

RESOLUTION NO. 88-5

RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY  
AMENDING ITS ESTABLISHED POLICY REGARDING URBAN  
RUNOFF PROTECTION FOR THE SWEETWATER RESERVOIR

WHEREAS, after considerable study and deliberation,  
the Authority adopted Resolution No. 84-8 on May 23, 1984;  
and

WHEREAS, said Resolution required persons seeking  
to develop lands within the Sweetwater watershed to pay  
fees for the purpose of constructing improvements to mitigate  
the impacts from the urban runoff from urban development  
within the watershed; and

WHEREAS, the Authority seeks to clarify said resolution.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Governing  
Board of the Sweetwater Authority as follows:

1. Resolution No. 84-8 is hereby amended by adding  
and deleting the words as indicated on Exhibit A attached  
hereto.

2. "Resolution 84-8 As Amended-Resolution of the  
Governing Board of the Sweetwater Authority establishing  
its policy regarding urban runoff protection for the Sweetwater  
Reservoir" is hereby adopted to amend and replace Resolution  
No. 84-8 as it was adopted on May 23, 1984.

3. Resolution No. 84-8, As Amended, is adopted in  
the form attached hereto as Exhibit "B".

PASSED AND ADOPTED at a meeting of the Governing Board  
of the Sweetwater Authority held April 27, 1988, by the  
following vote:

AYES: Directors Pocklington, Waters, Welsh, Steele, Smith  
Jarrett and Wright

NOES: None

ABSENT: None

  
Chairman of the Governing Board

ATTEST:

  
Secretary of the Governing Board

RESOLUTION NO. 84-8  
RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY  
ESTABLISHING ITS POLICY REGARDING URBAN RUN-OFF  
PROTECTION FOR THE SWEETWATER RESERVOIR

WHEREAS, soon after the South Bay Irrigation District acquired and Sweetwater Authority took over operation of the water system, including the Sweetwater Reservoir, The California Department of Health Services advised the Authority that long-range planning to prevent degradation of water quality in the Sweetwater Reservoir caused by urbanization of the watershed should be implemented immediately; and

WHEREAS, the Authority commenced said planning in 1978 and has obtained as a condition on all subdivision maps, ~~and~~ specific plans [AND CERTAIN OTHER PROJECTS REQUIRING DISCRETIONARY OR OTHER APPROVALS PRIOR TO] ~~for~~ developments within the watershed, a requirement that the applicant satisfy the Authority with respect to protection of the Sweetwater Reservoir from urban run-off to mitigate the impact of its development; and

WHEREAS, the Authority has required one developer to construct a facility to mitigate adverse impacts of its development; and

WHEREAS, pursuant to an agreement with Rancho San Diego, the Authority retained the engineering firm of Luke-Dudek to conduct an Urban Run-Off Study to present the alternatives for run-off facilities to mitigate the adverse affects from the urban development within the watershed and then conduct a Design Study of the alternative selected by the Authority; and

WHEREAS, Luke-Dudek submitted a comprehensive Urban Run-Off Study to the Authority which attempted to predict the impact on the Sweetwater Reservoir from urban [AND OTHER] development [OR LAND USE] in its watershed and listed several alternatives for mitigating said impact; and

WHEREAS, the Authority received said study and, after consideration, on October 28, 1981, selected an alternative and authorized Luke-Dudek to proceed with a Preliminary Design Study on said alternative; and

WHEREAS, on September 16, 1982, Luke-Dudek submitted its "Design Study, Urban Run-Off Control Facilities, Sweetwater Reservoir" containing its preliminary design plans for the alternative facility selected by the Authority; and

WHEREAS, the Authority has received the report and studied the report but has not yet formalized plans for such a facility; and

WHEREAS, the Authority has diligently analyzed the preliminary plans, the cost of such facility, the methods of financing such a facility, the potential development [AND LAND USE] in the watershed and the ownership of land within the watershed; and

WHEREAS, the Authority continues to study the facility and the methods to finance this [FACILITY]-development; and

WHEREAS, the Authority has estimated that the cost of the facility which is currently recommended by the staff is approximately \$9.1 million; and

WHEREAS, the Authority has determined that approximately thirty percent of the area to be developed in the watershed has been developed [OR IS DEVOTED TO USES WHICH ADVERSELY IMPACT SWEETWATER RESERVOIR]; and

