



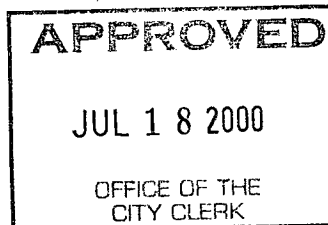
Metropolitan Water Planning

1.17

July 1, 2000

City Council
Sacramento, California

Honorable Members in Session:



Sacramento City-County
Office of Metropolitan
Water Planning

5770 Freeport Boulevard
Suite 200
Sacramento, CA 95822

Phone: 916-433-6276
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**SUBJECT: CITY-COUNTY OFFICE OF METROPOLITAN WATER PLANNING -
APPROVAL OF SUPPLEMENT NO. 10 TO CITY MANAGER
AGREEMENT NO. 93-280 WITH THE CSUS CALIFORNIA CENTER
FOR PUBLIC DISPUTE RESOLUTION (\$246,836).**

LOCATION/COUNCIL DISTRICT: City-County

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution authorizing the execution of Supplement No. 10 to City Manager Agreement No. 93-280 with the CSUS California Center for Public Dispute Resolution for an amount not to exceed \$246,836 for facilitation/mediation support for the Water Forum Successor Effort, including the development of a fisheries component of the River Corridor Management Plan (RCMP) for the Lower American River and negotiations to develop a South Area Groundwater Management Arrangement.

CONTACT PERSON: Susan Davidson, Senior Administrative Officer, 264-1997

FOR COUNCIL MEETING OF: July 18, 2000

SUMMARY:

This reports identifies the need for continued facilitator/mediator services for the Water Forum Successor Effort (WFSE) and the City-County Office of Metropolitan Water Planning (CCOMWP) as related to the development of a fisheries component of the RCMP for the Lower American River, continuing South Area Groundwater Management Arrangement negotiations, and responding to changed conditions which may require additional negotiations by the WFSE. The Water Forum Agreement, which the Council approved in November 1999, includes as components the WFSE, the Groundwater Management Element and a Habitat Management Element (of which the RCMP is one component).

COMMITTEE/COMMISSION ACTION: None

BACKGROUND INFORMATION:

- On November 2, 1993 the City Manager approved the execution of City Manager

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Supplement No. 10 to City Manager Agreement No. 93-280

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Agreement No. 93-280 with CSUS California Center for Public Dispute Resolution for a "not to exceed" amount of \$37,200 to provide facilitator/mediation services for the Water Forum and the CCOMWP.

- Between February 14, 1994 and April 25, 1999, Supplements numbered 1 – 9 to City Agreement No. 93-280 with the CSUS California Center for Public Dispute Resolution were approved for a total amount of \$1,259,097.

The overall scope of work under the proposed Supplement No. 10 of City Manager Agreement No. 93-280 with the CSUS California Center for Public Dispute Resolution is to provide mediation, facilitation and strategic planning services for the WFSE, including the development of a fisheries component of the RCMP for the Lower American River, and negotiations to develop a South Area Groundwater Management Arrangement. The scope of work includes:

- provide strategic consultation on WFSE issues with regard to consensus-building and interest-based negotiation;
- prepare for and facilitate/mediate meetings involving the signatories to the WFSE, including sessions dealing with contentious issues and changed conditions;
- facilitation/mediation of FISH Group and sub-committee meetings; coordinating with related initiatives; meeting preparation/debriefing with CCOMWP staff; and documentation of progress;
- conduct initial research regarding nature of the South Area Groundwater Management Arrangement, identify stakeholders, conduct interviews with stakeholders, draft work plan/schedule, consensus-building guidelines, prepare and facilitate stakeholder education meetings, and facilitate/mediate sub-committee and sidebar discussions.

FINANCIAL CONSIDERATIONS:

The current agreement with the CSUS California Center for Public Dispute Resolution is for a "not-to-exceed" amount of \$1,259,097. Supplement No. 10 to City Manager Agreement No. 93-280 is for \$246,836. This would bring the new "not-to-exceed amount" to \$1,505,933. The FY 2000-01 WFSE and Habitat Management Element (HME) operating budgets for the CCOMWP have sufficient unobligated funds in line-item 4258 for professional consulting services as of July 1, 2000 to fund this Supplemental Agreement.

Funding for the WFSE portion of the CCOMWP budget (\$773,700) is obtained from several cost-sharing partners including: the County of Sacramento (encompassing the pro rata share of all the water districts in the unincorporated area and City of Citrus Heights) - (\$353,748); the cities of Folsom (\$20,254), Roseville (\$48,606), and Sacramento (\$247,117); the Placer County Water Agency (\$19,313); the San Juan Water District, in Placer County (\$11,368); the Sacramento Municipal Utility District

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(\$10,612); and the El Dorado County Water Agency (\$7,182).

Funding for the HME portion of the CCOMWP budget (\$375,000) is provided by the City of Sacramento (\$125,000) and the County of Sacramento (\$250,000).

ENVIRONMENTAL CONSIDERATIONS:

This report recommends no action that would constitute a project under the California Environmental Quality Act (CEQA).

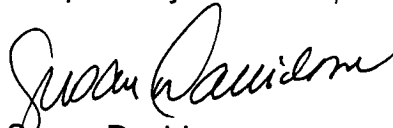
POLICY CONSIDERATIONS:

Section V of the Interagency Agreement between the City and County of Sacramento which establishes the CCOMWP, requires that all contracting procedures shall follow the procedures used by the City. The rationale for continuing the services of these consultants/facilitators/mediators is that the success of the WFSE, the development of a fisheries component of the RCMP for the Lower American River, and the South Area Groundwater Management Arrangement negotiations will be dependent upon the skills and services of outside and neutral facilitators/mediators that are well grounded in the Water Forum negotiations and are accepted and respected by the stakeholder representatives.

ESBD EFFORTS:

As a governmental agency (California State University, Sacramento and the University of the Pacific, McGeorge School of Law), the CSUS California Center for Public Dispute Resolution does not qualify as an Emerging or Small Business firm.

Respectfully submitted,



Susan Davidson
Sr. Administrative Services Officer

RECOMMENDATION APPROVED:



Robert P. Thomas
City Manager

APPROVED
JUL 18 2000
OFFICE OF THE
CITY CLERK

RESOLUTION NO. 2000-434

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK
TO EXECUTE SUPPLEMENT NO. 10 TO CITY MANAGER AGREEMENT NO. 93-280
WITH THE CSUS CALIFORNIA CENTER FOR PUBLIC DISPUTE RESOLUTION
TO PROVIDE FACILITATION/MEDIATION SERVICES
FOR THE CITY-COUNTY OFFICE OF METROPOLITAN WATER PLANNING
IN AN AMOUNT NOT-TO-EXCEED \$246,836.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City Manager and City Clerk are hereby authorized to execute Supplement No. 10 to City Manager Agreement No. 93-280 with the CSUS California Center for Public Dispute Resolution to provide facilitation/mediation services for the City-County Office of Metropolitan Water Planning on behalf of the *Water Forum* for an amount not to exceed \$246,836.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____