



Legislation Text

File #: 15-0930, **Version:** 1

Chief Administrative Office recommending the Board approve and authorize the Chair to sign Amendment 5 to the American River Authority Joint Powers Agreement (Authority), to amend the terms of the audit requirements to allow for a five year audit cycle (versus annually) for the Authority as allowed under the applicable Government Code sections (unanimous affirmative vote required).

FUNDING: N/A

DEPARTMENT RECOMMENDATION

Chief Administrative Office recommending the Board approve and authorize the Chair to sign Amendment 5 to the American River Authority Joint Powers Agreement (Authority), to amend the terms of the audit requirements to allow for a five year audit cycle (versus annually) for the Authority as allowed under the applicable Government Code sections.

DISCUSSION / BACKGROUND

El Dorado County (County) entered into a Joint Powers Agreement (JPA), known as the American River Authority JPA, on June 8, 1982 with Placer County, the Placer County Water Agency and the El Dorado County Water Agency. The JPA was formed for the purpose of seeing that a dam, reservoir and hydroelectric powerplant be constructed at an Auburn Dam site. In 1965 the Congress of the United States authorized the construction of the Auburn Dam and Reservoir and a hydroelectric powerplant at the dam. After constructing a diversion tunnel, coffer dam and doing foundation work, the federal government ceased work on the Auburn Dam and indicated it will not resume construction unless there is some financial participation by non-federal entity or entities. In consideration of moving the project forward and the interest in project completion, the County and like interested parties formed the referenced American River Authority JPA.

At the June 9, 2014 JPA meeting, the JPA members voted unanimously to approve the requested Amendment 5. Each voting member agency is required to bring an item before their respective governing bodies to provide a vote on the Amendment 5 as required under Government Code Section 26909 (unanimous affirmative vote required for approval). The Treasurer for the JPA is currently Placer County.

The intent of previous Amendments to the JPA's agreement are outlined below:

- * Amendment 1: increase the initial contribution amount from member agencies from \$6,500 to \$19,000. (effective July 1982)
- * Amendment 2: amend the Governing Body section to clarify membership in the JPA Board. (effective July 1989)
- * Amendment 3: further amended the Governing Body section to add San Joaquin County as a fifth member of the JPA Board. (effective November 1995)
- * Amendment 4: amend the Purpose and Powers of the JPA. Generally, provisions were added for the protection, preservation and perfection of member agencies to use American River waterways. (effective April 1998)

ALTERNATIVES

Not sign Amendment 5 to the American River Authority JPA and retain the annual audit requirements.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel and Auditor's Office

CAO RECOMMENDATION

CAO's office recommends approving and authorizing the Chair to sign Amendment 5 to the American River Authority JPA for the provision of moving from annual audits to allow for audits once every five years as allowable under applicable Government Code sections.

FINANCIAL IMPACT

Should the Board approve this Amendment 5, the JPA would see reduced operating costs associated with less contracted auditing costs. As a member agency, this reduction in operating costs could result in less dues owed to the JPA should a call for contributions be ordered at a future date.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Obtain the Board chair's signature on two (2) originals of the Amendment 5 and send one (1) executed original to the CAO's office for further processing and transmittal.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Craig Schmollinger, 530-621-5518

Principal Analyst, Chief Administrative Office