



FALLBROOK PUBLIC UTILITY DISTRICT  
MEETING OF THE ENGINEERING & OPERATIONS COMMITTEE

AGENDA

**PURSUANT TO WAIVERS TO CERTAIN BROWN ACT PROVISIONS UNDER EXECUTIVE ORDERS ISSUED BY GOVERNOR NEWSOM RELATED TO THE COVID-19 STATE OF EMERGENCY, THIS MEETING WILL BE CONDUCTED VIA TELECONFERENCE USING THE BELOW INFORMATION, AND THERE WILL BE NO PHYSICAL LOCATION FROM WHICH MEMBERS OF THE PUBLIC MAY PARTICIPATE.**

**INSTEAD MEMBERS OF THE PUBLIC ARE ENCOURAGED TO PARTICIPATE IN THE COMMITTEE MEETING VIA TELECONFERENCE USING THE BELOW CALL-IN AND WEBLINK INFORMATION**

**MEMBERS OF THE PUBLIC MAY ALSO SUBMIT PUBLIC COMMENTS AND COMMENTS ON AGENDA ITEMS IN ADVANCE IN ONE OF THE FOLLOWING WAYS:**

- BY EMAILING TO OUR BOARD SECRETARY AT LECKERT@FPUD.COM
- BY MAILING TO THE DISTRICT OFFICES AT 990 E. MISSION RD., FALLBROOK, CA 92028
- BY DEPOSITING THEM IN THE DISTRICT’S PAYMENT DROP BOX LOCATED AT 990 E. MISSION RD., FALLBROOK, CA 92028

**ALL COMMENTS SUBMITTED BY WHAT EVER MEANS MUST BE RECEIVED AT LEAST ONE HOUR IN ADVANCE OF THE MEETING. ALL COMMENTS WILL BE READ TO THE BOARD DURING THE APPROPRIATE PORTION OF THE MEETING. PLEASE KEEP ANY WRITTEN COMMENTS TO 3 MINUTES. THESE PUBLIC COMMENT PROCEDURES SUPERSEDE THE DISTRICT’S STANDARD PUBLIC COMMENT POLICIES AND PROCEDURES TO THE CONTRARY.**

**AUDIO CALL-IN +1 (408) 418-9388  
ACCESS CODE 126 615 7971  
AUDIO PASSWORD 99752693**

<https://fallbrookpublicutilitydistrict.my.webex.com/fallbrookpublicutilitydistrict.my/j.php?MTID=me5d6b3daa4377815bcd43f1a8e46c3af>

**TUESDAY, AUGUST 18, 2020  
1:00 P.M.**

**FALLBROOK PUBLIC UTILITY DISTRICT  
990 E. MISSION RD., FALLBROOK, CA 92028  
PHONE: (760) 728-1125**

*If you have a disability and need an accommodation to participate in the meeting, please call the Secretary at (760) 999-2704 for assistance so the necessary arrangements can be made.*

**I. PRELIMINARY FUNCTIONS**

CALL TO ORDER / ROLL CALL

PUBLIC COMMENT

**II. ACTION / DISCUSSION------(ITEMS A – D)**

- A. UPDATES TO SEWER SERVICE SECTIONS OF THE ADMINISTRATIVE CODE
- B. SMRCUP UPDATE
- C. SANTA MARGARITA WATER SUPPLY RELIABILITY PILOT PROJECT UPDATE
- D. CITYWORKS ENTERPRISE ASSET MANAGEMENT IMPLEMENTATION UPDATE

**III. ADJOURNMENT OF MEETING**

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**DECLARATION OF POSTING**

I, Lauren Eckert, Executive Assistant/Board Secretary of the Fallbrook Public Utility District, do hereby declare that I posted a copy of the foregoing agenda in the glass case at the entrance of the District Office located at 990 East Mission Road, Fallbrook, California, at least 72 hours prior to the meeting in accordance with Government Code § 54954.2.

I, Lauren Eckert, further declare under penalty of perjury and under the laws of the State of California that the foregoing is true and correct.

August 13, 2020  
Dated / Fallbrook, CA

/s/ Lauren Eckert  
Executive Assistant/Board Secretary

**M E M O**

**TO:** Engineering and Operations Committee  
**FROM:** Jack Bebee, General Manager  
**DATE:** August 18, 2020  
**SUBJECT:** Updates to Sewer Service Sections of the Administrative Code

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**Summary**

The District Administrative Code is the overarching governing document for the administration of the District. Staff is in the process of reviewing and updating Articles of the Administrative Code.

The sewer service related sections required some updating. The updated Article 20 is attached. The primary changes that were made include:

1. Updating the definitions section.
2. Clarifying how the Equivalent Dwelling Units (EDU) and wastewater strength are determined.
3. Clarifying what fees are due for service. No fees were changed as part of this update.
4. Clarifying that applicant may construct their own lateral and pay District for inspection.
5. Identifying that specific industrial users will require a Special Use Permit.
6. Incorporating and updating the prohibited sewer discharges from Article 30 into Article 20.
7. Referencing the Fats, Oil and Grease Program in Article 31 in Article 20, but not incorporating the FOG program into the Admin Code.

These changes required extensive editing of the existing Administrative Code Article 20, so a redline version is difficult to interpret. Accordingly, a clean version is attached as well as the existing version.

**Budgetary Impact**

There is no budgetary impact for the proposed changes.

**Recommended Action**

That Engineering and Operations Committee recommends that the Board adopt a resolution repealing Administrative Code Articles 20, 30 and 31 and replacing with the attached Article 20.

**Attachment**  
**(Proposed Administrative Code Article 20)**

## **Article 20. Sewer Service Requirements and Fees.**

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### Sec. 20.1. Definitions.

For the purpose of this Administrative Code and the regulation of sewer service by the Fallbrook Public Utility District, the following definitions are adopted:

The word “applicant,” as used herein, shall mean a person making application to the District for a permit for a sewer connection, Special Use Permit, determination or redetermination.

The term “application,” as used herein, shall mean the application form approved by the District for applicants to submit a request for sewer service to the District or for a Special Use Permit, or determination or redetermination of equivalent dwelling units.

The term “Authorized Inspector,” as used herein, shall mean the person designated by the General Manager to conduct inspections and take enforcement actions for the purpose of ensuring compliance with this chapter.

The term “Board,” as used herein, shall mean the governing board of the Fallbrook Public Utility District or any successor-in-interest.

The term “BOD,” as used herein, means biochemical oxygen demand.

The term “bypass” means the diversion of waste streams from any portion of the sewer system.

The term “discharge” means the addition of any material to the District’s sewer system.

The term “District,” as used herein, shall mean the Fallbrook Public Utility District or any successor-in-interest or any person authorized by the Board or General Manager to act as a representative of the District.

The term “Domestic Sewage” shall mean the liquid and water-borne wastes derived from humans in dwelling units and non-industrial commercial structures or uses, said wastes being of such character as to permit satisfactory disposal into a public sewer or private disposal system without special treatment.

The term “Equivalent Dwelling Unit” or “EDU,” as used herein, shall mean an increment of wastewater flow attributable to a single-family residence and as further discussed in Section 20.7.

The term “Industrial User” refers to a person whose discharges or processes have a different characteristic than domestic sewage or domestic activities and which may require special review or a Special Use Permit in accordance with this Article.

The term “Owner,” as used herein, shall mean the holder of record title to a parcel or parcels of real property located within the District.

The term “Parcel Map,” as used herein, shall mean the division of a parcel of land into four (4) or fewer lots in compliance with the Subdivision Map Act.

The term “Parcel of Land,” as used herein, shall mean a separate parcel of land recognized as a separate unit by the Assessor’s office for the County of San Diego and legally subdivided by California law.

The term “pass through” means wastewater leaving the District’s sewer system in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the state or federal law, regulation, or order.

The term “Permit,” when used as a noun as used herein, shall mean permit for a sewer connection required by the District for any discharger to the District’s sewer system and includes a sewer permit, a Special Use Permit, a temporary sewer service agreement, and any other authorization to connect to and use the District’s sewer system.

The term “person,” as used herein, shall mean any individual, entity, partnership, firm, association, corporation or public agency, including the State of California and the United States of America.

The term “Project,” as used herein, shall mean the development, use, building or structure for which the owner is seeking sewer service and all developments, uses, buildings, and structures which have not previously secured a sewer permit from the District.

The term “sewer system” or “District’s sewer system” shall mean all of the publicly owned property involved in the operation of the sewage collection, treatment, and disposal system in the District, including land, sewers and appurtenances, pumping stations, and the treatment works and equipment.

The term “Special Use Permit” shall mean a permit for a sewer connection issued by the District to certain industrial users of the District’s sewer system in accordance with Section 20.9.

The Term “SS,” as used herein, means suspended solids.

The term “Subdivision,” as used herein, shall mean any improved or unimproved real property, or a portion thereof, shown on the latest equalized County Assessment Tax Roll as a unit or as contiguous units which is divided into five (5) or more parcels for the purpose of sale, lease or financing.

The term “upset” means an incident in which there is temporary noncompliance with requirements of the District’s sewer system regulations.

The term “user” refers to any person who connects to or discharges to or authorizes, permits, facilitates, or allows the connection or discharge to the District’s sewer system.

Sec. 20.2. Prohibited Connections.

It shall be unlawful for any person to connect to or to facilitate, authorize, permit, or allow connection to the District sewer system or to add or to facilitate, authorize, permit, or allow the addition of any building, apartment, trailer, or other unit to an existing sewer connection or commence construction of any sewer line within the District without having first obtained a written permit from the District authorizing such connection or construction in accordance with Division 20.2 of this Article. No permit to connect shall be issued except to the owner of the property or the owner’s duly authorized agent.

Sec. 20.3. Prohibited Uses and Prohibited Discharges.

It is unlawful for any person to use or discharge to, or to facilitate, authorize, permit, or allow the use of or discharge to, the sewer system except in accordance with Division 20.3.

Industrial users subject to the pretreatment standards specified in Part 403 of Title 40 of the Code of Federal Regulations are prohibited from connecting to or discharging into the District’s sewer system.

Sec. 20.4. Permit Required.

No person or entity shall be entitled to establish, authorize, cause, facilitate or allow a connection or discharge to the District’s sewer system without first obtaining a sewer permit in accordance with Section 20.4, a Special Use Permit in accordance with Section 20.9 or a temporary sewer service agreement in accordance with Section 20.10 and paying required fees in accordance with this Article.

No person or entity shall be entitled to discharge or to authorize, cause, facilitate, or allow a discharge to the District’s sewer system except as authorized by a sewer permit, Special Use Permit or temporary sewer service agreement. Permits are issued only for the use expressly authorized by the permit.

If a permit does not show thereon the number of equivalent dwelling units for which it is issued, the holder of the permit may seek a determination of the equivalent dwelling units authorized by the permit in accordance with this Article.

The holder of a permit who seeks to undertake any of the following actions on the property associated with the permit must submit an application for a redetermination of equivalent dwelling units as set forth in Section 20.7 and/or a redetermination of strength classification under Section 20.8 and, if required apply for a new or amended permit and pay fees in accordance with this Article:

- a) add a new or change an existing use of a property;

- b) remodel, renovate, or enlarge a structure that discharges or connects to the District's sewer system;
- c) construct any additional improvements on the parcel of property that discharges or connects to the District's sewer system;
- d) discharge a greater volume of wastewater than is authorized by an existing sewer permit;
- e) discharge wastewater with a greater concentration of BOD, SS or other constituent than is authorized by the sewer permit.

No sewer permit required by this Section is valid until the applicant has paid all fees and charges of the District and complied with all requirements of this Administrative Code. An applicant does not have any right to sewer service until the permit is issued. Upon issuance of the permit, monthly service charges will commence in accordance with this Article.

