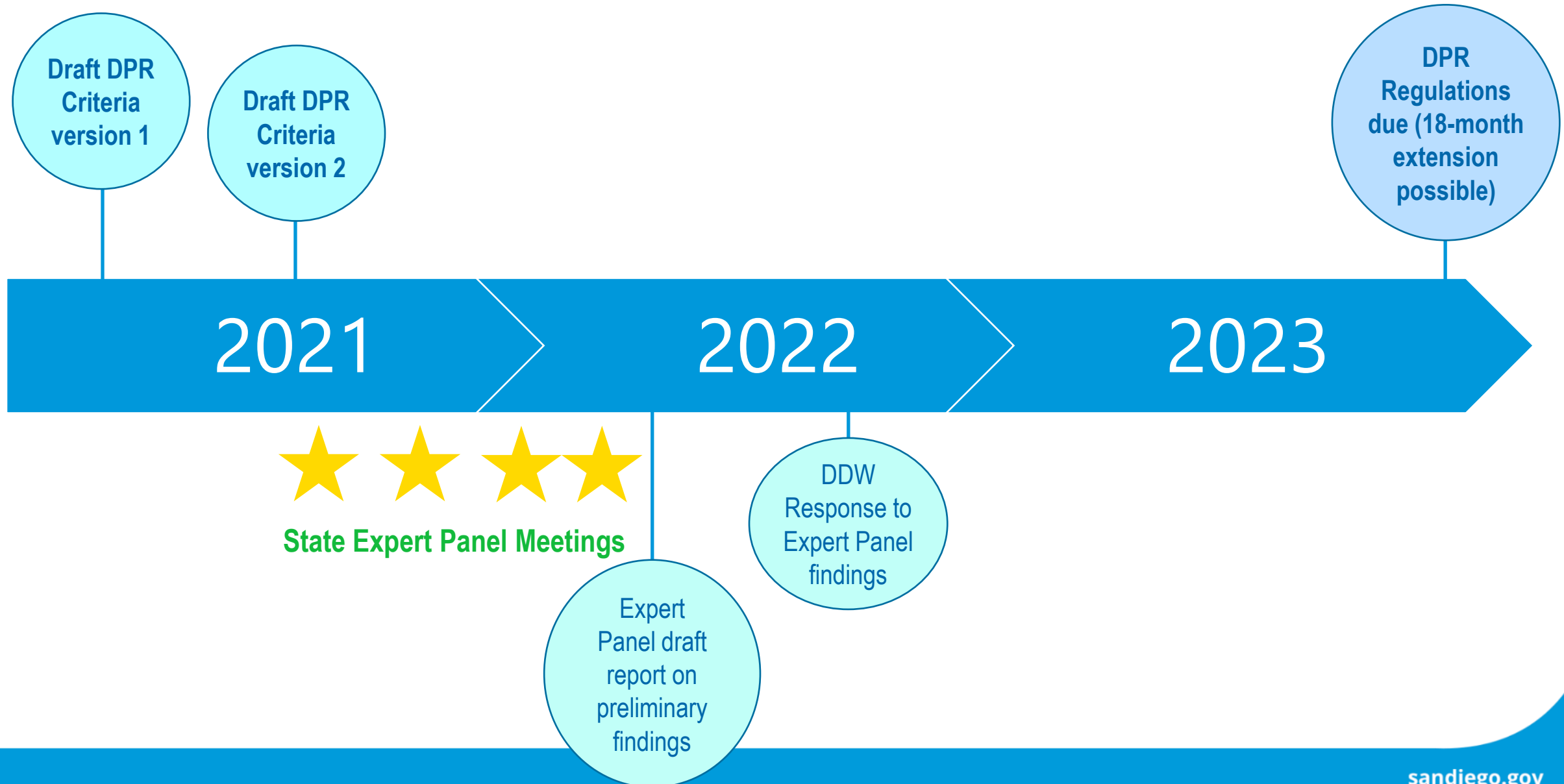


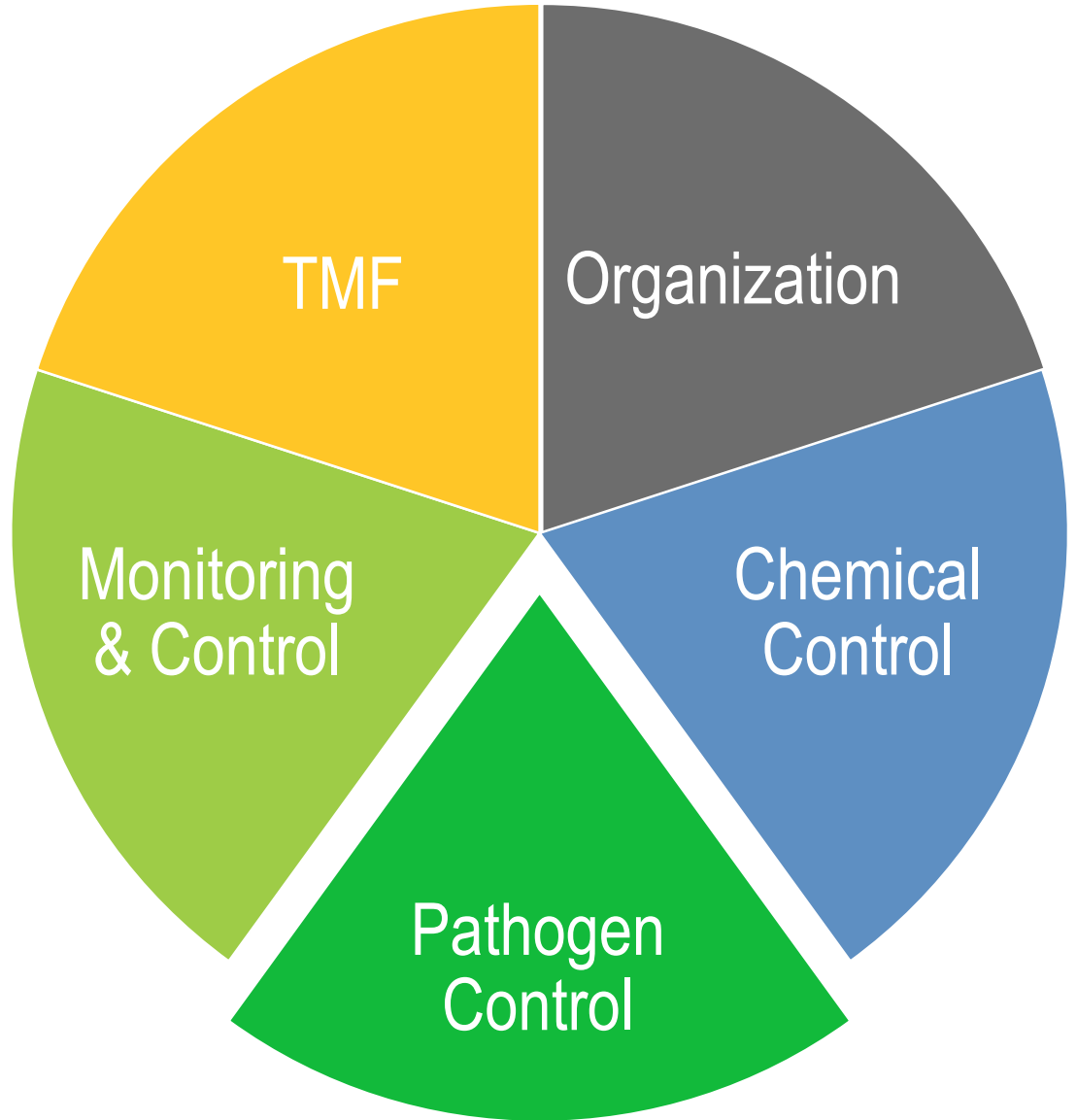
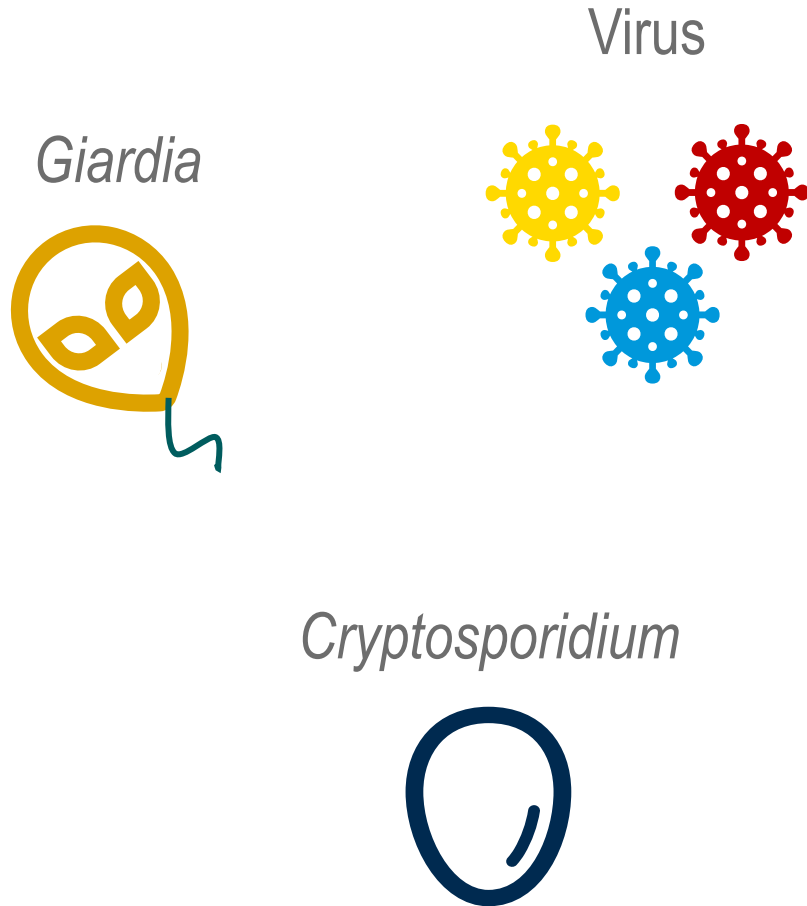
- DPR criteria developed to be protective of all forms of DPR
- This resulted in criteria targeted towards TWA projects





