

Ordinance No.: 10664 (N.S.)
Meeting Date: 03/11/2020 (SA1)

**SAN DIEGO COUNTY SANITATION DISTRICT FEES AND CHARGES FOR THE
PROVISION OF SEWER SERVICE**

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

Section 1. The Board of Directors is authorized to fix and collect charges for the provision of sewer service pursuant to California Health and Safety Code, Section 5470 et seq. This Ordinance establishes a reimbursement fee for certain parcels subject to Erreca Associates LLC Reimbursement Agreement. Previous sewer fees for Harmony Grove Service Area and Lane Reimbursement Fee are no longer valid. No other existing fees or charges have been changed. All existing fees and charges imposed by the District, including any ordinance sections imposing those existing fees and charges, shall remain in effect.

Section 2. This ordinance contains fees and charges for the provision of sewer service as prescribed by District ordinance.

Section 3. The fees and charges contained herein will be applied to all parcels located in and annexed into the District.

Section A. DEFINITIONS. The term "District" refers to the San Diego County Sanitation District and any successor agency to the District.

The term "Sewer Service Area" refers to communities served by the District, and all territories within the boundaries of the District, including any territory annexed to the District. Sewer service area boundaries are those which previously existed as separate sanitation or sewer maintenance districts prior to the September 13, 2010 reorganization. Communities served by the District include Alpine, Campo, East Otay Mesa, Julian, Lakeside, Pine Valley, Spring Valley, and Winter Gardens.

Section B. ANNUAL SEWER SERVICE CHARGES. There is hereby levied and assessed upon each premise within the District that discharges sewage directly or indirectly into the sewer lines of the District, and upon each person owning, letting, or occupying such premise an annual sewer service charge. The annual sewer service charge for all customer classifications is shown in the table below. A business or residential use that includes more than one classification shall be assessed an annual sewer service charge based on the most intensive use regardless of the frequency of the use. An EDU is the average annual sewer discharge rate of 240 gallons per day for a single-family residence. Sewer service charges are based on assigned capacity (EDUs), flow volume and sewage strength of the wastewater discharged pursuant to the San Diego County Uniform Sewer Ordinance.

1. All Service Areas

Customer Class	Total Charge	Total Charge	Total Charge	Total Charge	Total Charge
	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
Annual Charge	(\$/EDU)	(\$/EDU)	(\$/EDU)	(\$/EDU)	(\$/EDU)
Customer Class					
Single-family Residential	\$366.22	\$399.18	\$435.10	\$474.26	\$516.95
Multi-family Residential	\$366.22	\$399.18	\$435.10	\$474.26	\$516.95
Car Wash	\$310.30	\$338.23	\$368.67	\$401.85	\$438.01
Barber & Beauty Salons	\$359.10	\$391.42	\$426.64	\$465.04	\$506.90
Dept. Stores, Retail Stores, Gen	\$336.25	\$366.52	\$399.50	\$435.46	\$474.65
Warehouse	\$336.25	\$366.52	\$399.50	\$435.46	\$474.65
Hospitals & Convalescent Homes	\$344.80	\$375.83	\$409.66	\$446.52	\$486.71
Laundromats	\$327.12	\$356.57	\$388.66	\$423.64	\$461.76
Nurseries	\$412.65	\$449.79	\$490.27	\$534.40	\$582.49
Hotels/Motels w/o Dining	\$361.34	\$393.86	\$429.31	\$467.95	\$510.06
Auto Repair/Sales Shops & Service	\$371.93	\$405.41	\$441.90	\$481.67	\$525.02
Shopping Centers	\$386.68	\$421.49	\$459.42	\$500.77	\$545.84
Bar w/o Dining	\$393.62	\$429.05	\$467.66	\$509.75	\$555.63
Commercial Laundry	\$416.68	\$454.19	\$495.06	\$539.62	\$588.18
Movie Theater	\$386.83	\$421.64	\$459.59	\$500.95	\$546.04
Lumber Yards	\$450.18	\$490.70	\$534.86	\$583.00	\$635.47
Convenience & Liquor Stores	\$440.39	\$480.02	\$523.23	\$570.32	\$621.64
Industrial Laundry	\$596.06	\$649.71	\$708.18	\$771.92	\$841.39
Hotel w/ Restaurant	\$508.85	\$554.65	\$604.57	\$658.98	\$718.28
Auto Steam Cleaning	\$571.84	\$623.31	\$679.41	\$740.55	\$807.20
Bakery or Bakery/Deli	\$608.74	\$663.53	\$723.24	\$788.34	\$859.29
Restaurant & Bar w/Food	\$608.74	\$663.53	\$723.24	\$788.34	\$859.29
Food Stores	\$614.47	\$669.78	\$730.06	\$795.76	\$867.38
Mortuary	\$614.47	\$669.78	\$730.06	\$795.76	\$867.38
Churches	\$320.84	\$349.72	\$381.19	\$415.50	\$452.89
Schools	\$320.84	\$349.72	\$381.19	\$415.50	\$452.89
Membership Organizations	\$320.84	\$349.72	\$381.19	\$415.50	\$452.89
Restaurants w/ Waste Separation	\$462.75	\$504.40	\$549.80	\$599.28	\$653.21
Mobile Homes	\$366.22	\$399.18	\$435.10	\$474.26	\$516.95

