

ORDINANCE NUMBER O- 20801 (NEW SERIES)

DATE OF FINAL PASSAGE APR 13 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE SEWAGE
TRANSPORTATION AGREEMENTS BETWEEN THE CITY
OF SAN DIEGO AND THE CITY OF POWAY.

WHEREAS, the City of Poway (Poway) is a signatory to the Regional Wastewater Disposal Agreement (Metro Agreement), on file with the City Clerk as Document Number OO-18517, whereby various cities and agencies in the San Diego region pay the City of San Diego for the treatment of their wastewater by and through the Metropolitan Sewerage System (Metro System); and

WHEREAS, the City of San Diego also sends wastewater to the City of Escondido's Hale Avenue Resource Recovery Facility (HARRF) for treatment, including some wastewater from Poway; and

WHEREAS, Poway needs to transport its wastewater through the City of San Diego's municipal sewerage system to reach the Metro System and HARRF; and

WHEREAS, the City of San Diego needs to transport some of its wastewater through Poway's municipal sewerage system to reach the San Diego municipal sewerage system; and

WHEREAS, the City of San Diego and Poway have reached agreements whereby they will pay each other to continue providing such sewage transportation services until December 31, 2050, contemporaneous with the expiration date of the Metro Agreement; and

WHEREAS, under San Diego Charter section 99, no contract, agreement, or obligation where the City incurs debt extending for a period of more than five years may be authorized except by ordinance adopted by a two-thirds' majority vote of the City Council; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor or his designee is authorized to execute, for and on behalf of the City of San Diego, an agreement with the City of Poway for the transportation of wastewater through the City of San Diego's municipal sewer system, under the terms and conditions set forth in the Sewage Transportation Agreement, on file with the City Clerk as Document Number OO-20800-1.

Section 2. That the Chief Financial Officer is authorized to receive an estimated amount of \$550,000 annually from the City of Poway for sewage transportation, operation, and maintenance expenses, and additional funds for Poway's proportionate share of future capital improvement costs, if any, under the agreement referenced in Section 1.

Section 3. That the Mayor or his designee is authorized to execute, for and on behalf of the City of San Diego, an agreement with the City of Poway for the transportation of wastewater through the City of Poway's municipal sewerage system, under the terms and conditions set forth in the Sewage Transportation Agreement, on file with the City Clerk as Document Number OO-20800-2.

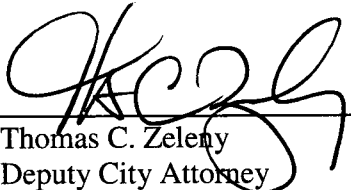
Section 4. That the Chief Financial Officer is authorized to expend an estimated amount of \$50,000 annually from Fund 700000, Muni Sewer Revenue Fund, for sewage transportation, operation, and maintenance expenses in the City of Poway's municipal sewerage system, and additional funds for the City of San Diego's proportionate share of future capital improvement

costs, if any, under the agreement referenced in Section 3, provided that sufficient funding is approved in the City's budget each fiscal year and that the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds necessary are, or will be, on deposit with the City Treasury.

Section 5. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

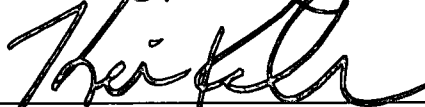
TCZ:ac
February 28, 2017
Or.Dept: Public Utilities Wastewater
Doc. No. 1451683

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 04 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4/12/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 04 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 13 2017.

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Hy Brady*, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 14 2017, and on APR 13 2017.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Hy Brady*, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>20801</u>