

AGENDA
***Pajaro River Watershed
Flood Prevention Authority***

c/o RAPS, Inc.
POB 809
Marina, CA 93933
(831) 883-3750
info@ambag.org

Gilroy City Hall
7351 Rosanna Street
Gilroy, California

July 6, 2007

9:00 a.m.

RECOMMENDED ACTION

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ORAL COMMUNICATIONS FROM THE BOARD
ON ITEMS NOT ON THE AGENDA
5. ORAL COMMUNICATIONS FROM THE PUBLIC
ON ITEMS NOT ON THE AGENDA

6. CONSENT AGENDA

RECOMMEND APPROVAL

A. Minutes of the May 4, 2007 Meeting

The minutes of the May 4, 2007 Board meeting are enclosed. **Recommend approval.** (Page 5)

B. Approval of Payment to RAPS, Inc. for April and May 2007

Enclosed are the April and May 2007 invoices. The Staff Working Group recommended approval. **Recommend approval.** (Page 9)

C. Approval of Payment to Gutierrez Consultants for \$4,868.78 for Services Rendered

Enclosed are three invoices of \$1,229.86, \$2,978.92 and \$660 for Lidia Gutierrez's work on the Soap Lake Grant Project and preparation of the Soap Lake Fact Sheet and presentation. The Staff Working Group recommended approval. **Recommend approval.** (Page 15)

D. Contract Amendment with RAPS, Inc. for FY 2006/07 Services

Enclosed is a contract with Regional Analysis & Planning Services, Inc. in the amount of \$35,185 to provide administrative services to the Pajaro River Watershed Flood Prevention Authority in FY 2006/07. **Recommend approval.** (Page 23)

7. ADMINISTRATION

A. Staff Working Group Meeting Notes

INFORMATION

Meeting notes from the May 16 and June 20, 2007 Staff Working Group meeting are **enclosed.** (Page 27)

B. Agency Fiscal Audits Firm Selection

**RECOMMEND
APPROVAL**

Approve selection of auditor for fiscal years 2007-2009 per engagement direction provided at your May 4, 2007 meeting. Staff memorandum and engagement letter are **enclosed.** (Page 31)

C. Legislative Outreach Report

INFORMATION

Accept oral report on Staff Working Group activities to date including meetings with the USACE Commander, South Pacific Division, John McMahon. **Enclosed** is the Attendee list for the meeting with Commander McMahon. Consider early September D.C trip. (Hill/Palmisano/Phillips). (Page 35)

D. FY 2007/08 Agency Budget

**RECOMMEND
APPROVAL**

Staff memorandum and the proposed FY 2007/08 agency budget are **enclosed.** (Page 37)

- E. **Contract with RAPS, Inc. for FY 2007/08 Services** **RECOMMEND APPROVAL**

Enclosed is a proposed contract with Regional Analysis & Planning Services Inc. in the amount \$37,000 to provide administrative services to the Pajaro River Watershed Flood Prevention Authority in FY 2007/08. (Page 39)

- F. **FY 2007/08 Contract with Downey/Brand** **RECOMMEND APPROVAL**

Enclosed is a proposed contract with Downey/Brand in the amount of \$8,000 to provide legal services to the Pajaro River Watershed Flood Prevention Authority in FY 2007/08. (Page 43)

8. **PLANNING**

- A. **“Pajaro River Watershed Integrated Regional Water Management Plan”** **RECOMMEND ENDORSEMENT**

The Executive Summary of the plan, prepared by the Pajaro Valley Water Management Agency (lead), the Santa Clara County Water District, the San Benito County Water District and the Monterey County Water Resources Agency, is **enclosed**. It is recommended that the Board endorse the findings of this planning document, which are consistent with the Authority’s adopted future projects and programs. (Laclergue)
(Page 47)

- B. **Soap Lake Preservation Project** **INFORMATION**

Accept status report on the agreements for carrying out this project. (Tolbert)

- C. **Lower Pajaro River Project** **INFORMATION**

Accept oral report. (Hill)

9. **CORRESPONDENCE AND ANNOUNCEMENTS**

- A. **Oral**

None

B. Written

Enclosed are two letters received June 6 and June 19, 2007 from Anna Eshoo, 14th District thanking the Authority for the letter she received regarding the Pajaro River Watershed Flood Control Project. (Page 79)

10. ADJOURN TO BOARD OF DIRECTORS WORKSHOP

Next Meetings:

September 7, 2007 – Watsonville Council Chambers – Watsonville, 9 a.m.