WHEREAS, the Authority proposes to pay an amount equal to \$3 million to cover the cost of its proposed urban run-off facility which is an amount equal to the share imposed by existing developments [AND LAND USES] and to recover the remaining costs from new developments [AND LAND USES] within the watershed.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Governing Board of the Sweetwater Authority as follows:

1. The Authority has formally received the Design Study prepared by Luke-Dudek, Civil Engineers, dated September 1, 1982.
2. The Authority has tentatively determined to reduce the scope of the facility contained in said Design Study.
3. The Authority estimates that the cost of the facility including capitalized operation and maintenance will be approximately \$9.1 million.
4. The Authority, in an effort to inform developers [AND LAND OWNERS] within the watershed of their potential obligations as tentatively determined, estimates that it must obtain \$5.7 million towards the cost of the facility from developments [AND LAND USES] within the watershed as described in the Design Study.
5. The Authority estimates that to obtain said funds it will require the payment by developments [AND LAND USES] in the watershed of approximately \$300 per dwelling unit or equivalent dwelling unit as adjusted for inflation.
6. The Authority, in accordance with this estimate and in an effort to obtain said funds, will enter into agreements with developers [AND LANDOWNERS] requiring the payment of \$300 per unit as adjusted for inflation in paragraph 7 below. In the event that

any land called for in the [A] development [OR OTHER LAND USE] is to be developed for commercial, industrial ~~or~~ [OR OTHER USES WHICH ADVERSELY IMPACT SWEETWATER RESERVOIR], transitory residential uses, including motels and hotels, the fee shall be as follows: one acre of said development [OR LAND USE] ~~which shall include~~ [INCLUDING ALL] ~~area~~ [AREAS] occupied by parking, buildings, [GOLF COURSES, PLAYGROUNDS, RECREATION FIELDS, COMMERCIAL EQUESTRIAN OPERATIONS, OR OTHER IMPROVED OPEN SPACE], landscaping and driveways [BUT NOT THE AREA OF ANY ROAD OR STREET DEDICATIONS OR IRREVOCABLE OFFERS TO DEDICATE] shall constitute 2.9 equivalent dwelling units. The developer shall pay \$300 as adjusted in paragraph 7 per equivalent dwelling unit.

7. Each of the cash payments referred to in paragraph 6 above, shall be increased by the same percentage as any increase in the Construction Cost Index for Los Angeles published by the Engineering News Record which occurs between April 1, 1984 and the date of such cash payment agreed to between the developer and the Authority. In the event the aforementioned Index ceases to be published, or is materially modified, the Authority shall select a replacement index with similar construction costs parameters.

PASSED AND ADOPTED at a meeting of the Governing Board of the Sweetwater Authority held May 23, 1984 by the following vote:

AYES: Directors Smith, Wright, Zogob, Steele, Colvin and Welsh  
NOES: None  
ABSENT: Director Morgan

Chairman of the Governing Board

ATTEST:

Secretary of the Governing Board

RESOLUTION NO. 84-8 AS AMENDED

RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY  
ESTABLISHING ITS POLICY REGARDING URBAN RUNOFF  
PROTECTION FOR THE SWEETWATER RESERVOIR

WHEREAS, soon after the South Bay Irrigation District acquired and Sweetwater Authority took over operation of the water system, including the Sweetwater Reservoir, The California Department of Health Services advised the Authority that long-range planning to prevent degradation of water quality in the Sweetwater Reservoir caused by urbanization of the watershed should be implemented immediately; and

WHEREAS, the Authority commenced said planning in 1978 and has obtained as a condition on all subdivision maps, specific plans and certain other projects requiring discretionary or other approvals prior to development within the watershed, a requirement that the applicant satisfy the Authority with respect to protection of the Sweetwater Reservoir from urban runoff to mitigate the impact of its development; and

WHEREAS, the Authority has required one developer to construct a facility to mitigate adverse impacts of its development; and

WHEREAS, pursuant to an agreement with Rancho San Diego, the Authority retained the engineering firm of Luke-Dudek to conduct an Urban Runoff Study to present the alternatives

for runoff facilities to mitigate the adverse affects from the urban development within the watershed and then conduct a Design Study of the alternative selected by the Authority; and

WHEREAS, Luke-Dudek submitted a comprehensive Urban Runoff Study to the Authority which attempted to predict the impact on the Sweetwater Reservoir from urban and other development or land use in its watershed and listed several alternatives for mitigating said impact; and

