



REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

Consent
April 7, 2009

Honorable Mayor and
Members of the City Council

**Title: Supplemental Agreement: Study program on the Lower American River
(Z14009100)**

Location/Council District: Citywide

Recommendation: Adopt a Resolution authorizing the City Manager to execute Supplemental Agreement No. 1 with HDR, to modify the existing professional services agreement (City Agreement no. 2008-1140) for Phase 1 of the project, to add the scope of services for Phase 2 of the project, and increase the not to exceed amount from \$25,000 to \$369,280 for the Study Program on the Lower American River (Z14009100).

Contact: David L. Brent, Engineering Services Manager, 808-1420; Dan R. Sherry, Special Projects Engineer, 808-1419

Presenters: Not applicable

Department: Department of Utilities

Division: Engineering Services

Organization No: 140001321

Description/Analysis

Issue: Provisions in the Water Forum Agreement, signed by the City in 2000, specify that the City is required to commence a study program on the lower American River after completing improvements to the City's water diversion and treatment facilities, which were completed in 2005. The purpose of the study program is to evaluate the impacts of using the additional diversion capacity added to the City's Fairbairn Water Treatment Plant on the public trust values of the lower

American River below the Plant.

HDR was selected to perform the study through a RFQ process. A Professional Services Agreement was issued to HDR on December 12, 2008, to complete Phase 1 of the study project that included developing an approach to conducting the flow study on the Lower American River (Phase 2). The Supplemental Agreement is to implement the Phase 2 work plan.

Policy Considerations: The City made a commitment to complete a flow study on the lower American River as part of the Water Forum Agreement signed in 2000.

Environmental Considerations: This study supports the City's commitment to the Water Forum co-equal objectives: to preserve the region's environmental crown jewel, the lower American River; and to provide a reliable water supply for planned development to the year 2030. Performance of the study does not constitute a project requiring environmental review under the California Environmental Quality Act (CEQA).

Sustainability Considerations: The City's study program on the Lower American River is consistent with the City's Sustainability Master Plan in advancing the goal of conserving the use and protection of sources of water.

Other: Not applicable

Commission/Committee Action: Not applicable

Rationale for Recommendation: The approval of the Supplemental Agreement to initiate Phase 2 of the study supports the City's commitment in the Water Forum Agreement to commence a study program on the lower American River.

Financial Considerations: The agreement not to exceed amount will be increased from \$25,000 to \$369,280. There is sufficient funding (Water Fund 6005) available in Z14009100 for this supplemental agreement.

Emerging Small Business Development (ESBD): HDR is not an ESBE, and was unable to provide ESBE participation through subcontracting due to the limited number of sub-consultants that specialized in stream studies of this nature.

Respectfully Submitted by:



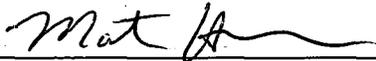
David L. Brent
Engineering Services Manager

Approved by:



Marty Hanneman
ACM/Director of Utilities

Recommendation Approved:



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Ray Kerridge
City Manager

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Attachment 1**Background**

The City of Sacramento diverts surface water from the Fairbairn Water Treatment Plant (FWTP), located on the lower American River downstream of Howe Avenue. Prior to adoption of the Water Forum Agreement in 2000, the maximum diversion capacity of the FWTP was 155 cfs. The City completed construction of its water supply expansion project in 2005, which provided an additional 155 cfs of FWTP capacity (the "Additional Diversion Capacity").

The Water Forum Agreement imposes the following restrictions (the "Additional Diversion Capacity Restrictions") on the City's use of the Additional Diversion Capacity for diversions from the lower American River at the FWTP:

1. The Additional Diversion Capacity may not be used during an "extremely dry year" (i.e., years in which the State of California Department of Water Resources [DWR] annual projected unimpaired inflow into Folsom Reservoir would be 550,000 Acre-Feet Annually (AFA) or less, also referenced as the March through November projected unimpaired flow into Folsom Reservoir being less than 400,000 acre feet). During an "extremely dry year", the City would limit its diversions of City Water at the FWTP to not greater than 155 cfs and not greater than 50,000 AFA.
2. In all other years, (i.e., when the DWR annual projected unimpaired runoff into Folsom Reservoir is greater than 550,000 AF, or the March through November projected unimpaired inflow into Folsom Reservoir is greater than 400,000 AF) the City may divert City Water at the FWTP in accordance with the following criteria.