# Regulatory Development Timeline







# Pathogen Control Log Removal Requirements

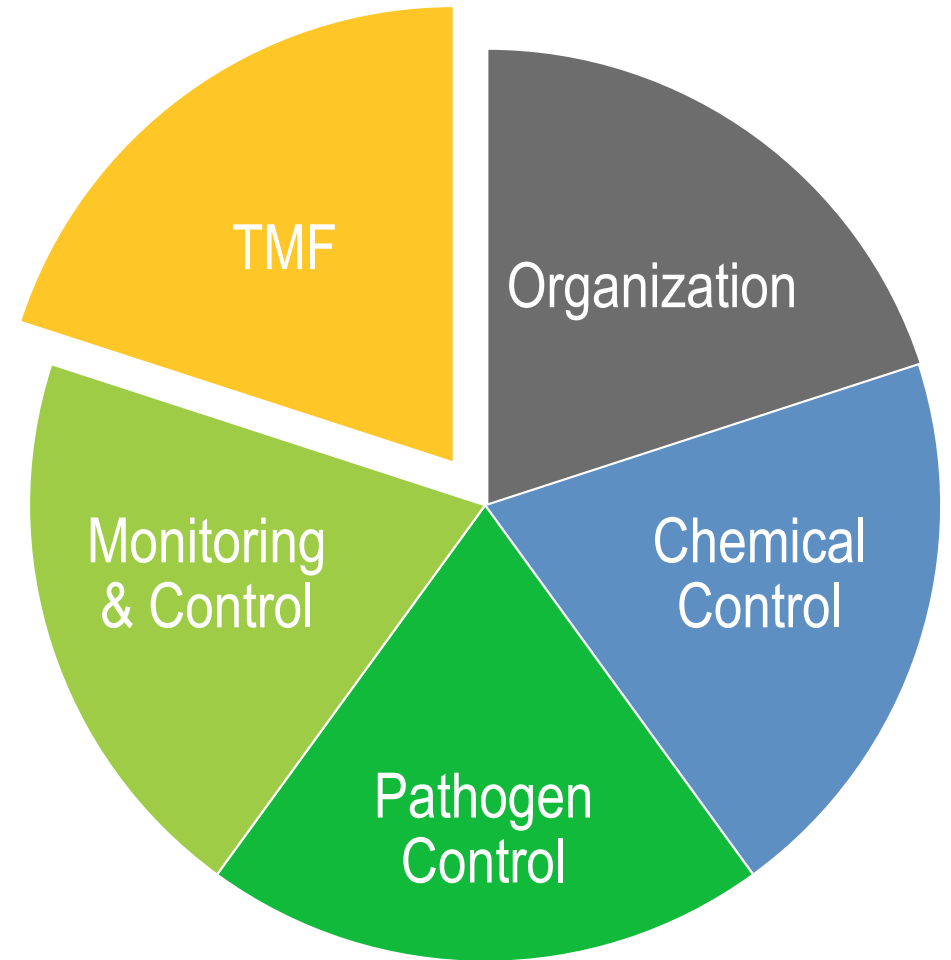
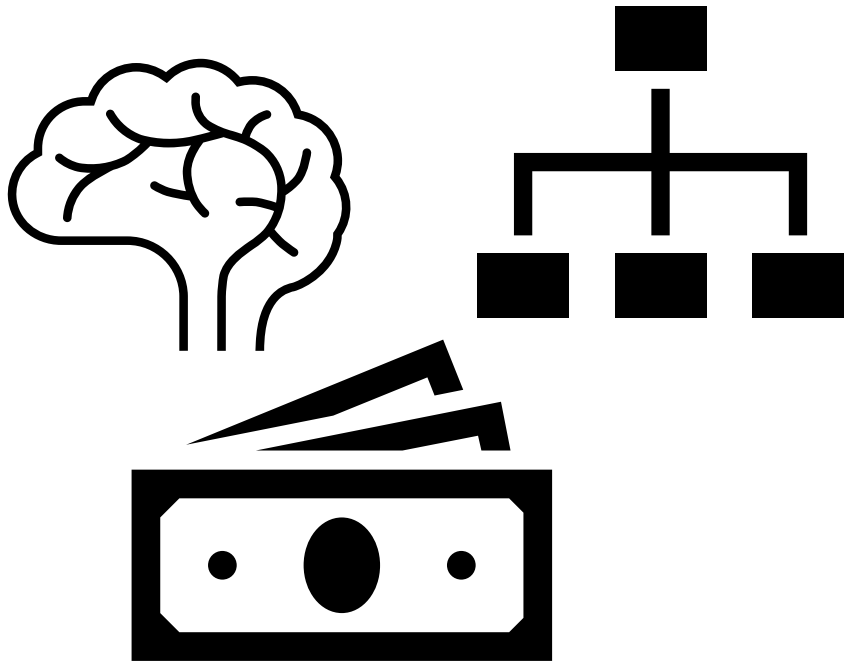
Groundwater  
Recharge

Surface Water  
Augmentation

Direct Potable  
Reuse

<p>Virus</p> 	12	12 to 14	20
<p>Giardia</p> 	10	10 to 12	14
<p>Cryptosporidium</p> 	10	10 to 12	15