Sec. 20.5. Sewer Permit Application Process.

Sec. 20.5.1 Submission of Application.

Any person required to obtain a permit in accordance with Section 20.4 must submit a request for sewer service from the District on the application form approved by the District. The application shall be made in the name of the Owner and be signed by the Owner or Owner's authorized representative. No application shall be deemed complete for the purposes of processing until the District has obtained all information requested by District staff to process the application, which may include but is not limited to the following:

- a) Environmental Review.

Upon request, the applicant shall provide the District with all documents evidencing any environmental review of the project for which the applicant seeks sewer service. If the District determines that additional environmental review is necessary, the applicant shall be required to complete this additional environmental review. All environmental review shall be at the applicant's sole cost and expense. The District may elect to utilize the applicant's environmental expert or may elect to retain its own environmental consultant at the applicant's sole cost and expense. Where District staff determines that the environmental review is insufficient, the District may require a deposit for additional environmental review as determined necessary by District staff. All costs for such additional environmental review shall be paid by the applicant.

- b) Plans and Specifications.

Except where waived by District staff, all applications for a sewer permit shall be accompanied by a complete set of all plans and specifications for the proposed



development prepared by an architect or engineer licensed in the State of California. The District shall have no obligation to process any application until District staff has received all plans and specifications determined necessary by District staff to consider the impacts of the proposed project on the District's sewer system.

c) Parcel Maps and Subdivisions.

Applications for sewer service to parcel maps and subdivisions will not be processed until the applicant submits an executed application form and the District has been provided with a copy of the parcel map or subdivision map prepared by a licensed civil engineer in the State of California. The parcel map or subdivision map shall show all proposed sewer facilities. Where the parcel map or subdivision will require a pipeline extension, the applicant will be required to execute a pipeline extension agreement.

Sec. 20.5.2 Determination of Equivalent Dwelling Unit and Strength.

Upon receiving an application for issuance of a sewer permit, the District will determine the number of equivalent dwelling units and anticipated strength classification for which the Permit shall be issued, and fees shall be calculated in accordance with this Article.

Sec. 20.5.3 Payment of Fees.

Before a sewer permit may be issued, the applicant must pay the following fees or arrange for payment of the fees pursuant to Section 20.16:

- a) Capacity fees in accordance with Section 20.16.2;
- b) Plan Check fees in accordance with Section 20.16.3;
- c) Lateral fees in accordance with section 20.16.4, if applicable;
- d) Fees to inspect contractor-installed laterals in accordance with Section 20.16.5, if applicable; and
- e) Annexation fee in accordance with Section 20.16.6, if applicable.

Sec. 20.6. Sewer Availability Forms and Letters.

If an applicant has submitted a completed application, all environmental review has been completed to the satisfaction of the District, and the District has reviewed and approved the applicant's plans for sewer service, and all fees have been paid or guaranteed, the District may issue a sewer availability letter or execute the Sewer Project Facility Availability form provided by the County of San Diego.

Execution of the sewer availability letter or form is not a commitment that the District will provide sewer service to any project nor is it a guarantee that sewer service will be available to serve the project at the time a sewer commitment is actually made.

Execution of the sewer availability letters or forms merely indicates that sewer service is available at the time the District executes the sewer availability letter or form. The District is not committed to provide sewer service until the District issues the permit, the applicant pays all deposits and fees required by the District, and all sewer facilities required to serve the project by the District have been completed and accepted by the District.

Sec. 20.7. Equivalent Dwelling Units.

a) Equivalent Dwelling Unit Schedules.

1. The following schedule shall be used when determining the equivalent dwelling units and class of service for any connection to the District's sewer system.

(SEE SCHEDULE OF EQUIVALENT DWELLING UNITS AND CLASS OF SERVICE ON THE FOLLOWING PAGES)

SCHEDULE OF EQUIVALENT DWELLING UNITS AND CLASS OF SERVICE

Equivalent Class	Description	Dwelling Units
Class 1	Single Family Residence	
	Single family residence	1.00
	Mobile home on individual parcel	1.00
Class 2	Apartment/Condominium/Attached Cottage-Mobile Home	
	Per detached cottage with bathroom and kitchen on a parcel with a single family residence	0.80
	Per mobile home on a parcel with a single family residence	0.80
	Per apartment unit	0.80
	Per condominium/duplex unit	0.80
	Accessory Dwelling Unit* (As defined by State Government Code.)  *Capacity Fees do not apply to Accessory Dwelling Units (ADUs) that are exempt from such fees under State Law. Sewer Service Fees still apply, and they are determined by the applicable EDU factor.	0.40
Class 3	Mobile Home Park	
	Per separate mobile home space	0.80
	Motel/Hotel with no restaurant	
Class 4	Per motel/hotel with kitchen unit	0.80
Class 41	Per motel/hotel without kitchen unit	0.50

	A Separate Business, Retail Shop With Office, Or Packing House Equipped With Restroom Facilities, Or Not So Equipped But Located In A Building Or Complex With Common Restroom	
Class 5	First 3500 square feet (exterior building area) facilities	1.33
Class 55	Per additional 1000 square feet (exterior building area)	0.38
	Automotive Service Station	
Class 6	4 pumps or less	2.00
Class 61	More than 4 pumps	3.00
Class 62	Per recreational vehicle holding tank disposal station	1.00
	Church, Fraternal Lodge Or Similar Auditorium	
Class 7	Per 200 seating capacity	1.00
	Bakery	
Class 8	Per 3500 square feet (exterior building area)	1.00
	Theater	
Class 9	Per 150 seating capacity	1.33
	Hospital	
Class 10	Per bed	0.65
	Convalescent or Boarding Home	
Class 11	Per bed	0.30
	Elementary School / Daycare	
Class 13	Per 60 Students	1.00
	Junior High School	
	Per 40 Students	1.00
	High School	
Class 17	Per 30 Students	1.00
	Mortuary	
Class 14		1.00
	Car Wash with water recovery system and public restroom	
Class 21		2.00

Class 23	Self Service Laundry	2.00
	Restaurants	
Class 24	Restaurant Under 2500 Square feet	3.00
Class 25	Restaurant 2501-7000 Square feet	4.00
Class 26	Restaurant Over 7000 Square feet	5.00
	Grocery Stores	
Class 32	Grocery Stores Under 2500 feet	3.00
Class 33	Grocery Stores 2501-7000 Square feet	4.00
Class 34	Grocery Stores Over 7000 Square feet	5.00
Class 88	Standby	0.24

2. Unclassified Users. Users whose use is not classified in the above table are considered “unclassified users.” District staff shall determine the number of equivalent dwelling units for which a permit shall be issued to an unclassified user, including but not limited to commercial and industrial users, based upon the estimated volume of wastewater to be discharged therefrom into the District’s sewer system. An unclassified user that is also an Industrial User may be required to obtain a Special Use Permit pursuant to Section 2.9.

b) Determination and Redetermination of Equivalent Dwelling Units.

1. Determination of Equivalent Dwelling Units.

The holder of an existing sewer permit which does not show thereon the number of equivalent dwelling units for which it is issued, may make application to the District for a determination of equivalent dwelling units based on the current use of the property to which the permit relates.

Upon receipt of an application, the District shall determine the number of equivalent dwelling units which shall be credited to the permit based on this section.

Upon completing the determination of the number of equivalent dwelling units to be assigned to an existing permit, the District shall amend the permit to show thereon the number of equivalent dwelling units assigned thereto and shall also make a notation of such equivalent dwelling units assigned to the existing in the appropriate District record.

2. Redetermination of Equivalent Dwelling Units.

Upon receiving an application for a redetermination, the District shall determine the number of equivalent dwelling units assigned to such permit and the number of equivalent dwelling units required by the action undertaken by the permit holder. If the permit does not accurately show the number of equivalent dwelling units for which it was issued or which will exist after the action undertaken by the permit holder, the District shall determine the number of equivalent dwelling units to be assigned to such permit in the manner above provided in this section, and whether the action undertaken by the permit holder will necessitate additional equivalent dwelling units.

If additional equivalent dwelling units are required as a result of the action undertaken by the permit holder, the applicant will be required to acquire additional equivalent dwelling units in accordance with Section 20.4, to construct any additional sewer facilities determined necessary by the District to adequately serve the property, and to pay fees required by this Article based on the fees in effect at the time the application is submitted for the additional number of equivalent dwelling units calculated by District staff.

### 3. Reduction in Equivalent Dwelling Units.

If any determination or redetermination conducted in accordance with this Section results in a reduction in equivalent dwelling units, such reduction in capacity will reduce the ongoing capital improvement charge, but will not result in any refund of capacity fees.

## Sec. 20.8. Determination and Classification of Strength (BOD and SS).

The District shall use the following guidance when determining the anticipated concentrations of BOD and SS for discharges to the District's sewer system:

- a) Low strength: BOD < 200 mg/l and SS < 200 mg/l: Retail, laundry, church or community facility with no kitchen, offices, car wash, nursing home or hospital.
- b) Medium strength: BOD 200 - 700 or SS > 200 -700: hotel, auto service station, hotel with restaurant, light manufacturing.
- c) High strength: BOD > 700 mg/l or SS > 700 mg/l: Restaurant, mortuary, manufacturing or high strength wastes.

The allowable discharge strength classification shall be set forth in the permit.

Industrial Users required to obtain a Special Use Permit may be subject to alternative strength classification requirements and/or additional discharge requirements pursuant to Section 20.9.

Any user or applicant whose actual or proposed discharge is determined by the District to have characteristics that may adversely impact sewer system operations or the District's

ability to comply with state and federal laws, regulations, or orders must immediately cease any actual discharge and obtain and implement a Special Use Permit in accordance with Section 20.9 before commencing or recommencing any such discharge.

Sec. 20.9. Special Use Permits.

Any user or applicant whose actual or proposed discharge is determined by the District to have characteristics that may adversely impact sewer system operations or the District's ability to comply with state and federal laws, regulations, or orders must immediately cease any actual discharge and obtain and implement a Special Use Permit before commencing or recommencing any such discharge.

Applicants for Special Use Permits shall complete and file the standard application form and submit all applicable fees. Applications for a Special Use Permit shall include such additional information as may be required by the General Manager, which may include, but not be limited to, sewage constituents and characteristics (as may be determined by a laboratory approved by the District), and any other information deemed necessary by the District to evaluate the application.

The Special Use Permit shall be subject to all requirements and provisions applicable to general permits under this Article, but may also be subject to one or more of the following:

- a) Limitation of the volume discharged;
- b) Restriction of peak flow discharges;
- c) Pretreatment of wastewater prior to discharge;
- d) Discharge of certain wastewater only to specified sewers of the District;
- e) Relocation of the point of discharge;
- f) Prohibition or limitation of discharge of certain wastewater constituents;
- g) Restriction of discharge to certain hours of the day;
- h) Filing of periodic self-monitoring discharge reports or results of periodic measurements;
- i) Installation of a suitable manhole together with such necessary meters and other appurtenances to facilitate observation, sampling, and measurement of the wastes;
- j) Payment of additional charges to defray increased costs of the District created by the wastewater discharge; and
- k) Such other conditions as may be required to achieve the purpose of this section.

Sec. 20.10. Temporary Sewer Service Agreement.

A Temporary Sewer Service Agreement is a recorded agreement between the District and a user that a sewer will be placed temporarily at a location remote from the property to be served, where the District intends, at some future date, to extend the District sewer system to abut the property described in the agreement, and that the consumer is responsible for extending a temporary private line from the sewer to the property to be served, and obtaining whatever temporary easements are required for such extension. Temporary sewer service agreements shall establish the financial obligations of the user related to the future installation costs of the District's distribution system and the cost of relocation of the sewer, and shall be binding upon the signatory and all successor owners of said property.

