



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 1/28/2020

Agenda Placement: 6C

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Phillip Miller for Steven Lederer - Director of Public Works
Public Works

REPORT BY: Christopher Silke, Engineering Manager - 707-299-1755

SUBJECT: Memorandum of Understanding between Napa County and La Tierra Water Company

RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign a Measure A Memorandum of Understanding (MOU) with La Tierra Mutual Water Company for a maximum of \$28,946 to implement a project to improve water reservoirs, water quality, and water system reliability for the term January 7, 2020 through 60 days following notification to the County that the project has been completed.

EXECUTIVE SUMMARY

On August 31, 1999, the County and Napa County Flood Protection and Watershed Improvement Authority (NCFPWIA) entered into a funding agreement whereby the NCFPWIA provided funding from the proceeds of the Napa County Flood Protection Sales Tax (also referred to as "Measure A") for eligible county projects. One approved use of Measure A funding is to benefit the Angwin/Deer Park community, and includes projects that will improve the water reservoirs, water quality, and water system reliability. In 2004, the County Board of Supervisors approved a water resources work plan that included the Angwin/Deer Park Area. Since 2004, there have been several amendments to the NCFPWIA agreement, allocating funds to the County to spend on several Measure A eligible water system improvement projects in the Angwin/Deer Park Area.

County Counsel has recommended that the County enter into a Memorandum of Understanding (MOU) with the various Angwin/Deer Park area water purveyors on a project-by-project basis to establish the protocol for providing Measure A funds. Each MOU defines the responsibilities of each party in the project design and/or construction process, and establishes the method for reimbursement. The MOU being considered at this time will fund the La Tierra MWC system improvements listed below:

- I Water Main Replacement - Install 4" galvanized steel pipe, fittings, and gate valves to replace existing aged small diameter water pipe that connects three (3) water storage tanks and three (3) pressure tanks. Place

wire and conduit between an electrical panel and standby power generator to operate a water supply when PG&E service is shut down or experiencing an outage.

- I Generator Connection - Place wire and conduit between an electrical panel and standby power generator to operate a water supply when PG&E service is shut down or experiencing an outage.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Public Works Project Budget (Fund 1000, Sub-Division 1220500, Program 05002 Angwin Water Study) funded through Measure A.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	This project is within the water purveyor's share of the approximately \$7 million dollars of Measure A funds that will be available for water projects in the Angwin/Deer Park area. This is a high priority project for the water purveyor and will address significant issues related to water supply reliability, as well as public health and safety.
Is the general fund affected?	No
Future fiscal impact:	This expenditure (along with all future approved projects) will decrease the remaining Measure A funds available to the Angwin/Deer Park area for water supply reliability projects.
Consequences if not approved:	La Tierra Water Company will not be able to replace vintage pipe with already authorized Measure A funding. This would force the Water Company to pay for the project through user fees or assessments, possibly impacting their fiscal health and/or requiring an increase in water rates. Alternatively, the Water Company could choose not to proceed with construction, which would adversely impact water supply reliability and potentially subject their water customers to health and safety risks.
County Strategic Plan pillar addressed:	Effective and Open Government
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On August 31, 1999, the County and Napa County Flood Protection and Watershed Improvement Authority (NCFPWIA) entered into a funding agreement (Agreement No. 4202) whereby the NCFPWIA provided funding from the proceeds of the Napa County Flood Protection Sales Tax (also referred to as "Measure A") for eligible county

projects. One approved use of Measure A funding is to benefit the Angwin/Deer Park community, and includes projects that: 1) Stabilize and enhance existing water reservoirs for the purpose of flood protection and water reliability; and 2) Stabilize water quality. Agreement No. 4202 with the NCFPWIA has been amended a number of times since it was approved to allocate funds for projects meeting Measure A guidelines to Angwin/Deer Park water purveyors.

On October 11, 2011, the County Board of Supervisors approved a Memorandum of Agreement (MOA) with Howell Mountain Mutual Water Company, St. Helena Hospital, Pacific Union College, La Tierra Heights Mutual Water Company, Linda Falls Terrace Mutual Water Company, Linda Vista Mutual Water Company and Rancho La Jota Mutual Water Company (collectively referred to as "Company") for the purpose of formalizing the suballocation of Measure A funding made available to the Angwin/Deer Park area. The County's obligation for reimbursement shall not exceed the amount shown in MOA, and shall be limited to only those Measure A funds available to County and to Company through the MOA (Angwin/Deer Park Measure A Funding Sub-Allocation), Napa County Agreement No. 7680.

County Counsel has recommended that the County enter into a Memorandum of Understanding (MOU) with Angwin/Deer Park area water purveyors on a project-by-project basis to establish the protocol for providing Measure A funds. Each MOU defines the responsibilities of each party in the project design and/or construction process, and establishes the method for reimbursement. Projects have been carried out with some of the water purveyors, and the Memorandum of Agreement has formalized the allocation of Measure A funds based on the number of service connections. Each water purveyor can use their share of the monies for any project(s) that meet the eligibility requirements for Measure A funding up to the proportional amount that has accrued for the respective water purveyor at any given point in time. The total amount of money made available to the Angwin/Deer Park water purveyors is the area's proportional share of the County sales tax revenues, 17%, less County Charges for staff time to administer the program.

The proposed project will help ensure the reliability of water supply to La Tierra Water Company customers. Project construction includes the installation of 4-inch galvanized steel pipe with valves and fittings. Existing water service lines will be transferred onto the new water main after satisfactory pressure testing, disinfection and analysis for the presence of coliform bacteria. Electrical upgrades consist of wire and conduit to connect an existing generator with Well No. 2 for back-up power during PG&E shut downs and outages.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Leigh Sharp