November 2, 2007 – San Benito Co. Board of Supervisors Chambers – Hollister, 9 a.m.

January 4, 2008 – Monterey County Water Resources Agency – Salinas, 9 a.m.

Note: Action listed for each Agenda item represents the staff recommendation. The Board of Directors may, at its discretion, take any action on the items listed in the Agenda.

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

If you have a request for disability-related modification or accommodation, including auxiliary aids or services, contact AMBAG, 883-3750, or email info@ambag.org, at least 48 hours prior to the meeting date. Separately enclosed

Mission: The purpose of the Authority is to identify, evaluate, fund and implement environmentally sound flood prevention and control strategies in the Pajaro River Watershed, on an intergovernmental, cooperative basis as required by the Pajaro River Watershed Flood Prevention Authority Act.

MINUTES OF THE PROCEEDINGS
OF THE BOARD OF DIRECTORS OF THE
Pajaro River Watershed Flood Prevention Authority

PRWFPA

May 4, 2007

1. CALL TO ORDER

The Board of Directors of the Pajaro River Watershed Flood Prevention Authority, Chair Marcus presiding, convened at 9:02 a.m. on Friday, May, 4, 2007 at the Monterey County Water Resources Agency, Salinas, CA.

Frank Bettencourt, San Benito County Water District, Alternate sat in for Director Flores until he arrived.

2. PLEDGE OF ALLEGIANCE

Director Marcus led the Pledge of Allegiance.

3. ROLL CALL

Members – Board of Directors	Representative	Present	Absent
County of San Benito	Supervisor Don Marcus	X	
County of Santa Cruz	Supervisor Tony Campos	X	
County of Monterey	Supervisor Louis Calcagno		X
County of Santa Clara	Supervisor Donald Gage	X	
Monterey County Water Resources Agency	Director Silvio Bernardi	X	
San Benito County Water District	Director Sonny Flores	X	
Santa Clara County Water District	Director Sig Sanchez		X
Zone 7 Flood Control District	Director Dale Skillicorn	X	
City of Gilroy (Associate Member)	Saeid Vaziry, Sr. Environ. Engineer		X
City of Hollister (Associate Member)	Councilmember Doug Emerson		X
City of Morgan Hill (Associate Member)	Councilmember Mark Grzan		X

Others Present: Frank Bettencourt, San Benito County Water District; Steve Homan, County of Santa Clara; Scott Wilson, SCVWD; Lidia Gutierrez, Gutierrez Consultants; Colleen Valles, County of Santa Clara; Dave Foote, Schaaft & Wheeler; Craig Edgerton, Silicon Valley Land Conservancy; Nicolas Papadakis, Megan Tolbert and Ana Flores, Regional Analysis and Planning Services, Inc. (RAPS, Inc.).

4. ORAL COMMUNICATIONS FROM THE BOARD ON ITEMS NOT ON THE AGENDA

Director Marcus announced that for the July 6, 2007 Board meeting he would like to have a workshop on the Staff Working Group responsibilities. He also added that staff should have a presentation on the history of the PRWFPA for the new Board members.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

The Executive Coordinator went over the letter dated April 6, 2007 from the Santa Clara Valley Water District congratulating the PRWFPA for being selected as the recipient of the 2007 Valleywater Sharing the Silver Award.

6. CONSENT AGENDA

A. Minutes of the March 2, 2007 Board Meeting

Minutes for the March 2, 2007 Board of Directors meeting were enclosed for the Board's approval.

B. Approval of Payment for RAPS, Inc. for February and March 2007

Invoices for services rendered by Regional Analysis and Planning Services, Inc. in February and March 2007 were enclosed. The Staff Working Group recommended approval.

C. Approval of Payment to Gutierrez consultants for \$8,767.73 for Services Rendered

Invoices for services rendered by Gutierrez Consultants were enclosed. The Staff Working Group recommended approval.

Motion made by Director Gage, seconded by Director Skillicorn to approve the Consent Agenda. Motion passed unanimously.

