



City of Sacramento City Council

915 I Street, Sacramento, CA, 95814
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Meeting Date: 8/23/2011

Report Type: Consent

Title: Agreement: Cost Sharing FY2012-14 Water Forum Successor Effort

Report ID: 2011-00683

Location: Citywide

Recommendation: Adopt a Resolution authorizing the City Manager or his designee to execute an Inter-Agency Funding Agreement with the El Dorado County Water Agency for cost sharing the FY2012-FY2014 Revenue Budget of the Water Forum Successor Effort in the amount of \$9,009.

Contact: Sarah Foley, Program Manager, (916) 808-1997; Kathy Howard, Administrative Analyst, (916) 808-1995; City/County Office of Water Planning, Department of Utilities

Presenter: None

Department: Department Of Utilities

Division: C/Co Ofc Water Planning

Dept ID: 14001911

Attachments:

- 1- Description/Analysis
- 2 - Background
- 3 - Resolution
- 4 - Unexecuted Agreement Cover
- 5 - Agreement

City Attorney Review

Approved as to Form
Joe Robinson
8/1/2011 5:44:43 PM

City Treasurer Review

Prior Council Financial Policy Approval or
Outside City Treasurer Scope
Russell Fehr
7/26/2011 1:52:19 PM

Approvals/Acknowledgements

Department Director or Designee: Marty Hanneman - 7/29/2011 11:20:32 AM

Assistant City Manager: Cassandra Jennings - 8/1/2011 5:28:55 PM



Description/Analysis

Issue: Under the current Interagency Agreement (C2001-005) governing operations of the Sacramento City-County Office of Metropolitan Water Planning (CCOMWP), funding for the Water Forum Successor Effort (WFSE) is provided by water suppliers who are signatory to the Water Forum Agreement in accordance with a cost-sharing agreement.

Policy Considerations: The Water Forum Agreement (C1999-222), approved in FY1999/00, included a mechanism for a Water Forum Successor Effort to ensure actual implementation of the Agreement over the next three decades. The WFSE is being administered under the auspices of the CCOMWP. The WFSE continues the interest-based collaborative process successfully used to develop the Water Forum Agreement.

Environmental Considerations:

California Environmental Quality Act (CEQA): CEQA does not apply because approval of the proposed Resolution pertains to administrative activities that will have no significant effect on the environment [CEQA Guidelines Section 15061(b)(3)]; and that do not constitute a "project" for purposes of CEQA [CEQA Guidelines Section 15378(b)(2) and (b)(4)].

Sustainability: Approval of the Water Forum Successor Effort Cost Share Agreement with the El Dorado County Water Agency is consistent with the City of Sacramento's Sustainability Master Plan Goals.

Sustainability Goal No. 7 - Parks, Open Space and Habitat Conservation is promoted by the second co-equal objective of the Water Forum Agreement: "To preserve the fishery, wildlife, recreational, and aesthetic values of the lower American River."

Sustainability Goal No. 8 - Water Resources and Flood Protection is supported by the first co-equal objective of the Water Forum Agreement: "To provide a reliable water supply for planned development to the year 2030."

Commission/Committee Action: The proposed revenue breakdown was approved by the Water Forum Coordinating Committee on 04/28/2011 and by the Water Forum Plenary on 05/05/2011, and was adopted by the Sacramento City Council on June 21, 2011.

Rationale for Recommendation: Approval of this Agreement will support the continuing activities of the WFSE, consistent with the Water Forum Agreement.

Financial Considerations: Shared funding amounts are based primarily on the number of water connections served by each entity. Exceptions to this arrangement are the Sacramento Municipal Utility District (SMUD) and the El Dorado County Water Agency (EDCWA), which make negotiated annual contributions.

The El Dorado County Water Agency (on behalf of itself, Georgetown Divide Public Utility district and El Dorado Irrigation District) has agreed to provide a flat 1% of the approved FY2011/12 Revenue Budget for Fund 7103 to continue support of the Water Forum Successor Effort activities.

