

1
2 BEFORE THE CITY COUNCIL OF THE CITY OF AMADOR CITY

3 IN THE MATTER OF:

4 RESOLUTION OF INTENTION TO APPROVE) RESOLUTION NO.
5 AMENDMENT TO CITY OF AMADOR CITY'S) 233
6 PARTICIPATION IN ARSA AND RELATED)
SEWAGE DISPOSAL CONTRACTS)

7 WHEREAS, the Amador Regional Sanitation Authority
8 ("ARSA" hereinafter) is a joint powers authority composed of
9 the County of Amador, City of Jackson, City of Sutter Creek,
10 and City of Amador City ("County", "Jackson", "Sutter
11 Creek", and "Amador City" hereinafter) formed to implement
12 the regional wastewater outfall described in Supplement 2 to
13 Appendix "L" of the Amador County Regional Wastewater
14 Management Plan (the "Regional Outfall" hereinafter); and

15 WHEREAS, County, as nominee for the members of ARSA,
16 formed on July 20, 1978, a contract with the State of
17 California Department of Youth Authority ("Youth Authority"
18 hereinafter) to construct a pipeline to replace an existing
19 open ditch and to transport wastewater therewith from the
20 Sutter Creek treatment plant on Sutter Creek through
21 Henderson Reservoir and the Preston Forebay to the Youth
22 Authority's facility at Preston for industrial use thereat,
23 and also through Preston Reservoir for disposal at a two
24 hundred fifty (250) acre parcel adjoining Preston and
25 belonging to Youth Authority, where said wastewater is used
26 for agricultural irrigation (the "Preston Farmlands"
27 hereinafter), thus creating the physical system comprising
28 the Regional Outfall; and

WHEREAS, City has ratified said contract; and

1 WHEREAS, ARSA and Youth Authority have agreed to
2 County's assignment of said contract from County to ARSA;
3 and
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5 WHEREAS, Amador City and Sutter Creek entered into a
6 contract to transport Amador City's wastewater to Sutter
7 Creek's treatment plant and for Sutter Creek to treat said
8 wastewater thereat and to dispose of said wastewater, which
9 is through the Regional Outfall, for certain consideration
10 all as set forth therein; and

11 WHEREAS, Jackson desires to terminate its participation
12 in ARSA and to discharge its wastewater directly from an
13 improved treatment plant directly into Jackson Creek; and

14 WHEREAS, Amador City and Sutter Creek desire to
15 continue said contract; and

16 WHEREAS, Sutter Creek, Amador City and County desire to
17 continue to operate ARSA without Jackson's participation;
18 and

19 WHEREAS, the Regional Water Quality Control Board,
20 which has jurisdiction over wastewater discharge throughout
21 the County, has indicated that it will allow Jackson to
22 discharge directly into Jackson Creek if (a) the overall
23 cost of all the facilities in the regional plan constructed
24 or to be constructed with grant funds will be the same or
25 less as a result of Jackson's proposal, and (b) the
26 remaining parties to ARSA; i.e., County, Sutter Creek, and
27 Amador City, do not bear a higher cost of disposing of their
28 wastewater as a result of Jackson's proposal;

 BE IT RESOLVED by the City Council of the City of

1 Amador City that the proposal by Jackson to discharge into
2 Jackson Creek now pending before the Regional Water Quality
3 Control Board be and hereby is approved in principle by this
4 City Council, provided that the following conditions are met
5 before said approval by said Regional Board becomes
6 effective:

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8 1. Youth Authority, General Services Administration
9 and ARSA shall agree to amend the contract between the Youth
10 Authority and County which has been assigned to ARSA, dated
11 July 20, 1978, as described above. Said agreement to
12 terminate shall be on the terms and conditions set forth in
13 Attachment "A" hereto, which attachment is incorporated
14 herein by reference as though set forth in full.

15 3. Jackson agrees to terminate its participation in
16 ARSA on the terms and conditions set forth in Attachment
17 "B", which attachment is incorporated herein by reference as
18 though set forth in full.

19 4. The remaining members of ARSA; i.e., County, Sutter
20 Creek, and Amador City, agree to amend the joint powers
21 agreement retaining ARSA without Jackson as a party, on the
22 terms and conditions set forth in Attachment "C", which
23 attachment is incorporated herein by reference as though set
24 forth in full.

25 5. Regional Water Quality Control Board agrees that as
26 a result of the amendments contemplated herein no grant
27 funds received for any facility built pursuant to the
28 regional concept set forth in Appendix "L" of the Amador
County Wastewater Management Plan shall be required to be

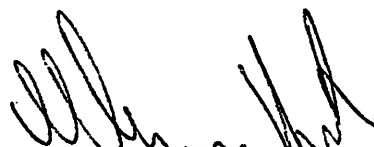
1 repaid by any member of ARSA and warrants that the United
2 States Environmental Protection Agency shall not require any
3 said reimbursement therefor; and
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5 The foregoing resolution was duly passed and adopted by
6 the City Council of the City of Amador City at a regular
7 meeting thereof held on the 10 day of Nov, 1983,
8 by the following vote:

9 AYES:

10 NOES:

11 ABSENT:

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Mayor, City of Amador City

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15 _____
16 city clerk
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