

RESOLUTION NUMBER R- 316830

DATE OF FINAL PASSAGE JUN 18 2026

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE THE WATER RIGHTS AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE CITY OF POWAY AND RELATED ACTIONS.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. The City of San Diego owns multiple dams and reservoirs within the County of San Diego and holds water rights to the inflow and runoff at certain reservoirs. The Public Utilities Department (PUD) manages the City's water storage and accounts for the inflow and runoff of water into the City's reservoirs.

B. On October 23, 1968, the City entered into an agreement with the City of Poway (Poway) after a dispute arose when Poway began diverting water inflow otherwise intended for Lake Hodges and owned by the City. The agreement recognized the City's prior rights to the inflow and required Poway to compensate the City for diverted inflow (1968 Agreement).

C. The 1968 Agreement was last enforced in 1993 and needs to be updated to reflect current and future reservoir operations, including potential changes to the Hodges Dam.

D. PUD is requesting approval of an agreement replacing the 1968 Agreement in which Poway will provide compensation to the City for diverted water and maintain a meter measuring the amount of water diverted (Agreement).

E. Poway also agrees to pay the City \$534,266 to satisfy the back-owed amounts diverted under the 1968 Agreement for years 2017 through 2025.

F. The City agrees to reduce Poway's future amounts owed should water be released at the Hodges reservoir due to state-mandated dam elevation restrictions for a period not to exceed ten years or a new or rehabilitated dam is completed, whichever occurs first.

G. On April 21, 2026, Poway City Council approved the Agreement and authorized the payment of \$534,266 to the City.

H. The Office of the City Attorney prepared this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

ACTION ITEMS

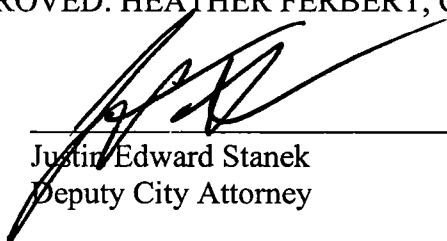
Be it resolved by the Council of the City of San Diego:

1. The Council authorizes the Mayor, or designee, to execute the Agreement with Poway for the City to receive annual compensation related to the diversion of water inflow at Hodges Dam and impounded by Poway. When signed by both parties, the Agreement will be placed on file in the Office of the City Clerk as Document No. RR- 316830.

2. The Chief Financial Officer is authorized to accept, record, and deposit revenue due from Poway in the amount of \$534,266, into the Water Utility Operating Fund 700011, in satisfaction of the water diverted from 2017 to 2025 under the 1968 Agreement.

3. The Chief Financial Officer is authorized to accept, record, and deposit any future revenue due the City from Poway to the Water Utility Operating Fund 700011 or other appropriate water fund account.

APPROVED: HEATHER FERBERT, City Attorney

By  _____
Justin Edward Stanek
Deputy City Attorney

JES:cw
May 26, 2026
Or.Dept: Public Utilities
CC No.: N/A
Doc. No.: 4441518

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on JUN 16 2026.

DIANA J.S. FUENTES
City Clerk

By  _____
Deputy City Clerk

Approved: 6/18/26 _____
(date)

 _____
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 1 6 2026, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 1 8 2026.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *W. By*, Deputy

Office of the City Clerk, San Diego, California
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