



Metropolitan Water Planning

1.18

Sacramento City-County
Office of Metropolitan
Water Planning

June 25, 2001

City Council
Sacramento, California

APPROVED

JUL 18 2001

OFFICE OF THE
CITY CLERK

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Sacramento, CA 95814

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Honorable Members in Session:

**SUBJECT: CITY-COUNTY OFFICE OF METROPOLITAN WATER PLANNING -
APPROVAL OF SUPPLEMENT NO. 11 TO CITY MANAGER
AGREEMENT NO. 93-280 WITH THE CALIFORNIA CENTER FOR
PUBLIC DISPUTE RESOLUTION (\$189,195)**

LOCATION/COUNCIL DISTRICT: City-County

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution authorizing the execution of Supplement No. 11 to City Manager Agreement No. 93-280 with the California Center for Public Dispute Resolution (CCPDR) for an amount not to exceed \$189,195 for providing facilitation/mediation services and strategic long-term implementation of the Water Forum Agreement, including the Habitat Management Element.

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

FOR COUNCIL MEETING OF: July 18, 2001

SUMMARY:

This reports identifies the need for continued facilitator/mediator services for the Water Forum Successor Effort (WFSE), the Habitat Management Element (HME), and the City-County Office of Metropolitan Water Planning (CCOMWP) to ensure the long-term implementation of the Water Forum Agreement, continued development of the fisheries component of the River Corridor Management Plan (RCMP) for the Lower American River (LAR), and responding to changed conditions to the Water Forum Agreement which may require additional negotiations. The Water Forum Agreement, which the City Council approved in November 1999, includes as important elements the WFSE and the HME (of which the RCMP is one component).

COMMITTEE/COMMISSION ACTION:

None

City Council
Approval of Supplement No. 11 to City Agreement 93-280
June 25, 2001

BACKGROUND INFORMATION:

- On November 2, 1993 the City Manager approved the execution of City Manager Agreement No. 93-280 with the CCPDR 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 – 10 to City Manager Agreement No. 93-280 with the CCPDR were approved for a total amount of \$1,505,933.

The overall scope of work under the proposed Supplement No. 11 to City Manager Agreement No. 93-280 with the CCPDR is to provide mediation, facilitation and strategic planning services for the WFSE, including the continued development of a fisheries component of the RCMP for the LAR as committed to in the Water Forum Agreement.

WFSE

- Provision of facilitation/mediation services as need to ensure long-term implementation of the Water Forum Agreement.
- Provision of strategic consultation with regard to consensus-building and interest-based negotiation.
- Preparation for and facilitation/mediation of meetings involving the signatories to the Water Forum Agreement including sessions dealing with contentious issues.

HME

- Provision of facilitation/mediation services to the FISH Working Group (FWG) and the Technical Subcommittee (TSC).
- Provision of meeting planning and project management services including staff debriefing.
- Provision of meeting facilitation/mediation.

FINANCIAL CONSIDERATIONS:

The current agreement with the CCPDR is for a "not-to-exceed" amount of \$1,505,933. Supplement No. 11 to City Manager Agreement No. 93-280 is for \$189,195. This would bring the new "not-to-exceed amount" to \$1,695,128. The portion of Supplement No. 11 to be funded by the WFSE Fund (513-880-8810-4258) is \$89,755, while the amount to be funded by the HME Fund (514-880-8810-4258) is \$99,600. Both the FY 2001-02 WFSE and HME operating budgets have sufficient unobligated funds as of July 1, 2001 to fund this Supplemental Agreement.

Funding for the WFSE portion of the CCOMWP budget is obtained from several cost-sharing partners including: the County of Sacramento (encompassing the pro rata

City Council

Approval of Supplement No. 11 to City Agreement 93-280

June 25, 2001

share of all the water districts in the unincorporated area and City of Citrus Heights); the cities of Folsom, Roseville, and Sacramento; the Placer County Water Agency, the San Juan Water District (in Placer County); the Sacramento Municipal Utility District, and the El Dorado County Water Agency.

Funding for the HME portion of the CCOMWP budget is provided by the City of Sacramento, the County of Sacramento, as well as for the first year, the San Juan Water District, a purveyor signatory to the Water Forum Agreement that diverts water from the American River.

ENVIRONMENTAL CONSIDERATIONS:

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

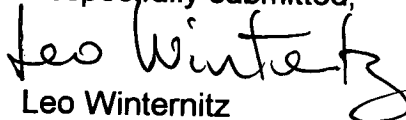
POLICY CONSIDERATIONS:

Section V of the Second Interagency Agreement between the City and County of Sacramento which established 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 implementation of the Water Forum Agreement, including the WFSE and the HME 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 (a joint program of California State University, Sacramento and the University of the Pacific, McGeorge School of Law), the CCPDR does not qualify as an Emerging or Small Business firm.

Respectfully submitted,



Leo Winternitz
Executive Director

RECOMMENDATION APPROVED:



Robert P. Thomas
City Manager

APPROVED
JUL 18 2001
OFFICE OF THE
CITY CLERK

RESOLUTION NO. 2001-491

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK
TO EXECUTE SUPPLEMENT NO. 11 TO CITY MANAGER AGREEMENT NO. 93-280
WITH THE CALIFORNIA CENTER FOR PUBLIC DISPUTE RESOLUTION
TO PROVIDE FACILITATION/MEDIATION SERVICES FOR THE
CITY-COUNTY OFFICE OF METROPOLITAN WATER PLANNING (\$189,195)**

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. 11 to City Manager Agreement No. 93-280 with the 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 \$189,195.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____