(1) Diversion up to 310 cfs (200 mgd) so long as the flow bypassing the diversion at the FWTP is greater than the Hodge Flow Criteria. The Hodge Flow Criteria are:

- 2,000 cfs October 15 through February
- 3,000 cfs March through June
- 1,750 cfs July through October 14

(2) Whenever flow bypassing the diversion at the FWTP is less than the Hodge Flow Criteria, City diversions may not be greater than the following:

- January through May 120 cfs
- June through August 155 cfs
- September 120 cfs
- October through December 100 cfs

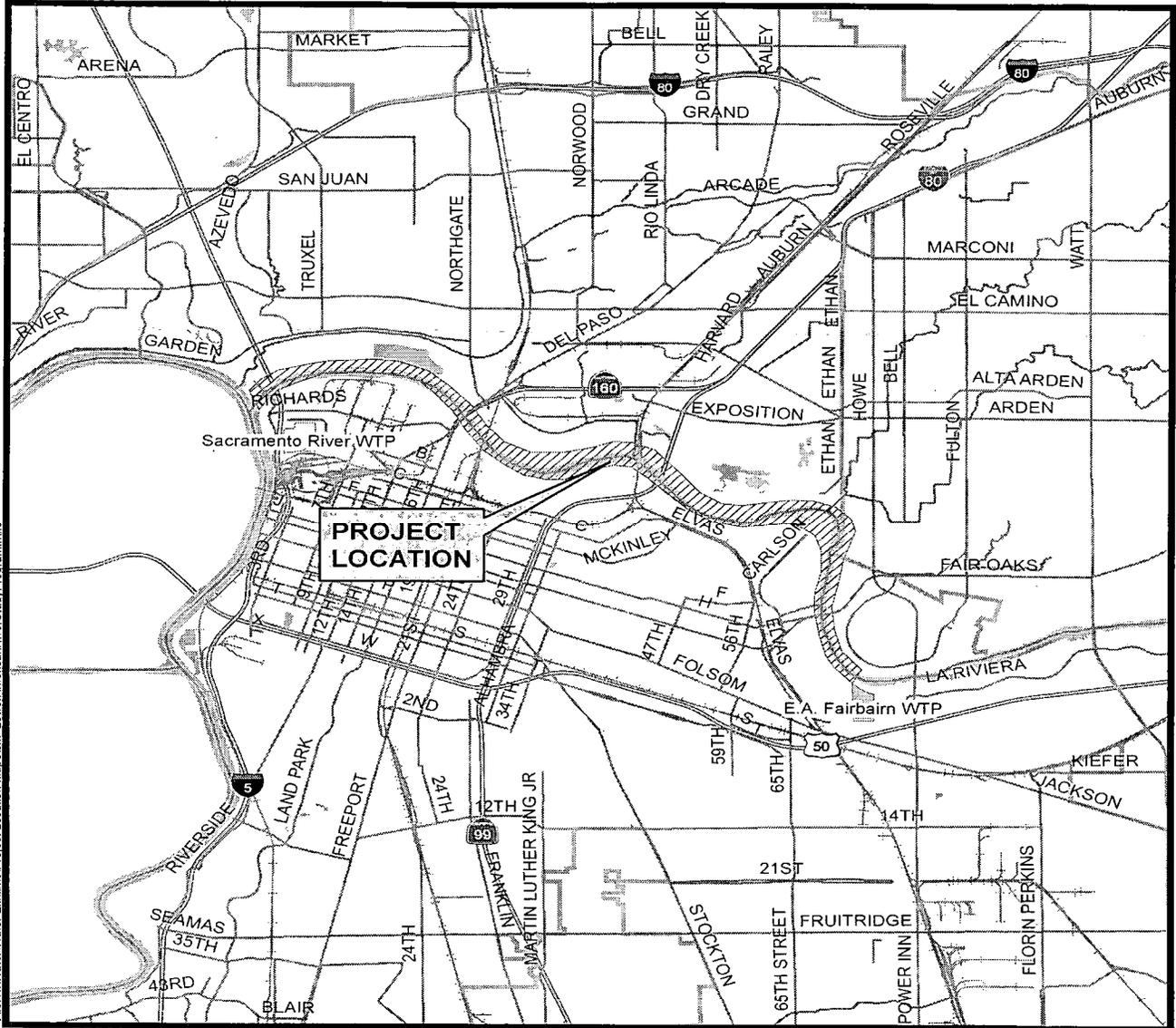
The Water Forum Agreement also includes provisions specifying that, after meeting the required environmental review and regulatory approval requirements associated with construction and implementation of the Additional Diversion Capacity, the City is required to commence a study program on the lower American River. The purpose of the study program is to monitor and evaluate the impacts of using the Additional Diversion Capacity on the public trust values of the lower American River below the FWTP. The results of the study will provide the information necessary to determine whether the current diversion restrictions should be modified to allow additional diversions, or whether the City's use of the Additional Diversion Capacity should be further restricted.

