

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING AN AGREEMENT BETWEEN
THE CITY OF CHULA VISTA AND SAN DIEGO COUNTY
SANITATION DISTRICT WHICH SHALL EXTEND THE
DURATION OF THE CITY'S WASTEWATER
TRANSPORTATION CAPACITY RIGHTS IN THE SPRING
VALLEY OUTFALL SEWERAGE SYSTEM

WHEREAS, by virtue of a change of organization approved by the San Diego Local Agency Formation Commission (LAFCO), effective July 1, 2010, the San Diego County Sanitation District ("District") is the successor agency to the Spring Valley Sanitation District ("Spring Valley"); and

WHEREAS, the District owns, operates and maintains the Spring Valley Outfall Sewerage System (SVOSS) for the purpose of collecting and transporting sewage from the District and certain other municipalities and districts (including portions of the cities of Lemon Grove, National City, Chula Vista, San Diego, La Mesa, and the Rancho San Diego community) to the City of San Diego's Metropolitan Sewerage System (hereinafter "Metro System") for treatment and disposal purposes; and

WHEREAS, the SVOSS includes the Spring Valley Outfall Sewer (Outfall Sewer), a sewer segment approximately 8.7 miles long located within the Sweetwater River Basin that runs from the intersection of Jamacha Boulevard and Sweetwater Road in Spring Valley, to a point of connection with the Metropolitan Sewerage System located near the junction of Interstate 5 and State Route 54; and

WHEREAS, the City owns, operates and maintains portions of a sewerage system within the Sweetwater Basin for the purpose of collecting and transporting sewage from the northerly portions of the City and certain other districts to the Metro System via SVOSS, and the City has been leasing transportation capacity in the SVOSS since May 9, 1964; and

WHEREAS, The most recent lease agreement entitled "Agreement between the City of Chula Vista and the Spring Valley Sanitation District for the Transportation of Wastewater in the Spring Valley Joint System" dated May 20, 1997, expired on June 30, 2013 (hereinafter "Lease Agreement"), and the District finds that City may again lease capacity rights in the SVOSS without impairing its usefulness; and

WHEREAS, the City and District are parties to the "Regional Wastewater Disposal Agreement between the City of San Diego and the Participating Agencies in the Metropolitan Sewerage System" filed on May 18, 1998 as Document No. 00-18517 with the City Clerk of the City of San Diego (hereinafter "Regional Wastewater Disposal Agreement"); and

WHEREAS, in accordance with the Regional Wastewater Disposal Agreement,

the City and District have the right to discharge wastewater up to established limits into the Metro System, hereinafter referred to as "Metro Capacity Rights; and

WHEREAS, It is recognized that there exist certain additional agreements between the parties hereto related to the transportation of sewage that ultimately flows through the SVOSS, Including the "Agreement between the City of Chula Vista and Spring Valley Sanitation District for the Connection of City's Proctor Valley Road Sewer to District's Frisbie Trunk" dated July 20, 1999 and the "Agreement between the City of Chula Vista and Spring Valley Sanitation District for a new 8" Connection from the Church of the Good Shepherd to Chula Vista's Bonita Road Sewer and Recorded Flow Adjustment" dated March 24, 2009; and

WHEREAS, this agreement will retain the same cooperative spirit of the previous agreements and will set limits in relation to sewer transportation charges and capacity rights not to exceed an equitable allocation for the maintenance, operation, and capital replacement costs for the Spring Valley Outfall Sewerage System (SVOSS); and

WHEREAS, this Sewage Transportation Agreement between the District and the City override, supersede, and replace both of these existing agreements described above, and maintains capacity transportation rights requirement of proportional cost sharing in CIP and restriction on flow characteristic cost for each agency as intended in the original agreements; and

WHEREAS, The capacity limit set forth by the this Agreement for the agency discharging into the SVOSS (8.7 miles of 39" RCP Pipe) limit the City's Tributary to discharge peak flow into the SVOSS to 17.64 cubic feet per second; Church of the Good Shepherd is limited to discharging 2,120 gallons per day of sewer into the 330' long 10" diameter pipe of the City sewer trunk; and City has no limit for discharging sewer into the 1.8 mile long, 15" diameter Frisbie sewer trunk; and

WHEREAS, The agreement is limited to 15 years; however, the lease will be automatically extended upon written notice from the District, such that this total Agreement term is coterminous with the Regional Wastewater Disposal Agreement ; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the "Sewage Transportation for Spring Valley Outfall Sewerage System" between the City of Chula Vista and the District, in the form presented, with such minor modifications as may be required or approved by the City Attorney and authorizes and directs the City Manager to execute said Agreement.

Presented by

Approved as to form by

Richard A. Hopkins

Glen R. Googins