# SD Technical, Managerial, Financial Capacity



Wastewater  
Treatment Plant



Chief  
Operator



Shift  
Operator

Surface Water  
Treatment Plant

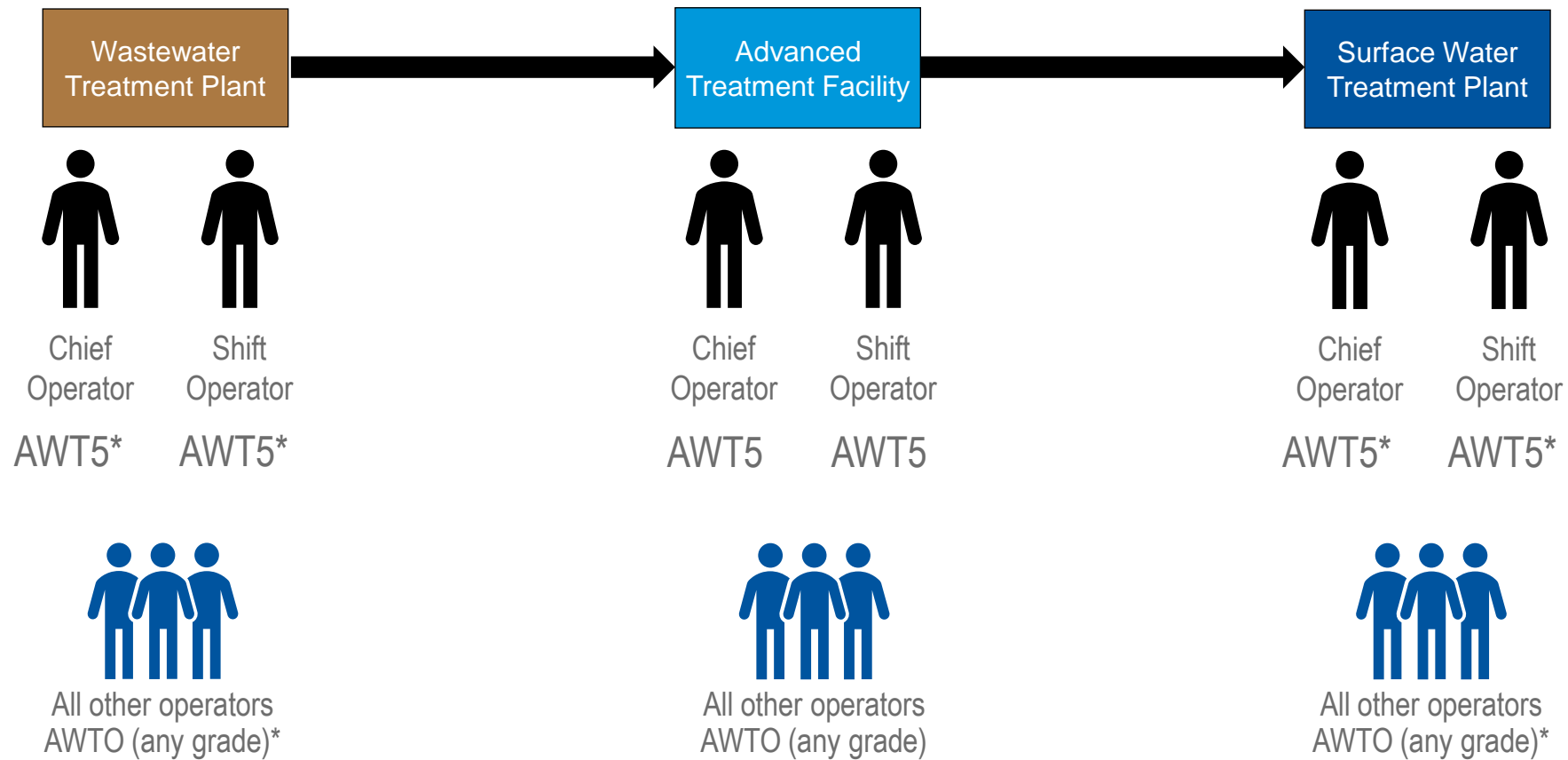


Chief  
Operator



Shift  
Operator





Either chief or shift operator required on-site 24/7\*

# Questions/Discussion

# ATTACHMENT 7

Resolution No. 2023-01  
Establishing a Reserve Fund  
Policy

## **RESOLUTION NO. 2023-1**

### **RESOLUTION OF THE METRO WASTEWATER JOINT POWERS AUTHORITY BOARD OF DIRECTORS ESTABLISHING A RESERVE FUND POLICY**

**WHEREAS**, a key element of prudent financial planning is to ensure that sufficient funding is available for current and future operating, capital, and/or debt service needs;

**WHEREAS**, the Metro Wastewater Joint Powers Authority (“**Metro**”) Board of Directors endeavors at all times to have sufficient funds available to meet its financial obligations; and

**WHEREAS**, fiscal responsibility requires anticipating the likelihood of and preparing for unforeseen events; therefore, this Reserve Fund Policy outlines specific accounts to meet these planned and unforeseen obligations;

**NOW, THEREFORE, BE IT RESOLVED:**

#### **1. General Provisions**

The Metro Board of Directors (Board) desires to designate specific fund accounts and maintain minimum fund balances consistent with amounts determined to be in the best interest of Metro and intended to ensure Metro has sufficient funds to meet current and future financial needs.

Metro hereby establishes and will maintain the following reserve components:

- a) Operating Reserves Fund
- b) Contingency Reserves Fund

Fund balances will be reviewed on an annual basis by both the Metro Finance Committee for recommendation to the Board, and the Metro Board of Directors, in order to evaluate reconciliation of the fund balances and assess the financial capacity to accomplish identified activities and objectives.

The target balance established for each reserve component represents the baseline financial condition that is acceptable to Metro from a risk management and financial planning perspective. Maintaining funds at appropriate levels is an ongoing business process that consists of a periodic assessment of revenues and expenditure levels.

#### **2. Reserve Components**

a) **Operating Reserve Fund**: The Operating Reserve Fund is designated by the Board to maintain working capital for current operations to ensure continuity of operations during short-term fluctuations in cash flow due to slow or delayed payment by Metro Participating Agencies, demand volatility, unanticipated costs, or other factors. Metro’s Administrative Coordinator and Treasurer are hereby authorized to use funds from the Operating Reserve Fund for expenditures that are Designated Expenses/Uses as set forth below.

Any request by staff to use funds from the Operating Reserve that shall bring the reserve below the minimum fund balance set forth below must be approved by the Board of Directors and accompanied by a staff report explaining the need for the expenditure(s).

Source of Funds:

- Prior year ending balance carried forward
- Allocation of funds by Board action
- Net operating income

Designation of Expenses/Uses:

- Funding requirements due to short term revenue and expenditure imbalance (for example, increases in consultant costs)
- Intra-fiscal year cash flow timing without Board approval, so long as the fund balance is not impaired by fiscal year-end

Target Balance:

- The Operating Reserve target balance shall be in the amount of four (4) months average expenditures based on the current fiscal year's operating budget; with a minimum fund balance of one (1) month of average expenditures.

***b) Contingency Reserve Fund:*** The Board of Directors endeavors to budget for all anticipated expenditures, but emergencies and unforeseen circumstances can occur during the course of the year. The Contingency Reserve Fund is intended to provide funding for expenditures that must be undertaken to address emergencies or unforeseen circumstances (such as responding to a spill event).

Any request by staff to use Contingency Reserve Funds is subject to prior approval by the Board of Directors at the next regular meeting and accompanied by a staff report explaining the need for the expenditure(s). In instances where funds must be disbursed immediately, the Board hereby delegates to the TAC Chair, or if the TAC Chair is unavailable to the TAC Vice-Chair, authority to evaluate and approve expenditures from the Contingency Reserve Fund, subject to a second approval by a separate authorized signer. The TAC Chair shall thereafter present a report regarding the expenditure for ratification at the following regular Board meeting.

