



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

AGENDA

**Thursday, SEPTEMBER 3, 2009
12:00 p.m.**

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

"The mission of the Metro Commission is to create an equitable partnership with the San Diego City Council on wastewater issues in the San Diego region that ensures fair rates for participating agencies, concern for the environment, and regionally balanced decisions through data analysis, collaboration among all stakeholders, and open dialogue."

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

Documentation
Included

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE
3. PUBLIC COMMENT
Persons speaking during Public Comment may address the Metro Commission/ Metro Wastewater JPA on any subject matter within the jurisdiction of the Metro Commission and/or Metro Wastewater JPA that is not listed as an agenda item. Comments are limited to three (3) minutes. Please complete a Speaker Slip and submit it prior to the start of the meeting.
- X 4. **ACTION** - APPROVE MINUTES OF AUGUST 6, 2009
5. **ACTION** - DISCUSSION AND POSSIBLE ACTION ON THE STATUS OF THE MODIFIED PERMIT FOR THE POINT LOMA WASTEWATER TREATMENT PLANT AND THE COASTAL COMMISSION'S ACTIONS ON THE CONSISTENCY CERTIFICATION FOR THE MODIFIED PERMIT
6. METRO TAC UPDATE
7. IROC UPDATE

Documentation
Included

8. FINANCE AD HOC COMMITTEE
9. STRATEGIC PLAN (ANNUAL RETREAT) AD HOC COMMITTEE - REVIEW OF MAY 7, 2009 MEETING SUMMARY
10. PROPOSED AGENDA ITEMS FOR THE NEXT METRO COMMISSION/ METRO WASTEWATER JPA MEETING OCTOBER 1, 2009
11. METRO COMMISSIONERS' AND JPA BOARD MEMBERS' COMMENTS
12. ADJOURNMENT OF METRO COMMISSION AND METRO WASTEWATER JPA

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

Materials provided to the Metro Commission and/or Metro Wastewater JPA related to any open-session item on this agenda are available for public review by contacting L. Peoples at (619) 476-2557 during normal business hours.

***In compliance with the
AMERICANS WITH DISABILITIES ACT***

The Metro Commission/Metro Wastewater JPA requests individuals who require alternative agenda format or special accommodations to access, attend, and/or participate in the Metro Commission/Metro Wastewater JPA meetings, contact M. Kane at (858) 292.6321, at least forty-eight hours in advance of the meetings.

September 3, 2009

Metro Commission/Metro
Wastewater JPA Agenda

Agenda Item 4



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

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

**August 6, 2009
DRAFT Minutes**

Vice Chairman Ernie Ewin called the meeting to order at 12:05 p.m. A quorum of the Metro Wastewater JPA and Metro Commission was declared, and the following representatives were present:

1. ROLL CALL

<u>Agencies</u>	<u>Representatives</u>		<u>Alternate</u>
City of Chula Vista	Cheryl Cox	X	Scott Tulloch
City of Coronado	Al Ovrom	X	Scott Huth
City of Del Mar	Donald Mosier		(No Representative)
City of El Cajon	Bill Wells	X	
City of Imperial Beach	Patricia McCoy		(No Representative)
City of La Mesa	Ernie Ewin	X	
Lemon Grove Sanitation District	Jerry Jones		Patrick Lund
City of National City	VACANT		(No Representative)
City of Poway	Betty Rexford		(No Representative)
City of San Diego	Jerry Sanders		Jim Barrett
County of San Diego	Dianne Jacob		Daniel Brogadir
Otay Water District	Larry Breitfelder	X	
Padre Dam MWD	Augie Caires	X	
Metro TAC Chair	Scott Huth	X	
IROC	Don Billings		Barry Newman

Others present: Metro JPA General Counsel Paula de Sousa; City of San Diego General Counsel Zeleny; JPA Secretary David Scherer; Padre Dam Municipal Water District Alternate Augie Scalzitti; Karyn Keese – PBS&J

2. PUBLIC COMMENT

There was no public comment.

3. ACTION – CONSIDERATION AND POSSIBLE ACTION TO APPROVE MINUTES OF JUNE 4, 2009

Upon motion by Commissioner Breitfelder, seconded by Commissioner Cox, the June 4, 2009 Regular Meeting Minutes were approved with Commissioner Jones abstaining.

4. ACTION – CONSIDERATION AND POSSIBLE ACTION TO APPROVE ELECTION OF NEW CHAIR/VICE CHAIR:

- A. Nominations
- B. Election

General Counsel de Sousa explained that with the replacement of the representative from the Otay Water District, we had no Chairman and Vice Chairman Ewin had been serving in the capacity of Chair. Therefore, it was now time to elect a new Chair and possibly Vice Chair by having open nominations as done in the past and opened the nominations.