Fund 7103 Revenue and Offset Breakdown	<u>Share Amounts</u>
<u>Cost-Sharing Partners</u>	
County of Sacramento – Zone 13 (encompassing the pro rata share of all the water districts in the unincorporated area and the cities of Citrus Heights, Rancho Cordova and Elk Grove)	\$464,652
City of Sacramento	263,047
City of Roseville	78,619
City of Folsom	36,824
Placer County Water Agency	19,390
Sacramento Municipal Utility District	15,911
San Juan Water District, (Placer County Service Area)	13,4045
El Dorado County Water Agency	<u>9,009</u>
Total :	\$900,857

Emerging Small Business Development (ESBD): No goods or services are being purchased as a result of this report.



BACKGROUND

In the fall of 1991, the City Council and Sacramento County Board of Supervisors authorized the establishment of an independent Sacramento City-County Office of Metropolitan Water Planning (CCOMWP) and approved the Interagency Agreement (C1991-203) among the City, County, and Sacramento County Water Agency for the new entity. The Second Interagency Agreement (C2001-005) was approved by all three agencies on January 9, 2001.

The CCOMWP is responsible for staffing, administering, and coordinating the Water Forum. Until January 1, 1998, the CCOMWP was financially supported by a 50/50 split by the City's Water Fund and the County's Water Agency (Zone 13).

Since January 1, 1998, a number of local government entities (including the City of Sacramento) agreed to cost-share the tasks that needed to be completed prior to implementation of the Water Forum Agreement.

The Water Forum Agreement (C1999-222), approved in FY1999/00, included a mechanism for a Water Forum Successor Effort (WFSE) to ensure actual implementation of the Agreement over the next three decades.

The WFSE is being administered under the auspices of the CCOMWP. The WFSE continues the interest-based collaborative process successfully used to develop the Water Forum Agreement.



RESOLUTION NO.

Adopted by the Sacramento City Council

August 23, 2011

FY2012-14 INTER-AGENCY FUNDING AGREEMENT WITH THE EL DORADO COUNTY WATER AGENCY FOR SUPPORT OF THE WATER FORUM SUCCESSOR EFFORT

BACKGROUND

- A. The Sacramento City-County Office of Metropolitan Water Planning (CCOMWP) was formed by the City of Sacramento and Sacramento County in 1991 to administer and coordinate the Water Forum process.
- B. Since January 1, 1998, the following local government entities have agreed to cost-share the tasks needed for completion and implementation of the Water Forum Agreement: Sacramento County, City of Sacramento, City of Roseville, City of Folsom, Placer County Water Agency, Sacramento Municipal Utility District, San Juan Water District in Placer County, and El Dorado County Water Agency.
- C. The Water Forum Agreement, signed in late 1999 through early 2000, included a mechanism for the Water Forum Successor Effort (WFSE) to ensure implementation of the Agreement over the next three decades. The WFSE is being administered under the auspices of the CCOMWP.
- D. The Approved FY2011/2012 Revenue Budget of the Water Forum Successor Effort (WFSE) in Fund 7103 is \$900,857. The El Dorado County Water Agency has agreed to continue to provide support equal to approximately 1% of the total projected revenue budget (\$9,009 in Fiscal Year 2012), and to continue this funding through Fiscal Year 2014.

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

- Section 1. The City Manager or the City Manager's designee is authorized to execute a Funding Agreement with the El Dorado County Water Agency for cost-sharing the FY2012-14 Fund 7103 Revenue Budgets of the Water Forum Successor Effort, in the amount of \$9,009 for FY 2012.
- Section 2. Exhibit A is part of this Resolution.

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Exhibit A: Funding Agreement



Unexecuted Contract/Agreements

- The Unexecuted Contract/Agreement is signed by the other party, is attached as an exhibit to the resolution, and is approved as to form by the City Attorney.