Source of Funds:

- Prior year ending balance carried forward
- Allocation of funds by Board action
- Net operating income

Designation of Expenses/Uses:

- Emergencies/Unforeseen events

Target Balance:

- The Contingency Reserve target balance shall be in the amount of three (3) months average expenditures based on the current fiscal year's operating budget.



3. **Delegation of Authority**

The Metro Board of Directors has sole authority to amend or revise this Reserve Policy. Management responsibility for the Reserve Policy is hereby delegated to the Board Chair, who through approval of this Policy has established written procedures for the management of Metro's reserves.

**PASSED, APPROVED AND ADOPTED** by the Board of Directors of the Metro Wastewater Joint Powers Authority at a meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Board Secretary

# ATTACHMENT 8

## Metro JPA Amended Bylaws

a. Staff report

b. Metro JPA Amended Bylaws

# ATTACHMENT 8a

## Staff report



## **Metro Wastewater Joint Powers Authority**

### **STAFF REPORT**

**TO:** Board of Directors  
Metro Wastewater Joint Powers Authority

**DATE:** Thursday, June 1, 2023

**FROM:** Adriana Ochoa, General Counsel

**AGENDA ITEM NO. 8(a):** Board of Directors Compensation

---

### **BACKGROUND**

Records indicate that the Metro Wastewater Joint Powers Authority governing Board of Directors compensation have not been changed since at least 2008. This report and the proposed Resolution 2023-02 (Attachment 1) were brought to the Finance Committee on May 24, 2023 for discussion and approval ahead of this presentation and discussion with the Board of Directors of Metro Wastewater JPA. Counsel, together with the Finance Committee, recommends removing the compensation provisions from the Bylaws and establishing compensation through resolution as discussed below. Other minor modifications are also proposed to the Bylaws in order to update the mailing address for the JPA and ensure consistency with the Joint Powers Agreement regarding alternates.

### **DISCUSSION**

The proposed Resolution 2023-02 establishes Per Diem compensation for the Directors over a five-year period covering Fiscal Years 2023-2024 through 2027-2028. The Board would agree to review and establish compensation every five fiscal years by resolution. The proposed Resolution would establish Per Diem at \$158.00 beginning July 1, 2023, which is eight dollars more than the current amount provided by the bylaws and an increase of 5%. The Per Diem amount would thereafter increase by 5% annually over the next four fiscal years. With an annual national inflation rate of 5% in March 2023 alone and a rate of 8.3% overall in 2022,<sup>1</sup> an annual increase of more than 5% may be reasonable and warranted, particularly given that the per diem amount has not changed for at least the past 15 years, if not longer.

---

<sup>1</sup> Source: <https://www.statista.com/statistics/273418/unadjusted-monthly-inflation-rate-in-the-us/>.

The Joint Powers Agreement invokes and restricts the JPA's powers to those that are held and imposed on its Participating Agencies, without specifying which Participating Agency's powers control. Special water districts, including two of the JPA's Participating Agencies, are statutorily prohibited from increasing board member compensation by more than 5% each calendar year. While this limitation does not apply to JPA Boards generally, the language in the Joint Powers Agreement suggests the Metro Board is restricted by the same prohibition as its Participating Agencies. Thus, it is the recommendation of counsel that the Board implement increases of no more than 5% annually in order to ensure compliance with the Water Code. The Board may always revise amounts in the schedule below at any time if warranted.

The following table illustrates the Per Diem amounts according to the proposed Resolution:

Fiscal Year Ended	2023	2024	2025	2026	2027	2028
Stipend (\$)	\$150.00	\$158.00	\$166.00	\$175.00	\$184.00	\$194.00
Increase (%)	0.00%	5.00%	5.00%	5.00%	5.00%	5.00%

The proposed Resolution also increases the number of available board meetings for which Directors may be paid Per Diem. Under the current bylaws, Directors may only be paid up to three (3) Per Diems per month, and only six (6) for the Chair. Under the proposed revised bylaws and Resolution, Directors may now be paid up to six (6) Per Diems per month, and up to ten (10) for the Chair.

Additionally, the proposed Resolution clarifies that a Director who attends multiple but distinct Metro meetings (including advisory body meetings) in the same day may be compensated for each meeting attended, so long as each meeting's duration lasts at least fifteen (15) minutes or longer.

Lastly, the Resolution permits an alternate member of the Finance Committee who attends a Finance Committee meeting in a non-voting capacity to nevertheless receive Per Diem for that meeting, in order to encourage alternates to attend Finance Committee meetings, remain informed, and be able to step in if or when s/he is required to attend in a voting capacity.

## **FISCAL IMPACT**

The fiscal impact of the proposed Resolution will vary depending on the number of meetings held by the Board of Directors and its committees and attendance at those meetings. Appropriations to fund the initial year adjustment will be available in the Recommended Fiscal Year 2024 Operating Budget.

## **THEREFORE, COUNSEL RECOMMENDS THE BOARD OF DIRECTORS:**

1. Adopt the revised Bylaws.
2. Adopt Resolution 2023-2 establishing Board of Directors compensation.



3. Discuss and take other action as appropriate.

**Attachment 1:** Resolution 2023-02 Establishing Compensation of Directors

# ATTACHMENT 8b

## Metro JPA Amended Bylaws

## ITEM 8 (b)

**1. REDLINE**

**2. CLEAN COPY OF BYLAWS**

**BYLAWS  
OF  
METRO WASTEWATER JOINT POWERS AUTHORITY**

**PREAMBLE**

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

**ARTICLE I  
Definitions**

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

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

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

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

**State** shall mean the State of California.

**ARTICLE II  
Offices**

**Section 1.**     **Principal Office.** The principal office of the JPA shall be located at ~~P.O. Box 719003, Santee, California 92072-276 Fourth Avenue Chula Vista, CA 91910~~P.O. Box 1072, National City, California 91951; with a principal telephone number of: (619) 548-2934.

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

## **ARTICLE III**

### **Board**

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



## **ARTICLE IV**

### **Officers**

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

- (a) Ad Hoc Nominating Committee for Chair and Vice Chair. At the January regular Board meeting in odd numbered years, or at any other time deemed appropriate by the Board, the Board, in its sole reasonable discretion, may appoint an ad hoc Chair and Vice Chair Nominating Committee (“Nominating Committee”) consisting of three (3) members of the Board.
  - i. If the Board appoints a Nominating Committee, the Nominating Committee shall nominate one Director for the position of Chair and one Director for the position of Vice Chair. No member of the Nominating Committee may be nominated for the position of Chair or Vice Chair.
  - ii. The Nominating Committee shall present its nominations for Board consideration and action at the next scheduled regular Board meeting. The Board shall consider the Nominating Committee’s nominations and elect a Chair and Vice Chair.
  - iii. The members of the Nominating Committee shall be compensated for attendance at meetings of the Nominating Committee in accordance with Section 4 of this Article, which allows Per Diem compensation for attendance at meetings of an advisory body of the JPA.
  - iv. Nothing in this section requires that a Nominating Committee be appointed.

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

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

**Section 3. Official Bond.** The Treasurer to the extent such officer’s duties and responsibilities pursuant to the Joint Powers Law may require, is designated as the public officer or person who has charge of, handles, or has access to any property of the JPA, and such officer shall file an official bond as required by Section 6505.1 of the Joint Powers Law in the amount of \$25,000.

