

Meeting Date: May 24, 2023 (SA01)

Ordinance No. 10850 (N.S.)

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY  
SANITATION DISTRICT AUTHORIZING PASS-THROUGH OF INCREASES IN  
CERTAIN SEWER RATES

The Board of Directors of the San Diego County Sanitation District ordains as follows:

Section 1. The San Diego County Sanitation District (District) is authorized to fix and collect charges for the provision of sewer service pursuant to California Health and Safety Code, Section 5470 et seq.; and has enacted Ordinances containing fees and charges for the provision of sewer service as authorized by the Uniform Sewer Ordinance. California Government Code, Section 53756 authorizes sewer agencies to make automatic adjustments to sewer rates that pass through increases in wholesale charges for wastewater treatment. The District is a Participating Agency in the Metropolitan Sewer System (Metro System) and pays the City of San Diego to transport and treat a substantial portion of its sewage, pursuant to contract, the cost of which comprises nearly forty percent (40%) of the District's total cost for sewer service. The District wishes to establish a pass-through charge to allow for the recovery of costs billed to the District for the use of the Metro System.

Section 2. The fees or charges established by the District by ordinance shall be automatically adjusted to pass through charges imposed on the District by the City of San Diego for use of the Metro System based on the following formula, which is apportioned to individual customer categories in the sewer rate study. The annual increase in Metro System treatment charges, if any, shall be determined by subtracting the portion of rate revenue to be collected in the next fiscal year, which includes projected Metro System treatment charges from the actual charges to be invoiced to the District. The amount that the actual charges exceed the allocated amount of rate revenue, if any, shall be considered an increase to the Metro System charges for the next fiscal year and subject to collection through a pass-through fee as authorized by this ordinance. Notice of any adjustment pursuant to this ordinance shall be given to District customers not less than 30 days before the effective date of the adjustment. This section only, regarding automatic adjustments, shall expire on June 30, 2028.

Section 3. The fees and charges established by this Ordinance do not exceed the estimated amounts required to provide services for which the fees and charges are levied.

Section 4. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the San Diego County Sanitation District this 24<sup>th</sup> day of May, 2023.

APPROVED AS TO FORM AND LEGALITY  
CLAUDIA G. SILVA, County Counsel  
By: Emily Helms, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the San Diego County Sanitation District this 24<sup>th</sup> day of May 2023.

  
NORA VARGAS  
Chair, Board of Directors  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Vargas, Anderson, Lawson-Remer, Desmond  
ABSENT: (District 4 Seat Vacant)

ATTEST my hand and the seal of the Board of Directors this 24<sup>th</sup> day of May 2023.

ANDREW POTTER  
Clerk of the Board of Directors

By   
Savannah Perez, Deputy



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