

# Lompoc City Council Agenda Item



**City Council Meeting Date:** April 20, 2010

**TO:** Laurel Barcelona, City Administrator

**FROM:** Susan Segovia, Senior Administrative Analyst  
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**SUBJECT: Integrated Regional Water Management Plan (IRWMP)  
MOU Update**

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## **RECOMMENDATION:**

Staff recommends that the City Council:

1. Approve the attached March 4, 2010 Memorandum of Understanding (MOU) by and between the Santa Barbara County Water Agency (County) and a group of local governmental agencies, special districts, and non-governmental organizations (NGOs), qualified under 501(c) (3, 4, or 5), within Santa Barbara County, known as Cooperating Partners, to continue participating in the State-wide Proposition 84 process and to revise the Integrated Regional Water Management Plan (IRWMP) in Santa Barbara County;
2. Authorize payment of \$12,194 to the County for the City of Lompoc's contribution to revise the IRWMP and to participate in the Proposition 84 process, and charge this to Account# 51000-53313 (Water, Professional Services Engineering); and
3. Authorize the Mayor to sign the MOU on behalf of the City of Lompoc.

## **BACKGROUND:**

The City Council approved an IRWMP MOU for Proposition 84 on April 7, 2009, and an amendment to the MOU on May 19, 2009, by and between the Santa Barbara County Water Agency (Agency) and a group of local governmental agencies and special districts within Santa Barbara County, known as Cooperating Partners. The MOU updated and replaced the previous agreements and commitments made by the City on September 19, 2006, for initial preparation of an IRWMP and in October 2007, for preparation of a Proposition 50 grant application for the Santa Barbara County Region. Attachment 1 to this report is an updated IRWMP MOU, for the Proposition 84 process, which updates and replaces all of the previous IRWMP MOUs the City has signed between 2006 and 2009, including the March 2009 MOU, which pertains to Proposition 84. The updated MOU is necessary to adapt to the IRWMP changing priorities and the needs of its participants. Following is a brief background of the IRWMP Program and a description of the ways in which the new MOU differs from those that precede it.

The IRWM program was developed to promote integrated assessment and planning for both water quality and quantity issues, flood control, and climate change response on a regional basis.

It places emphasis on collaboration within shared hydrologic regions and watersheds and increasingly on inclusivity of a wide array of stakeholders and interested parties.

In 2006, local entities collaborated to participate in the process established by the California legislature pursuant to The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act (Public Resources Code Section 75001-75009). In accordance with that legislation, the Cooperating Partners developed an Integrated Regional Water Management Plan, the basis for a grant application in Proposition 50 and Proposition 84. Santa Barbara County-wide interests successfully prepared an IRWMP pursuant to Proposition 50 guidelines and successfully sought grant funding to implement key projects included in that plan.

Proposition 84 provides funding for a range of water related plans and projects and builds on the previous Proposition 50 program. Proposition 50 is managed jointly by the State Water Resources Control Board (SERC) and the Department of Water Resources (DWR), while Proposition 84 is managed solely by DWR. Proposition 84 stipulates \$52,000,000 must be awarded to the Central Coast Region (including Santa Barbara County). DWR has conducted a Regional Application Process (RAP) by which Santa Barbara County interests applied and were accepted as a region defined by the County boundary, with water related interests extending into adjacent regions.

The City of Lompoc, Mission Hills Community Services District (MHCS), and Vandenberg Village Community Services District (VVCSD) are requesting funding for a Lompoc Regional Leak Detection Audit and Repair Program for the repair and/or replacement of leaky water service lines and water mains within the three water districts. The Santa Barbara County RAP is currently reviewing projects for Round 1 of Proposition 84 funding and will be making a recommendation for a list of projects from the RAP to the Department of Water Resources.

### **Primary Changes in the March 4, 2010 MOU**

At the time the March 2009 MOU was developed, DWR requirements in relation to the Proposition 84 grant were not fully developed. The March 4, 2010 MOU addresses emerging requirements and emphasis included in the Proposition 84 legislation, grant guidelines, and information shared by DWR during the RAP interview. A modified MOU addresses issues of inclusiveness and governance that were agreed to by Santa Barbara County region representatives, as part of the RAP process.

#### **Inclusiveness:**

Proposition 84 legislation requires a wide range of stakeholders be included in the IRWMP process. Therefore, the MOU specifically allows participation of Non-governmental Organizations (NGOs, specifically 501 (c) (3, 4, and 5s), which have a tax exempt status, to participate fully in the Cooperating Partners and Steering Committee, by performing tasks or committing time as service in lieu of a financial contribution. This is described under Sections 3.3 (Principles) and Section 7.1 (Financial Considerations, Non-Governmental Organizations).

Governance:

During the RAP process, DWR expressed specific concerns regarding the lack of detail within the existing MOU regarding the governance requirements, decision making structure and procedures of the Cooperating Partners and Steering Committee; therefore, the March 4, 2010 MOU outlines procedures regarding the functions and decision making processes of these groups (Sections 6 through 9).

Financial Contributions:

The County continues to act as the single eligible contracting entity. Sections 7.0 and 7.2.1 describe the financial costs of the MOU. The primary differences are two costs were added to this MOU. The first is the County Water Agency has incurred increased administrative costs for agreeing to be the lead agency for the Proposition 84 grant application process for the Santa Barbara IRWMP Region, such as accounting services, web services, project oversight, and legal services, as necessary. Those additional costs after deduction of funds remaining in the IRWMP account and the County's 50% cost share, are described in Section 7.2.1 of the MOU, and are estimated to be approximately \$131,000 for the first year. The \$131,000 will be funded by the Cooperating Partners. In addition, the Cooperating Partners will be required to contribute \$26,200 (20%) to a contingency fund to be used only in the event of a shortfall of funds. The Contingency Fund will only be used in the event costs that have been committed cannot be paid from existing IRWMP account funds or supplemental funds collected from the Cooperating Partners, as specified in Section 7.2.4. The Cooperating Partners will be required to replace any funds used from the IRWM Contingency Fund.

Joining of Parties to the MOU:

Section 9 of the MOU establishes a procedure to allow parties to join the Cooperating Partners and to make a financial or in-kind contribution.

**FISCAL IMPACT**

The City's estimated cost to participate in the MOU update is \$12,194 (Appendix C to this MOU), which must be paid to the County by April 30, 2010. Staff is recommending that the City's cost be charged to Account # 51000-53313, Water Professional Services Engineering.

Staff recommends the City of Lompoc continue to participate in the update of the revised IRWMP for the Santa Barbara County Region and the Proposition 84 process, by approving the attached March 4, 2010 MOU, contingent upon the Santa Barbara County Board of Supervisors approving the MOU. The MOU is scheduled to go to the County Board of Supervisors for approval on April 13, 2010. Staff will be available at the April 20, 2010 City Council meeting to report on the action taken by the County Board of Supervisors.

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Susan Segovia  
Senior Administrative Analyst

**APPROVED:**

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Ronald V. Stassi  
Utility Director

**APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Laurel M. Barcelona  
City Administrator

Attachments: [Attachment 1, "Memorandum of Understanding \(MOU\) To Participate in the State-wide Proposition 84 Process And Revise the Area-wide Integrated Regional Water Management Plan \(IRWMP\) In Santa Barbara County"](#), March 4, 2010