**Section 4. Compensation and Reimbursement.** ~~The compensation of, and reimbursement for, all Directors of the JPA, excluding Advisory Directors, shall be fixed from time to time by resolution of the Board of Directors.:~~

~~(a) —~~

a) The compensation of, and reimbursement for, all Directors of the JPA, excluding Advisory Directors, shall be fixed from time to time by resolution of the Board of Directors.

~~fixed from time to time by the Board, or pursuant to authority of (general or specific) resolutions of the Board;~~

~~(b) — as follows:~~

~~i. — Per Diem. JPA Directors (or duly appointed alternates that attend meetings in a primary Director's absence) shall be paid cCompensation in the amount of \$150.00 per day ("Per Diem") for attendance at meetings of the JPA, including attendance at meetings of an advisory body of the JPA, such as standing or ad hoc subcommittees, or for each day's service rendered as a Director of the JPA by request of the Chair/Board. Where a Board Director attends multiple but distinct meetings of the JPA or an advisory body of the JPA in the same day, the Board Director shall be compensated \$150.00 for each meeting attended, so long as each meeting's duration lasts at least fifteen (15) minutes or longer.;~~

~~— Finance Committee Committee Alternate. If the JPA Board's Board's duly appointed alternate member of the Finance Committee alternate member attends a Finance Committee meeting in a non voting capacity (because meaning all primary Finance Committee members are present), the alternate may nonetheless receive a Per Diem for his or her attendance at that meeting, in order to encourage the alternate's attendance at Finance Committee meetings. It is a benefit to both the Finance Committee and the JPA that the Finance Committee's alternate receive the benefit of the observe and keep track of the discussions held at Finance Committee meetings so they that he or she can step in as an informed members of the Finance Committee when if or when they are required to attend in a voting capacity.~~

~~— Limit on Per Diems. with No Board Director or alternate shall be compensated paid more than a maximum of three five (53) Per Diems per month for all Directors of the JPA, except for the Board Chair, who may be compensated paid for no more than and a total of six ten (106) Per Diems per month for the Chair. All Per Diem requests must be submitted to the JPA Treasurer within sixty (60) days of the day for which a Per Diem is requested.~~

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

b) ~~ii.~~ Reimbursement of actual and necessary expenses incurred in the performance of official duties in the course of serving as a Director of the JPA as approved by a motion of the Board, such as but not limited to travel, car rental, if appropriate, lodging, registration, meals (excluding alcoholic beverages), and incidental expenses as follows:

1. Reimbursement for each mile actually traveled when utilizing their vehicles to attend conferences or other meetings when acting by request of the Board, provided such mileage compensation does not exceed Coach Class airfare plus normal cost for transportation to and from the airport at the point of departure and the airport at the destination. Reimbursement per mile to be equal to the standard rate in effect for business miles deduction by the United States Internal Revenue Service, as such rate is established from time to time. If a Director chooses to travel in his or her private automobile, rather than by scheduled airlines, and the distance traveled requires more than 8 hours driving, overnight lodging and three (3) meals will be reimbursed to the Director, provided that such reimbursement does not exceed the cost of Coach Class airfare plus normal cost for transportation to and from the airport at the point of departure and the airport at the destination.
2. Reimbursement for lodging, if the lodging is in connection with a conference or organized, educational activity. Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Director at the time of booking. If the group rate is not available, the Director shall use comparable lodging, consistent with this Section.
3. Directors shall use government and/or group rates offered by a provider of transportation or lodging services or travel and lodging, when available.
4. All expenses that do not fall within this subsection (b) or the rates provided herein, shall be approved by the Board in a public meeting before the expense is incurred.
5. If a Director chooses to incur additional costs that are above the rates established under this subsection (b)(ii), then the Director may do so at his or her own expense.
6. Expenses shall not be reimbursed unless an expense form is submitted to the JPA within sixty (60) days after the

expenditure. Expense forms shall be accompanied by receipts documenting each expense. If no receipt is available, a written explanation of the expenditure is required. Furthermore, Directors will be required to provide a brief report on the conference or meeting attended at the next regular meeting of the JPA.

## **ARTICLE V**

### **Resignations**

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

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

## **ARTICLE VI**

### **Vacancies Among Officers**

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

## **ARTICLE VII**

### **Meetings**

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

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

**Section 3.** **Open Meetings.** All meetings of the Board shall be conducted in accordance with the provisions of the Ralph M. Brown Act (California Government Code § 54950

*et seq.*). Directors may participate in meetings telephonically, with full voting rights, only to the extent permitted by law.

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

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

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

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

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

**Section 7.** **Consent Calendar.** The consent calendar shall consist of items which appear to be routine or ministerial in nature on which no Board discussion will be required. Before adopting the consent calendar, the Chair will ask Board Members whether anyone wishes to move a matter from the consent calendar to the regular agenda. The Board will then proceed with consideration of the remaining consent calendar.

The consent calendar will be acted upon in one motion without discussion. Items pulled from the consent calendar will be considered immediately following adoption of the remaining consent calendar, and staff reports will only be given if requested by the Board Member who pulled them.

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

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

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

## **ARTICLE VIII**

### **Quorum and Voting**

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

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

## **ARTICLE IX**

### **Policy Regarding Confidential Information Disclosed During Closed Sessions**



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

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

## **ARTICLE X**

### **Board Committees**

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

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

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

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

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

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

**ARTICLE XI**  
**Amendments**

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

**ARTICLE XII**  
**Severability**

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

These Bylaws are hereby adopted on this \_\_\_\_\_ day of \_\_\_\_\_ 202~~2~~<sup>3</sup>.

---

Jerry Jones  
Chair

**SECRETARY'S CERTIFICATE**

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

Dated: \_\_\_\_\_, 202~~2~~<sup>3</sup>

---

Lori Anne Peoples  
Secretary of the Metro Wastewater Joint  
Powers Authority

## ITEM 8 (b)

1. REDLINE

2. CLEAN COPY OF BYLAWS

**BYLAWS  
OF  
METRO WASTEWATER JOINT POWERS AUTHORITY**

**PREAMBLE**

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

**ARTICLE I  
Definitions**

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

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

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

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

**State** shall mean the State of California.

**ARTICLE II  
Offices**

**Section 1.**     **Principal Office.** The principal office of the JPA shall be located at 276 Fourth Avenue Chula Vista, CA 91910.

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

## ARTICLE III Board

**Section 1. Power and Duties of the Board.** The Board shall have the responsibility for the general management of the affairs, property and business of the JPA and may, from time to time, adopt and modify these Bylaws and other rules and regulations for that purpose and for the conduct of its meetings as it may deem proper. The Board may exercise and shall be vested with all powers of the JPA insofar as not inconsistent with law, the Agreement or these Bylaws.

**Section 2. Directors and Advisory Directors.**

- (a) **Directors.** The JPA is administered by a Board of Directors in accordance with the provisions of Section 2.03 of the Agreement. The Board is composed of one appointee from each of the Participating Agencies. In addition to appointing its primary Director to the Board, each Participating Agency also appoints one alternate (or secondary) Director to attend, participate in and vote at any meeting of the Board when the primary Board Director is absent.
- (b) **Advisory Directors.** The Board may, from time to time, appoint representatives from non-Participating Agencies to serve as Advisory Directors. Advisory Directors shall participate in meetings as a Director, but shall not be counted toward establishing a quorum, shall not attend closed session, and shall not vote. Advisory Directors shall not receive a per diem as set forth in Article IV, Section 4.

**Section 3. Adjournments and Adjourned Meetings.** The Board may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified by the Board in accordance with law. If less than a majority is present at a meeting, a majority of those members of the Board present may adjourn the meeting from time to time.

**Section 4. Method of Voting.** Votes on all questions shall be viva voce.

**Section 5. Organization.** Each meeting of the Board shall be presided over by the Chair or, in his or her absence, by the Vice Chair, or in the absence of both the Chair and Vice Chair, by any member of the Board selected to preside by vote of a majority of the members of the Board present. The Secretary, or in his or her absence any person designated by the individual presiding over the meeting, shall act as secretary of the meeting.