If the user's obligation is to be secured with a promissory note and deed of trust, the terms will be based on the 10-year Treasury Bill rate plus 2%. Interest will be recalculated annually on the anniversary date of the recorded Trust Deed and will be compounded annually on the same anniversary date.

Sec. 20.11. Permit Modifications.

The terms and conditions of a permit may be subject to modification by the District, in accordance with any changes in the effluent standards limitations or prohibited substances by superior regulators or in response to violations of this Code. The discharger shall be informed of any proposed changes in the permit at least thirty (30) days prior to the effective date of change, except in the case of violations of a permit or other order of the District, which may be modified as needed to protect public health, safety, and welfare, the District's sewer system, or personnel. Any modifications or new conditions in the permit shall include a reasonable time schedule for compliance.

No person shall discharge sewage in excess of the quantity or quality limitations set by a permit. Anyone desiring to discharge wastes or use wastewater facilities that are not in conformance with terms of a permit must apply to the District for an amendment to the permit or for a Special Use Permit, as applicable.

Sec. 20.12. Permits Non-Transferable.

A permit issued for a particular parcel of land is specifically limited to use for that parcel of land. A permit shall not be transferred to or used for a parcel of land which is not specifically described in the permit. Permits may be used only for the use which is specifically set forth on the permit.

Sec. 20.13. Application of Sewer Service to Affordable Housing.

Per Government Code Sec. 65589.7, effective July 1, 2006, the District shall not deny or condition the approval of an application for sewer service to, or reduce the amount of services applied for by, a proposed development that includes housing units affordable to lower income households unless the District makes specific written findings that the

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denial, condition, or reduction is necessary due to the existence of one or more of the following:

- a) The District does not have sufficient water supply as defined in paragraph (2) of subdivision (a) of Government Code Sec. 66473.7 or is operating under a water shortage emergency as defined in Water Code Sec. 350, or does not have sufficient water treatment or distribution capacity to serve the needs of the proposed affordable housing development as demonstrated by a written engineering analysis and report; or
- b) The District is subject to a compliance order issued by the State Water Resources Control Board, Division of Drinking Water that prohibits new water connections; or
- c) The District does not have sufficient sewer treatment or collection capacity to serve the needs of the proposed affordable housing development as demonstrated by a written engineering analysis and report; or
- d) The District is under an order issued by the Regional Water Quality Control Board that prohibits new sewer connections; or
- e) The applicant fails to agree to reasonable terms and conditions for sewer service from the District which is generally applicable to other development projects seeking sewer service from the District including, but not limited to, payment of any fee or charge authorized by Government Code §66013.



Sec. 20.14. Sewer Use Requirements.

Sec. 20.14.1 General Conditions for Sewage Disposal.

No person shall discharge to the District's sewer system except through a connection permitted in accordance with Division 20.2 and in accordance with the sewer use requirements of this Division 20.3 and on payment of fees and charges provided in Division 20.4. Unless specifically authorized in a Special Use Permit issued by the District, no person shall discharge to the District's sewer system anything other than domestic sewage that complies with the requirements of this Article.

No person shall discharge to the District' sewer collection system in any manner that does the following:

- a) Create nuisances such as odors,
- b) Menace or endanger public health or safety or damage public or private structures, facilities or improvements,
- c) Impose unreasonable collection, treatment, or disposal costs to the District,
- d) Interfere with wastewater treatment processes,
- e) Exceed quality requirements set by regulatory government agencies,
- f) Detrimentally affect the local environment,
- g) Causes or contributes or threatens to cause or contribute to a bypass of untreated waste, pass through, or upset; or
- h) Cause or contribute to a violation of any permits applicable to the District's sewer system or treatment facilities.

Sec. 20.14.2 Discharge Prohibition.

Unless written approval has been provided by the District, no person shall discharge or cause to be discharged into the District's sewer, directly or indirectly, the following:

- a) Any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or industrial process waters.
- b) Pollutants which create a fire or explosion hazard, including but not limited to any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

- c) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/L as CN in the wastes as discharged to the public sewer.
- d) Pollutants which will cause corrosive structural damage to the sewer system, but in no case any waters or wastes having a pH lower than 6.0 or in excess of 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- e) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, ashes, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- f) Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the sewer system.
- g) Brine from on-site regenerated ion exchange water treating devices.
- h) Water softener waste or any other salt water brine wastes.
- i) Any trucked or hauled pollutants, except at discharge points designated by the District.
- j) Fats, oils and grease (FOG) from food service establishments, except in compliance with the District's FOG program.
- k) Any other substances, materials, waters, or wastes if it appears likely in the opinion of the District's General Manager that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In making a determination as to the acceptability of these wastes, the General Manager will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- l) Heat in amounts which will inhibit biological activity in the sewer system resulting in interference, but in no case any liquid or vapor having a temperature higher than one hundred fifty (150) °F (65°C).
- m) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of two hundred (200) mg/L or containing substances which may solidify or become viscous at temperatures between thirty two (32) and one hundred fifty (150) °F (0 and 65° C).
- n) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the District.
- o) Any waters or wastes containing strong acid iron picking wastes, or concentrated plating solutions whether neutralized or not.
- p) Any water or wastes containing boron, cadmium, chromium, copper, iron, lead, manganese, mercury, selenium, tin, zinc and similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the District for such materials. And, any water or wastes containing constituents in excess of those required by the District's current permits.
- q) Any water or wastes containing phenols or other taste odor producing substances, in such concentrations exceeding limits which may be established by the District as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- r) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulations.
- s) Materials which exert or cause:
  - 1. Any waters or wastes containing more than 350 parts per million by weight of suspended solids or have a 5 day B.O.D. greater than 300 parts per million by weight, or a C.O.D. greater than 600 parts per million by weight.
  - 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

3. Unusual B.O.D. chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  4. Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.
- t) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Sec. 20.14.3 FOG Compliance Program.

The General Manager has prepared and administratively adopted a fats, oils, and grease (FOG) program to provide guidance on the implementation and enforcement of this Article. The District may require compliance with the FOG program as a condition of a Special Use Permit under this Article. The General Manager may update the FOG program administratively as needed to achieve the applicable performance standards for the sewer system.

Sec. 20.15. Miscellaneous Provisions.

Sec. 20.15.1 Provide Information.

Users must provide information regarding the nature of any discharge to the system on request of the District.

Sec. 20.15.2 Users Outside the District.

The Board of Directors of the District shall have the power under Sec. 16474 of the Public Utilities Code to establish by agreement or resolution, the fees and charges and such other conditions as it deems appropriate that shall be imposed for providing sewer services to premises located outside the District. The provision of sewer services to premises outside the District shall also comply with applicable law, including but not limited to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code § 56000 et seq.).

Sec. 20.15.3 Agreements.

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and any discharger whereby waste of unusual strength or character may be accepted by the District for treatment, subject to payment as agreed thereof by the discharger.

Sec. 20.16. Fees and Charges.

Sec. 20.16.1 Sewer Service Charges.

Every user of the District's sewer system must pay a sewer service charge for the use of the District's sewer system in an amount and at a frequency established by the Board.

Sec. 20.16.2 Capacity Fees.

a) Capacity Fee Amount. Prior to issuance, reissuance, or amendment of a sewer permit the following capacity fees shall be paid by an applicant for a sewer permit for each equivalent dwelling unit determined by the District in accordance with Section 20.7:

Capacity Fee	\$7,106 per EDU
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b) Adjustments to Capacity Fees. Capacity fee charges will be adjusted annually based on the ENR (Engineering News Record) Construction Cost Index (CCI) of February. Staff will report back to the Board of Directors no less than every five (5) years with analysis comparing fees to actual costs.

c) Financing Capacity Fees. Finance options are available for customers who owe additional fees to the District due to property expansions that did not purchase additional capacity and/or visual audits conducted by District staff as follows:

1. Any amounts financed by the District require a signed agreement and Promissory Note. Any amount greater than \$10,000 will also require a Trust Deed.
2. Any delinquent amounts will be transferred to the property tax bill.
3. Amounts up to \$3,000 are due immediately with no financing option.
4. Amounts between \$3,001 and \$5,000 may have terms of up to one year at the Local Agency Investment Fund (LAIF) rate + 2%.
5. Amounts between \$5,001 and \$10,000 may have terms of up to two years at the LAIF rate + 3%; interest to be re-calculated at the one year anniversary.
6. Amounts greater than \$10,001 may have terms up to three years at the LAIF rate + 4%; interest to be re-calculated at the one year and two year anniversaries.
7. Liens will not be offered as a methods of postponing payment of fees.

Sec. 20.16.3 Plan Check Fees.

- a) An applicant must pay a plan check fee in accordance with the following:
1. Plan checks less than 500 lineal feet, water or sewer, \$500 each.
  2. Plan checks 500 lineal feet to 1,000 lineal feet, water or sewer, \$1,000 each.
  3. Plan checks greater than 1,000 lineal feet, \$1,000 each, plus .50 cents per lineal foot thereafter.

Sec. 20.16.4 Lateral Fees.

If the District staff will be utilized to install a lateral from the main line and to put in a clean-out box and overflow device, the applicant shall pay the following fee upon submission of an application. The fee is to cover the cost to install a lateral from the main line and to install the clean-out box and overflow device, if a lateral is required based on the nature of the application:

Length	Depth	Crew Size	Hours	Cost
≤ 15'	≤ 8'	4	36	\$3,496
≤ 15'	>8'	4	56	\$5,415
>15' to 30'	≤8'	5	90	\$7,434
>15' to 30'	>8'	5	115	\$9,574
>30'	Any	5	Actual	Actual

If paving less than or equal to 15 feet is required, there is an additional fee of \$1,468. If paving is greater than 15 feet up to 30 feet is required, there is an additional fee of \$2,459. If county road inspection is required, there is an additional fee of \$1,400.

Lateral installation charges will be adjusted annually based on the ENR (Engineering News Record) Construction Cost Index (CCI) of February. Staff will report back to the Board of Directors no less than every five (5) years with analysis comparing fees to actual costs.

Sec. 20.16.5 Fees for District to Inspect Contractor-Installed Facilities.

If a contractor will install the sewer lateral and related facilities, the applicant shall pay a sewer lateral inspection fee on a time and materials basis. Upon submission of an application, the applicant shall pay a deposit for the estimated inspection fee, calculated as follows:

Sewer Lateral Installation      Estimated inspection hours @ \$106.18 = Estimated inspection fee

If the actual time per form inspection is less than the District's estimate, the District will refund the excess amount to the applicant. If the actual time to perform inspection exceeds the estimated time, the applicant shall pay the remaining amount due to the District as a condition of service. If the applicant fails to pay within the time specified by the District, the District may include the remaining amount in its bill for sewer service or seek collection through any other lawful means.

Inspection fees will be adjusted annually based on the Engineering News Record (ENR) Construction Cost Index (CCI) of February. Staff will report back to the Board no less than every five (5) years with analysis comparing current fees to calculated fees.

Sec. 20.16.6 Annexation Fees.

An applicant must pay a sewer annexation fee for any connection located in an area that is required to be annexed to the sewer service area after March 23, 2012 in accordance with state law. Annexation fees are due with the other sewer permit fees when applying for a sewer permit and are calculated for each equivalent dwelling unit determined by the District in accordance with Section 20.7.

Annexation Fee (if required)	\$11,389 per EDU
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Sec. 20.16.7 Fees and Charges May Be Collected with Taxes.

Notwithstanding any other provision of this Administrative Code, the fees and charges required by this Code, including the connection fee and the sewer service charges, or either of them may be collected on the tax roll in the same manner and together with the general taxes of the District pursuant to Section 16469 of the Public Utilities Code.

Sec. 20.17. Right of Entry and Inspection.

