

SAN ELIJO JOINT POWERS AUTHORITY  
MINUTES OF THE BOARD MEETING  
HELD ON SEPTEMBER 21, 2021  
VIA VIDEO CONFERENCE

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Kristi Becker, Chair

Kellie Hinze, Vice Chair

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A meeting of the Board of Directors of San Elijo Joint Powers Authority (SEJPA) was held Tuesday, September 21, 2021, at 8:30 a.m., via a public web conference.

1. CALL TO ORDER

Chair Becker called the meeting to order at 8:30 a.m.

2. ROLL CALL

*Directors Present:*

Kristi Becker  
Kellie Hinze  
Catherine Blakespear  
David Zito

*Directors Absent:*

None

*Others Present:*

General Manager	Michael Thornton
Director of Operations	Chris Trees
Director of Finance and Administration	Amy Chang
Administrative Coordinator	Vanessa Hackney
Senior Project Manager	Mike Konicke

*SEJPA Counsel:*

Procopio, Cory, Hargreaves & Savitch	Tracie Stender
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*City of Encinitas:*

Assistant Director of Public Works Department	Isam Hireish
Assistant City Manager	Jennifer Campbell
City Manager	Pamela Antil

*City of Solana Beach:*

City Manager	Greg Wade
Director of Engineering/Public Works	Mohammad "Mo" Sammak

3. PLEDGE OF ALLEGIANCE

Director of Operations, Christopher Trees, led the Pledge of Allegiance.

4. ORAL COMMUNICATION

None.

5. AWARDS AND RECOGNITION

None.

6. CONSENT CALENDAR

Moved by Board Member Zito and seconded by Vice Chair Hinze to approve the Consent Calendar.

Agenda Item No. 7	Approval of Minutes for the August 17, 2021 Meeting
Agenda Item No. 8	Approval for Payment of Warrants and Monthly Investment Report
Agenda Item No. 9	Wastewater Treatment Report
Agenda Item No. 10	Recycled Water Report
Agenda Item No. 11	Reportable Meetings
Agenda Item No. 12	Professional Services Agreement for Moonlight Beach Pump Station Modification Design
Agenda Item No. 13	Technical Services Agreement for Toxicity Testing

Motion carried with the following vote of approval:

AYES: Becker, Hinze, Zito, Blakespear  
NOES: None  
ABSENT: None  
ABSTAIN: None

15. SAN ELIJO JOINT POWERS AUTHORITY PURCHASING POLICY UPDATE

Director of Finance and Administration, Amy Chang, stated that the current SEJPA purchasing policy was approved by the Board of Directors in November 2019. SEJPA staff and legal counsel have reviewed the current purchasing policy and recommend updates to confirm current government codes, Restatement amendment, and procurement functions. Recommendations include the following:

- Raise General Manager's authority to execute contracts up to \$50,000 from \$35,000 in accordance with the Restatement amendment.
- Delete aggregate expenditures limit of \$75,000 for urgent maintenance or repair work necessary to protect public health and the environment and replace with requirement to comply with section 22050 of the Public Contract Code in accordance with the Restatement amendment.
- Add web-based platforms section to recognize SEJPA's electronic procurement functions.

Approval of Resolution 2022-01 will supersede the previous purchasing policy Resolution No. 2020-01.

Moved by Chair Becker and seconded by Board Member Blakespear to:

Authorize the General Manager to execute the following Agreements:

1. Adopt Resolution No. 2022-01, Resolution of the Board of Directors Establishing Purchasing Policies and Procedures for the San Elijo Joint Powers Authority

Motion carried with the following vote of approval:

AYES: Becker, Hinze, Zito, Blakespear  
NOES: None  
ABSENT: None  
ABSTAIN: None

16. RECYCLED WATER CAPITAL IMPROVEMENT PLAN AND GRANT FUNDING UPDATE

Director of Operations, Christopher Trees, provided updates to the 10-year Recycled Water Capital Improvement Plan (CIP) including securing approximately \$1.8 million in California IRWM grants to construct stormwater recycling, recycled water storage, and distribution pumping improvements. These improvements must be constructed and operational by September 2025 to meet grant funding requirements. Staff is also pursuing federal funding through the US Bureau of Reclamation, with grant funding pending award at \$1.1 million for water storage and distribution improvements, however, construction must be completed by mid-2024. Additional Bureau of Reclamation grant funding is expected to become available next year with construction completion due in 2026. Both the state and federal funding are reimbursement style grants that require expenditure of capital funds prior to grant reimbursement.

Staff has elected to decline the California Proposition 1 Stormwater Grant for Phase 2 Capture and Reuse, and not pursue the development of the project at this time. The project encountered additional site challenges and design changes that has increased the engineer's construction estimate placing the project beyond current funding availability.

Staff has reviewed CIP schedule options due to grant funding requirements. The total value of the 10-year CIP is \$10.7 million in 2021 dollars. The Recycled Water cost-of-service study planned for approximately 50% funding by loans and 50% funded by cash during that 10-year timeframe. Staff reviewed the advantages and disadvantages of shortening the 10-year schedule to a 5-year schedule for grant compliance. Compressing the construction timeline can provide cost savings due to reduced inflation exposure and by financing construction during the current low interest environment. However, it will require financing the entire \$10.7 million CIP budget and the compressed schedule can increase the need for consulting support to deliver multiple projects concurrently. The compressed schedule would improve treatment and provide potable reuse related treatment process improvements earlier in the timeline; however, additional treatment process improvements would be required prior to being able to provide water for potable reuse.

Staff is evaluating the costs and benefits of completing the CIP in a compressed schedule and will report back to the Board.

No action required. This presentation of the Recycled Water Capital Plan and Grant Funding Update is for information only.

17. GENERAL MANAGER'S REPORT

Director of Operations, Christopher Trees, discussed the upcoming San Elijo Joint Powers Authority Board meeting that will lead into a ribbon cutting ceremony for the new Water Campus Administration and Operations Building.

18. GENERAL COUNSEL'S REPORT

Tracie Stender stated that AB361, the extension of virtual meetings, has been passed with slightly modified protocols. Ms. Stender also stated that a general attorney opinion has affirmed that Joint Powers Authority (JPA) Board Members have the ability to discuss JPA business with their respective member agencies in open session. However, if the topic being discussed is an adjudication, it is important to not receive any outside evidence or allow potential for undue influence at the member agency meeting, as that could result in a due process violation.

19. BOARD MEMBER COMMENTS

None.

20. CLOSED SESSION

A closed session was held per Government Code Section 54957(b), Public Employee Employment; Title: General Manager; Government Code Section 54957.6(a) Public Employee (Unrepresented) Salary/Compensation, Designated Representative: Michael Thornton.

21. CONSIDERATION OF GENERAL MANAGER EMPLOYMENT CONTRACT

No action was taken.

22. ADJOURNMENT

The meeting adjourned at 9:16 a.m. The next Board of Directors meeting is scheduled to be held on Tuesday, October 19, 2021 at 8:30 a.m.

Respectfully submitted,



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Michael T. Thornton, P.E.  
General Manager