

**ORDINANCE NO. 2022-200**

**AN ORDINANCE ESTABLISHING A REVISED CALCULATION METHOD FOR SEWER SERVICE CHARGES TO BE BILLED BY THE RODEO SANITARY DISTRICT TO MIXED RESIDENTIAL AND COMMERCIAL USERS SHARING ONE WATER METER**

**THE DISTRICT BOARD OF RODEO SANITARY DISTRICT HEREBY FINDS, DETERMINES, AND DECLARES AS FOLLOWS:**

**WHEREAS**, the Rodeo Sanitary District (District) has reviewed and instituted a sewer service charge program compatible with the Clean Water Act to finance the yearly operation and maintenance of the District's sewage collection, conveyance, treatment, and disposal system; and

**WHEREAS**, the Rodeo Sanitary District is required by State law and policy to collect revenue sufficient to cover the cost of operating these systems; and

**WHEREAS**, on September 26, 2022, and October 3, 2022, the Notice of the Public Hearing to Consider the revision to the sewer service fee calculation for mixed residential and commercial users serviced by a single water meter, was published in accordance with Health and Safety Code section 5473.1 and Government Code section 6066 in a paper of general circulation and posted on September 26, 2022, in three places within the District; and

**WHEREAS**, on October 11, 2022, the Board conducted the public hearing on the proposed revision to the sewer service fee calculation for mixed residential and commercial users sharing one meter pursuant to the notices described above prior to the enactment of this Ordinance; and

**WHEREAS**, in accordance with Ordinance 2018-100, this Ordinance changes the calculation method for certain sewer service fee categories and charges; and

**WHEREAS**, in accordance with Proposition 218, all applicable notification and procedural requirements were satisfied; and

**WHEREAS**, the Board of Directors of the Rodeo Sanitary District has reviewed the proposed revision to the present sewer service charge calculation method for mixed use customers and has determined that the proposed calculation method for mixed use customer would better reflect the users' respective burdens on the overall sewer systems, and therefore should result in more proportionate charges for mixed use customers; and

**THEREFORE, BE IT ORDAINED** by the Board of Directors of the Rodeo Sanitary District as follows:

1. The annual sewer service charges (rates) for residential customers shall be unchanged from Ordinance 2018-100.

2. The annual sewer service charges (rates) for commercial customers shall be unchanged from Ordinance 2018-100. The paragraph appearing beneath the table of Commercial Rates in Section 2 of Ordinance 2018-100 shall be superseded by the following text:

“Commercial sewer service charges shall be based on water meter reading or minimum charge, whichever is greater, and will be billed annually.

For multiple user types serviced by a single water meter, customers will pay a proportionate charge based on their water use, the square footage they occupy, and the relative strength of the wastewater as set forth in the flow factors in Exhibit A. The minimum charge is equivalent to one residential unit. To determine the charges for mixed residential commercial or mixed commercial users, the floor area for each customer, water use, and calculated flow factor will be used. Example calculations are presented in Exhibit B.”

3. The Board of Directors independently finds that this action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15273 (a) (1), (3), and (4) of the State CEQA guidelines because these rates are being established for the purpose of meeting operating expenses necessary to maintain service within the existing service area.

4. This ordinance shall, pursuant to Health and Safety Code section 6490, be published once in the West County Times, a newspaper of general circulation, and circulated within the Rodeo Sanitary District, and shall be effective October 12, 2022, at which time the portion of Ordinance 2018-100 referenced above in section 2 above shall be superseded. The remainder of Ordinance 2018-100 shall remain in full force and effect.

PASSED AND ADOPTED this 11th day of October 2022, by the District Board of the Rodeo Sanitary District by the following vote:

AYES: 4  
Noble - Frakes - Callaghan - Brennan  
NOES: 0  
ABSENT: 1  
Batchelder  
ABSTAIN: 0




Connie Batchelder, Board President  
Rodeo Sanitary District

APPROVED AS TO FORM:



Carl Nelson  
District Counsel



Richard Frakes, Secretary of the Board  
Rodeo Sanitary District

# Exhibit A

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## Mixed Use Flow Analysis and Proposed Flow Factors

<b>Customer Class</b>	<b>Estimated Flow (gallons per day per 1,000 sf)</b>	<b>Proposed Flow Factor</b>
<b>Commercial</b>		
Bars w/o Dining	300	1.4
Restaurants-Dine In/Food Service	400	1.8
Restaurants/Fast Food-Take Out	250	1.1
Commercial/Professional	150	0.7
Laundromat	500	2.3
Food Markets with Bakery/Deli	300	1.4
Bakeries	400	1.8
<u>Gasoline Service Wrecking</u>		
- with Public Restrooms	500	2.3
- without Public Restrooms	150	0.7
Hospitals/Clinics	250	1.1
Schools/Day Care/Rec.	150	0.7
Churches	100	0.5
Commercial Laundries	400	1.8
<b>Residential Dwelling Unit*</b>	220	1.0

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## Exhibit B

Tenant Type	Area (sqft)	Use Type	Flow Factor	Estimate Flow per 1000 SF	Tenant Flow Factor	Percent of Flow	Allocated Flow (hcf)	Rate	Sewer Service Charge	Comments
Private Residence	2000	RES	1	220 250	440	20.98%	118.73	n/a	\$1,031.52	Minimum Applies
Hair Salon Rec Center	500	HC	1.1	150	138	6.56%	37.10	\$9.86	\$1,031.52	Minimum Applies
Take out Restaurant	4000	SDR	0.7		420	20.02%	113.33	\$6.82	\$1,031.52	Minimum Applies
	4000	RTO	1.1	250	1100	52.44%	296.83	\$18.18	\$5,396.36	
Totals	10500				2098	100.00%	566.00		\$8,490.92	
Water Used	566	hcf								

### LEGEND:

Area – flow are of unit

Use Type – Customer Class from Exhibit A

Flow Factor – Flow Factor from Exhibit A

Estimated Flow per 1,000 SF – Estimated flow of sewer per 1,000 square footage of Customer Class from Exhibit A

Tenant Flow Factor – calculated as (Area) x (flow factor) x (Flow Per 1000 SF) / 1,000

Percent of Flow – calculated from each tenant flow factor as related to 100%

Allocated Flow (hcf) – (Percent of Flow) x (Water Used)

Rate – Sewer Service fee in \$\$/hcf from Ordinance 2018-100

Sewer Service Charge – (Sewer Service fee in \$\$/hcf) x (Allocated Flow (hcf))