To the fullest extent permitted by law, the officers, employees, and agents of the District shall have the right to enter upon any premises within the District to inspect and verify compliance with the Administrative Code or any permit, order, ordinance or authorization issued by the District. The District has the right to conduct routine inspections and sampling at any location where discharges to the sewer system occur.

Sec. 20.18. Enforcement – Generally.

In addition to any remedies provided in this Code or available under any applicable law, the District may take any enforcement action or combination of enforcement actions provided in this Division against any person who violates any provision of this Article.

Sec. 20.19. Administrative Enforcement.

Sec. 20.19.1 Monitoring.

The Authorized Inspector may require any discharger who violates any provision of this Article or any permit, agreement, or other authorization issued in accordance with this Article to pay all costs associated with follow-up sampling, cost of analysis, and inspections needed to return the discharger to compliance. The discharger may be required to install and maintain pre-treatment, monitoring, and sampling facilities to ensure compliance with this Code.

Sec. 20.19.2 Citations.

The Authorized Inspector may issue an administrative citation directing a user or discharger to cease any action that violates any provision of this Article or any permit, agreement, or other authorization issued in accordance with this Article and may require the user or discharger to take any action necessary on a reasonable timeline to return to compliance and to pay penalties and costs authorized by law or this Article.

Sec. 20.19.3 Termination of Service and Revocation of Permit.

In addition to other statutes or rules authorizing termination of service for delinquency in payment for sewer service, the District may revoke any permit issued pursuant to these regulations. The District may also terminate the sewer or water service to any property, if a violation of any provision of this Article or a permit is found to exist, or if any wastewater discharge into the District's sewer system causes or threatens to cause a condition of contamination, pollution, or nuisance.

When deemed necessary for the preservation of public health or safety, or for the protection of public or private property, the District may suspend or terminate sewer or water service to any person using the sewer system in a manner endangering the public health or safety, or public or private property. If such endangerment shall be imminent, the District may act immediately to suspend sewer service without notice or warning to

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said discharger. In terminating service, the District may sever all pertinent connections to the public sewer.

Sec. 20.19.4 Permit Amendment.

In the event that the user demonstrates non-compliance or potential non-compliance with the limitations set forth in this Article or in any permit, agreement, or other authorization issued in accordance with this Article, the District may require the user to obtain a Special Use Permit or may modify an existing permit.

Sec. 20.19.5 Cost Recovery.

A person violating this Code or a permit or agreement or other authorization issued in accordance with this Article, or who discharges wastewater that causes a deposit, obstruction, damage, or any other impairment to the District's sewer system shall become liable for all expense, loss, or damage sustained by the District by reason of such violation or discharge. Such expenses, losses and damages include the District's costs of investigation and of taking any enforcement action required to return the user to compliance.

In addition to such costs, the District may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by means of an appropriate lawsuit or other remedy against the person or discharger found to have violated these regulations or any discharge permit issued.

The District may condition the provision or continued provision of service on the payment of such expenses, losses, and damages.

Sec. 20.19.6 Administrative Complaint – Pretreatment Violations.

- a) In accordance with Section 54740.5 of the Government Code, the Authorized Inspector may issue an administrative complaint to any person who violates any requirement adopted or ordered by a local agency pursuant to Section 20.9. The administrative complaint shall allege the act or failure to act that constitutes the violation of the requirements, this Section, and the proposed civil penalty.
- b) The administrative complaint shall be served by personal delivery or certified mail on the person subject to the discharge requirements, and shall inform the person served that a hearing shall be conducted within 60 days after the person has been served. The hearing shall be before a hearing officer designated by the General Manager. The person who has been issued an administrative complaint may waive the right to a hearing, in which case no hearing will be conducted. A person dissatisfied with the decision of the hearing officer may appeal to the Board within 30 days after notice of the hearing officer's decision.
- c) If after the hearing, or appeal, if any, it is found that the person has violated reporting or discharge requirements, the hearing officer or Board may assess a

civil penalty against that person. In determining the amount of the civil penalty, the hearing officer or Board may take into consideration all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the economic benefit derived through any noncompliance, the nature and persistence of the violation, the length of time over which the violation occurs and corrective action, if any, attempted or taken by the discharger.

- d) Civil penalties may be imposed as follows:
1. In an amount which shall not exceed two thousand dollars (\$2,000) for each day for failing or refusing to furnish technical or monitoring reports.
  2. In an amount which shall not exceed three thousand dollars (\$3,000) for each day for failing or refusing to timely comply with any compliance schedule established by the Authorized Inspector.
  3. In an amount which shall not exceed five thousand dollars (\$5,000) per violation for each day for discharges in violation of any waste discharge limitation, permit condition, or requirement issued, reissued, or adopted by the District.
  4. In an amount which does not exceed ten dollars (\$10) per gallon for discharges in violation of any suspension, cease and desist order or other orders, or prohibition issued, reissued, or adopted by the District.
  5. The amount of any civil penalties imposed under this section which has remained delinquent for a period of 60 days shall constitute a lien against the real property of the discharger from which the discharge originated resulting in the imposition of the civil penalty. The lien provided herein shall have no force and effect until recorded with the county recorder and when recorded shall have the force and effect and priority of a judgment lien and continue for 10 years from the time of recording unless sooner released, and shall be renewable in accordance with the provisions of Sections 683.110 to 683.220, inclusive, of the Code of Civil Procedure.
- e) All moneys collected under this section shall be deposited in a special account of the District and shall be made available for the monitoring, treatment, and control of discharges into the District's sewer system or for other mitigation measures.
- f) Unless appealed, orders setting administrative civil penalties become effective and final upon issuance thereof, and payment shall be made within 30 days. Copies of these orders shall be served by personal service or by registered mail upon the party served with the administrative complaint and upon other persons who appeared at the hearing and requested a copy.
- g) The local agency may, at its option, elect to petition the superior court to confirm any order establishing civil penalties and enter judgment in conformity therewith

in accordance with the provisions of Sections 1285 to 1287.6, inclusive, of the Code of Civil Procedure.

- h) No penalties shall be recoverable under this section for any violation for which civil liability is recovered under Section 54740 of the Government Code.

Sec. 20.20. Public Nuisance.

- a) Discharge of wastewater in any manner that is in violation of this Article or a permit, or any order issued by the District as authorized herein, is hereby declared a public nuisance and shall be corrected or abated as directed by the District. Any person creating such a public nuisance is guilty of a misdemeanor and may be referred for criminal prosecution.
- b) If any wastes or waters are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics prohibited under this Article, and which in the judgement of the District, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the District may:
  - 1. Reject the wastes,
  - 2. Require pretreatment to an acceptable condition for discharge to the public sewers,
  - 3. Require control over the quantities and rates of discharge,
  - 4. Require discharger to obtain and comply with an Special Use Permit under this Article,
  - 5. Require payment to cover the added cost of handling and treating the wastes not covered by the sewer charges levied by the District, and/or
  - 6. Take any or all enforcement actions available to the District for violations of this Article.

Sec. 20.21. Civil Enforcement.

Sec. 20.21.1 Injunction.

Whenever a discharge of wastewater or other action is found to be in violation of this Code or a permit, or otherwise causes or threatens to cause a condition of contamination, pollution, or nuisance, the District may petition the Superior Court for the issuance of a temporary restraining order, preliminary injunction, permanent injunction, or all, as may be appropriate to restrain such action or require compliant actions.

Sec. 20.21.2 Other Actions.

The District may take any other civil action available at law or in equity to enforce the provisions of this Code.

Sec. 20.21.3 Criminal Enforcement.

Violations of this Code may constitute violations of other federal, state, or local laws. The District may refer such violations to the appropriate law enforcement agency for prosecution.

Sec. 20.22. Appeal Process.

Sec. 20.22.1 Appeals of Determinations and Redeterminations of EDUs.

- a) The owner of a property subject to a determination or redetermination made in accordance with Section 20.7 may appeal that determination or redetermination to the General Manager within fifteen (15) days after the District delivers notice of the determination or redetermination in accordance with Section 20.23 by submitting a written appeal and supporting documentation.
- b) The appellant may submit evidence and the hearing officer shall only consider evidence that is relevant to whether the determination or redetermination was made in error and whether an alternative determination or redetermination is justified, such as evidence that discharges will be lower than the typical industry values identified in the schedule or otherwise determined by the District.
- c) The hearing officer will grant the appeal in whole or in part if it determines that the evidence submitted by the appellant justifies an alternative determination.

Sec. 20.22.2 Appeals of Special Use Permit Requirements.

- a) Any person subject to a Special Use Permit issued in accordance with Section 20.9 may appeal any term or condition included in the Special Use Permit to the General Manager within fifteen (15) days after the Special Use Permit is delivered in accordance with Section 20.23 by submitting a written appeal and supporting documentation.
- b) The appellant may submit evidence and the hearing officer shall only consider evidence regarding (a) the discharger's ability to meet the District's effluent standards; (b) the requested variance and its impacts on the operation of any District wastewater treatment plant or improvements.
- c) The hearing officer will grant the appeal in whole or in part if the following criteria can be demonstrated: (a) that the discharger is unable to meet the District's effluent standards by means of reasonable modifications to the discharging facility; (b) that the requested variance will not directly impact the operation of

any District wastewater treatment plant or improvements, cause the wastewater or sludge of such plant to violate applicable requirements, or harm facilities or personnel; and (c) that the easing of any effluent standards will not violate any State or Federal requirements applicable to the District.

Sec. 20.22.3 Appeals of Administrative Enforcement Actions.

- a) Any person subject to an administrative enforcement action appeal from the issuance thereof to the General Manager within fifteen (15) days of the date of delivery of the administrative enforcement action by the Authorized Inspector. A person subject to an order to remedy a condition which poses an immediate threat to the public health, safety or welfare shall comply with that order during the pendency of any appeal.
- b) The only issues on appeal may be whether there was a violation as alleged in the administrative enforcement action and whether the appellant is the person responsible for the violation or corrective action.
- c) The amount of any fine or penalty imposed with the administrative enforcement action must be submitted together with the written appeal. Any fine which has been deposited shall be refunded if it is determined, after a hearing, that the person subject to the administrative enforcement action was not responsible for the violation or that there was no violation as alleged in the administrative enforcement action.

Sec. 20.22.4 Hearing on Appeal.

- a) Whenever a hearing is required or held in accordance with this Article, the General Manager or hearing officer appointed by the General Manager shall endeavor to set a date for the hearing that is not less than fifteen (15) and not more than sixty (60) days after the date that the written appeal is filed.
- b) The District shall notify person requesting the hearing of the time and place set for the hearing at least ten (10) days prior to the date of the hearing.
- c) The failure of any person requesting a hearing to appear at the hearing shall constitute a forfeiture of the appeal and any fine, and shall be a bar to judicial review of the action based upon a failure to exhaust administrative remedies.
- d) The hearing officer shall only consider evidence that is relevant to the issues identified in this Section.
- e) The appellant shall be given the opportunity to testify and present witnesses and evidence concerning the administrative citation.
- f) The District's determination or redetermination, permit or agreement, or administrative enforcement action and any additional document created by the

District shall constitute prima facie evidence of the respective facts contained in those documents. Formal rules of evidence shall not apply.

- g) Upon request, the person requesting a hearing shall be provided with copies of the citations, reports and other documents submitted or relied upon by the District when taking the action subject to the appeal. In addition, if the District submits any additional written reports concerning action subject to the hearing to the hearing officer for consideration at the hearing, then a copy of said documentation also shall be served by mail on the person requesting the hearing.
- h) The hearing officer may continue the hearing and request additional information from the District or the person requesting the hearing prior to issuing a written decision.
- i) After considering all of the testimony and evidence submitted at the hearing, the hearing officer may immediately issue a verbal decision or may issue a written decision within ten (10) days of the hearing. The decision shall include the reasons for the decision and such decision shall be final. If the hearing officer determines that the administrative citation should be upheld, then the fine amount on deposit with the city shall be retained by the city. If the hearing officer determines that an administrative citation should be canceled and the fine was deposited with the city, then the city shall promptly refund the amount of the deposited fine.
- j) If any action is not timely appealed as provided in this Article, the action becomes final.