A Request for Qualifications (RFQ) was issued on August 20, 2008 that invited consultants to submit their experience in evaluating river ecosystems related to variable flows and water temperatures. Three firms submitted a Statement of Qualifications (SOQ) and their qualifications were reviewed by a panel of City and outside staff. All three firms were invited and participated in a formal interview process. Based on the interviews and SOQs, HDR was selected by the panel to prepare the study.

On December 12, 2008, the City awarded HDR a professional services agreement for \$25,000 to completed Phase 1 work. That work included developing an approach to conducting the flow study on the Lower American River. The proposed amendment to the Professional Services Agreement will implement the work plan for Phase 2 of the study project, including impact analysis on the river, evaluating different model scenarios based on river temperature and flows, assessing fisheries and aquatic resources, evaluating diversion opportunities and alternatives for the City, and project management.

ATTACHMENT 2

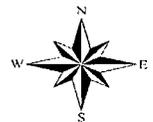
LOWER AMERICAN RIVER STUDY PROGRAM



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Map Prepared By
City of Sacramento
Department of Utilities



Attachment 3

RESOLUTION NO.

Adopted by the Sacramento City Council

APPROVAL OF SUPPLEMENTAL AGREEMENT WITH HDR FOR THE STUDY PROGRAM ON THE LOWER AMERICAN RIVER (Z14009100)

BACKGROUND

- A. The City of Sacramento diverts surface water from the Fairbairn Water Treatment Plant (FWTP), located on the lower American River downstream of Howe Avenue.
- B. The Water Forum Agreement imposes restrictions on the City's use of the FWTP capacity above 155 cfs for diversions from the lower American River.
- C. The Water Forum Agreement also requires the City to commence a study program on the lower American River to evaluate the ecological impacts of the FWTP diversions.
- D. The City issued a Request for Qualifications to develop and perform the study, and HDR was selected for the project by a panel of City and outside staff.
- E. On December 12, 2008, the City awarded HDR a Professional Services Agreement for \$25,000 to complete the Phase 1 work that included developing an approach to conducting the flow study on the Lower American River. City staff has negotiated a supplemental agreement with HDR to implement the work plan for Phase 2 of the study project, increasing the not to exceed amount from \$25,000 to \$369,280.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Manager is authorized to sign a Supplemental Agreement with HDR for the Study Program on the Lower American River (Z14009100), increasing the Agreement's not to exceed amount to \$369,280.