## ARTICLE IV Officers

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

- (a) Ad Hoc Nominating Committee for Chair and Vice Chair. At the January regular Board meeting in odd numbered years, or at any other time deemed appropriate by the Board, the Board, in its sole reasonable discretion, may appoint an ad hoc Chair and Vice Chair Nominating Committee (“Nominating Committee”) consisting of three (3) members of the Board.
  - i. If the Board appoints a Nominating Committee, the Nominating Committee shall nominate one Director for the position of Chair and one Director for the position of Vice Chair. No member of the Nominating Committee may be nominated for the position of Chair or Vice Chair.
  - ii. The Nominating Committee shall present its nominations for Board consideration and action at the next scheduled regular Board meeting. The Board shall consider the Nominating Committee’s nominations and elect a Chair and Vice Chair.
  - iii. The members of the Nominating Committee shall be compensated for attendance at meetings of the Nominating Committee in accordance with Section 4 of this Article, which allows Per Diem compensation for attendance at meetings of an advisory body of the JPA.
  - iv. Nothing in this section requires that a Nominating Committee be appointed.

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

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

**Section 3. Official Bond.** The Treasurer to the extent such officer’s duties and responsibilities pursuant to the Joint Powers Law may require, is designated as the public officer or person who has charge of, handles, or has access to any property of the JPA, and such officer shall file an official bond as required by Section 6505.1 of the Joint Powers Law in the amount of \$25,000.

**Section 4. Compensation and Reimbursement.**

- a) The compensation of all Directors of the JPA, excluding Advisory Directors, shall be fixed from time to time by resolution of the Board of Directors.



- b) Reimbursement of actual and necessary expenses incurred in the performance of official duties in the course of serving as a Director of the JPA as approved by a motion of the Board, such as but not limited to travel, car rental, if appropriate, lodging, registration, meals (excluding alcoholic beverages), and incidental expenses as follows:
1. Reimbursement for each mile actually traveled when utilizing their vehicles to attend conferences or other meetings when acting by request of the Board, provided such mileage compensation does not exceed Coach Class airfare plus normal cost for transportation to and from the airport at the point of departure and the airport at the destination. Reimbursement per mile to be equal to the standard rate in effect for business miles deduction by the United States Internal Revenue Service, as such rate is established from time to time. If a Director chooses to travel in his or her private automobile, rather than by scheduled airlines, and the distance traveled requires more than 8 hours driving, overnight lodging and three (3) meals will be reimbursed to the Director, provided that such reimbursement does not exceed the cost of Coach Class airfare plus normal cost for transportation to and from the airport at the point of departure and the airport at the destination.
  2. Reimbursement for lodging, if the lodging is in connection with a conference or organized, educational activity. Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Director at the time of booking. If the group rate is not available, the Director shall use comparable lodging, consistent with this Section.
  3. Directors shall use government and/or group rates offered by a provider of transportation or lodging services or travel and lodging, when available.
  4. All expenses that do not fall within this subsection (b) or the rates provided herein, shall be approved by the Board in a public meeting before the expense is incurred.
  5. If a Director chooses to incur additional costs that are above the rates established under this subsection (b)(ii), then the Director may do so at his or her own expense.
  6. Expenses shall not be reimbursed unless an expense form is submitted to the JPA within sixty (60) days after the

expenditure. Expense forms shall be accompanied by receipts documenting each expense. If no receipt is available, a written explanation of the expenditure is required. Furthermore, Directors will be required to provide a brief report on the conference or meeting attended at the next regular meeting of the JPA.

## **ARTICLE V**

### **Resignations**

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

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

## **ARTICLE VI**

### **Vacancies Among Officers**

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

## **ARTICLE VII**

### **Meetings**

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

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

**Section 3.**     **Open Meetings.** All meetings of the Board shall be conducted in accordance with the provisions of the Ralph M. Brown Act (California Government Code § 54950

*et seq.*). Directors may participate in meetings telephonically, with full voting rights, only to the extent permitted by law.

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

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

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

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

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

**Section 7.**     **Consent Calendar.** The consent calendar shall consist of items which appear to be routine or ministerial in nature on which no Board discussion will be required. Before adopting the consent calendar, the Chair will ask Board Members whether anyone wishes to move a matter from the consent calendar to the regular agenda. The Board will then proceed with consideration of the remaining consent calendar.

The consent calendar will be acted upon in one motion without discussion. Items pulled from the consent calendar will be considered immediately following adoption of the remaining consent calendar, and staff reports will only be given if requested by the Board Member who pulled them.

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

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

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

## **ARTICLE VIII**

### **Quorum and Voting**

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

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

## **ARTICLE IX**

### **Policy Regarding Confidential Information Disclosed During Closed Sessions**

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

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

## **ARTICLE X**

### **Board Committees**

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

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

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

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

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

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

**ARTICLE XI**  
**Amendments**

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

**ARTICLE XII**  
**Severability**

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

These Bylaws are hereby adopted on this 1st day of June, 2023.

\_\_\_\_\_  
Jerry Jones  
Chair

**SECRETARY'S CERTIFICATE**

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



Dated: June 1, 2023

---

Lori Anne Peoples  
Secretary of the Metro Wastewater Joint  
Powers Authority

# ATTACHMENT 9

Resolution 2023-02  
Establishing Compensation for  
Directors

## RESOLUTION 2023-02

### A RESOLUTION OF THE METRO WASTEWATER JOINT POWERS AUTHORITY BOARD OF DIRECTORS ESTABLISHING COMPENSATION OF DIRECTORS

**WHEREAS**, the Metro Wastewater Joint Powers Authority (“**Metro**”) is a public agency formed pursuant to joint powers agreements pursuant to Government Code sections 6500 *et seq.*, and governed by the Metro Board of Directors; and

**WHEREAS**, the Metro Board of Directors desires to establish reasonable compensation for all Directors of the Metro, excluding Advisory Directors, from time to time by resolution of the Board of Directors; and

**WHEREAS**, compensation for Directors’ attendance at Metro Board meetings has not been changed since at least 2008;

#### **NOW, THEREFORE, BE IT ORDAINED THAT:**

1. General Provisions. The Metro Board of Directors shall establish compensation every five years for all Metro Directors, excluding Advisory Directors, beginning with Fiscal Year 2023-2024 through the end of Fiscal Year 2027-2028 (the “**Period**”). If the Metro Board of Directors does not adopt a new resolution establishing future compensation before the end of the Period, compensation shall remain at the same amount established in the 2027-2028 Fiscal Year until a new resolution establishing compensation is subsequently adopted.

2. Per Diem Established. Beginning Fiscal Year 2023-2024, the Metro Directors (or duly-appointed alternates that attend meetings in a primary Director’s absence) shall be paid compensation in the amount of \$158.00 (“**Per Diem**”) for attendance at Metro meetings, including attendance at meetings of an advisory body of Metro, such as standing or ad hoc subcommittees, or for each day’s service rendered as a Metro Director by request of the Chair or Board. For each subsequent Fiscal Year thereafter during the remainder of the Period, the Per Diem amount shall increase at an annual rate of 5.00%, as established below.

Fiscal Year Ended	2023	2024	2025	2026	2027	2028
Stipend (\$)	\$150.00	\$158.00	\$166.00	\$175.00	\$184.00	\$194.00
Increase (%)	0.00%	5.00%	5.00%	5.00%	5.00%	5.00%

3. Attendance at Multiple Meetings. Where a Director attends multiple but distinct Metro meetings (including advisory body meetings) in the same day, the Director shall be compensated Per Diem for each meeting attended, so long as each meeting’s duration lasts at least fifteen (15) minutes or longer.