Sec. 20.22.5 Appeal to Board.

The decision of a hearing officer issued in accordance with this Article may be appealed to the Board within fifteen (15) days after delivery of the notice of such decision in accordance with Section 20.23. An appeal under this Section must be submitted to the General Manager on a form or in a format specified by the District. The only issue on appeal shall be whether the decision of the hearing officer is supported by the evidence.

Sec. 20.22.6 Judicial Review.

Any person subject to a decision of the Board on an appeal of a decision of a hearing officer may obtain review of the decision of the Board by filing a petition with the Superior Court of San Diego in accordance with the timelines and provisions applicable to writs of mandate under Code of Civil Procedure section 1094.5.

Sec. 20.23. Delivery of Notice.

Notice of any administrative enforcement action or other action of the District required be delivered pursuant to the requirements of this Article shall be subject to the following:

a) Notice of any administrative enforcement action shall state that the recipient has a right to appeal the matter as set forth in Section 20.22 of this Article.

b) Notice shall be delivered by personal service to the recipient, deposit in the U.S. mail, postage prepaid for first class delivery, by facsimile service with confirmation of receipt, by posting on the property, or by any other means permitted by law, including by electronic mail on consent of the person receiving the notice.

c) Delivery shall be deemed complete as follows:

1. Upon personal service;
2. As indicated on the return receipt of any notice mailed by certified mail, return receipt requested;
3. Three (3) days after deposit in the U.S. mail, postage pre-paid for first class deliver; or
4. Where the owner or occupant of any property cannot be located after the reasonable efforts any notice shall be deemed delivered after posting on the property for a period of five (5) business days.

d) Where the recipient of notice is the owner of the property, the address for notice shall be the address from the most recently issued equalized assessment roll for the property or as otherwise appears in the current records of the City.

ARTICLE 20

Revised in its entirety – 6/93, 6/94, 6/95, 9/96

Sec. 20.7, Sec. 20.7.2 – Rev. 6/99

Sec. 20.6 – Rev. 11/99

Sec. 20.5.4 & 20.5.5 – Rev. 6/06

Sec. 20.7.1 & 20.7.2 – Rev. 6/06

Sec. 20.6.1 – Rev. 10/06

New Sec, 20.6 – Added 2//07

Sec. 20.7.5; 20.7.8; 20.8; 20.8.1; 20.8.2 – Rev. 6/07

20.8.1 – Rev. 3/08

20.7.2, 20.7.4, 20.7.5, 20.7.6, 20.8, 20.8.2 – Rev. 6/08

Sec. 20.7.2 – Rev. 8/08

Sec. 20.8.1, 20.8.2 – Rev. 6/09

Sec. 20.11 – Rev. 12/10

Sec. 20.8.2 – Rev. 5/11

Sec. 20.8.1 – Rev. 6/11

Sec. 20.8.1 – Rev. 4/12

Sec. 20.2, 20.4, 20.6.2, 20.6.3, 20.7.1, 20.7.2, 20.7.3, 20.7.4, 20.7.5, 20.7.6, 20.8.2 – Rev. 6/12

Sec. 20.7.2, 20.7.3 – Rev. 7/12

Sec. 20.8 – Rev. 6/13

Sec. 20.8.1, 20.8.2 – Rev. 6/14

Sec. 20.8.1, 20.8.2 – Rev. 6/15

Secs. 20.5.2 (add), 20.8.1, 20.8.2 – Rev. 7/16

Secs. 20.5.2, 20.8, 20.8.2 – Rev. 12/18

Sec. 20.7.2 – Rev. 7/19

Secs. 20.5.2, 20.8.1, 20.8.2 – Rev. 12/19



**Attachment B**  
**(Existing Administrative Code Articles 20, 30, 31)**

**Article 20.                    Sewer Service Connections and Construction Permits and Fees.**

Sec. 20.1                    Unlawful Connections.

It shall be unlawful for any person to connect to the District sewer or to add any building, apartment, trailer, or other unit to an existing sewer connection or commence construction of any sewer line within the District without having first obtained a written permit from the District authorizing such connection or construction. No permit to connect shall be issued except to the owner of the property or the owner's duly authorized agent.

Sec. 20.2                    Definitions.

For the purpose of this Administrative Code and the regulation of sewer service by the Fallbrook Public Utility District, the following definitions are adopted:

The word "applicant", as used herein, shall mean a person, partnership, joint venture, or corporation making application to the District for a permit for a sewer connection.

The term "application", as used herein, shall mean the application form approved by the District for Applicants to submit a request for sewer service to the District.

The term "Board", as used herein, shall mean the governing board of the Fallbrook Public Utility District or any successor-in-interest.

The term "BOD", as used herein, means biochemical oxygen demand.

The term "Bulletin", as used herein, shall refer to "Bulletin 54" and shall mean the Clean Water Grant Program Bulletin 54.

The term "District", as used herein, shall mean the Fallbrook Public Utility District or any successor-in-interest.

The term "Equivalent Dwelling Unit", as used herein, shall mean an increment of wastewater flow attributable to the average single-family residence in the Fallbrook Public Utility District of 215 gallons per day having concentrations of biochemical oxygen demand ("BOD") and suspended solids ("SS") similar to the concentrations thereof for wastewater discharge into the District's sewer system from the average single-family residence, i.e., 250 milligrams per liter (MG/l) biochemical oxygen demand and 250 milligrams per liter (MG/l) suspended solids.

The term "Owner", as used herein, shall mean the holder of record title to a parcel or parcels of real property located within the District or a lessee under a long-term ground lease having a term of thirty (30) years or more who is required to construct and occupy a structure on the real property subject to the lease.

The term "Parcel of Land", as used herein, shall mean a separate parcel of land recognized as a separate unit by the Assessor's office for the County of San Diego and legally subdivided by California law.

The term "Parcel Map", as used herein, shall mean the division of a parcel of land into four (4) or fewer lots in compliance with the Subdivision Map Act.

The term "Permit", as used herein, shall mean permit for a sewer connection issued by the District.

The term "Project", as used herein, shall mean the development, use, building or structure for which the owner is seeking sewer service and all developments, uses, buildings, and structures which have not previously secured a sewer permit from the District.

The term "Subdivider", as used herein, shall mean any person, firm, corporation, partnership, or association who proposes to divide, divides, or causes to be divided real property into a subdivision for himself or for others as defined by the Subdivision Map Act.

The Term "SS", as used herein, means suspended solids.

The term "SS per EDU", as used herein, means suspended solids per equivalent dwelling unit.

The term "Subdivision", as used herein, shall mean any improved or unimproved real property, or a portion thereof, shown on the latest equalized County Assessment Tax Roll as a unit or as contiguous units which is divided into five (5) or more parcels for the purpose of sale, lease or financing.

The term "Volume per EDU", as used herein, means 215 gallons per day of sewage flow.

Sec. 20.3 General Provisions.

For the purpose of this Administrative Code and the regulation of sewer service by the Fallbrook Public Utility District, the following general provisions are adopted: *Former FSD Ordinance No. 47.*

Sec. 20.3.1 "Shall" and "May". "SHALL" is mandatory and "MAY" is permissive.

Sec. 20.3.2 Number. The singular number includes the plural and the plural includes the singular.

Sec. 20.3.3 Tenses. The present tense includes the past and future tenses; and the future, the present.

Sec. 20.3.4 Provisions Not Affected by Headings. Article and section headings contained herein shall not be deemed to govern, limit or modify, or in any manner affect the scope, meaning or intent of any section hereof.

Sec. 20.3.5 Severability of Provisions. If any section, subsection, sentence, clause or phrase of this Article of the Administrative Code is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or unconstitutionality irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Sec. 20.3.6 Service of Notices. Whenever a notice is required to be given under this Article, unless different provisions are hereinafter specially made, such notice may be given either by person delivery thereof to the person to be notified or by deposit in the United States Mail in a sealed envelope, postage prepaid, addressed to such person at his last address as the name appears in the records of the District. Services by mail shall be deemed to have been completed at the time of the deposit in the Post Office.

Sec. 20.4 Application Process.

Applicants desiring sewer service from the District shall submit request for sewer service from the District on the application form approved by the District. The application shall be made in the name of the Owner and be signed by the Owner or Owner's authorized representative. No application shall be deemed complete for the purposes of processing until the District has obtained all information requested by District staff to process the application.

Sec. 20.4.1 Environmental Review. Upon request, the applicant shall provide the District with all documents evidencing any environmental review of the project for which the applicant seeks sewer service. If the District determines that additional environmental review is necessary, the applicant shall be required to deposit such sums as the District determines necessary in order to complete this environmental review. The District may elect to utilize the applicant's environmental expert or may elect to retain its own environmental consultant at the applicant's sole cost and expense.

Sec. 20.4.2 Required Documents. Except where waived by District staff, all applications for a sewer permit shall be accompanied by a complete set of all plans and specifications for the proposed development prepared by an architect or engineer licensed in the State of California. The District shall have no obligation to process any application until District staff has received all plans and specifications determined necessary by District staff to consider the impacts of the proposed project on the District's sewer system.

Sec. 20.4.3 Parcel Maps and Subdivisions. Applications for sewer service to parcel maps and subdivisions will not be processed until the applicant submits an executed application form and the District has been provided with a copy of the parcel map or subdivision map prepared by a licensed civil engineer in the State of California.

The parcel map or subdivision map shall show all proposed sewer facilities. Where the parcel map or subdivision will require a pipeline extension, the applicant will be required to execute a pipeline extension agreement. The District may also require the applicant to submit copies of all environmental review being conducted for the parcel map or subdivision. Where District staff determines that the environmental review is insufficient, the District may require a deposit for additional environmental review as determined necessary by District staff. All costs for such additional environmental review shall be paid by the applicant.

Sec. 20.4.4 Sewer Availability Forms and Letters. If an applicant has submitted a completed application, all environmental review has been completed to the satisfaction of the District, and the District has reviewed and approved the applicant's plans for sewer service, the District may issue a sewer availability letter or execute the Sewer Project Facility Availability form provided by the County of San Diego.

Execution of the sewer availability letter or form is not a commitment that the District will provide sewer service to any project nor is it a guarantee that sewer service will be available to serve the project at the time a sewer commitment is actually made. Execution of the sewer availability letters or forms merely indicates that sewer service is available at the time the District executes the sewer availability letter or form. The District is not committed to provide sewer service until the District issues the permit, the applicant pays all deposits and fees required by the District, and all sewer facilities required to serve the project by the District have been completed and accepted by the District.

Sec. 20.4.5 Sewer Permit. When an applicant has paid all fees and charges of the District and complied with all requirements of this Administrative Code, the District may issue a permit. An applicant does not have any right to sewer service until the permit is issued. Upon issuance of the permit, monthly service charges will commence in accordance with Section 20.

Sec. 20.5 Engineering Fees.

Sec. 20.5.1 Plan Check Fees.

1. Plan checks less than 500 lineal feet, water or sewer, \$500 each.
2. Plan checks 500 lineal feet to 1,000 lineal feet, water or sewer, \$1,000 each.
3. Plan checks greater than 1,000 lineal feet, \$1,000 each, plus .50 cents per lineal foot thereafter.

Sec. 20.5.2 Fees for District to Inspect Contractor Installed Facilities

1. Sewer Lateral Installation 5 hours @ \$106.18 = \$530.92

If the sum of the inspection fees for a project is greater than \$3,000, the inspection will be done on a time and material basis and a deposit for the estimated cost will be paid prior to

start of construction. Inspection fees will be adjusted annually based on the Engineering News Record (ENR) Construction Cost Index (CCI) of February. Staff will report back to the Board no less than every five (5) years with analysis comparing current fees to calculated fees.

