

RESOLUTION NO. 217161

R. 77-807

NOV 24 1976

WHEREAS, the Palo Verde Irrigation District, the Metropolitan Water District of Southern California, the Coachella Valley County Water District, the Imperial Irrigation District, The City of San Diego, the County of San Diego, and the City of Los Angeles entered into an agreement under date of August 18, 1931, herein referred to as the "Seven Party Water Agreement," fixing their respective priorities in waters of the Colorado River available for use in California; and

WHEREAS, each of the parties to the Seven Party Water Agreement executed a water delivery contract with the United States pursuant to the Boulder Canyon Project Act dated December 21, 1928, 45 Stat. 1057, except the City of Los Angeles and County of San Diego; and

WHEREAS, the water delivery contract with The City of San Diego executed with the United States was under date of February 15, 1933; and

WHEREAS, under date of October 4, 1946, The City of San Diego and the Metropolitan Water District of Southern California (Metropolitan) entered into a "contract merging rights of The City of San Diego and the Metropolitan Water District of Southern California under contracts with the United States dated February 15, 1933, and April 24, 1930" whereunder The City of San Diego assigned and transferred to said Metropolitan Water District all of its rights under the 1933 water delivery contract; the merger

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MAY 26 1978

00079

agreement provided, however, that if the corporate area of the San Diego County Water Authority, a municipal corporation, should at any time cease to be a part of Metropolitan, "the said contract between the United States and San Diego dated February 15, 1933, shall be revived and reinstated, and shall thereupon become severally operative", otherwise the said assignment and transfer in favor of Metropolitan to remain in full force and effect; and

WHEREAS, because of the possibility that such water delivery contract might sometime be revived and reinstated by reason of the San Diego County Water Authority ceasing to be a part of Metropolitan the execution of the hereinafter mentioned agreements by The City of San Diego is required; and

WHEREAS, The City of San Diego has been requested by San Diego Gas & Electric Company to become a party to certain agreements concerning the allocation of Colorado River water, said agreements being entitled "Agreement Relating to the Diversion of up to 17,000 Acre-Feet of Water Annually from the Palo Verde Outfall Drain (Chargeable to Metropolitan Water District of Southern California Contract Entitlement) for San Diego Gas & Electric Company's proposed Electric Generating Facilities in the Vicinity of Blythe, California," and "Agreement Relating to the Diversion of Up to 33,300 Acre-Feet of Water from the Palo Verde Outfall Drain (Chargeable to PVID Contract Entitlement) for San Diego Gas & Electric Company's Proposed Electric Generating Facilities Outside of Palo Verde Irrigation District's Existing Boundaries," respectively, forms of which have been filed in the office of the City Clerk as Documents Nos. 749923 and 749924, respectively; and

WHEREAS, in November, 1974, a Special Environmental Assessment

MICROFILMED

MAY 26 1978

00080

217161

was prepared by the San Diego Gas and Electric Company outlining in detail the environmental effects which may result from the actions contemplated by said agreements, a copy of which has been filed in the office of the City Clerk as Document No. 749925; and

WHEREAS, the Council of The City of San Diego passed and adopted its Resolution No. 212400 on January 9, 1975, after comprehensively examining and considering such Special Environmental Assessment; and

WHEREAS, the City Council by such Resolution No. 212400 tentatively approved such agreements concerning the allocation of Colorado River water, "said approval to be confirmed or withdrawn by resolution of The City of San Diego within thirty days after a final Environmental Impact Report has been submitted to said City for examination; and (2) that upon such confirmation the City Manager be and is hereby authorized, empowered and directed, for and on behalf of said City, to execute and deliver the agreements in forms of Documents Nos. 749923 and 749924, respectively;" and

WHEREAS, the Public Utilities Commission of the State of California has prepared certified completion of and has submitted to the Secretary of Resources (together with a Notice of Completion) the Final Environmental Impact Water Supply Sundersert Nuclear Project, San Diego Gas & Electric Company, outlining in detail the environmental effects which may result from the actions contemplated by such agreements, a copy of which has been filed in the office of the City Clerk as Document No. 757394; and

WHEREAS, such Final Environmental Impact Report Water Supply has been comprehensively examined and considered by this City Council before entertaining this Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Council of The City of San Diego, as follows:

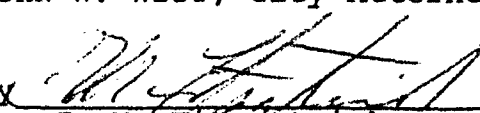
(1) That The City of San Diego hereby approves the agreement entitled "Agreement Relating to the Diversion of Up to 17,000 Acre-Feet of Water Annually from the Palo Verde Outfall Drain (Chargeable to Metropolitan Water District of Southern California Contract Entitlement) for San Diego Gas & Electric Company's Proposed Electric Generating Facilities in the Vicinity of Blythe, California" between the Metropolitan Water District of Southern California, Coachella Valley County Water District, Imperial Irrigation District, Palo Verde Irrigation District, The City of San Diego, San Diego Gas & Electric Company, and The United States of America, and the agreement entitled "Agreement Relating to the Diversion of Up to 33,300 Acre-Feet of Water from the Palo Verde Outfall Drain (Chargeable to PVID Contract Entitlement) for San Diego Gas & Electric Company's Proposed Electric Generating Facilities Outside of Palo Verde Irrigation District's Existing Boundaries" between Palo Verde Irrigation District, The Metropolitan Water District of Southern California, Coachella Valley County Water District, Imperial Irrigation District, The City of San Diego, San Diego Gas & Electric Company, and The United States of America; and

(2) The approval of such agreements by Resolution No. 212400 of this City Council passed and adopted January 9, 1975 is hereby confirmed; and

(3) The City Manager be and he is hereby authorized, for and on behalf of said City, to execute and deliver the agreements in form of Documents Nos. 749923 and 749924 respectively.

APPROVED: JOHN W. WITT, City Attorney

By


C. M. Fitzpatrick
Senior Chief Deputy

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MAY 26 1978

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Rev. 11/18/76

217161

00082

NOV 24 1976

Passed and adopted by the Council of The City of San Diego on _____, by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By *Kathleen Masterson* Deputy.

(Seal)

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SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution **217161** NOV 24 1976

Number Adopted

CC-1276 (REV. 12-75)

MICROFILMED

MAY 26 1978

00083