ACTION: Upon motion by Commissioner Wells, seconded by Commissioner Breifelder, the Metro Wastewater JPA unanimously voted to elect Commissioner Ewin as Chair of the Metro Wastewater JPA. (Note – Commissioner Ewin abstained from the vote)

ACTION: Upon motion by Commissioner Cox, seconded by Commissioner Breifelder, the Metro Wastewater JPA unanimously voted to elect Commissioner Jones as Vice Chair of the Metro Wastewater JPA. (Note – Commissioner Jones abstained from the vote).

5. ACTION – CONSIDERATION AND POSSIBLE ACTION TO RENEW WEB SITE SERVICES AGREEMENT WITH AR CONSULTING (September 11, 2009 expiration)

Upon motion by Commissioner Cox, seconded by Commissioner Wells, the First Amendment to the agreement with AR Consulting was approved unanimously.

6. ACTION – CONSIDERATION TO REVIEW AND APPROVE TREASURER’S REPORT FOR YEAR ENDED JUNE 30, 2009

Treasurer Wilson provided a revised Balance Sheet and an overview of the Treasurer’s Report and responded to questions.

Upon motion by Commissioner Breifelder, seconded by Commissioner Caires, the Board unanimously approved the Treasurer’s Report for Year Ended June 30, 2009.

7. DISCUSSION REGARDING THE JPA’S FUNDAMENTAL PURPOSES AND SCOPE OF INTEREST AND RESPONSIBILITY

Chairman Ewin provided an introduction stating that since being appointed to the Metro JPA, he had a sense that everyone understood what their primary mission was to an extent, but that there were some questions as to whether or not there were issues that came up from time to time that were appropriate for the JPA to take a look at. He then provided the example of the Point Loma Secondary Treatment. Additionally, he stated that there were other items such as the Marine Mammal Act that in their own right or by definition, may not look like they have an effect, but actually they may as the could potentially effect the where an how sewage is out flowed and the treatment of such.

Commissioner Caires provided a brief presentation covering the fundamental purposes and scope of interest and responsibility of the Metro Commission/Metro JPA. The presentation included financial, policy, monitoring/oversight, communications, and organizational.

In closing, Chairman Ewin stated it was important to note that the items pointed out in the presentation would be covered in some manner in items reviewed off checklist or in some function of a standing committee rather than an ad-hoc. He then stated that from his perspective, his communications with the JPA from this point forward would be to start to identify how to make sure they were touching those areas and as issues come before them, keep staying on point and commenting where they could.

8. UPDATE ON POINT LOMA SECONDARY WAIVER PROCESS

Scott Huth provided an intro on the topic referring to the update which Jim Barrett will give and the second part which was attached to the agenda and e-mailed to each of the PA’s, being the draft letter of support for San Diego that everyone is requested to send in.

Jim Barrett provided an update on the process stating that on June 10, the Regional Water Quality Control Board heard this item at their monthly meeting with no opportunity for public comment. It was unanimously supported by the Board. On August 13, it will be heard by the

Coastal Commission in San Francisco. His staff had heard preliminary reports that the Coastal Commission was supporting approval and further, it was his understanding that the Coastal Commission was limited in what they could do as long as there was no impact to view or access which was pretty much their charter. He would be attending the meeting with Alan Langworthy and Tom Zeleny.

Scott Huth stated that the letters were needed by Monday August 10th to the Coastal Commission staff. The fax number to send them to is 415-904-5400. That same information was sent to everyone who commented at the prior hearing.

Chairman Ewin stated that in addition to individual actions, a personal letter of support can also be sent up. He then requested consideration of the Metro JPA sending of a letter up as a body.

ACTION: Upon motion by Commissioner Breitfelder, seconded by Commissioner Ovrom, the Metro JPA unanimously approved the sending of a letter to the Coastal Commission.

9. METRO TAC UPDATE

Metro TAC Chairman Huth reported that they did not meet in the month of July; however they did have a two items to report out on from the subcommittees within MetroTAC including Karyn Keese and Paula de Sousa.

First, the subcommittee that met with the City of San Diego on the Metro Debt Coverage Debt and Operating Reserve, and are at the point where a proposal is ready to go to MetroTAC at their next meeting. After MetroTAC, the same proposal will go to the Metro JPA Finance Ad Hoc Committee as there will be some elements that have to do with the financial worthiness of the system which the PA's contribute to those reserves and how that looks to the bond market.

Second, this week a meeting took place that was on the Recycle Water Study that came out of the negotiations between San Diego and the environmental groups for the waiver. Their first kick-off meeting was chaired by Marsi Steirer. It was a very good meeting and well attended. There were representatives from IROC, the environmental groups, he represented MetroTAC, and that process will go to MetroTAC and then come back to the Metro JPA.

Chairman Ewin requested Item 11 be heard at this time.