7. ADMINISTRATION

A. Staff Working Group Meeting Notes

The Staff Working Group Meeting Notes for the meetings of January 24, March 21 and April 18, 2007 were enclosed for the Board's information.

Director Marcus had a question regarding DMB Development Project and asked that the consulting firm give a presentation at the next Board meeting.

Motion made by Director Gage, seconded by Director Campos to have the consulting firm DMB give a presentation at the next Board meeting. Motion passed unanimously.

B. Contract with Gutierrez Consultants

The Executive Coordinator reviewed the proposed contract with Gutierrez Consultants for the amount not to exceed \$15,000 to perform initial work required under the Prop 50 grant. The Authority would utilize funds from its reserve account and get reimbursed once the appropriate agreements with PRWFPA, PVWMA and the State have been executed.

Motion made by Director Gage, seconded by Director Campos to approve the contract with Gutierrez Consultants for an amount not to exceed \$15,000. Motion passed unanimously.

C. Budget Amendment No. 2

The Executive Coordinator reviewed the enclosed budget amendment no. 2.

Motion made by Director Gage, seconded by Director Campos to approve the Budget Amendment No. 2. Motion passed unanimously.

D. Contract with Regional Analysis Planning Services, Inc.

The Executive Coordinator reviewed the proposed two-year contract between RAP's, Inc. and the Authority for the amount of \$46,178 to perform work complimentary to Gutierrez Consultants on the Soap Lake Preservation Project.

Motion made by Director Campos, seconded by Director Gage to approve the proposed contract with Regional Analysis Planning Services, Inc. for the amount of \$46,178. Motion passed unanimously.

E. Legislative Outreach Report

Don Hill updated the Board on the tours with Sharim Asiong of U.S. Senator Dianne Feinstein's Office and Jennifer Tang of U.S. Senator Barbara Boxer's Office which were well received. The Coalition letter and the final "Fact Sheet" were also reviewed.

Director Gage suggested that the PRWFPA coalition letter be sent to all of our legislative representatives. Director Gage also suggested that the PRWFPA Associate Members be listed on the coalition letter.

8. PLANNING

A. Agency Fiscal Audit

The Executive Coordinator reviewed the enclosed staff memorandum stating that the three year contract with the auditors Moss, Levy & Hartzheim had expired. Proposals were mailed to twelve firms and two responded, Moss, Levy & Hartzheim and Kasavan & Pope. The Executive Coordinator stated that even though, Moss, Levy & Hartzheim did not perform as desired they would save the Authority \$7,500 in three years.

Director Gage suggested that a penalty clause be added to the contract prior to making a decision on the two auditors.

Motion made by Director Gage, seconded by Director Campos to approve the addition of a penalty clause to the contracts of Moss, Levy & Hartzheim and Kasavan & Pope. Motion passed unanimously.

B. Soap Lake Preservation Project

Lidia Gutierrez reported that the Department of Water Resources set the effective date as January 18, 2007 which means that any work performed since that date is eligible for reimbursement under the Prop 50 grant. Ms. Gutierrez also reported that two agreements are currently being worked on, the first between the Department of Water Resources and PRVWMA and second between PRVWMA and PRWFPA.

C. Lower Pajaro River Project

Don Hill updated the Board on the bench excavation project. The CEQA timeline for this project will be completed in August 2007.

D. Staff Working Group Roles and Responsibilities

Director Marcus stated that a workshop regarding the Staff Working Group Roles and Responsibilities would be held on July 6, 2007 after the scheduled Board of Directors meeting. Director Marcus also requested that a presentation be made to the Board about the history of the Authority.

Motion made by Director Gage, seconded by Director Campos to approve the workshop for July 6, 2007. Motion passed unanimously.

9. CORRESPONDENCE AND ANNOUNCEMENT

A. Oral

Director Campos announced that on May 7, 2007 the Lieutenant Governor John Garamendi would be speaking at the Pajaro Dunes Resort.

B. Written

None

10. ADJOURN

The meeting was adjourned at 9:43 a.m.

REGIONAL ANALYSIS PLANNING SERVICES, INC.

