

**FOURTH AMENDMENT TO JOINT EXERCISE OF POWERS AGREEMENT
FOR THE METRO WASTEWATER JOINT POWERS AUTHORITY
TO AMEND SECTION 3.05 OF THE JOINT POWERS AGREEMENT**

This Fourth Amendment to the Joint Exercise of Powers Agreement for the Metro Wastewater Joint Powers Authority is made effective as of July 1, 2024, in the County of San Diego, State of California by each of the Participating Agencies of the Metro Wastewater JPA, a Joint Powers Agency (“**JPA**”) existing and organized pursuant to the provisions of Government Code section 6500 *et seq.*

RECITALS

WHEREAS, on October 25, 2000, the City of Coronado, a municipal corporation; the City of Del Mar, a municipal corporation; the City of El Cajon, a municipal corporation; the City of Imperial Beach, a municipal corporation; the City of La Mesa, a municipal corporation; the Lemon Grove Sanitation District, a political subdivision of the State of California, the City of Poway, a municipal corporation; Padre Dam Municipal Water District, a political subdivision of the State of California; and the County of San Diego (on behalf of: the Winter Gardens Sewer Maintenance District, a maintenance district established pursuant to California Streets & Hwys. Code section 5820 *et seq.*; the Lakeside/Alpine Sanitation District, a political subdivision of the State of California; and the Spring Valley Sanitation District, a political subdivision of the State of California) (the “**Participating Agencies**”) entered into a Joint Exercise of Powers Agreement (“**Agreement**”), creating the JPA for the purpose of taking responsibility, actions, and decisions pertaining to the Regional Waste Water Disposal Agreement; and

WHEREAS, on February 12, 2003, the Otay Water District was added as a Participating Agency of the JPA; and

WHEREAS, on June 4, 2003, the City of National City was added as a Participating Agency of the JPA; and

WHEREAS, on October 17, 2007, the City of Chula Vista was added as a Participating Agency of the JPA; and

WHEREAS, Article VIII, Section 8.05 of the Agreement allows for amendments of the Agreement; and

WHEREAS, the Participating Agencies wish to make certain amendments to reflect updates in officers and employees of the organization.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

- A. Pursuant to Article VIII, Section 8.05 of the Agreement, each of the Participating Agencies hereby amend the Joint Exercise of Powers Agreement for the Metro Wastewater JPA, as follows:

1. Article III, Section 3.02 is hereby revised in its entirety to read as follows:

3.02 Treasurer and Auditor. The Treasurer and Auditor may be any person(s) duly appointed by the Board and permitted to serve as the JPA Treasurer and/or Auditor pursuant to Government Code Sections 6505.5 and/or 6505.6. The Treasurer shall be the depository, shall have custody of all of the accounts, funds, and money of the JPA from whatever source, and shall have the duties and obligations set forth in Government Code sections 6505, 6505.5 and/or 6505.6 as applicable, and shall assure that there shall be strict accountability of all funds and reporting of all receipts and disbursements of the JPA. The officer performing the duties of Auditor shall have the duties and obligations set forth in Government Code section 6505, 6505.5 and/or 6505.6, as applicable.

2. Article III, Section 3.05 is hereby revised in its entirety to read as follows:

3.05 Legal Advisor. The Board shall have the power to appoint the legal advisor of the JPA who shall perform such duties as may be prescribed by the Board.

- C. All other terms and conditions of the Joint Exercise of Powers Agreement for the Metro Wastewater JPA shall remain in full force and effect and shall remain binding upon each of the Participating Agencies.

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment as of the date first written above.

1. CITY OF CORONADO

ATTEST

By: _____

2. CITY OF DEL MAR

ATTEST

By: _____

3. CITY OF EL CAJON

ATTEST

By: _____

4. CITY OF IMPERIAL BEACH	ATTEST
By: _____	_____
5. CITY OF LA MESA	ATTEST
By: _____	_____
6. LEMON GROVE SANITATION DISTRICT	ATTEST
By: _____	_____
7. CITY OF POWAY	ATTEST
By: _____	_____
8. PADRE DAM MUNICIPAL WATER DISTRICT	ATTEST
By: _____	_____
9. COUNTY OF SAN DIEGO on behalf of WINTER GARDENS SEWER MAINTENANCE DISTRICT, LAKESIDE SANITATION DISTRICT, ALPINE SANITATION DISTRICT, AND SPRING VALLEY SANITATION DISTRICT	ATTEST
By: _____	_____
10. OTAY WATER DISTRICT	ATTEST
By: _____	_____
11. NATIONAL CITY	ATTEST
By: _____	_____

12. CHULA VISTA

ATTEST

By: _____