



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** August 25, 2009

**TO:** Mayor and Councilmembers

**FROM:** Water Resources Division, Public Works Department

**SUBJECT:** Gibraltar Pass Through Agreement – Contract For Computer Modeling

### **RECOMMENDATION:**

That Council authorize the Public Works Director to negotiate and execute a professional services agreement with Stetson Engineers for computer modeling services related to implementation of pass through operations under the Upper Santa Ynez River Operations Agreement in a form approved by the City Attorney and in an amount not to exceed \$40,700.

### **DISCUSSION:**

In 1989, the City entered into the Upper Santa Ynez River Operations Agreement, also known as the "Pass Through Agreement." The agreement settled a lawsuit to resolve issues regarding Santa Ynez River water rights. Under the agreement, the City agreed to defer the enlargement of Gibraltar Reservoir in exchange for the right to utilize Lake Cachuma for storage and conveyance of water that would have otherwise been captured by the enlarged Gibraltar Reservoir. Due to significant siltation resulting from the Zaca Fire, the City made the election to enter the "Pass Through" mode of operations that involves storage of Gibraltar water in Lake Cachuma. Lake Cachuma is a federal water project and federal law requires that the City enter into a "Warren Act" contract with the U.S. Bureau of Reclamation (Reclamation) to provide for storage and conveyance of non-project water in a federal project.

Staff has been working with Reclamation to develop the required agreement, including preparation of an environmental assessment. Reclamation has requested information about the effects of implementing Pass Through operations on reservoir levels and flows in the river. This information is best developed by modifying the existing Santa Ynez River Hydrology Model to include the new mode of operation. The firm of Stetson Engineers has extensive experience working with the model and has done substantial modeling related to the Cachuma water rights decision that is pending before the State Water Resources Control Board. On behalf of the Cachuma Operations Maintenance Board, and other Santa Ynez River Users, Stetson has also recently developed an

updated model using more modern software. Using the recently developed model will confirm assumptions of the agreement and the existing model. As such, the firm is uniquely qualified to perform this work at this time. Once the new model has been fully developed, staff will seek an independent consultant to provide modeling services for the City.

Since the firm also represents other clients with interests on the Santa Ynez River, they have requested certain provisions as a part of the contract to preserve their ability to continue to work with these clients and to preserve the rights of their clients under the Pass-Through Agreement. Staff has negotiated a suitable scope of work for the modeling to ensure that the required model modifications accurately replicate the many complex issues associated with the Cachuma Project. Staff is also working with the City Attorney to appropriately address the client representation issues. We expect that the use of Stetson Engineers will expedite the process of implementing Pass Through operations, which is important for the City's water supply given the reduced storage capacity at Gibraltar Reservoir.

**BUDGET/FINANCIAL INFORMATION:**

The recommended contract limit of \$40,700 reflects Stetson Engineer's cost proposal for the identified scope of work, plus a standard contingency of ten percent for unanticipated additional services that may be required. Funds are identified for the recommended contract in the Fiscal Year 2010 Water Fund Operating Budget.

**PREPARED BY:** Rebecca Bjork, Water Resources Manager/ BF/mh

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office