4. Finance Committee Alternate. If the Metro Board’s duly appointed alternate member of the Finance Committee attends a Finance Committee meeting in a non-voting capacity (meaning all primary Finance Committee members are present), the alternate may nonetheless receive a Per Diem for his or her attendance at that meeting, in order to encourage the alternate’s

attendance at Finance Committee meetings. It is a benefit to both the Finance Committee and the Metro Board of Directors that the Finance Committee alternate observe and track the discussions held at Finance Committee meetings so that s/he can step in as an informed member of the Finance Committee if or when s/he is required to attend in a voting capacity.

5. Limit on Number of Meetings. No Board Director or alternate shall be paid more than six (6) Per Diems per month, except for the Board Chair, who may be paid for no more than ten (10) Per Diems per month. All Per Diem requests must be submitted to the Metro Treasurer within sixty (60) days of the day for which a Per Diem is requested.

6. No Overlapping Compensation. Directors to whom Metro would pay a Per Diem pursuant to this resolution shall not receive a Per Diem if they are otherwise eligible to receive compensation, including per diem, from their respective agencies for attendance at Metro meetings or for service rendered as a Metro Director by request of the Chair or Board.

**PASSED AND ADOPTED** at a meeting of the Board of Directors of the Metro Wastewater Authority, held this 1st day of June, 2023.

SIGNED:

ATTEST:

---

Jerry Jones, Board Chair  
Metro Wastewater Authority

---

Lori Anne Peoples, Board Secretary  
Metro Wastewater Authority

# ATTACHMENT 10

## Metro Wastewater General Update

- a. April 2020 Spill Update (no attachment)
- b. January 2023 Spill Update

# ATTACHMENT 10b

## January 2023 Spill Update

Public Utilities Department

# Technical Report - January 16, 2023 SSO

**Metro TAC – May 17, 2023**





## Background

- Spill of approximately 11.2 million gallons reported on January 16, 2023. Later revised to 9.9 million gallons
- Cause - false reading on two ultrasonic level sensors triggered pumps to shut down
- 293 million gallons coming into station at time of shutdown
- Collection system backed up – overflows occurred from manholes or backed up into commercial and garage area in some large residential tower properties
- Pumps shut down at 2:50 pm. Manual restart got all pumps back into operation by 4:15 pm



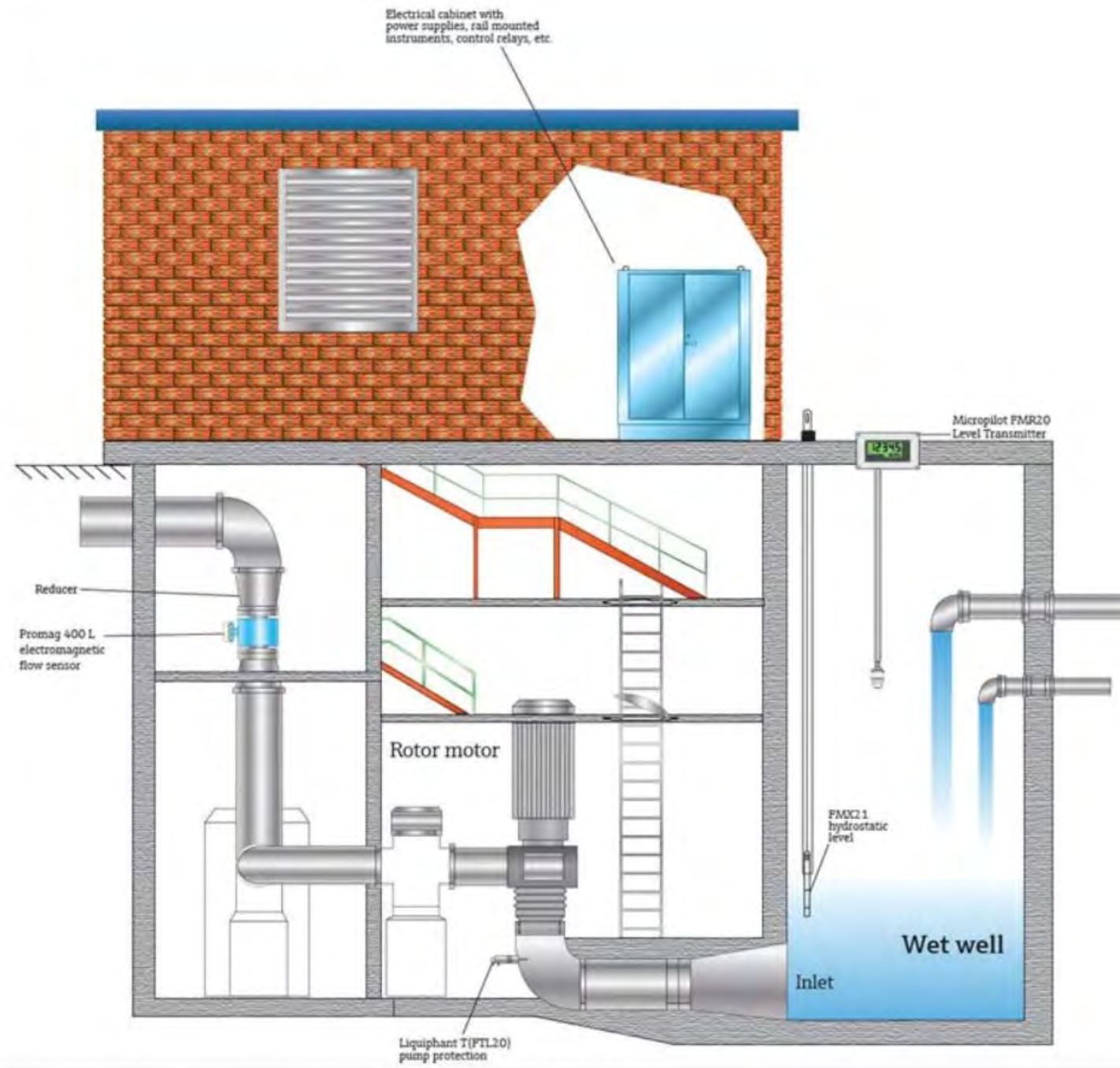
## Pump Station 2

- Constructed in 1963
- Maximum capacity = 432 mgd
- Seven (7) duty pumps, one (1) back up pump
- Average annual flow about 160 mgd
- Pumps flows collected from City and Region to PLWWTP









## Ultrasonic Sensor Levels (Wetwell)



- Ultrasonic level sensors replaced hydrostatic pressure sensors in 2021
- Programmed to alarm when level difference is greater than 10%
- Error likely due to obstruction or submergence



