

ORDINANCE NUMBER O- 22148 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 12 2026

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SECOND AMENDED AND
RESTATED REGIONAL WASTEWATER DISPOSAL
AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND
THE PARTICIPATING AGENCIES IN THE METROPOLITAN
SEWERAGE SYSTEM.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

- A. The City of San Diego (City) owns and operates the metropolitan sewerage system, a system of wastewater conveyance, treatment, and disposal facilities (Metro System).
- B. Since 1998, the City has provided the members of the Metropolitan Wastewater Joint Powers Authority (Metro JPA) with contract rights to capacity and the establishment of a mechanism to fund the planning, design, construction, operation, and maintenance of the Metro System through a Regional Wastewater Disposal Agreement (1998 Agreement).
- C. In 2021, the Parties, which consist of the City of San Diego and the following 12 participating agencies: City of Chula Vista, City of Coronado, City of Del Mar, City of El Cajon, City of Imperial Beach, City of La Mesa, Lemon Grove Sanitation District, City of National City, City of Poway, Otay Water District, Padre Dam Municipal Water District, and the San Diego County Sanitation District (Participating Agencies), executed the first Amended and Restated Regional Wastewater Disposal Agreement (First ARA). As part of that action, the Parties acknowledged the need to meet and negotiate additional amendments to address unresolved issues, update billing methodologies, and revise cost allocation provisions.
- D. Over the past four years, the City and representatives of the Metro JPA negotiated to resolve the outstanding issues from the First ARA, particularly as it relates to the Pure Water

Program, liability for spills, the industrial pretreatment program, and establishing the administrative agreement (Administrative Agreement) process that allows certain provisions of the agreement to be updated without the necessity of a unanimous agreement of all Participating Agencies.

E. The Second Amended and Restated Agreement Regional Wastewater Disposal Agreement (SARA) is the result of those negotiations. The SARA modernizes the regional agreement, establishes Metro JPA's standing, streamlines authority to handle administrative, technical, and operational issues, and provides more flexibility for future adjustments to keep the documents relevant. The SARA includes a formal process for creating, amending, and terminating Administrative Agreements, allowing technical or operational issues to be addressed efficiently without reopening the full agreement. Attached to this item is a sample Administrative Agreement, AA1, which addresses the City's pretreatment program that involves the inspection and permitting of facilities within a range of commercial and industrial classifications which discharge to the Metro System.

F. The SARA also clarifies how fines, penalties, and regulatory enforcement actions are allocated among the Parties, reducing ambiguity and potential disputes. In the end, the City still maintains sole ownership and operational responsibilities of the Metro System.

G. Once the SARA is approved by the City and all Participating Agencies, it will be effective until June 30, 2065.

H. By San Diego Ordinance O-22089 (Apr. 23, 2026), the Council approved the SARA and authorized the Mayor or designee to execute the SARA on the City's behalf. At that time, only one Participating Agency had not approved the SARA.

I. Following the City's approval of the SARA, the Parties engaged in additional negotiations to consider a limited number of revisions identified during the Participating Agency approval process that would facilitate unanimous approval while preserving the negotiated business terms of the SARA. As a result of the negotiations, the Parties unanimously agreed to several revisions that did not materially alter the substantive business terms of the SARA, which also included making the SARA retroactively effective July 1, 2026, upon full execution by all the Parties. Because of these revisions, Council approval is necessary to reauthorize the Mayor or his designee to execute the SARA, which is attached in the backup material to this item.

J. The Office of the City Attorney prepared this Ordinance based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

K. The SARA is subject to San Diego Charter section 99, which provides (subject to certain exceptions) that no contract, agreement, or obligation creating indebtedness and extending for a period of more than five years may be authorized except by an ordinance approved by a two-thirds majority vote of the Council.

ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

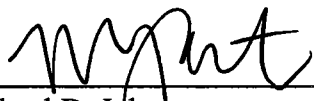
Section 1. The Council approves the Second Amended and Restated Regional Wastewater Disposal Agreement between the City and the Participating Agencies in the Metropolitan Sewerage System.

Section 2. The Mayor or designee, is authorized, on the City's behalf, to execute the SARA. When signed by all Parties, the SARA will be placed on file in the Office of the City Clerk as Document No. OO - 22148.

Section 3. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 4. This Ordinance will take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: HEATHER FERBERT, City Attorney

By 
Michael D. Johnston
Deputy City Attorney

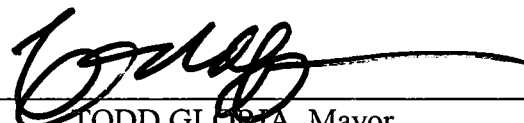
MDJ:cw
August 25, 2026
Or. Dept: PUD
CC No.: N/A
Doc. No.: 4535635

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on
SEP 28 2026

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 10/9/26
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on September 28, 2026, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☒	☐	☐	☐
Marni von Wilpert	☒	☐	☐	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☒	☐	☐	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage OCT 1 2 2026.

(Please note: When an ordinance is approved by the Mayor, the date of final passage is the date the approved ordinance was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

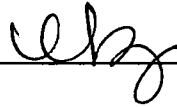
TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , 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

SEP 1 5 2026

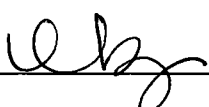
, and on OCT 1 2 2026.

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)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Ordinance Number **O-22148**