Sec. 20.6 Changes in Use.

Sewer permits are issued only for the use expressly authorized by the permit. No person or entity shall be entitled to remodel any existing building, change the use of any parcel of land for which a sewer permit has been issued, or construct any additional improvements on any parcel of land which causes the discharge of a greater volume of wastewater than authorized by the sewer permit issued by the district or which causes the wastewater to have a greater concentration of BOD or SS than authorized by the prior sewer permit without first submitting an application to the District for a new sewer permit.

Sec. 20.6.1 Process. Upon receipt of the application, District staff will evaluate impacts of the change in use on the District's system quantitatively. The applicant will be required to construct any additional sewer facilities determined necessary by the District to adequately serve the revised project. The District staff will calculate any additional sewage discharge required for the revised project based upon an equivalent dwelling unit of wastewater flow. The applicant will be required to pay additional capacity fees based on the capacity fee in effect at the time the applicant is submitted for the additional number of equivalent dwelling units calculated by District staff.

Sec. 20.6.2 Reduction in Uses. An existing commercial or industrial use may obtain a reduction in equivalent dwelling units by appealing the capacity per Section 20.7.4. Any reduction in capacity will reduce the ongoing capital improvement charge, but will not result in any refund of capacity fees.

Sec. 20.6.3 Application of Sewer Service to Affordable Housing.

Per Government Code Sec. 65589.7, effective July 1, 2006, the District shall not deny or condition the approval of an application for sewer service to, or reduce the amount of services applied for by, a proposed development that includes housing units affordable to lower income households unless the District makes specific written findings that the denial, condition, or reduction is necessary due to the existence of one or more of the following:

- a) District does not have sufficient water supply as defined in paragraph (2) of subdivision (a) of Government Code Sec. 66473.7 or is operating under a water shortage emergency as defined in Water Code Sec. 350, or does not have sufficient water treatment or distribution capacity to serve the needs of the proposed affordable housing development as demonstrated by a written engineering analysis and report; or
- b) District is subject to a compliance order issued by the State Department of Health Services that prohibits new water connections; or

- c) The District does not have sufficient sewer treatment or collection capacity to serve the needs of the proposed affordable housing development as demonstrated by a written engineering analysis and report; or
- d) The District is under an order issued by the Regional Water Quality Control Board that prohibits new sewer connections; or
- e) The applicant fails to agree to reasonable terms and conditions for sewer service from the District which is generally applicable to other development projects seeking sewer service from the District including, but not limited to, payment of any fee or charge authorized by Government Code §66013.

Sec. 20.6.4 Review of Service Policies.

At least once every five (5) years after passage of this policy, the policies contained in this section shall be presented to the Board of Directors of the District for a review and evaluation of the written policies governing water service to proposed developments that include housing units affordable to lower income households.

Sec. 20.7 Formula For Capacity Fees.

Sec. 20.7.1 Capacity Fees Based Upon Equivalent Dwelling Unit. The capacity fee payable for any particular project will be calculated by District staff based upon the capacity fee in effect at the time payment is being made multiplied by the number of equivalent dwelling units of sewage flow being generated by the project as calculated by District staff. The Board has adopted an EDU for certain classes of service. These EDU's for classes of service will be utilized except as otherwise altered by the Board.

Upon receipt of the application, District staff will evaluate impacts of the change in use on the District's system both quantitatively and qualitatively. The applicant will be required to construct any additional sewer facilities determined necessary by the District to adequately serve the revised project. The District staff will calculate any additional sewage discharge required for the revised Project based upon an equivalent dwelling unit of wastewater flow. The applicant will be required to pay additional capacity fees based on the capacity fee in effect at the time the application is submitted for the additional number of equivalent dwelling units calculated by District staff.

Finance options are available for customers who owe additional fees to the District due to property expansions that did not purchase additional capacity and/or visual audits conducted by District staff.

- a) Any amounts financed by the District require a signed agreement and Promissory Note. Any amount greater than \$10,000 will also require a Trust Deed.
- b) Any delinquent amounts will be transferred to the property tax bill.

- c) Amounts up to \$3,000 are due immediately with no financing option.
- d) Amounts between \$3,001 and \$5,000 may have terms of up to one year at the Local Agency Investment Fund (LAIF) rate + 2%.
- e) Amounts between \$5,001 and \$10,000 may have terms of up to two years at the LAIF rate + 3%; interest to be re-calculated at the one year anniversary.
- f) Amounts greater than \$10,001 may have terms up to three years at the LAIF rate + 4%; interest to be re-calculated at the one year and two year anniversaries.
- g) Liens will not be offered as a methods of postponing payment of fees.

Sec. 20.7.2 Equivalent Dwelling Unit Schedules. Upon receiving an application for issuance of a sewer permit, the number of equivalent dwelling units for which the Permit shall be issued shall be determined from the following schedule:

(SEE SCHEDULE OF EQUIVALENT DWELLING UNITS AND CLASS OF SERVICE ON THE FOLLOWING PAGES)

SCHEDULE OF EQUIVALENT DWELLING UNITS AND CLASS OF SERVICE		
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CLASS	DESCRIPTION	EQUIVALENT DWELLING UNITS
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Class 1	Single Family Residence	
	Single family residence	1.00
	Mobile home on individual parcel	1.00
Class 2	Apartment/Condominium/Attached Cottage-Mobile Home	
	Per detached cottage with bathroom and kitchen on a parcel with a single family residence	0.80
	Per mobile home on a parcel with a single family residence	0.80
	Per apartment unit	0.80
	Per condominium/duplex unit	0.80
	Accessory Dwelling Unit* (As defined by State Government Code.)	
	*Capacity Fees do not apply to Accessory Dwelling Units (ADUs) that are exempt from such fees under State Law. Sewer Service Fees still apply, and they are determined by the applicable EDU factor.	0.40
Class 3	Mobile Home Park	
	Per separate mobile home space	0.80
	Motel/Hotel	
Class 4	Per motel/hotel with kitchen unit	0.80
Class 41	Per motel/hotel without kitchen unit	0.50



	A Separate Business, Retail Shop With Office, Or Packing House Equipped With Restroom Facilities, Or Not So Equipped But Located In A Building Or Complex With Common Restroom	
Class 5	First 3500 square feet (exterior building area) facilities	1.33
Class 55	Per additional 1000 square feet (exterior building area)	0.38
	Automotive Service Station	
Class 6	4 pumps or less	2.00
Class 61	More than 4 pumps	3.00
Class 62	Per recreational vehicle holding tank disposal station	1.00
	Church, Fraternal Lodge Or Similar Auditorium	
Class 7	Per 200 seating capacity	1.00
	Bakery	
Class 8	Per 3500 square feet (exterior building area)	1.00
	Theater	
Class 9	Per 150 seating capacity	1.33
	Hospital	
Class 10	Per bed	0.65
	Convalescent or Boarding Home	
Class 11	Per bed	0.30
	Labor Camp	
Class 12	Per bed	0.10
	Elementary School / Daycare	
Class 13	Per 60 Students	1.00
	Junior High School	
Class 16	Per 40 Students	1.00
	High School	
Class 17	Per 30 Students	1.00
	Mortuary	
Class 14		1.00

Class 15	Special Class	
	EDU determined by Administrative Code Sections 20.7.3 & 20.7.4	
Class 21	Car Wash	5.00
Class 23	Self Service Laundry	5.00
	Restaurants	
Class 24	Restaurant Under 2500 Square feet	3.00
Class 25	Restaurant 2501-7000 Square feet	4.00
Class 26	Restaurant Over 7000 Square feet	5.00
	Grocery Stores	
Class 32	Grocery Stores Under 2500 feet	3.00
Class 33	Grocery Stores 2501-7000 Square feet	4.00
Class 34	Grocery Stores Over 7000 Square feet	5.00
Class 88	Standby	0.24

Sec. 20.7.3 Large Commercial / Industrial and Unclassified Sewer Users. For larger (> 30 EDU) commercial and industrial user and for types of sewer use other than those provided for in the classes of service set forth in the foregoing schedule, District staff shall determine that number of equivalent dwelling units for which a permit shall be issued based upon the estimated volume of wastewater to be discharged there from into the District's sewer system and concentrations of BOD and SS in such wastewater determined pursuant to the table set forth in State Water Resources Control Board Bulletin 54B ("Bulletin 54B") or for types of sewer use not included in said table, by such other data as District staff shall determine to be reliable and by using the following formula:

$$[(\text{Estimated daily volume}) / (\text{Volume per EDU})] \times$$

$$[0.5 (\text{BOD per Bulletin 54B}) / (\text{BOD per EDU}) +$$

$$0.5 (\text{SS per Bulletin 54B}) / (\text{SS per EDU})]$$

Sec. 20.7.4 Appeal Process for Classes 4 through 62. When requested by the owner for Classes 4 through 62, the equivalent dwelling units shall be determined on the basis of the estimated daily volume of wastewater which will be discharged into the District's sewer system and concentrations of BOD and SS in such wastewater using the table mentioned and the formula set forth in Subsection 20.7.3; provided, however, that if District staff determines that the daily volume of wastewater for such a use cannot be estimated with reasonable accuracy or that the BOD of or SS in such wastewater cannot be determined based on table or other reliable data, the equivalent dwelling units for

which a permit shall be issued shall be determined based on the schedule set forth in Subsection 20.7.2.

Sec. 20.7.5 Determination of Equivalent Dwelling Units for Existing Permits.

The holder of an existing permit for sewer connection which does not show thereon the number of equivalent dwelling units for which it is issued, may make application to the District for a determination of equivalent dwelling units based on the current use of the property to which the permit relates.

Upon receipt of an application, the District shall determine the number of equivalent dwelling units which shall be credited to the permit based on Section 20.7.2 or Section 20.7.3.

Upon making such determinations, the District shall determine the equivalent dwelling units to be credited to the permit by use of the formula set forth in Subsection 20.7.2. Upon completing the determination of the number of equivalent dwelling units to be credited to an existing permit, the District shall amend the permit to show thereon the number of equivalent dwelling units credited thereto and shall also make a notation of such equivalent dwelling units to be credited to an existing permit, the District shall amend the permit to show thereon the number of equivalent dwelling units credited thereto and shall also make a notation of such equivalent dwelling units in the appropriate District record.

Upon receiving an application for a permit for the remodeling, renovation, or enlargement of an existing building for which a permit is outstanding or for a permit for a change in the use of a parcel of land for which a permit is outstanding or for the construction of an additional building or buildings on a parcel of land where an existing building is connected to the District's sewer system, and if the outstanding Permit does not show thereon the number of equivalent dwelling units for which it was issued, an evaluation shall be done to determine the number of dwelling units to be credited to such permit in the manner above provided, and based on such determination shall determine in such manner whether the new or changed use to be made of the remodeled, renovated, or enlarged building or the parcel of property or the additional building or buildings to be constructed on the parcel of property, as the case may be, will necessitate the issuance of a permit for additional equivalent dwelling units.

Sec. 20.8 Sewer Permit Fees.

Sec. 20.8.1 Capacity Fees. The following capacity fees shall be paid by the applicant for each equivalent dwelling unit determined by the District:

<u>Type of Capacity Fee</u>	<u>Amount Per Equiv. Dwelling Unit</u>
Capacity Fee .....	\$7,106
Annexation Fee (if required).....	\$11,389

Capacity fee charges will be adjusted annually based on the ENR (Engineering News Record) Construction Cost Index (CCI) of February. Staff will report back to the Board of Directors no less than every five (5) years with analysis comparing fees to actual costs.

