

(R-84-1284)

RESOLUTION NUMBER R- 260044

Adopted on JAN 31 1984

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

That Resolution No. R-260015 be and it is hereby rescinded.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby directed and authorized to permit the International Boundary and Water Commission (IBWC) to connect to the City sewer system pursuant to the terms and conditions set forth in a letter to the City Manager from the IBWC dated January 31, 1984, a copy of which is attached hereto.

APPROVED: John W. Witt, City Attorney

By 

C.M. Fitzpatrick
Senior Chief Deputy

CMF:ps
2/3/84
Or.Dept:Clerk
Form=r.none

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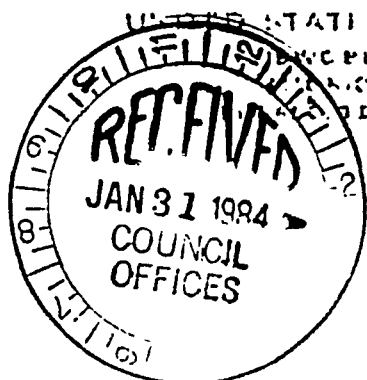
THE
FOLLOWING
DOCUMENT
IS THE BEST
COPY
AVAILABLE
FOR
FILMING



OFFICE OF THE COMMISSIONER
IN THE UNITED STATES SECTION

INTERNATIONAL BOUNDARY AND WATER COMMISSION

UC#2



JAN 31 1984

Mr. Ray T. Blair
City Manager
City of San Diego
202 C Street
San Diego, California 92101

Dear Mr. Blair:

I appreciate the considerations of the San Diego City Council described in your letter of January 25, 1984, of the proposal by the U.S. Section, International Boundary and Water Commission, to construct and operate an emergency regulating pond, near the international boundary. As you know the purpose of the pond is to alleviate the problem of raw sewage from Tijuana flowing north across the boundary, spreading over lands in the City in the Tijuana Valley, and discharging to the river and to the surf waters, creating a serious health hazard.

The concerns which you noted of members of the public and by City Council members regarding certain aspects of the proposal, are indeed recognized and understood. You can be sure that this agency would not have made the proposal or undertaken any work, except as an emergency measure to relieve the hazards caused by the raw sewage waters, until Mexico completes the repair of a major break in the Tijuana outfall sewer lines.

Referring to the conditions set forth in your letter, I can now advise you that:

1. There will be no construction, operation or maintenance costs to the City as a result of the emergency regulating pond. This agency of the Federal Government is assuming these costs. With respect to cost of treatment, this agency is authorized by the Government through the Department of State to compensate the City for the costs of treatment of the additional quantity of sewage waters resulting from operation of the pond for up to 60 days, at the rate of \$438 per million gallons. Such compensation will be added to the \$500,000 already allotted by the Federal Government to the City for its treatment of Tijuana sewage in this fiscal year 1984, payments for which are made through this agency.

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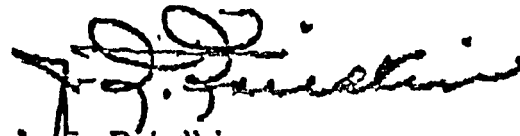
2. The connection will be limited to 60 days, with the understanding that any proposal for an extension would be subject to approval by the City.
3. This agency has considered installation of protective devices such as a plastic liner to eliminate degradation of the quality of the groundwaters, but finds such installation is not necessary. Field borings show the pond underlain by more than one foot of clays making the site impervious. Installation of plastic lining would cost more than \$250,000. Currently sewage waters from Tijuana are ponding and flowing in highly pervious sands in the bed of the Tijuana River.
4. As I discussed with you yesterday, the Federal Government because of statutory limitations cannot hold the City harmless and indemnify for any monetary loss as a result of the regulating pond.
5. The submission of this letter together with your letter of January 25, 1954 and the resolution attached would appear to document the understandings of the appropriate agencies.

On the basis of the above written concurrence to the extent this agency can, within its authority, comply with the conditions set forth in your letter in reference and in the resolution attached thereto, I hereby request and will appreciate the City's earliest possible favorable consideration to permit the discharge of two to three mgd to the San Diego sewage system, as proposed.

As I reported to you in our discussion, upon approval by the City, the pond can be put in operation to provide immediate relief to the problem.

I await your advice.

Sincerely,


J. F. Friedkin
Commissioner

cc: Dept of State/M/COMP/BP/Lorin Jurvis
Dept of State/ARA/MEX
Congressman Duncan Hunter
Mayor Roger Hedgecock
City Council, City of San Diego
City Attorney, City of San Diego
EPA, Region II, Ms. Judith Ayres
Mr. Ladin Delaney, RWQCB

00692

R- 260044

Passed and adopted by the Council of The City of San Diego on JAN 31 1984,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Margaret L. Portecover, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R- 260044 Adopted JAN 31 1984