A non-profit corporation chartered by the Association of Monterey Bay Area Governments

445 Reservation Road, Suite G
P.O. Box 809, Marina, CA 93933-0809

(831) 883-3750
(831) 883-3755

May 4, 2007

Board of Directors
Pajaro River Watershed Flood Prevention Authority

RE: Contract for Services Dated July 1, 2000, and amended July 6, 2001, August 9, 2002, July 11, 2003, July 2, 2004, July 1, 2005, and September 22, 2006.

This letter is our billing for services rendered in the period April 1 through April 30, 2007. The services included work under items 1 through 9 of Exhibit A of the referenced contract. The following breakdown of charges is summarized in accordance with Exhibit B of the referenced contract. Data is from the official time records under Work Element No. 530.

This invoice will be reviewed by the Staff Working Group, and a recommendation will be presented at the Board of Directors Meeting on June 4, 2007.

Work Element 530 - Agency Administration

Executive Coordinator	6 hours @ \$ 240.98	\$ 1,445.88
Associate Planner	12 hours @ \$ 71.03	\$ 852.36
Administrative Assistant	11 hours @ \$ 62.50	\$ 687.50
	Subtotal	<u>\$ 2,985.74</u>

Total now due: \$ 2,985.74

Sincerely,



Nicolas Papadakis
Executive Coordinator

Attachments

Regional Analysis and Planning Services
 (RAPS)

Invoice for PRWFPA
 April 1 to April 30, 2007

Position Title	Total Hours	Personnel Cost	Overhead Cost	Total Cost
Executive Coordinator	Rate/hr	\$131.96	\$109.02	\$240.98
Project 530 Admin	6	\$ 791.76	\$ 654.12	\$ 1,445.88
Subtotal	6	\$ 791.76	\$ 654.12	\$ 1,445.88
Associate Planner	Rate/hr	\$39.52	\$31.51	\$71.03
Project 530 Admin	12	\$ 474.24	\$ 378.12	\$ 852.36
Subtotal	12	\$ 474.24	\$ 378.12	\$ 852.36
Administrative Assistant	Rate/hr	\$34.70	\$27.80	\$62.50
Project 530 Admin	11	\$ 381.70	\$ 305.80	\$ 687.50
Subtotal	11	\$ 381.70	\$ 305.80	\$ 687.50
Total	29	1,647.70	1,338.04	2,985.74

Tasks Completed:

Executive Coordinator:

WE 530: SWG agenda preparation, distribution, and meeting attendance.

Associate Planner:

WE 530: Attend meetings; prepare draft comment letter; update task list; coordinate map updates with GIS department and Silicon Valley Land Conservancy.

Administrative Assistant:

WE 530: Board of Directors agenda preparation and distribution. Maintenance of Pajaro website SWG agenda preparation, distribution, and meeting attendance (4/18)

Regional Analysis and Planning Services
Status of WE 530
Year-to-Date vs Budget
FY2006/07

	<u>WE 530 Admin</u>	<u>TOTAL</u>
Budget*	\$ 35,185.00	\$ 35,185.00
Amount Spent:		
July, 2006	\$ 1,392.40	\$ 1,392.40
August, 2006	\$ 1,454.90	\$ 1,454.90
September, 2006	\$ 3,025.78	\$ 3,025.78
October, 2006	\$ 2,663.11	\$ 2,663.11
November, 2006	\$ 1,431.07	\$ 1,431.07
December, 2006	\$ 1,401.42	\$ 1,401.42
January, 2007	\$ 1,974.83	\$ 1,974.83
February, 2007	\$ 2,311.90	\$ 2,311.90
March, 2007	\$ 2,988.99	\$ 2,988.99
April, 2007	\$ 2,985.74	\$ 2,985.74
May, 2007	\$ -	\$ -
June, 2007	\$ -	\$ -
Subtotal	<u>\$ 21,630.14</u>	<u>\$ 21,630.14</u>
Balance Available	<u>\$ 13,554.86</u>	<u>\$ 13,554.86</u>

* Per approved budget effective (11/03/06).

REGIONAL ANALYSIS PLANNING SERVICES, INC.

A non-profit corporation chartered by the Association of Monterey Bay Area Governments

445 Reservation Road, Suite G
P.O. Box 809, Marina, CA 93933-0809

(831) 883-3750
(831) 883-3755

June 4, 2007

Board of Directors
Pajaro River Watershed Flood Prevention Authority

RE: Contract for Services Dated July 1, 2000, and amended July 6, 2001, August 9, 2002, July 11, 2003, July 2, 2004, July 1, 2005, and September 22, 2006.

