



## Legislation Details (With Text)

**File #:** 2022-0650  
**Type:** Consent Calendar Item **Status:** Passed  
**File created:** 5/27/2022 **In control:** Sonoma County Water Agency  
**On agenda:** 7/12/2022 **Final action:** 7/12/2022  
**Title:** Memorandum of Understanding for Bay Area Flood Protection Agencies Association  
**Sponsors:** Sonoma County Water Agency  
**Indexes:**  
**Attachments:** 1. Summary Report

Date	Ver.	Action By	Action	Result
7/12/2022	1	Board of Supervisors	Approved as recommended	Pass

**To:** Board of Directors, Sonoma County Water Agency  
**Department or Agency Name(s):** Sonoma County Water Agency  
**Staff Name and Phone Number:** Carlos Diaz 707-547-1956  
**Vote Requirement:** Majority  
**Supervisorial District(s):** First, Second

**Title:**  
Memorandum of Understanding for Bay Area Flood Protection Agencies Association

### Recommended Action:

- A) Authorize Sonoma County Water Agency's General Manager to execute the First Amended Memorandum of Understanding for the Bay Area Flood Protection Agencies Association with Alameda County Flood Control and Water Conservation District, Zone 7 of Alameda County Flood Control and Water Conservation District, Contra Costa County Flood Control and Water Conservation District, Marin County Flood Control and Water Conservation District, Napa County Flood Control and Water Conservation District, San Mateo County Flood and Sea Level Rise Resiliency District, Zone 7 of Santa Cruz County Flood Control and Water Conservation District, Solano County Water Agency, Sonoma County Water Agency, Vallejo Flood and Wastewater District, and Valley Water, in a form approved by County Counsel, that expands membership to include new agencies and adopts Rules of Governance for the Association.
- B) Authorize Sonoma County Water Agency's General Manager to amend or terminate this agreement with approval of County Counsel.
- (First and Second District)

### Executive Summary:

The original Memorandum of Understanding (MOU) created the Bay Area Flood Protection Agencies Association (BAFPAA), which provides a unified voice for member agencies to participate in local and regional water management planning. Sonoma County Water Agency (Sonoma Water) is a member of BAFPAA and a signatory to the MOU. The first amended MOU adds new members and updates information.

### Discussion:

### HISTORY OF ITEM/BACKGROUND

In 2007, the BAFPAA was formed to coordinate and provide mutual support in planning and implementing flood protection services among flood protection agencies in the Bay Area. BAFPAA also provides a unified voice for member agencies to participate in the Integrated Regional Water Management (IRWM) planning efforts in the Bay Area. BAFPAA has been instrumental in seeking changes in the United States Army Corps of Engineers' enforcement of its Levee Vegetation Policy and in coordinating regulatory permitting requirements as they have been interpreted and applied to the various agencies in the Bay Area.

Sonoma Water has participated in BAFPAA since it was formed, and Sonoma Water staff have served as BAFPAA's Chair and Vice Chair. In 2011, Sonoma Water requested Board action to approve and authorize the General Manager to sign the BAFPAA Charter and MOU, as it was determined at that time that Sonoma Water had not executed the charter to officially join BAFPAA. The original charter does not establish fees associated with membership in BAFPAA; however, fees are established each year to support planned BAFPAA activities. Annual fees generally cover year-to-year administration, but occasionally separate funding agreements are proposed and voted upon to provide funding for focused activities.

In order to streamline funding for ongoing IRWM management activities, BAFPAA members signed the MOU, which defines the roles and responsibilities of the member agencies, establishes an expenditure account, and sets forth the rules for the treasurer agency in holding and managing the account of monies collected from the member agencies to support BAFPAA efforts. These efforts include sharing the costs associated with the activities of IRWM. The MOU also allows the treasurer agency to enter contracts for the association. The MOU eliminates the need to prepare MOUs annually to provide funding for ongoing IRWM activities.

Member agency fees are established on an annual basis. Under the current fee structure, member agencies are defined as small, medium, or large agencies. Each agency pays a fixed fee plus a variable share dependent on agency size. In recent years, Sonoma Water has contributed \$3,320 annually towards BAFPAA. Costs for specific projects that BAFPAA undertakes are divided among members and must be unanimously approved by the participating BAFPAA members.

Sonoma Water and other BAFPAA members entered into the MOU on September 13, 2011. The MOU is being amended to include new members, and a reference to the Rules of Governance, and update member contact names.

### REQUEST FOR SONOMA WATER GENERAL MANAGER AMENDMENT AND TERMINATION AUTHORITY

Staff recommend that the Board authorize Sonoma Water's General Manager to amend or terminate the agreement with approval of County Counsel.

### **Strategic Plan:**

This item directly supports the County's Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

**Pillar:** Climate Action and Resiliency

**Goal:** Goal 5: Support, fund, and expand flood protection.

**Objective:** Objective 1: Develop partnerships with cities, tribal governments, and private organizations regarding flood protection and sustainability to identify gaps and address climate change impacts.

BAFPAA provides a forum that focuses on Bay Area flood protection issues and promotes the sharing of ideas, technologies, experiences, legislative approaches, and funding strategies. BAFPA also provides opportunities for collaborative projects and coordination, while working closely with other interested entities on common watershed, water, and natural resource objectives.

### Sonoma Water Strategic Plan Alignment:

Flood Protection, Goal 1: Provide efficient and effective flood protection programs.

Sonoma Water's involvement and leadership in BAFPA improves our own flood protection planning and programs through collaboration with other flood protection agencies around the Bay facing focused on similar flood objectives and facing similar challenges and constraints.

### Prior Board Actions:

11/15/2011: Approved authorization for Sonoma County Water Agency's General Manager to sign the Bay Area Flood Protection Agencies Association (BAFPAA) Charter and Memorandum of Understanding. Cost \$5,000.

### FISCAL SUMMARY

Expenditures	FY 22-23 Adopted	FY 23-24 Projected	FY 24-25 Projected
Budgeted Expenses	3,320	3,320	3,320
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$3,320</b>	<b>\$3,320</b>	<b>\$3,320</b>
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	3,320	3,320	3,320
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$3,320</b>	<b>\$3,320</b>	<b>\$3,320</b>

### Narrative Explanation of Fiscal Impacts:

Budgeted amount of \$3,320, for annual member agency fees, is available from FY 2022/2023 appropriations for the Flood Control Zone 2A and 3A Funds. FY 2023/2024 and FY 2024/2025 appropriations will be budgeted in those fiscal years.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

None

**Related Items “On File” with the Clerk of the Board:**

None