

1/12/2021
#154

ITEM 54 12/08/2020
(O-2021-72)
COR. COPY

ORDINANCE NUMBER O- 21383 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 15 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING RESIDUALS MANAGEMENT
AGREEMENT BETWEEN THE EAST COUNTY JOINT
POWERS AUTHORITY AND THE CITY OF SAN DIEGO.

WHEREAS, the East County Joint Powers Authority (EC JPA), a subgroup of the Metro Participating Agencies (Metro PAs), is preparing to build the East County Advanced Water Purification Plant (ECAWP). The ECAWP will produce a local high-quality drinking water source for East County agencies through recycling, similar in concept to the City of San Diego (City) Pure Water facilities. The Draft Amended and Restated Regional Disposal Agreement requires that Metro PAs who are constructing new wastewater treatment facilities upstream of a City Pure Water facility enter into an agreement with the City regarding management of residual byproducts to ensure that the City facilities are not adversely impacted; and

WHEREAS, following nearly two years of discussions and analysis of various approaches to residuals management, the Residuals Management Agreement would provide for the construction of brine lines paid for by the City, subject to CEQA project review process, that would transport the residuals produced by the ECAWP in a manner that they bypass the City's Pure Water facilities, and would allow connection for brine discharge by other users within the City's service area. The EC JPA will pay the City for its portion of operations and maintenance costs (O&M) for these brine lines based on its share of flow and load; and

WHEREAS, a second agreement is also needed to transfer ownership of the East Mission Gorge Pump Station (EMGPS) and East Mission Gorge Force Main (EMGFM) from the City to the EC JPA to enable wastewater diversion to the ECAWP and peak flow management for the EC JPA. The Agreement for the purchase and sale of the EMGPS and EMGFM will be brought to City Council as a separate action; and

WHEREAS, under Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved 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 the Residuals Management Agreement between the City of San Diego and the East County Joint Powers Authority.

Section 2. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 3. 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 4. 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 /s/ Christine M. Leone
Christine M. Leone
Chief Deputy City Attorney

CML:soc
11/04/2020
12/02/2020 Cor. Copy
Or.Dept: PUD
Doc No.: 2517182_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of
San Diego, at this meeting of 1/12/2021.

ELIZABETH S. MALAND
City Clerk

By /s/ Matthew R. Hilario
Deputy City Clerk

Approved: 1/15/2021
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JAN 12 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 15 2021

AUTHENTICATED BY:

(Seal)

TODD GLORIA
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.
By [Signature], 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 DEC 08 2020, and on JAN 15 2021.

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 [Signature], Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 21283