

City of Sacramento

Legislation Details (With Text)

File #: 2021-00197 **Version:** 1
Type: Consent Item **Status:** Agenda Ready
File created: 2/11/2021 **In control:** City Council - 5PM
On agenda: 4/6/2021 **Final action:** 12/31/2023
Title: American River Common Interest Agreement

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Title:

American River Common Interest Agreement

File ID: 2021-00197

Location: Citywide

Recommendation:

Pass a Motion authorizing the City Manager or the City Manager's designee to approve a not to exceed amount of \$56,000 for services performed under the American River Common Interest Agreement to protect City of Sacramento water rights.

Contact: Anne Sanger, Government Affairs Manager, (916) 808-1635; William O. Busath, Director, (916) 808-1434, Department of Utilities

Presenter: None

Attachments:

1-Description/Analysis

2-American River Common Interest Agreement (CIA)

Description/Analysis

Issue Detail: This multi-agency Common Interest Agreement (CIA) needs to be executed by all the parties in order to be prepared for any possible action by the California State Water Resources Control Board. The total obligation of the partners to the agreement shall not exceed \$500,000 total with the City of Sacramento's portion not to exceed \$56,000 total for the life of the agreement unless

amended. This is an on-going contract until the parties terminate it.

Policy Considerations: Participation in Joint Powers and CIAs is consistent with a number of General Plan policies. The total amount of the CIA is \$500,000, which requires City Council approval pursuant to section 3.04.020 of the Sacramento City Code.

Economic Impacts: None

Environmental Considerations: Participation in this Common Interest Agreement has been determined to not be considered a “project” under the California Environmental Quality Act (CEQA) Guidelines. The action is a continuing administrative activity and an organizational or administrative activity that will not result in direct or indirect physical changes in the environment [CEQA Guidelines section 15378 (b) (2 and 5)] and is not subject to CEQA [CEQA Guidelines Section 15060(c)(3)].

Sustainability: The approval of this agreement is consistent with the 2035 General Plan Policies: U 2.1.1 (Exercise and Protect Water Rights) which requires the City of Sacramento (City) to exercise and protect its water rights and entitlements in perpetuity.

Commission/Committee Action: Not Applicable

Rationale for Recommendation: In partnering with other agencies, the City is pooling its staff and financial resources regionally to engage in legislative or regulatory matters that will improve its water supply reliability, maintain its water entitlements, and improve efficiency by reducing costs. Additional rationale is provided in the background section.

Financial Considerations: Sufficient funding exists in the Department of Utilities Fiscal Year 2020 /21 Operating Budget to cover the City’s portion of the agreement. Future payments, if necessary due to possible amendments of the agreement will be subject to available funding in the applicable fiscal year.

There are no General Funds allocated or planned for this project.

Local Business Enterprise (LBE): No goods or services are being purchased.

Background: American River Common Interest Agreement (CIA) - The parties to this agreement are cooperating on efforts to protect their water rights and water supplies, and to analyze, review, and comment on various proposals that could affect or impair those water rights and supplies. Those proposals include but are not limited to the State Water Resources Control Board (SWRCB) development of amendments to the Bay-Delta Water Quality Control Plan (WQCP) and implementation of any such amendments. One or more of these proposals may result in adversarial quasi-legislative or quasi-judicial administrative proceedings and litigation in state or federal courts or

both.