



BOARD OF SUPERVISORS  
AGENDA LETTER

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Agenda Number:

Department Name: Public Works/Laguna  
Sanitation District/Flood  
Control  
District/Community  
Services  
Department/Agricultural  
Commissioner's Office  
Department No.: 054/051/057  
For Agenda Of: 12/11/12  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
Board of Directors, Laguna County Sanitation District  
Board of Directors, Flood Control & Water Conservation District

**FROM:** Department Scott D. McGolpin, Public Works Director, 568-3010  
Director(s) Cathy Fisher, Agricultural Commissioner, 681-5600  
Herman Parker, Community Services Director, 568-2467

Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

**SUBJECT:** **Approve the Memorandum of Understanding for Participation in the State-wide Proposition 84 Process and Related Integrated Regional Water Management Activities in Santa Barbara County, All Supervisorial Districts**

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the *Memorandum of Understanding, Participation in the State-wide Proposition 84 Process and Related Integrated Regional Water Management Activities in Santa Barbara County* with the Santa Barbara County Water Agency on behalf of the Community Services Department, the Public Works Department, and the Agricultural Commissioner; and
- b) Find that the recommended approvals and authorizations are for the creation of a government funding mechanism and does not constitute a "Project" within the meaning of California Environmental Quality Act (CEQA) 14 CCR 15378 (b) (4) and does not commit the County or

**Auditor-Controller Concurrence**

As to form: Yes

other County agencies to any certain project or course of action which would have significant physical impact on the environment.

That the Board of Directors of the Laguna Sanitation District:

- a) Approve and authorize the Chair to execute the *Memorandum of Understanding, Participation in the State-wide Proposition 84 Process and Related Integrated Regional Water Management Activities in Santa Barbara County* with the Santa Barbara County Water Agency; and
- b) Find that the recommended approvals and authorizations are for the creation of a government funding mechanism and does not constitute a “Project” within the meaning of California Environmental Quality Act (CEQA) 14 CCR 15378 (b) (4) and does not commit the County or other County agencies to any certain project or course of action which would have significant physical impact on the environment.

That the Board of Directors of the Flood Control & Water Conservation District:

- a) Approve and authorize the Chair to execute the *Memorandum of Understanding, Participation in the State-wide Proposition 84 Process and Related Integrated Regional Water Management Activities in Santa Barbara County* with the Santa Barbara County Water Agency; and
- b) Find that the recommended approvals and authorizations are for the creation of a government funding mechanism and does not constitute a “Project” within the meaning of California Environmental Quality Act (CEQA) 14 CCR 15378 (b) (4) and does not commit the County or other County agencies to any certain project or course of action which would have significant physical impact on the environment.

**Summary Text:**

The Department of Water Resources (DWR) administers Proposition 84, which provides for competitive grant funding for water related projects in accordance with a comprehensive Integrated Regional Water Management Plan (IRWMP). Santa Barbara County’s existing IRWMP was adopted by the Board of Directors of the Water Agency in May of 2007. The plan is currently being updated as required under Proposition 84 guidelines with grant funds from the Proposition 84 Planning grant previously received by the Santa Barbara Cooperating Partners, a County-wide group of cities, special districts, water companies, non-governmental organizations and joint powers authorities collaborating in the IRWM Program.

This updated Memorandum of Understanding (MOU) replaces the previous MOU adopted in March of 2010. It establishes the working criteria between the County Water Agency and the Santa Barbara County Cooperating Partners. It has been updated to reflect new dates and requirements, and has been configured to remain in effect until December 31, 2017. This would eliminate the need to process a new MOU for each Prop 84 funding cycle.

Approval of these recommendations will allow the Public Works Department, Laguna Sanitation District, the Flood Control District, the Community Services Department, and the Agricultural Commissioner’s Office to act as Cooperating Partners in the IRWM process as defined in the MOU.

Being a Cooperating Partner is necessary to be eligible for Prop. 84 grant funding for water related projects included in the IRWMP and will allow each agency to have a vote on project selection.

**Background:**

Pursuant to the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Water Code Section 79560 et seq.) and subsequent legislation, DWR and State Water Resources Control Board administer the Integrated Regional Water Management Program which provides for competitive grant funding for water planning and implementation projects.

At the Board’s direction, beginning in September 2006, the County Water Agency has worked with a County-wide group of cities, special districts, water companies, non-governmental organizations and joint powers authorities known as the Santa Barbara County Cooperating Partners to develop the first IRWMP (completed in May 2007). Successful approval of the plan by DWR is the basis for all grant funding through the IRWM program.

To date, under the leadership of the County Water Agency, the Santa Barbara County Cooperating Partners have been awarded approximately \$25 million for 13 regional water projects through Proposition 50, \$550,000 for updating the IRWM Plan through Proposition 84 Planning Grant, and \$3,000,996 for 7 regional water projects through Proposition 84, Round 1, Implementation Grant. As authorized by the Water Agency Board of Directors on December 11, 2007, the Water Agency acts as the single eligible contracting entity responsible for administration of the IRWMP Grants as required by DWR.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
PW/Laguna San.	\$ 1,784.00		
CSD	\$ 1,574.00		
Ag Commissioner	\$ 1,049.00		
Flood Control funds	\$ 5,247.00		
Other:			
Total	\$ 9,654.00	\$ -	\$ -

**Narrative:**

Cost estimates for this current fiscal year are identified in the table above by department. Costs shown in the table represent estimates for all costs associated with the IRWM MOU for this fiscal year only. Actual costs associated with the MOU will be billed by the Water Agency to the Cooperating Partners on a quarterly basis. This MOU is valid until December 31, 2017 or until a new MOU is executed. All Cooperating Partners can terminate their participation by giving a 30-day written notice to all of signatories to the MOU.

**Special Instructions:**

Direct the Clerk of the Board to send a copy of the minute order for this action to the Water Agency office, Attn: Christina Lopez.

**Attachments:**

1. Memorandum of Understanding, Participation in the State-wide Proposition 84 Process and Related Integrated Regional Water Management Activities in Santa Barbara County with the **County of Santa Barbara** (Attachment No. 1)
2. Memorandum of Understanding, Participation in the State-wide Proposition 84 Process and Related Integrated Regional Water Management Activities in Santa Barbara County with the **Laguna Sanitation District** (Attachment No. 2)
3. Memorandum of Understanding, Participation in the State-wide Proposition 84 Process and Related Integrated Regional Water Management Activities in Santa Barbara County with the **Santa Barbara County Flood Control & Water Conservation District** (Attachment No. 3)

**Authored by:** Matt Naftaly, Water Agency Manager, 568-3542