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(R-2010-55)

RESOLUTION NUMBER R- 305242

DATE OF FINAL PASSAGE SEP 28 2009

A RESOLUTION OF THE CITY OF SAN DIEGO APPROVING THE CHOLLAS CREEK IMPLEMENTATION PLAN FOR DISSOLVED METALS TOTAL MAXIMUM DAILY LOAD; APPROVING A COST SHARE AGREEMENT WITH THE COUNTY, CAL TRANS, NAVY, PORT DISTRICT, LA MESA AND LEMON GROVE; EXPENDING FUNDS FOR COST SHARING IN FISCAL YEAR 2011; AND ACCEPTING REIMBURSEMENTS FOR COST SHARING.

WHEREAS, San Diego Regional Water Quality Control Board Resolution Number R9-2007-0043 has ordered responsible parties, including the City, to reduce the Total Maximum Daily Loads [TMDL] of dissolved metals discharged into Chollas Creek; and

WHEREAS, the City and the other dischargers are undertaking a five-year plan to coordinate and implement the reduction of dissolved metals as measured by TMDL; and

WHEREAS, the parties subject to the Chollas Creek TMDL order have agreed on the scope and the sharing of costs involved in the proposed implementation plan; NOW,

THEREFORE,

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

1. That the Council approves the Chollas Creek Dissolved Metals Total Maximum Daily Load Implementation Plan, dated July 2009, on file with the City Clerk as Document No.

RR- 305242.

2. That the Mayor or his designee is authorized to approve and execute, for and on behalf of the City, an agreement with the County of San Diego, the California Department of Transportation, the U.S. Navy, the San Diego Unified Port District, the City of La Mesa, and


the City of Lemon Grove to share costs associated with the implementation plan, under the terms and conditions set forth in the Cost Share Agreement, dated May 2009, on file with the City Clerk as Document No. RR- 305242-2

3. That the Chief Financial Officer as delegated to Financial Management is authorized to appropriate and the City Comptroller is authorized to expend an amount not to exceed \$55,000 from the Storm Water Department Fiscal Year 2011 operating budget (Fund No. 100000 / Cost Center No. 2114120011) for the City's share of work to be completed under the Chollas Creek TMDL Implementation Plan and the Cost Share Agreement in Fiscal Year 2011, provided that the Chief Financial Officer certifies that such funds are available for this purpose.

4. That the Chief Financial Officer is authorized to accept reimbursement of a total of \$84,651 representing the shared costs for Fiscal Years 2010 and 2011 contributed from the County of San Diego, California Department of Transportation, U.S. Navy, San Diego Unified Port District, City of La Mesa, and City of Lemon Grove, as their shares for said period under the Cost Share Agreement, and to deposit such reimbursement into the General Fund (Fund No. 100000).

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Frederick M. Ortlieb
Deputy City Attorney

FMO:mb
08/18/09
Or.Dept:StormWater
R-2010-55


I hereby certify that the foregoing resolution was passed by the Council of the City of San Diego,
at its meeting of SEP 15 2009.

ELIZABETH S. MALAND, City Clerk

By


Deputy City Clerk

Approved: 9-18-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor