

RESOLUTION NO. 2024-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, AMENDMENT NO. 1 TO THE 2003 AGREEMENT RELATING TO SUPPLEMENTAL WATER AMONG THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, THE SAN LUIS REY SETTLEMENT PARTIES, AND THE UNITED STATES

WHEREAS, the City of Escondido (“City”) is a party to the 2017 San Luis Rey Water Rights Settlement Agreement (“Settlement Agreement”) and the 2003 Agreement Relating to the Supplemental Water Among the Metropolitan Water District of Southern California, the San Luis Rey Settlement Parties, and the United States (“MWD Exchange Agreement”); and

WHEREAS, the San Luis Rey Indian Water Rights Settlement Act authorized the United States to permanently furnish the San Luis Rey Settlement Parties: (1) a supply of up to 16,000 acre-feet of water conserved annually by lining certain previously unlined portions of the All-American Canal and its Coachella Branch or by constructing new canals, and (2) a permanent supply of power capacity and energy through the Yuma Area Contractors at no cost and at no further expense to the United States, the Settlement Parties, or the Indian Water Authority to transport the Supplemental Water; and

WHEREAS, the Yuma Area Contractors wish to terminate the Financial Mechanism Agreement and enter into Amendment 1 to directly furnish power capacity and energy sufficient to convey 16,000 acre-foot of water annually and permanently, at no cost and no further expense to the United States, the Indian Water Authority, the San Luis Rey Settlement Parties, and Metropolitan in an amount not to exceed seven MW of capacity and 32,000 MWh of energy annually at Parker instead of Gene Tie 230-V; and

WHEREAS, the Agreement Relating to Supplemental Water may be amended pursuant to Section 14 thereof, generally, and Section 4.b.1 specifically anticipates possible changes to the location where electrical energy provided by the Yuma Area Contractors is furnished to Metropolitan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the City Council authorizes the Mayor to execute, on behalf of the City, Amendment No. 1 to the 2003 Agreement Relating to Supplemental Water Among the Metropolitan Water District of Southern California, the San Luis Rey Settlement Parties, and the United States in substantially the same format as Exhibit "A", which is attached hereto and incorporated by this reference, subject to final approval as to form by the City Attorney.