Section C. CAPACITY FEES. In addition to any other fees for connection to the sewer lines within the District, a capacity fee is established for each dwelling unit connecting to the sewer system after the effective date of this ordinance. The number of equivalent dwelling units prescribed by District ordinance shall be used to compute the amount of the fee.

CAPACITY FEE	
Service Area	Per EDU
Winter Gardens	\$1,000
Campo, Lakeside, Pine Valley, Spring Valley	\$2,000
Alpine	\$2,300
East Otay Mesa	\$2,500
Julian	\$4,000

Section D. SPECIAL CONNECTION FEES. In addition to any other fees in effect for connection to the sewer lines within the District, the following special connection fees are applied.

1. Lakeside Service Area:

- a. INDUSTRY ROAD LATERAL FEE [Established 11/2/1993]. The reimbursement fee to connect to an installed lateral paid for by the District between manholes 14 and 17 of the Industry Road sewer line shall pay \$3,200 for each sewer lateral. These laterals are designated for Assessor's Parcel Numbers: 382-250-27, 394-011-21, 394-011-27, 394-011-28, 394-011-29, and 394-011-30.

Section E. REIMBURSEMENT FEES. Reimbursement fees are established pursuant to Health & Safety Code Sections 4742.3 and 4766, as a means of providing fair share reimbursement for improvements constructed by third parties. Reimbursement to the party that financed and/or constructed the improvements is accomplished by way of reimbursement agreement with the District. Agreements are for a term not to exceed twenty years, and the District serves as agreement administrator. A processing fee is due at time of application pursuant to this ordinance.

The District cannot assure sewer improvements will actually be utilized by other persons or projects within the term of the agreement and therefore cannot guarantee that a developer or other third party will recover the cost of constructing over-sized sewer facilities. Reimbursement payments are processed semi-annually based on the amount collected during that period. The following reimbursement fees are applied, in addition to any other fees in effect for connection to the sewer lines within the District:

1. East Otay Mesa Service Area:

- a. D&D LANDHOLDINGS REIMBURSEMENT FEE [Expires 4/8/2029].
 In addition to other fees for connection, a connection fee of \$840, plus 5.25% simple interest per annum for each permit issued for properties that connect to sewer lines NS 2402, 2433, 2458 and 2468, and are located within the northern basin (Basin No. 1) of the East Otay Mesa Service Area of the District as depicted in area map titled Exhibit "A" of the agreement, all as more particularly described in the

"Reimbursement Agreement between East Otay Mesa Sewer Maintenance District and D & D Landholdings for Cost of Construction of Sewers". Interest charges will be computed from the effective date of the reimbursement agreement, monthly, to the time that charge is collected.

The following listed properties and any other property or properties resulting from the subdivision, division or splitting of these properties into separate lots or parcels shall be excluded from payment of the reimbursement fee since owners of these properties paid for the construction. Parcels excluded from payment of the fee include: Assessor Parcel Numbers 648-040-39, 648-040-40, 648-040-41, 648-040-42, 648-040-43, and 648-040-44.

- b. CITY OF SAN DIEGO REIMBURSEMENT FEES (Reference "Sewage Transportation Agreement between City of San Diego and East Otay Mesa Sewer Maintenance District").

Prior to connecting to sewer, the property owner is required to pay the City of San Diego reimbursements for the Otay Valley Trunk Sewer, Otay Mesa Trunk Sewer, and Otay Mesa Pump Station. The District must first review project plans and determine the total number of reimbursement EDUs prior to City of San Diego processing.

