

City of Sacramento

Legislation Text

File #: 2019-01095, **Version:** 1

Title:

Authority to Make Payments to Various Joint Powers Authorities, Agreements and Cost Sharing Agreements and Enter into a Cost Share Agreement with Regional Water Authority

File ID: 2019-01095

Location: Citywide

Recommendation:

Pass a Motion authorizing the City Manager or the City Manager's designee to approve: 1) payments of up to \$75,000 for annual dues to the Regional Water Authority (RWA) for Fiscal Year (FY) 2019/20 per the Joint Exercise of Powers Agreement (2019-0786); 2) annual payments of up to \$10,706 to the RWA per the Landscape Imagery Project (2019-0787) for FY 2018/19; 3) payments of up to \$40,000 to the RWA per the Regional Water Efficiency Program (2007-0122) for FY 2019/20; 4) payments of up to \$172,156 for FY 2019/20 for annual dues to the Joint Powers Agreement (2000-074A) creating the Sacramento-Groundwater Authority; 5) payments of up to \$25,000 to the Northern California Water Association for services performed under the Joint Defense and Expert Cost Sharing Agreement (CSA) (2013-0773); 6) payments of up to \$40,000 for annual dues, per Sites Project Authority Joint Exercise of Powers Agreement (2018-0738), for FY 2018/19 and FY 2019/20; and 7) enter into a CSA with RWA to prepare an Integrated Regional Water Management Plan Grant application for a not-to-exceed amount of \$3,120 and authorize acceptance of the grant if awarded.

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Presenter: None

Attachments:

- 1-Description/Analysis
- 2-2019-0786 Joint Exercise of Powers Agreement - RWA
- 3-2019-0787 Landscape Imagery Project Agency Agreement - RWA
- 4-2007-0122 Regional Water Efficiency Program - RWA
- 5-2000-074A Sacramento Groundwater Authority JPA
- 6-2013-0773 Joint Defense and Expert Cost Sharing Agreement - Northern California Water Association
- 7-2018-0738 Sites Project Authority Joint Exercise of Powers Agreement

8-CSA for Integrated Regional Water Management Plan (IRWMP) Grant Application - RWA

Description/Analysis

Issue Detail: The Department of Utilities (DOU) is a partnering member of a number of Joint Power Authorities and regional partnering programs to perform regional water management. Annual dues and fees are required to maintain the City role in these programs.

The specific Agreement payments are listed here and described more thoroughly in the Background section of this report below:

- Regional Water Authority (RWA) Membership Dues (2019-0786)
- RWA Landscape Imagery Project (2019-0787)
- RWA Water Efficiency Program (2007-0122)
- Sacramento Groundwater Authority Membership Dues (2000-074A)
- Northern California Water Association (NCWA) Joint Defense and Expert Cost Share Agreement (2013-0773)
- Sites Project Authority Joint Exercise of Powers Agreement (2018-0738)

RWA has also identified grant funding under the Integrated Regional Water Management Plan (IRWMP) program that may be available to the City and other partners. Efficient preparation of a grant application by RWA will require a new cost sharing agreement.

Policy Considerations: Participation in Joint Powers and CSAs is consistent with a number of General Plan policies described further in the Background section.

Economic Impacts: None.

Environmental Considerations: The Community Development Department, Environmental Planning Services has reviewed the proposed agreement and has determined that it is not considered a “project” under the California Environmental Quality Act (CEQA) Guidelines. The approval of this agreement is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment (CEQA Guidelines section 15378 (b)).

Sustainability: Not applicable.

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 DOU FY 2018/19 FY 2019/20 Operating Budgets. Future payments under the agreements will be subject to available funding in the applicable fiscal year. There are sufficient funds available in the Groundwater Rehabilitation Program (Z14110100) to approve the IRWMP grant application cost share of \$3,120.

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

Local Business Enterprise (LBE): Not applicable.

Background: Staff requests authorization for the following payment obligations:

RWA Membership Dues - The City joined the RWA Joint Exercise of Powers Agreement 2019-0787 to serve and represent the regional water supply interests and assist the members of the RWA in protecting and enhancing the reliability, availability, affordability, and quality of water resources. The agreement was restated in 2013. Approval of the dues is consistent with General Plan Policy U 2.1.1 (Exercise and Protect Water Rights) which requires the City to exercise and protect its water rights and entitlements in perpetuity and policy U 2.1.7 (Water Supply During Emergencies) which requires the City, to the extent feasible, maintain adequate water supply during emergencies.

RWA Landscape Imagery Project - In 2018, the RWA purchased aerial imagery services through the Sacramento Area Council of Governments. The purpose of the imagery is to estimate the quantity of water used outdoors and to prepare for complying with the requirements in AB 1668/SB 606. Approval is consistent with General Plan Policy U 2.1.11 (Water Conservation Programs) which requires the City to implement conservation programs that increase water use efficiency, including providing incentives for adoption of water efficiency measures.

RWA Water Efficiency Program - The City entered into City contract 2007-0122 in 2007 to provide school education, public outreach and other water conservation Best Management Practices utilizing widespread marketing. Approval is consistent with General Plan Policy U 2.1.11 (Water Conservation Programs) which requires the City to implement conservation programs that increase water use efficiency, including providing incentives for adoption of water efficiency measures.

Sacramento Groundwater Authority Membership Dues - The Sacramento Groundwater authority was established in 1998 to manage the groundwater basin north of the American River. Approval of the annual dues is consistent with General Plan Policy U 2.1.2 (Increase water supply sustainability), which requires the City to maintain a surface water/groundwater

conjunctive use program, which uses more surface water when it is available and more groundwater when surface water is limited, and Policy U 2.1.9 (New Development) which requires the City shall ensure that water supply capacity is in place prior to granting building permits for new development.

NCWA Joint Defense and Expert Cost Sharing Agreement - The Parties are cooperating on efforts to analyze, review, comment on and participate in various quasi-judicial, quasi-legislative, administrative and other regulatory proceedings related to the San Francisco Bay/Sacramento-San Joaquin Delta Estuary ("Bay-Delta"), which are reasonably likely to result in regulatory action affecting and/or litigation by, or against, the Parties. Approval of the payment is consistent with General Plan Policy U 2.1.1 (Exercise and Protect Water Rights) which requires the City to exercise and protect its water rights and entitlements in perpetuity.

Sites Project Authority Joint Exercise of Powers Agreement - The Sites Reservoir is an off-stream reservoir that will have the capacity to store up to 1.8 million acre-feet. City agreement 2018-0738 was established as the governing authority to implement the project. The purpose of the agreement is to establish an independent special agency to serve as a proponent and facilitator; to design the facility and potentially acquire property; and to construct, manage, govern, and operate Sites Reservoir and related facilities.

The City and Sacramento County Water Agency (SCWA) have entered into an agreement that allows for participation in the Authority will be on a rotational basis, with the City and SCWA participating for one-year terms while the agreement is in effect.

RWA Cost Share Agreement for Integrated Regional Water Management Plan (IRWMP) - RWA will prepare a grant application to California Department of Water Resources for Water Quality, Supply, and Infrastructure Improvement Act of 2014 ("Prop. 1") funds. The agreement will provide the City's cost share of preparing the application. If successful, the City could receive a grant estimated at one million dollars to perform improvements to City groundwater capital assets. These improvements would increase the City's ability to operate its groundwater wells and would benefit stable water supplies and a sustainable environment in the Lower American River Basin.

Approval of the CSA is consistent with General Plan Policy U 2.1.2 (Increase Water Supply Sustainability) requires the City to maintain a surface water/groundwater conjunctive use program.