## Spill Locations

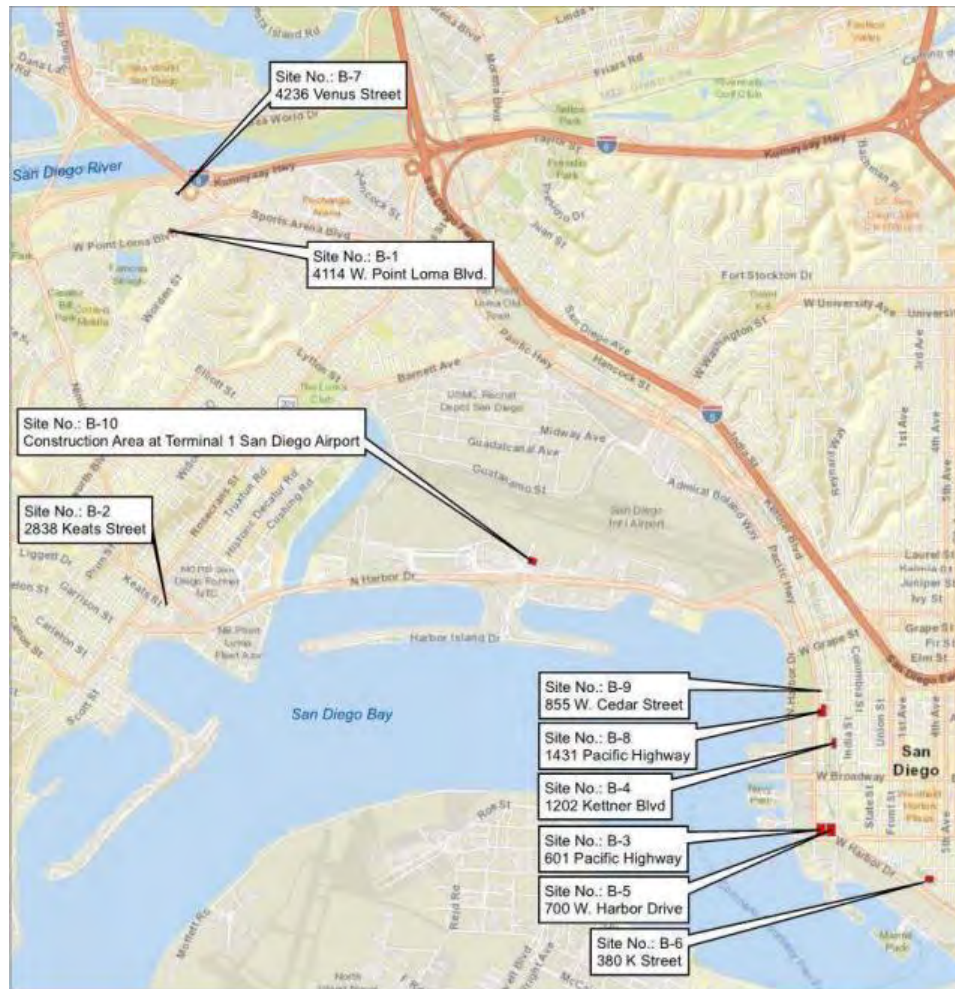


Figure 2-3: SSO Spill Sites (Non-Manholes)

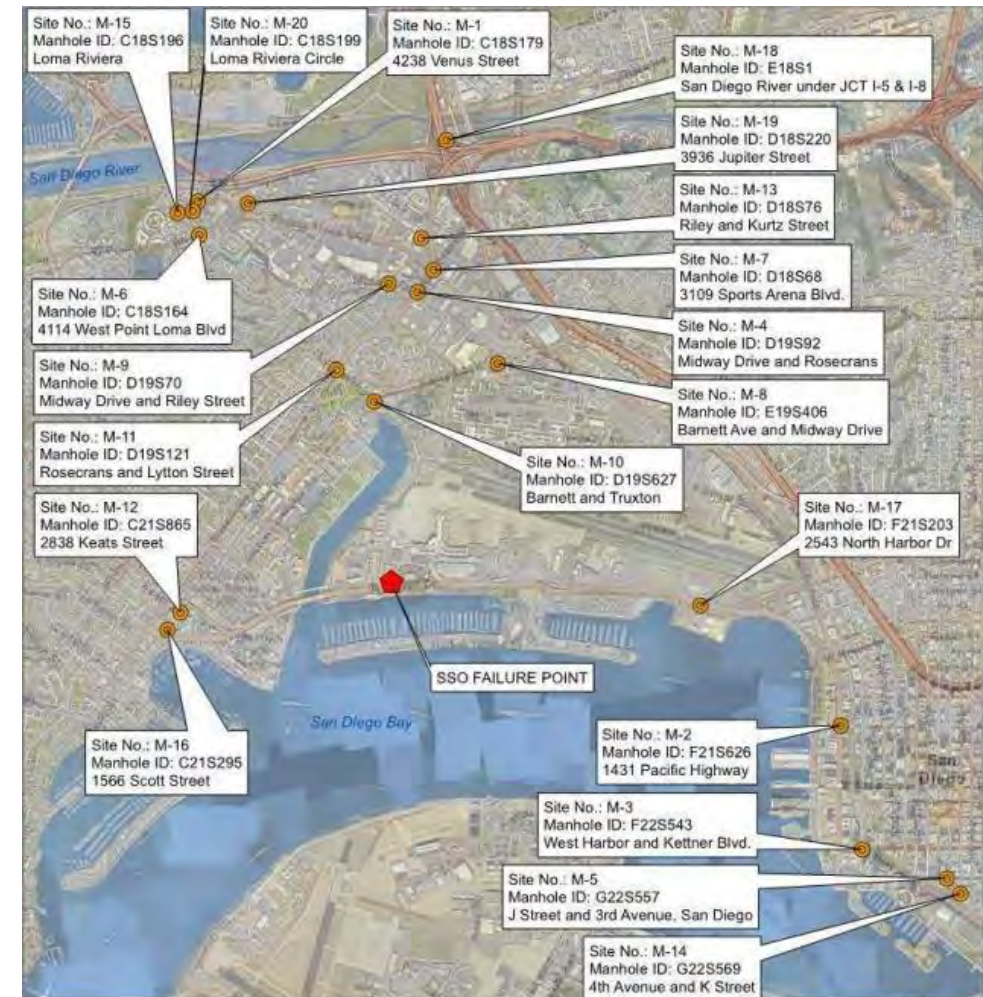


Figure 2-2: SSO Sites (Manholes)

## Corrective Actions

- Ultrasonic sensor replacement (shielded installation). Installed drop sensors for redundancy
- Programming changes – low reading will not trigger shutdown
- Additional staff training
- Audible alarms and additional screen notifications added
- Modified storm readiness/operational protocols (staff, equipment)
- Improvements to pump station – CIP initiated



# Questions





# ATTACHMENT 11

## MetroTAC Update/Report



**Metro TAC & JPA Work Plan Active &  
Pending Items May 2023**  
*Updated Items in Red Italics*

Active Items	Description	Member(s)
Metro JPA Pure Water 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, Chair Bill Baber, Vice Chair Gary Kendrick Jose Preciado John Duncan JPA Executive Team
IRWMP	JPA Members should monitor funding opportunities at: <a href="http://www.sdirwmp.org">http://www.sdirwmp.org</a> Details can be found in minutes of each TAC meeting.	Karen Jassoy Alisa Nichols (alt)
Exhibit E Audit	8/22: FY2019 audit approved and reconciliation complete. OCIP meeting held. <i>5/23: FY2020 audit fieldwork underway; report expected late fall 2023.</i>	Lee Ann Jones- Santos Karyn Keze 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. <i>5/23: Draft pretreatment language and provisions (Exhibit "X") presented to 2<sup>nd</sup> ARA negotiating team for review and incorporation into the 2<sup>nd</sup> ARA document.</i>	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. Quarterly updates given by Peejay Tuongbanua at Metro TAC meetings.	Peejay Tuongbanua Steve Beppler, Yazmin Arellano, Mike James
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. 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 (2nd ARA) which will incorporate the completed financial and other items from the first ARA. Negotiating Team meets every 3 weeks to follow through with topics raised during the First ARA and the rewriting of the ARA document.	Dexter Wilson Beth Gentry Yazmin Arellano Karyn Keze Scott Tulloch SD staff & consultants
Changes in wastewater/water legislation	NOTE: Procopio, Metro TAC and the Commission/JPA 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. <i>5/2023: 2023 Legislative Update can be found on the JPA Website at Item 11: <a href="https://www.metrojpa.org/Home/ShowDocument?id=3578">https://www.metrojpa.org/Home/ShowDocument?id=3578</a></i>	Procopio JPA members as appropriate

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