WHEREAS, the Authority received said study and, after consideration, on October 28, 1981, selected an alternative and authorized Luke-Dudek to proceed with a Preliminary Design Study on said alternative; and

WHEREAS, on September 16, 1982, Luke-Dudek submitted its "Design Study, Urban Runoff Control Facilities, Sweetwater Reservoir" containing its preliminary design plans for the alternative facility selected by the Authority; and

WHEREAS, the Authority has received the report and studied the report but has not yet formalized plans for such a facility; and

WHEREAS, the Authority has diligently analyzed the preliminary plans, the cost of such facility, the methods of financing such a facility, the potential development and land use in the watershed and the ownership of land within the watershed; and

WHEREAS, the Authority continues to study the facility and the methods to finance this facility; and



WHEREAS, the Authority has estimated that the cost of the facility which is currently recommended by the staff is approximately \$9.1 million; and

WHEREAS, the Authority has determined that approximately thirty percent of the area to be developed in the watershed has been developed or is devoted to uses which adversely impact Sweetwater Reservoir; and

WHEREAS, the Authority proposes to pay an amount equal to \$3 million to cover the cost of its proposed urban runoff facility which is an amount equal to the share imposed by existing developments and land uses and to recover the remaining costs from new developments and land uses within the watershed.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Governing Board of the Sweetwater Authority as follows:

1. The Authority has formally received the Design Study prepared by Luke-Dudek, Civil Engineers, dated September 1, 1982.

2. The Authority has tentatively determined to reduce the scope of the facility contained in said Design Study.

3. The Authority estimates that the cost of the facility including capitalized operation and maintenance will be approximately \$9.1 million.

4. The Authority, in an effort to inform developers and landowners within the watershed of their potential obligations as tentatively determined, estimates that it must obtain \$5.7 million toward the cost of the facility from developments and land uses within the watershed as

described in the Design Study.

5. The Authority estimates that to obtain said funds it will require the payment by developments and land uses in the watershed of approximately \$300 per dwelling unit or equivalent dwelling unit as adjusted for inflation.

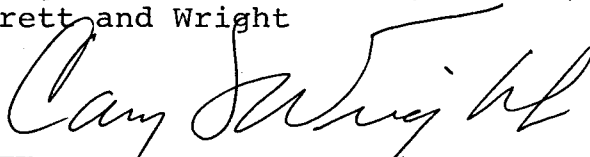
6. The Authority, in accordance with this estimate and in an effort to obtain said funds, will enter into agreements with developers and landowners requiring the payment of \$300 per unit as adjusted for inflation in paragraph 7 below. In the event that any land called for in a development or other land use is to be developed for commercial, industrial or other uses which adversely impact Sweetwater Reservoir, transitory residential uses, including motels and hotels, the fee shall be as follows: one acre of said development or land use including all areas occupied by parking buildings, golf courses, playgrounds, recreation fields, commercial equestrian operations, or other improved open space, landscaping and driveways but not the area of any road or street dedications or irrevocable offers to dedicate shall constitute 2.9 equivalent dwelling units. The developer shall pay \$300 as adjusted in paragraph 7 per equivalent dwelling unit.

7. Each of the cash payments referred to in paragraph 6 above, shall be increased by the same percentage as any increase in the Construction Cost Index for Los Angeles published by the Engineering News Record which occurs between

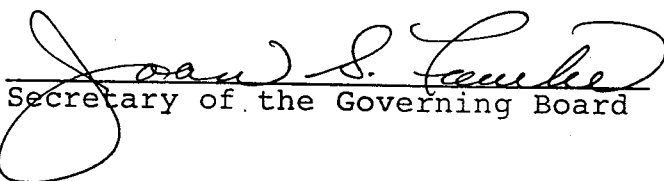
April 1, 1984 and the date of such cash payment agreed to between the developer and the Authority. In the event the aforementioned Index ceases to be published, or is materially modified, the Authority shall select a replacement index with similar construction costs parameters.

PASSED AND ADOPTED at a meeting of the Governing Board of the Sweetwater Authority held April 27, 1988, by the following vote:

AYES: Directors Pocklington, Waters, Welsh, Steele, Smith,  
NOES: None Jarrett and Wright  
ABSENT: None

  
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Chairman of the Governing Board

ATTEST:

  
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Secretary of the Governing Board