2. Lakeside Service Area:

- a. ERRECA ASSOCIATES LLC REIMBURSEMENT FEE [Expires March 11, 2040]

In addition to other fees for connection, a connection fee of \$1,372 per Equivalent Dwelling Unit (EDU) for properties that choose to connect, either directly or indirectly, to sewer Segment 1, which extends 3,540 feet north along Morena Avenue from the intersection of San Vicente Avenue and a connection fee of \$3,329 per EDU for properties that choose to connect, either directly or indirectly, to sewer Segment 2, extending 3,454 feet east along Slaughterhouse Canyon Road to Vigilante Road as depicted in the "Reimbursement Agreement between San Diego County Sanitation District and Erreca Associates, LLC for Cost of Construction of Sewers", plus 2.4% simple interest per annum. Properties served by Segment 2 will also pay the Segment 1 reimbursement connection fee.

The following listed properties and any other property or properties resulting from the subdivision, division or splitting of these properties into separate lots or parcels are eligible to connect, and if they choose to connect, shall pay the reimbursement fee:

PARCELS SUBJECT TO REIMBURSEMENT FEE (SEGMENT 1)					
No.	APN	No.	APN	No.	APN
1	3260601700	17	3751002000	33	3773400200
2	3260601100	18	3751002400	34	3773401200
3	3751900400	19	3751001200	35	3773401300
4	3750414400	20	3751001300	36	3773400400
5	3751901300	21	3751001400	37	3773400500
6	3751900700	22	3751002200	38	3773400600
7	3751900800	23	3751002100	39	3773400700
8	3751900900	24	3750400200	40	3773400800
9	3750412400	25	3750402600	41	3751112300
10	3750412300	26	3750402800	42	3751112200
11	3750413500	27	3750402900	43	3751111800
12	3750413600	28	3750400500	44	3751140500
13	3750415000	29	3750400600	45	3751140200
14	3751004300	30	3751112400	46	3751140400
15	3751004100	31	3751800200		
16	3751004500	32	3773400100		

PARCELS SUBJECT TO REIMBURSEMENT FEE (SEGMENT 1 & 2)					
No.	APN	No.	APN	No.	APN
1	3260502200	6	3260601900	11	3260500900
2	3260501200	7	3260501100	12	3260501000
3	3260501300	8	3260602000	13	3260510500
4	3260502100	9	3260602400		
5	3260601800	10	3751900300		

The following listed properties and any other property or properties resulting from the subdivision, division or splitting of these properties into separate lots or parcels shall be excluded from payment of the reimbursement fee since owners of these properties paid for the construction. Parcels excluded from payment of the fee are:

PARCELS EXCLUDED FROM REIMBURSEMENT FEE					
No.	APN	No.	APN	No.	APN
1	3260510200	8	3751901000	15	3750403300
2	3750412700	9	3751901100	16	3750403400
3	3750411800	10	3751901200	17	3750403500
4	3750411900	11	3751901400	18	3750403600
5	3750413800	12	3751901500	19	3750403700
6	3751710500	13	3750400100		
7	3751900200	14	3750401800		

Section F. SEWER CAPACITY COMMITMENTS. (New Major and Minor Subdivisions)

The following provisions shall apply to new major and minor subdivisions which intend to receive sewer service from the District:

1. Where a tentative subdivision map or tentative parcel map has been approved or conditionally approved, the Director of Public Works may accept application for a capacity commitment when the final subdivision map or parcel map is submitted for final approval but only after all conditions .of the tentative map not relating to sewer service have been fulfilled.
2. The District shall be deemed to have committed sewer capacity only if the District has issued a capacity receipt for the non-refundable payment of the entire capacity fee in effect at the time and applying to the parcel, tentative map or tentative parcel map.
3. The capacity fees may be collected and the capacity receipt issued independently from or concurrently with the issuance of the wastewater discharge permit.
4. The sewer capacity commitment shall apply to legal lots within the tentative parcel map, or tentative map for which it is issued. The commitment cannot be sold or transferred to other lots. Exceptions: Transfer of commitments can occur 1) between lots if the lots existed within the original tentative parcel map, or tentative map and they have a single common owner and, 2) between lots within the Julian sewer service area that comply with Part I, Article 6, section 6.10 of the District ordinance Establishing Provisions for the Use of District Sewerage Facilities.
5. In the event that the capacity fees within the District increase, additional capacity fees, if any, shall become due and payable at the time of issuance of the wastewater discharge permit.
6. If a wastewater discharge permit is not obtained within two (2) years from the date of issuance of the capacity receipt, the capacity commitment for the parcel shall be void, and may be renewed only on payment of additional capacity fees applicable, if any, and subject to capacity available in the District at the time of application for renewal.
7. Exceptions:
 - a. East Otay Mesa Service Area: Sewer capacity commitments are not issued in this service area. Sewer capacity shall be committed at issuance of the wastewater discharge permit.
 - b. Julian Service Area: Holders of sewer capacity commitments purchased prior to September 1, 1992 shall be exempt from paying any increases in capacity fee adopted after September 1, 1992, and those sewer capacity commitments shall not expire, nor become void, nor be required to be renewed, and will be valid indefinitely.