- The Unexecuted Contract/Agreement (Public Project) is NOT signed by the other party, is attached as an exhibit to the resolution, and is approved as to form by the City Attorney.

- The Unexecuted Contract is NOT included as an exhibit to the Resolution because the Agreement(s) is with other another governmental agency and it is not feasible to obtain the other agency's signature prior to Council action (be they denominated Agreements, MOUs, MOAs, etc.); however, the City Attorney approves the forwarding of the report to Council even though the signed agreement is not in hand yet.

- The Unexecuted Contract is NOT included as an exhibit to the resolution because, due to special circumstances, and the City Attorney confirms in writing that it is okay to proceed with Council action even though the signed agreement is not in hand yet.

All unexecuted contracts/agreements which are signed by the other parties are in the Office of the City Clerk before agenda publication.



FUNDING AGREEMENT FOR FISCAL-YEARS 2011-2012, 2012-2013 AND 2013-2014 OF THE WATER FORUM PROCESS

THIS FUNDING AGREEMENT (hereinafter "Agreement") is entered into on _____, 2011, between El Dorado County Water Agency, hereinafter "Agency" (on behalf of itself, Georgetown Divide Public Utility District and El Dorado Irrigation District, hereinafter collectively referred to as the "El Dorado Interests"), and the City of Sacramento, hereinafter "City" (on behalf of the Sacramento City-County Office of Metropolitan Water Planning and the Water Forum).

Agency and City hereby agree as follows:

1. Agency shall pay City the amount of \$9,009 (Nine-thousand, nine dollars) to fund activities by the Water Forum from July 1, 2011 to June 30, 2012 on behalf of the El Dorado Interests. This funding represents 1% of the Water Forum's fiscal year 2011-2012 revenue budget. This payment shall be made within 30 days after the execution of this agreement by both parties, or as otherwise agreed by the parties.
2. Agency further agrees, for Fiscal-Years 2012-2013 and 2013-2014, to provide funding for activities by the Water Forum in each such fiscal year in an amount that is at least as much as Agency's Fiscal-Year 2011-2012 funding level specified in Paragraph 1, above, subject to the following conditions:
 - a. The amount of funding provided by Agency under this Agreement for Fiscal-Years 2012-2013 and 2013-2014 shall not exceed the sum appropriated for this purpose in the approved Agency budgets for each of these fiscal years, respectively. In the event of an adoption of a future Agency budget that does not provide the required funding or if the Agency Board of Directors in its sole discretion shall in the course of a given year for financial reasons eliminate the Agency budget item under which the Water Forum is to be compensated, then upon written notice thereof from Agency to City, this Agreement shall be deemed to be canceled in its entirety subject to payment of authorized services performed prior to cancellation.
 - b. Agency shall pay City the Agency's funding for Fiscal-Years 2012-2013 and 2013-2014 as authorized herein within 30 days after the beginning of each Fiscal-Year, respectively.
3. Unless canceled pursuant to subparagraph 2(a) above, this Agreement may be terminated upon thirty (30) days' written notice by either party, subject to payment for authorized services performed before termination.

This Agreement constitutes the entire agreement between the parties, and supersedes all prior agreements or representations with respect to the subject matter herein. This

Agreement may be modified only by a writing signed by both parties. Signatories hereto represent and warrant that they are fully authorized to bind the parties to this Agreement. Executed as of the day and year first above stated.

EL DORADO COUNTY WATER AGENCY

Chair, Board of Directors

Date Signed

ATTEST:

Clerk of the Agency

Date Signed

APPROVED AS TO FORM:

Agency Counsel

Date Signed

CITY OF SACRAMENTO
A Municipal Corporation

Date Signed

Print or type name and title

APPROVED AS TO FORM:

Deputy City Attorney

Date Signed

ATTEST:

Sacramento City Clerk

Date Signed