The sewer annexation fee shall apply to areas annexed to the sewer service area after March 23, 2012, and are due with the other sewer permit fees when applying for a sewer permit.

Sec. 20.8.2 Lateral Cost. District staff will be utilized to install a lateral from the main line and to put in a clean-out box and overflow device. Upon submission of the application, the applicant shall pay the following fee to cover the cost to install the lateral from the main line and to install the clean-out box and overflow device:

Length	Depth	Crew Size	Man Hours	Cost
≤ 15'	≤ 8'	4	36	\$3,496
≤ 15'	>8'	4	56	\$5,415
>15' to 30'	≤8'	5	90	\$7,434
>15' to 30'	>8'	5	115	\$9,574
>30'	Any	5	Actual	Actual

If paving is less than or equal to 15 feet is required, there is an additional fee of \$1,468. If paving is greater than 15 feet up to 30 feet is required, there is an additional fee of \$2,459. If county road inspection is required, there is an additional fee of \$1,400.

Lateral installation charges will be adjusted annually based on the ENR (Engineering News Record) Construction Cost Index (CCI) of February. Staff will report back to the Board of Directors no less than every five (5) years with analysis comparing fees to actual costs.

Sec. 20.9 Sewer Permits Non-Transferable.

The sewer permit issued for a particular parcel of land is specifically limited to use for that parcel of land. A sewer permit shall not be transferred to or used for a parcel of land which is not specifically described in the sewer permit. Sewer permits may be used only for the use which is specifically set forth on the sewer permit.

Sec. 20.10 Miscellaneous Provisions.

Sec. 20.10.1 Users Outside the District. The Board of Directors of the District shall have the power under Sec. 16474 of the Public Utilities Code to establish by agreement or resolution, the fees and charges and such other conditions as it deems appropriate that shall be imposed for providing sewer services to premises located outside the District.

Sec. 20.10.2 Use of District's Facilities Prohibited Unless Fees and Charges Paid. No person shall discharge or allow the discharge of or dump sewage or other waste matter into the District's sewer system except in compliance with the terms of this

Administrative Code and payment of the fees and charges provided and established by or pursuant to this Administrative Code.

Sec. 20.10.3 Fees and Charges May Be Collected with Taxes. Notwithstanding any other provision of this Administrative Code, the fees and charges, including the connection fee and the sewer service charges, or either of them may be collected on the tax roll in the same manner and together with the general taxes of the District pursuant to Section 16469 of the Public Utilities Code.

Sec. 20.11 Temporary Sewer Service Agreements.

A Temporary Sewer Service Agreement is a recorded agreement between the District and a consumer that a sewer will be placed temporarily at a location remote from the property to be served, where the District intends, at some future date, to extend the District sewer system to abut the property described in the agreement, and that the consumer is responsible for extending his own temporary private line from the sewer to his property, and obtaining whatever temporary easements are required for such extension. Such agreements shall establish the financial obligations of the consumer related to the future installation costs of the District's distribution system and the cost of relocation of the sewer, and shall be binding upon the signatory and all successor owners of said property.

If the customer's obligation is to be secured with a promissory note and deed of trust, the terms will be based on the 10-year Treasury Bill rate plus 2%. Interest will be recalculated annually on the anniversary date of the recorded Trust Deed and will be compounded annually on the same anniversary date.

Failure to comply with the terms of the agreement shall be cause for termination of sewer service to said property and the basis for establishing a lien against the property for collection of any amounts due the District. Upon change of ownership, any parcel receiving sewer service under a Temporary Sewer Service Agreement will be required, as a condition of continued service, for the new owner to enter into a new Temporary Sewer Service Agreement with the District.

**ARTICLE 20**

Revised in its entirety – 6/93,  
6/94, 6/95, 9/96  
Sec. 20.7, Sec. 20.7.2 – Rev.  
6/99  
Sec. 20.6 – Rev. 11/99  
Sec. 20.5.4 & 20.5.5 – Rev.  
6/06  
Sec. 20.7.1 & 20.7.2 – Rev.  
6/06  
Sec. 20.6.1 – Rev. 10/06  
New Sec, 20.6 – Added 2//07  
Sec. 20.7.5; 20.7.8; 20.8;  
20.8.1; 20.8.2 – Rev. 6/07  
20.8.1 – Rev. 3/08  
20.7.2, 20.7.4, 20.7.5, 20.7.6,  
20.8, 20.8.2 – Rev. 6/08  
Sec. 20.7.2 – Rev. 8/08  
Sec. 20.8.1, 20.8.2 – Rev.  
6/09  
Sec. 20.11 – Rev. 12/10  
Sec. 20.8.2 – Rev. 5/11  
Sec. 20.8.1 – Rev. 6/11  
Sec. 20.8.1 – Rev. 4/12  
Sec. 20.2, 20.4, 20.6.2,  
20.6.3, 20.7.1, 20.7.2, 20.7.3,  
20.7.4, 20.7.5, 20.7.6, 20.8.2  
– Rev. 6/12  
Sec. 20.7.2, 20.7.3 – Rev.  
7/12  
Sec. 20.8 – Rev. 6/13  
Sec. 20.8.1, 20.8.2 – Rev.  
6/14  
Sec. 20.8.1, 20.8.2 – Rev.  
6/15  
Secs. 20.5.2 (add), 20.8.1,  
20.8.2 – Rev. 7/16  
Secs. 20.5.2, 20.8, 20.8.2 –  
Rev. 12/18  
Sec. 20.7.2 – Rev. 7/19  
Secs. 20.5.2, 20.8.1, 20.8.2 –  
Rev. 12/19

**Article 30. Prohibited Use of District Facilities.**

Sec. 30.1 Unpolluted Waters.

No person shall discharge or cause to be discharged any stormwater, surface, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Sec. 30.2 Polluted Waters and Other Wastes.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/L as CN in the wastes as discharged to the public sewer.
- (c) Any waters or wastes having a pH lower than 6.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, ashes, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (e) Brine from on-site regenerated ion exchange water treating devices.
- (f) Water softener waste or any other salt water brine wastes.  
*(former FSD Ordinance No. 78)*
- (g) Fats, oils and grease (FOG) from food service establishments which are specifically regulated by Ordinance No. 307.

### 30.2.1 Nuisance Wastes.

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the District that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the District will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty (150) °F (65°C).
- (b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of four hundred (400) mg/L or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) °F (0 and 65° C).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the District.
- (d) Any waters or wastes containing strong acid iron picking wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any water or wastes containing boron, cadmium, chromium, copper, iron, lead, manganese, mercury, selenium, tin, zinc and similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the District for such materials. And, any water or wastes containing constituents in excess of those required by the District's current CRWQCB permits.
- (f) Any water or wastes containing phenols or other taste odor producing substances, in such concentrations exceeding limits which may be established by the District as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.



- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulations.
- (h) Any waters or wastes having a pH in excess of (9.0).
- (i) Materials which exert or cause:
  - (1) Any waters or wastes containing more than 350 parts per million by weight of suspended solids or have a 5 day B.O.D. greater than 300 parts per million by weight, or a C.O.D. greater than 600 parts per million by weight.
  - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - (3) Unusual B.O.D. chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
    - (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

30.2.2 District's Authority Over Nuisance Wastes.

If any wastes or waters are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Sec. 30.2.1 of this Article, and which in the judgement of the District, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the District may:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require discharger to obtain and comply with an Individual District User Permit, as per Sec. 30.9 of this Administrative Code, and/or

- (e) Require payment to cover the added cost of handling and treating the wastes not covered by the sewer charges levied by the District.

Charges as described in this section shall be designated as Facility Charges and may also be required when the waste flow consists entirely of domestic sewage but its volume is in excess of one equivalent family dwelling unit waste flow as described in Sec. 30.3 of this Article.

If the strength of the waste flow as described in Sec. 30.3 of this Article is shown to be consistently below that of average domestic waste, this may also be considered in determining the Facility Charges.

When estimating the volume of a proposed or existing waste flow for the above determinations, average flow figures for that particular type of discharge, as then generally accepted in the sanitary engineering profession, may be used, at the discretion of the District.

If the District permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the District, and subject to the requirements of all applicable codes, ordinances, and laws.

Sec. 30.3 Charges for Industrial Wastes.

Charges pursuant to Article 20 will be determined by the following formula:

Formula for Volumetric Analysis of Industrial Wastes

<u>Proposed Discharge</u> <u>in gallons per day multiplied by</u>  300	Existing Single Family Dwelling permit fee <u>or service charge</u>
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Formula for Analysis of Industrial Wastes

The term "Industrial Wastes" as used herein means waste in excess of the volume and/or strength described below as an "Equivalent family dwelling unit", or wastes that contain substances as described in Article 19, or any combination thereof.

One equivalent family dwelling unit waste flow is based on 3 persons per residence at 100 gpd, which equals 300 gpd or 9000 gallons per month or 1200 cu. ft. per month. Strength of sewage accepted for the Fallbrook Public Utility District without attaching a strength factor is as follows:

B.O.D. 300 ppm    Suspended Solids                    350 ppm    Grease 100 ppm

Treatability weight factors:	Treatability Weight Factor
B.O.D.	.35
Susp. Solids	.25
Grease	.40

The treatability weight factor is applied to the strength factor because one component -- for example, grease -- is more difficult to cope with than suspended solids or B.O.D.

Sec. 30.4        Grease, Oil and Grit Interceptors.

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, grit, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the District, and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 30.5        Preliminary Treatment or Flow Equalization Facilities.

Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec. 30.6        Industrial Discharge Control Costs.

When required by the District, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the District. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Sec. 30.7        Measurements, Tests and Analysis.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Administrative Code shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered

to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pHs are determined from periodic grab samples.)

Sec. 30.8      Agreements.

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between Fallbrook Public Utility District and any industrial discharger whereby an industrial waste of unusual strength or character may be accepted by the Fallbrook Public Utility District for treatment, subject to payment as agreed thereof by the industrial discharger.

Sec. 30.9      Permitted Discharges, Right to Permit and Inspect.

The officers, employees, and agents of the District shall have the right to enter upon any premises within the District to inspect and verify compliance with the Administrative Code. In the event that the user demonstrates non-compliance or potential non-compliance with the limitations set forth in this Code, the District may require the user to apply for and maintain a Fallbrook Public Utility District Industrial User Permit. The Permit shall outline specific requirements for the Industrial User. Additionally, the Permitted Discharger shall be responsible for all costs associated with operating and maintaining the permitting program for the Permitted Discharger. The cost for initial application and annual renewals will be the actual costs incurred during site inspections, sampling, and analysis. The District has the right to conduct routine inspections and sampling throughout the year. If it is determined, upon routine sampling, or an average of the routine sampling, the Permitted Discharger exceeds those limitations specified in the Permit, the Permitted Discharger shall be responsible to pay all costs associated with follow-up sampling, cost of analysis, and inspections needed to assist the Permitted Discharger in permit compliance. The Permitted Discharger may be required to install and maintain pre-treatment, monitoring, and sampling facilities to insure compliance with this Code.

Sec. 30.10     Enforcement Proceedings.

The enforcement of requirements for pre-treatment of industrial wastes or prevention of their discharge into the District sewer system by administrative complaints shall be accomplished in accordance with the procedure provided in Government Code Section 54740.5 or any amendments thereto by the District as set forth in this Administrative Code.

An administrative complaint may be issued to any person who violates any requirement adopted by the Fallbrook Public Utility District necessary to meet standards established by the federal or California state government or other regulatory agencies or which the Fallbrook Public Utility District determines is necessary in order to protect its treatment works or the proper and efficient operation thereof or the health or safety of its employees or the environment or to prevent the entry of such industrial waste into the District's collection system.

The administrative complaint shall allege the act or failure to act that constitutes the violation of the local agency's requirements, the provisions of law authorizing civil liability to be imposed, and the proposed civil penalty.