This letter is our billing for services rendered in the period May 1 through May 31, 2007. The services included work under items 1 through 9 of Exhibit A of the referenced contract. The following breakdown of charges is summarized in accordance with Exhibit B of the referenced contract. Data is from the official time records under Work Element No. 530.

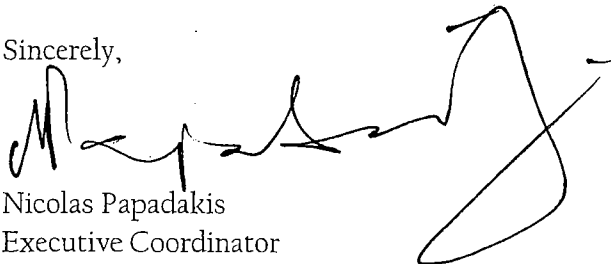
This invoice will be reviewed by the Staff Working Group, and a recommendation will be presented at the Board of Directors Meeting on June 13, 2007.

Work Element 530 - Agency Administration

Executive Coordinator	8 hours @ \$ 240.98	\$ 1,927.84
Associate Planner	24 hours @ \$ 71.03	\$ 1,704.72
Administrative Assistant	10 hours @ \$ 62.50	\$ 625.00
	Subtotal	<u>\$ 4,257.56</u>

Total now due: \$ 4,257.56

Sincerely,



Nicolas Papadakis
Executive Coordinator

Attachments

Regional Analysis and Planning Services
(RAPS)

Invoice for PRWFPA
April 1 to April 30, 2007

Position Title	Total Hours	Personnel Cost	Overhead Cost	Total Cost
Executive Coordinator Rate/hr		\$131.96	\$109.02	\$240.98
Project 530 Admin	8	\$ 1,055.68	\$ 872.16	\$ 1,927.84
Subtotal	8	\$ 1,055.68	\$ 872.16	\$ 1,927.84
Associate Planner Rate/hr		\$39.52	\$31.51	\$71.03
Project 530 Admin	24	\$ 948.48	\$ 756.24	\$ 1,704.72
Subtotal	24	\$ 948.48	\$ 756.24	\$ 1,704.72
Administrative Assistant Rate/hr		\$34.70	\$27.80	\$62.50
April, 2007	10	\$ 347.00	\$ 278.00	\$ 625.00
Subtotal	10	\$ 347.00	\$ 278.00	\$ 625.00
Total	42	2,351.16	1,906.40	4,257.56

Tasks Completed:

Executive Coordinator:

WE 530: SWG agenda preparation, distribution, and meeting attendance.

Associate Planner:

WE 530: Meeting attendance, map prep and coordination.

Administrative Assistant:

WE 530: Board of Directors agenda preparation, distribution and BOD meeting attendance (5/4).

Maintenance of Pajaro website. SWG agenda preparation, distribution, and meeting attendance (5/16)

Regional Analysis and Planning Services
Status of WE 530
Year-to-Date vs Budget
FY2006/07

	<u>WE 530 Admin</u>	<u>TOTAL</u>
Budget*	\$ 35,185.00	\$ 35,185.00
Amount Spent:		
July, 2006	\$ 1,392.40	\$ 1,392.40
August, 2006	\$ 1,454.90	\$ 1,454.90
September, 2006	\$ 3,025.78	\$ 3,025.78
October, 2006	\$ 2,663.11	\$ 2,663.11
November, 2006	\$ 1,431.07	\$ 1,431.07
December, 2006	\$ 1,401.42	\$ 1,401.42
January, 2007	\$ 1,974.83	\$ 1,974.83
February, 2007	\$ 2,311.90	\$ 2,311.90
March, 2007	\$ 2,988.99	\$ 2,988.99
April, 2007	\$ 2,985.74	\$ 2,985.74
May, 2007	\$ 4,257.56	\$ 4,257.56
June, 2007	\$ -	\$ -
Subtotal	<u>\$ 25,887.70</u>	<u>\$ 25,887.70</u>
Balance Available	<u>\$ 9,297.30</u>	<u>\$ 9,297.30</u>

* Per approved budget effective (11/03/06).