Item 10 was heard after Item 11.

10. IROC UPDATE

Commissioner Caires reported that IROC had a fairly brief meeting with a presentation on the Camp Pendleton Desalination Plant. There was a draft feasibility study on a 50-150 million gallon per day plant which is proposed to have an intake and discharge structure may actually go 2 miles out to the ocean floor with a cost of \$1.2 to \$1.9 billion dollars. Potentially the most expensive desal plant ever. If it were to meet all the obligations of such a project, it would come on line in 2018 and CWA has budgeted another \$5.7 million for further studies.

They also received an IPR project update. The independent advisory panel is on board with 9 PhDs. They are continuing their work and the Council took another 5-3 support vote on IPR.

The consolidation into a Public Utilities Department started July 1st.

The waiver update was previously provided, with the EPA's approval in October, the 5 years would start and would expire in October of 2014.

The Wastewater Rate Model to be completed in September 2009 with the Wastewater Cost of Services Study following that, rate adjustments anticipated for July 1, 2011 and the Cost of Services Study by Raftilis as consultant \$136,000 on the wastewater portion starting September 1 with final recommendations due December 2009. MetroTAC and Metro JPA will be involved in receiving presentations and providing input.

The Audits for 06-07 and 07-08 are still in process.

New Finance Sub-Committee Chair, Andrew Hollingworth, presented a proposed work plan to the IROC that is very aggressive, thorough and challenging for the IROC to pursue.

IROC Vice Chairman Newman stated that the IROC was going to be dark in August, but then decided to meet to primarily focus on their recommendations relating to the CWA pass through and to get a full understanding on the modeling that was referred to in Commissioner Caires' report as it is coming due in September.

Jim Barrett stated that with regards to the reference of the consolidation into a single Public Utilities Department, he is the Director with three assistant Directors: Jim Fisher, Assistant Director Water; Alex Ruiz, Assistant Director, Combined Consolidated Support; Ann Sasaki, Assistant Director, Waste Water.

Item 11 was heard prior to Item 10.

11. FINANCE AD HOC COMMITTEE

Chairman Ewin stated that in the past discussions had been held that the Finance Ad Hoc Committee had completed its work and would be disbanding, however items continue to come forward that seem to show a need for a committee to stay in place. Further, now that he was the Chairman of the Metro JPA, he would like to step back from the formal assignment of Chair of the Finance Ad Hoc, with the option to attend, but does see that the Finance Ad Hoc needs to continue forward in some capacity.

General Counsel de Sousa suggested that since it was really going beyond evaluating the impact of the City of San Diego financial issues, and the intent is to have a committee that is going to review financial issues routinely, as opposed to a specific issue on an ad-hoc basis, she would suggest that a standing committee be formed, subject to the requirements of the Brown Act and something could be placed on the agenda for the next meeting to discuss this. However, if there were separate, distinct isolated issues that would not warrant a standing committee, they could continue in the same manner with an ad-hoc but at conclusion of each issue, that ad-hoc would cease to exist and a new ad hoc committee would need to be appointed should a new issue arise

Chairman Ewin stated that currently the Ad Hoc consisted of himself, Al and Betty and requested two additional members to work with the committee and Al to take over as Chair. Commissioners Caires and Wells volunteered. Chairman Ewin requested Karyn Keese and Ms. de Sousa run any upcoming items through Commissioner Ovrom.

Karyn Keese noted that the 2007 Audit was closed on June 25th, 5 days prior to their goal of June 30th. Further, she commended Darlene and her staff as 2007 was the first year they had a full time accountant and although there were the normal amount of questions, the actual number of findings were significantly decreased. There would not be much of a refund for 2007 as this was the year that now capital projects were done any adjustments will be reflected in the November billing. Chairman Ewin requested Mr. Barrett convey thanks from the Metro JPA to Darlene and her staff as well as the new Deputy Director of Finance, Rod Greek who has a tough act to follow.

12. STRATEGIC PLAN (ANNUAL RETREAT) AD HOC COMMITTEE (Continued to the September 3, 2009 Regular Meeting)

Chairman Ewin noted that per the agenda, the Strategic Plan (Annual Retreat) Ad Hoc Committee would provide an overview/follow-up from the meeting at the September 3, 2009 Regular meeting.

13. PROPOSED AGENDA ITEMS FOR THE NEXT METRO COMMISSION/ METRO WASTEWATER JPA MEETING SEPTEMBER 3, 2009

No additional items other than what was referenced during the meeting were noted.

14. METRO COMMISSIONERS' and JPA BOARD MEMBERS' COMMENTS

There were none.

15. ADJOURNMENT OF METRO COMMISSION AND METRO WASTEWATER JPA

At 12:41 p.m., there being no further business, Chairman Ewin declared the meeting adjourned.

Recording Secretary