

# **Pajaro River Watershed Flood Prevention Authority Board of Directors Agenda**

c/o RAPS, Inc.  
P.O. Box 2453  
Seaside, CA 93955  
(831) 883-3750

PRWFPA Chair – John Baillie  
PRWFPA Vice Chair – Nancy Bilicich

**DATE: June 3, 2022**  
**TIME: 9:00 AM**

**Watsonville Civic Center Plaza Building  
Council Chambers  
275 Main Street, 4<sup>th</sup> Floor  
Watsonville, CA 95076**

- 
- 1. CALL TO ORDER**
  - 2. PLEDGE OF ALLEGIANCE**
  - 3. ROLL CALL**
  - 4. ORAL COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA  
(A maximum of three minutes on any subject not on the agenda)**
  - 5. ORAL COMMUNICATIONS FROM THE BOARD ON ITEMS NOT ON THE AGENDA**
  - 6. CONSENT AGENDA**

**Recommended Action: APPROVE**

**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.

- A. Minutes of the April 1, 2022 Board of Directors Meeting**
  - Ana Flores, RAPS, Inc.**

Approve the minutes of the April 1, 2022 Board of Directors meeting. (Page 5)

**B. Approval of Payment to Gutierrez Consultants**

- **Lidia Gutierrez, Gutierrez Consultants**

Approve the March 2022 and April 2022 invoices for services rendered by Gutierrez Consultants. (Page 9)

**C. Approval of Payment to RAPS, Inc.**

- **Maura Twomey, RAPS, Inc.**

Approve the March 2022 and April 2022 invoices for services rendered by RAPS, Inc. (Page 13)

**D. Resolution in Accordance with AB 361 regarding the Ralph M. Brown Act and Finding of Imminent Risk to Health and Safety of In-Person Meetings as a Result of the Continuing COVID-19 Pandemic State of Emergency Declared by Governor Newsom**

- **Maura Twomey, RAPS, Inc.**

Adopt a resolution in accordance with AB 361 regarding the Ralph M. Brown Act and finding of imminent risk to health and safety of in-person meetings as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom. (Page 19)

**E. Gutierrez Consultants Contract Extension for FY 2022-2023**

- **Lidia Gutierrez, Gutierrez Consultants**

Approve the FY 2022-2023 contract extension with Gutierrez Consultants. (Page 21)

**F. RAPS, Inc. Contract Extension for FY 2022-2023**

- **Maura Twomey, RAPS, Inc.**

Approve the FY 2022-2023 contract extension with RAPS, Inc. (Page 29)

**G. ABC Law Contract Extension for FY 2022-2023**

- **Maura Twomey, RAPS, Inc.**

Approve the FY 2022-2023 contract extension with ABC Law. (Page 33)

**H. Financial Update Report**

- **Errol Osteraa, RAPS, Inc.**

Accept the financial update report which provides an update on PRWFPA's current financial position and accompanying financial statements. (Page 37)

**7. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION AND POSSIBLE ACTION**

**8. ADMINISTRATION**

- A. Draft FY 2022-2023 Budget**  
**Recommended Action: ADOPT**  
• Maura Twomey, RAPS, Inc.

Adopt the draft the FY 2022-2023 agency budget. (Page 45)

**9. PLANNING**

- A. Pajaro River Flood Risk Reduction Project Update**  
**Recommended Action: INFORMATION**  
• Mark Strudley, County of Santa Cruz

Receive an update on the Pajaro River Flood Risk Reduction Project.

**10. OTHER BUSINESS**

**11. ADJOURN**

**REFERENCE ITEMS:**

- A. Acronym Guide (Page )  
B. 2022 Calendar of Meetings (Page )

**NEXT BOARD OF DIRECTORS MEETING:**

**Date:** September 2, 2022  
**Location:** Gilroy City Hall  
7351 Rosanna Street  
Gilroy, CA 95020  
**Time:** 9:00 AM

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 Ana Flores at 831-883-3750, or by email [aflores@ambag.org](mailto:aflores@ambag.org), at least 48 hours prior to the meeting date.

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**DRAFT**  
**MINUTES OF THE PROCEEDINGS**  
**OF THE BOARD OF DIRECTORS OF THE**  
**PAJARO RIVER WATERSHED FLOOD PREVENTION AUTHORITY**

April 1, 2022

**1. CALL TO ORDER**

The Board of Directors of the Pajaro River Watershed Flood Prevention Authority, Chair Baillie presiding, convened via Zoom Webinar at 9:00 a.m. on Friday, April 1, 2022.