The administrative complaint shall be served by personal delivery or certified mail on the person subject to the local agency's discharge requirements, and shall inform the person served that a hearing shall be conducted within sixty (60) days after the person has been served. The hearing shall be before a hearing officer designated by the Board of Directors. The person who has been issued an administrative complaint may waive the right to a hearing. A person dissatisfied with the decision of the hearing officer may appeal to the Board of Directors within thirty (30) days of notice of the hearing officer's decision.

The hearing officer may assess a civil penalty against the person, if after the hearing, or appeal, if any, it is found that the person has violated reporting or discharge requirements. In determining the amount of the civil penalty, the hearing officer or Board may take into consideration all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the economic benefit derived through any non-compliance, the nature and persistence of the violation, the length of time over which the violation occurs and corrective action, if any, attempted or taken by the discharger.

#### 30.10.1 Civil Penalties.

Civil penalties may be imposed as follows:

- 1) In an amount which shall not exceed Two Thousand Dollars (\$2,000) for each day for failing or refusing to furnish technical or monitoring reports.
- 2) In an amount which shall not exceed Three Thousand Dollars (\$3,000) for each day for failing or refusing to comply timely with any compliance schedule established by the District.
- 3) In an amount which shall not exceed Five Thousand Dollars (\$5,000) per violation for each day for discharges in violation of any waste discharge limitation, permit condition, or requirement issued, reissued, or adopted by the local agency.

- 4) In an amount which does not exceed Ten Dollars (\$10) per gallon for discharges in violation of any suspension, cease and desist order or other orders, or prohibition issued, reissued, or adopted by a local agency.
- 5) The amount of any civil penalties imposed under this section which have remained delinquent for a period of sixty (60) days shall constitute a lien against the real property of the discharger from which the discharge originated resulting in the imposition of the civil penalty. The lien shall have no force and effect until recorded with the County Recorder.
- 6) All moneys collected under this section shall be deposited in a special account of the District and shall be made available for the monitoring, treatment, and control of discharges into the local agency's sanitary or sewer system or for other mitigation measures.
- 7) Orders setting administrative civil penalties shall become effective and final upon issuance thereof, and payment shall be made within thirty (30) days unless appealed. If appealed, an order setting administrative civil penalties shall become effective upon issuance of a determination of the Board of Directors that the appeal is denied. In that event, the order shall become effective upon issuance of the determination denying the appeal by the Board of Directors. Copies of these orders shall be served by personal service or by registered mail upon the party served with the administrative complaint and upon other persons who appeared at the hearing and requested a copy.
- 8) The District may petition the superior court to confirm any order establishing civil penalties and enter judgment in conformity therewith in accordance with the provisions of Sections 1285 to 1287.6, inclusive of the Code of Civil Procedure.
- 9) No penalties shall be recoverable under this section for any violation for which civil liability is recovered under Section 54740 of the Government Code.
- 10) Prior to issuance of an administrative order, the hearing officer may issue a cease and desist order or order requiring compliance with the industrial waste discharge or pre-treatment requirements of the District.

**ARTICLE 30**

New Article – 6/95  
 Sec. 30.2, 30.4, 30.6,  
 30.8, 30.9 & 30.10 -  
 Rev. 5/98  
 Sec. 30.2(g) &  
 30.2.1(b) – Rev. 1/04

**Article 31. Fats, Oils & Grease (FOG) Program**

Sec. 31.1 Purpose.

The purpose of this policy is to aid in the prevention of sanitary sewer blockages and obstructions from contributions and accumulation of fats, oils, and greases into the sanitary sewer system from industrial or commercial establishments, particularly food preparation and serving establishments.

Sec. 31.2 Incorporation by Ordinance.

The Fats, Oils & Grease Program (FOG) is made a part of this Administrative Code and incorporated herein in accordance with attached Ordinance Nos. 307, 308, and 312; Resolution No. 4539.

ARTICLE 31

New policy added 1/26/04  
Amendments to Ord. 307  
(Ord. 308) – added 2/23/04  
Amendments to Ord. 308  
(Ord. 312) – added  
11/22/04

**M E M O**

**TO:** Engineering and Operations Committee  
**FROM:** Aaron Cook, Senior Engineer  
**DATE:** August 18, 2020  
**SUBJECT:** SMRCUP Update

Description

An update on the SMRCUP Project

Purpose

The District has engaged multiple contractors and consultants to facilitate the construction of the SMRCUP Facilities, all of which were included in the Department of Water Resources (DWR) State Revolving Fund (SRF) final budget approval. The following table is an excerpt from the approved loan agreement:

## EXHIBIT A-FBA – FINAL BUDGET APPROVAL

Table 1: Approved Construction Bid Amount

CONTRACTOR	AMOUNT BID	APPROVED COSTS
Filanc-Alberici as Joint Venture	\$54,398,232	\$54,398,232

1 - BUDGET

Table 2: Approved Final Project Budget

PROJECT COST TABLE	
TYPE OF WORK	APPROVED BUDGET
<b>A. Construction</b>	
Filanc-Alberici as Joint Venture	\$54,398,232
<b>B. Pre-Purchased Material/Equipment</b>	0.00
<b>C. Land Purchase</b>	0.00
<b>D. Change Order Contingency</b>	\$5,440,000
<b>E. Allowances</b>	
Construction Management	\$2,627,653
Administration	\$70,000
Other Cost: SCADA integration	\$400,000
<b>Subtotal - E</b>	<b>\$3,097,653</b>
<b>TOTAL (Subtotal A+B+C+D+E)</b>	<b>\$62,935,885</b>

Note: Adjustments may be made between line items on the final disbursement.



Part A is based on the low bid construction contract award to Filanc/Alberici in July of 2019.

Part D is a contingency allowance to cover unforeseen change order costs.

Part E is made up of several components:

- Design Services During Construction agreement with the design engineer Infrastructure Engineering Corporation (IEC) established in November of 2014 as part of the design contract – agreement value of \$773,913.
- Construction Management agreement with Terrapin Group entered into as of August 2018 – agreement value of \$1,853,740.
- Internal District staff support and administrative costs – \$70,000
- SCADA Programming and Integration agreement with Zak Controls entered into as of March 2020 – agreement value of \$301,738 (originally budgeted at \$400,000 at the time of the SRF Loan Agreement)

The construction of the project is approximately 40% complete, and is progressing on schedule for completion in late 2021. At this time, some additional costs to complete the project are anticipated, specifically to the construction contract and the design services during construction agreement. These would be covered within the contingency of the SRF Loan Agreement as planned. However, the addition of GAC treatment, as presented to the board in January of 2020, is estimated to cost between \$4M and \$5M, which will use the majority of the construction contingency (Note that staff continue to seek grant funding opportunities to offset some of the GAC treatment cost). Staff will also be seeking an amendment to the existing Local Resources Program (LRP) Agreement with MWD to help offset the additional capital and operating costs for the GAC treatment.

The GAC treatment design is approximately 75% complete. Once complete and bids received, staff will know with more certainty how much of the contingency will be needed to cover these costs. If an amendment to the SRF Loan Agreement is needed, the review process with the State DWR takes up to six months and should be initiated well in advance of needing the funds.

#### Budgetary Impact

No budgetary impact at this time. If a future amendment to the SRF Loan Agreement increasing the total loan amount would result in increased payment installments, which may be offset by any additional grant funding and LRP payments. Once the final GAC capital and Operating costs are known an update on the anticipated costs will be provided.

#### Recommended Action

For information only, no action recommended.

## M E M O

**TO:** Engineering and Operations Committee  
**FROM:** Aaron Cook, Senior Engineer  
**DATE:** August 18, 2020  
**SUBJECT:** Santa Margarita Water Supply Reliability Pilot Project Update

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Description

A staff update on the progress made to date on the Lower Santa Margarita Water Supply Reliability Pilot Project initiated earlier this year. The project is a joint project with Camp Pendleton and Rainbow MWD that will determine the feasibility of developing advanced purification facilities to treat existing recycled water from both Camp Pendleton and the District to increase the availability of local supplies.

Purpose

In an effort to diversify its water resources and reduce the impact of the increasing cost of its wholesale water supply the District is currently collaborating with Camp Pendleton (CPEN) to construct the Santa Margarita River Conjunctive Use Project (SMRCUP) Facilities. These facilities will enhance the ability to divert surface flows from the Santa Margarita River for storage in the groundwater basin where they can be extracted, treated, and delivered to FPUD and CPEN customers.

Both FPUD and CPEN also currently operate water reclamation plants within the Lower Santa Margarita River Basin which treat effluent to a tertiary level for use as recycled water. Excess water from both agencies that is not utilized as irrigation is discharged to the ocean. If the treated effluent were to be diverted to the existing Upper Ysidora Percolation Ponds and infiltrated into the groundwater basin, it could be utilized to augment SMRCUP yields for both FPUD and CPEN. This pilot project will determine the most effective treatment process for and feasibility of utilizing reclaimed water currently discharged to the ocean as groundwater augmentation in the Lower Santa Margarita River Basin.

The pilot project will consist of two pilot facilities. One pilot facility will be located at the District's Water Reclamation Plant and will be designed for live stream discharge to Fallbrook Creek. The other pilot facility will be located at CPEN's Southern Region Tertiary Treatment Plant and will be designed to convey treated water to the percolation ponds.

District staff began working with a consultant team of subject matter experts in March. The first tasks were to compile all relevant information from previous studies and data sources to develop a detailed project proposal and initiate communication with key regulatory agencies. Video conference meetings were held with the San Diego Regional Water Quality Control Board (RWQCB) and the Division of Drinking Water

(DDW) in June to introduce the project concept and get feedback to better ensure the pilot project is designed to address any issues they may have. Both asked to be provided a specific test plan for their review. The team is currently working to finalize that test plan, which will include details of the proposed treatment process, specifically guidance on the procurement, installation, and operation of the necessary pilot equipment.

After review of the test plan by the regulatory agencies, the next steps are for the District to procure and install the pilot equipment. Because of similarities in the proposed treatment process at the two sites, the intent is for the equipment to be on a small, mobile skid so that it can be moved between the two locations. The CPEN site will be tested first, and then the District site, with durations of four months at each location. Depending on feedback from the regulatory review, the plan is to purchase the treatment equipment and begin the pilot by December. Estimated costs for the equipment purchase are approximately \$500,000.


#### Budgetary Impact

No budgetary impact. The total approved project budget is \$1,380,000, half of which will be covered by an IRWM grant. Final approval of the grant was issued by the State DWR in July.

#### Recommended Action

For information only, no action recommended. After the detailed pilot test plan is finalized and equipment purchases identified, staff will provide another update and seek authorization to purchase the equipment.

**M E M O**

**TO:** Engineering & Operations Committee  
**FROM:** Jason Cavender, Operations Manager   
**DATE:** August 18, 2020  
**SUBJECT:** CityWorks Enterprise Asset Management Implementation Update

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**Description**

This memo serves for informational purposes only as an overview of the District's CityWorks Enterprise Asset Management (EAM) software implementation. EAM software is a critical asset management tool commonly used by utilities to plan, optimize, and track maintenance and repair activities for key assets.

**Purpose**

As part of the FY 19/20 capital improvement program the Board approved the purchase of CityWorks EAM software, and awarded a professional services contract to Black & Veatch to take the lead in implementation. The primary elements of this implementation include the development of:

- Service Requests
- Work Orders for unplanned maintenance and repair activities
- Preventative Maintenance Work Orders
- Dashboards and reports for tracking

This presentation will provide a summary of the District's progress to-date, provide examples of how the use of CityWorks will protect District assets and reduce costs, and will outline areas of further development during FY 20/21.

**Budgetary Impact**

There is no budgetary impact.

**Recommended Action**

Informational only, no recommended action.