Section G. SADDLE CONNECTION FEES. Physical connection of a sewer service lateral to a public main or trunk line can only be performed by District personnel, or a person authorized by District permit. This kind of connection requires installation of a coupling, known as a saddle. In cases where District personnel install or oversee installation of the saddle

connection, the following saddle fees are applied.

SADDLE FEE		
4 and 6 inch saddle connection	≤13 feet deep	\$250
4 and 6 inch saddle connection	> 13 feet deep	\$250 plus \$8/ft of depth below 13 feet

Section H. ANNEXATION AND DETACHMENT FEES. In addition to any other fees in effect, the following annexation/detachment fees are hereby applied:

1. Annexation/Detachment Application Fee. For annexation or detachment of territory, the application fees are as follows:

APPLICATION FEE	
Service Area	
Alpine, Campo, East Otay Mesa, Lakeside, Spring Valley, Winter Gardens	\$800
Julian, Pine Valley	\$700 ≤21 Acres
Julian, Pine Valley	\$800 >21 Acres

2. Annexation Fee. In addition to the application fee, there is hereby established an annexation fee for property annexed to or detached from the District. Annexation fees shall be determined on the basis of capacity required as expressed by EDU(s) based on District ordinance, or by acreage. The annexation fee for all properties annexed to or detached from the District on or after the effective date of this ordinance shall be as follows:

ANNEXATION FEE	
Service Area	Per EDU or Acre
Winter Gardens, Lakeside	\$500/EDU
Alpine, Spring Valley	\$1,000/EDU
Julian, Pine Valley	\$1,000/Acre
Campo	\$2,000/EDU
East Otay Mesa	N/A

3. Payment of Annexation/Detachment Fees. The entire fee prescribed in Section H shall become owing, due and payable to the District at the time application is made. Changes in property use resulting in increased sewer capacity shall be subject to additional annexation fees.
4. Refund of Annexation/Detachment Fee. The annexation/detachment application fee covers administrative costs and is nonrefundable. In the event the proposed annexation or detachment is discontinued, the annexation fee shall be refunded upon written request.

Section I. MISCELLANEOUS FEES. In addition to any other fees established by this ordinance, the following fees are for recovery of staff costs associated with the following processes.

DUE AT TIME OF APPLICATION	
Reimbursement Agreement Processing Fee	\$500
Sewer Availability Letter	\$15
EDU Transfer Fee (Julian Only)	\$360

Section J. DELEGATIONS OF AUTHORITY. Delegations of authority provided to County of San Diego staff by County ordinance or Board of Supervisors policy pertaining to the acquisition or disposition of interests in property, contracts for public works, and contracts for goods and services shall apply to County staff when working on behalf of the District. In addition, the Board of Directors of the District hereby finds in accordance with Public Contract Code § 20783 that if there is an imminent threat of a sewer system overflow, loss of service or other failure of District sewer treatment, storage or transmission facilities as a result of fire, flood, storm, earthquake or other unexpected event that presents a clear and imminent danger to health, life or property that an emergency shall be deemed to exist and a public works contract may be awarded without bidding. The Director, Department of Public Works, shall document the circumstances giving rise to the emergency and shall communicate the existence of the emergency to the Director, Department Purchasing and Contracting. The Director, Department of Purchasing and Contracting, may after being notified by the Director, Department of Public Works, of the circumstances giving rise to an emergency, award an emergency contract on behalf of the District. Authority is further delegated to the Director, Department of Public Works, to enter into a reimbursement agreement or other arrangement with the County of San Diego to reimburse the County for any work performed for the District by the County pursuant to a Job Order Contract awarded in accordance with Public Contract Code § 20128.5 or other applicable law.

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.

Approved as to Form and Legality
Emily Helms Senior Deputy County
Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the San Diego County Sanitation District this 11th day of March 2020.



GREG COX
Chairman, Board of Directors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

ATTEST my hand and the seal of the Board of Directors this 11th day of March 2020.

ANDREW POTTER
Clerk of the Board of Directors

By 

Joana Santiago, Deputy



Ordinance No.: 10664 (N.S.)
Meeting Date: 03/11/2020 (SA1)