**2. ROLL CALL**

| <b>Members – Board of Directors</b>    | <b>Representative</b>      | <b>Present</b> | <b>Absent</b> |
|--|----------------------------|----------------|---------------|
| County of San Benito                   | Supervisor Kollin Kosmicki | X              |               |
| County of Santa Cruz                   | Supervisor Greg Caput      | X              |               |
| County of Monterey                     | Supervisor John Phillips   | X              |               |
| County of Santa Clara                  | Supervisor Mike Wasserman  | X              |               |
| Monterey County Water Resources Agency | Director John Baillie      | X              |               |
| San Benito County Water District       | Director Sonny Flores      |                | X             |
| Santa Clara Valley Water District      | Director John Varela       | X              |               |
| Zone 7 Flood Control District          | Director Nancy Bilicich    | X              |               |
| City of Gilroy (Associate Member)      | Vacant                     | n/a            | n/a           |
| City of Hollister (Associate Member)   | Vacant                     | n/a            | n/a           |
| City of Morgan Hill (Associate Member) | Rene Spring                |                | X             |

**Others Present:** Bob Culbertson; Lidia Gutierrez, Gutierrez Consultants; Mark Strudley, and Antonella Gentile, County of Santa Cruz; Maura Twomey, Gina Schmidt, Cynthia Pina, and Ana Flores, Regional Analysis and Planning Services, Inc. (RAPS, Inc.).

**3. Resolution in Accordance with AB 361 regarding the Ralph M. Brown Act and Finding of Imminent Risk to Health and Safety of In-Person Meetings as a Result of the Continuing COVID-19 Pandemic State of Emergency Declared by Governor Newsom**

The Resolution 2022-2 was adopted.

**Motion made by Director Wasserman, seconded by Director Varela to adopt Resolution 2022-2. Motion passed unanimously.**

**4. ORAL COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA**

There were no written or oral comments.

**5. ORAL COMMUNICATIONS FROM THE BOARD ON ITEMS NOT ON THE AGENDA**

There were no oral communications from the Board of Directors.

**6. CONSENT**

**A. Minutes of the February 4, 2022 Board of Directors Meeting**

The minutes of the February 4, 2022 Board of Directors meeting were approved.

**B. Approval of Payment to Gutierrez Consultants**

The invoices for services rendered by Gutierrez Consultants in January 2022 and February 2022 were approved.

**C. Approval of Payment to RAPS, Inc.**

The invoices for services rendered by RAPS, Inc. in January 2022 and February 2022 were approved.

**D. Approval of Payment to ABC Law**

The January 2022 ABC Law invoice was approved.

**E. PRWFPA Banking and Signature Authorizations**

The letter to Mechanics Bank updating the check signing authority for the PRWFPA's bank accounts was approved.

**F. Financial Update Report**

The financial update report was accepted.

**Motion made by Director Bilicich, seconded by Director Wasserman to approve the consent agenda. Motion passed unanimously.**

**7. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION AND POSSIBLE ACTION**

None.

**8. PLANNING**

**A. Pajaro River Flood Risk Reduction Project Update**

Mark Strudley, County of Santa Cruz gave an update on the Pajaro River Flood Risk Reduction Project and the Pajaro Regional Flood Management Agency.

**9. OTHER BUSINESS**

None.

**10. ADJOURNMENT**

The meeting adjourned at 9:37 a.m.

**DRAFT**  
**PRWFPA BOARD OF DIRECTORS MEETING ATTENDANCE & VOTING RECORD**

**BOARD MEETING DATE: April 1, 2022**

| <b>Attendance (X= Present; AB= Absent)    Voting (Y= Yes; N=No; A=Abstain)</b> |                   |                   |               |               |
|--|-------------------|-------------------|---------------|---------------|
| <b>MEMBER</b>  | <b>PRWFPA REP</b> | <b>Attendance</b> | <b>Item 3</b> | <b>Item 6</b> |
| County of Monterey   | John Phillips     | X                 | Y             | Y             |
| County of San Benito   | Kollin Kosmicki   | X                 | N/A           | N/A           |
| County of Santa Clara  | Mike Wasserman    | X                 | Y             | Y             |
| County of Santa Cruz   | Greg Caput        | X                 | Y             | Y             |
| Monterey County Water Resources Agency   | John Baillie      | X                 | Y             | Y             |
| San Benito County Water District   | Sonny Flores      | AB                | Y             | Y             |
| Santa Clara Valley Water District  | Richard Santos    | X                 | Y             | Y             |
| Zone 7 Flood Control   | Nancy Bilicich    | X                 | Y             | Y             |
| <b>Associate Members (Non-Voting Members)</b>                                  |                   |                   |               |               |
| City of Gilroy<br>(Associate Member)   | Vacant            | n/a               |               |               |
| City of Hollister<br>(Associate Member)  | Vacant            | n/a               |               |               |
| City of Morgan Hill<br>(Associate Member)                                      | Rene Spring       | AB                |               |               |

(\* = Board Members that arrived late, therefore, did not vote on the item. Please refer the minutes)

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## Gutierrez Consultants

April 8, 2022

Ms. Maura Twomey, Executive Director  
Pajaro River Watershed FPA  
Post Office Box 2453  
Seaside, CA 93955-2453

Dear Maura:

Attached is an invoice from Gutierrez Consultants for professional services provided from March 1, 2022 through March 31, 2022. The services were provided in accordance with the Soap Lake Floodplain Preservation Project Contract. The invoice is for a total amount of \$815.75 and the balance remaining is \$58,893.75.

Sincerely,

Lidia Gutierrez  
Principal

Gutierrez Consultants  
118 Diablo Ranch Court  
Danville, CA 94506

# Invoice

|   |
|---|
| Bill To:  |
| Pajaro River Watershed FPA<br>PO Box 2453<br>Seaside, CA 93955-2453 |

| Date     | Invoice No. | Project | Service Period |
|----------|-------------|---------|----------------|
| 04/08/22 | 1677        |         | 3/1/22-4/1/22  |

| Item                               | Description  | Quantity | Rate   | Amount   |
|------------------------------------|--|----------|--------|----------|
| FPA Subtask 1.9<br>Partner Facilit | Prepare for and participate in March 15, 2022 Staff Working Group meeting (call); review One Water - Upper Pajaro River Watershed Survey materials; prepare for and participate in April 1, 2022 Board meeting (call); post-meeting coordination regarding FPA next steps; February 2022 invoice | 3.25     | 251.00 | 815.75   |
|                                    |  |          | Total  | \$815.75 |



## Gutierrez Consultants

May 11, 2022

Ms. Maura Twomey, Executive Director  
Pajaro River Watershed FPA  
Post Office Box 2453  
Seaside, CA 93955-2453

Dear Maura:

Attached is an invoice from Gutierrez Consultants for professional services provided from April 1, 2022 through April 30, 2022. The services were provided in accordance with the Soap Lake Floodplain Preservation Project Contract. The invoice is for a total amount of \$627.50 and the balance remaining is \$58,266.25.

Sincerely,

Lidia Gutierrez  
Principal

Gutierrez Consultants  
118 Diablo Ranch Court  
Danville, CA 94506

# Invoice

|   |
|---|
| Bill To:  |
| Pajaro River Watershed FPA<br>PO Box 2453<br>Seaside, CA 93955-2453 |

| Date     | Invoice No. | Project | Service Period |
|----------|-------------|---------|----------------|
| 05/11/22 | 1685        |         | 4/1/22-4/30/22 |

| Item                               | Description   | Quantity | Rate   | Amount   |
|------------------------------------|---|----------|--------|----------|
| FPA Subtask 1.9<br>Partner Facilit | Review FPA funding and potential studies or project alternatives for FPA support; prepare for and participate in April 19, 2022 SWG meeting | 2.5      | 251.00 | 627.50   |
|                                    |   |          | Total  | \$627.50 |

## REGIONAL ANALYSIS PLANNING SERVICES, INC.

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

PO Box 2453  
Seaside, CA 93955-2453

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

March 31, 2022

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, September 22, 2006, July 6, 2007, June 27, 2008, January 9, 2009, May 1, 2009, June  
4, 2010, May 6, 2011, May 4, 2012, May 3, 2013, June 6, 2014, June 30, 2015, June 3, 2016, June 30, 2017, June  
1, 2018, June 7, 2020, June 5, 2020, **and June 4, 2021.**

This letter is our billing for services rendered in the period **March 1 through March 31, 2022.**

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 3, 2022.**

The services included work under items 1 through 9 of Exhibit A of the referenced contract. The following

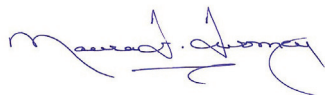
### Work Element 530 - Agency Administration

|                                      |           |           |    |                 |
|--------------------------------------|-----------|-----------|----|-----------------|
| Executive Coordinator                | 1 hours @ | \$ 265.00 | \$ | 265.00          |
| Director of Finance & Administration | 2 hours @ | \$ 232.00 | \$ | 464.00          |
| Principal Accountant                 | 0 hours @ | \$ 157.00 | \$ | -               |
| Associate Planner                    | 0 hours @ | \$ 121.00 | \$ | -               |
| GIS Coordinator                      | 0 hours @ | \$ 186.00 | \$ | -               |
| Senior Executive Assistant           | 9 hours @ | \$ 142.00 | \$ | 1,278.00        |
| Total                                | <u>12</u> | Subtotal  | \$ | <u>2,007.00</u> |

\* Rates approved by the board on 5/6/10 and modified 11/4/2011, 6/3/2016, 06/7/2019, 6/5/2020,  
and 6/4/2021.

Total now due: \$ 2,007.00

Sincerely,



Maura F. Twomey  
Executive Coordinator

**Regional Analysis and Planning Services  
(RAPS)**

Invoice for PRWFPA  
March 1 - March 31, 2022

| Position Title                       | Total Hours | Billing Rate | Total Cost |
|--------------------------------------|-------------|--------------|------------|
| Executive Coordinator                |             |              |            |
| Project 530 Admin                    | 1.00        | 265.00       | 265.00     |
| Subtotal                             | 1.00        | 265.00       | 265.00     |
| Director of Finance & Administration |             |              |            |
| Project 530 Admin                    | 2.00        | 232.00       | 464.00     |
| Subtotal                             | 2.00        | 232.00       | 464.00     |
| Principal Accountant                 |             |              |            |
| Project 530 Admin                    | -           | 157.00       | -          |
| Subtotal                             | -           | 157.00       | -          |
| Associate Planner                    |             |              |            |
| Project 530 Admin                    | -           | 121.00       | -          |
| Subtotal                             | -           | 121.00       | -          |
| GIS Coordinator                      |             |              |            |
| Project 530 Admin                    | -           | 186.00       | -          |
| Subtotal                             | -           | 186.00       | -          |
| Senior Executive Assistant           |             |              |            |
| Project 530 Admin                    | 9.00        | 142.00       | 1,278.00   |
| Subtotal                             | 9.00        | 142.00       | 1,278.00   |
| Total                                | 12.00       |              | 2,007.00   |

**Tasks Completed:**

**Executive Coordinator**

SWG 3/15/22 agenda preparation; SWG 3/15/22 meeting attendance; PRWFPA 4/1/22 Board of Directors agenda preparation.

**Director of Finance & Administration**

Prepared financial statements for 4/1/22 Board of Directors meeting.

**GIS Coordinator**

**Principal Accountant**

**Associate Planner**

**Senior Executive Assistant**

SWG 3/15/22 agenda preparation and distribution; SWG 3/15/22 meeting attendance; PRWFPA 4/1/22 Board of Directors agenda preparation and distribution; Website update; FPPC filing.

## REGIONAL ANALYSIS PLANNING SERVICES, INC.

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

|                   | <u>WE 530 Admin</u> | <u>Remaining</u>    |
|-------------------|---------------------|---------------------|
| Budget*           | \$ 45,000.00        | \$ 45,000.00        |
| Amount Spent:     |                     |                     |
| July, 2021        | \$ 142.00           | \$ 44,858.00        |
| August, 2021      | \$ 691.00           | \$ 44,167.00        |
| September, 2021   | \$ 2,305.00         | \$ 41,862.00        |
| October, 2021     | \$ 975.00           | \$ 40,887.00        |
| November, 2021    | \$ 549.00           | \$ 40,338.00        |
| December, 2021    | \$ 0.00             | \$ 40,338.00        |
| January, 2022     | \$ 2,305.00         | \$ 38,033.00        |
| February, 2022    | \$ 5,167.00         | \$ 32,866.00        |
| March, 2022       | \$ 2,007.00         | \$ 30,859.00        |
| April, 2022       | \$ -                | \$ -                |
| May, 2022         | \$ -                | \$ -                |
| June, 2022        | \$ -                | \$ -                |
| <b>Subtotal</b>   | <b>\$ 14,141.00</b> | <b>\$ 30,859.00</b> |
| Balance Available |                     | <u>\$ 30,859.00</u> |

## REGIONAL ANALYSIS PLANNING SERVICES, INC.

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

PO Box 2453  
Seaside, CA 93955-2453

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

April 30, 2022

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, September 22, 2006, July 6, 2007, June 27, 2008, January 9, 2009, May 1, 2009, June 4,  
2010, May 6, 2011, May 4, 2012, May 3, 2013, June 6, 2014, June 30, 2015, June 3, 2016, June 30, 2017, June 1,  
2018, June 7, 2020, June 5, 2020, **and June 4, 2021.**

This letter is our billing for services rendered in the period **April 1 through April 30, 2022.**

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 3, 2022.**

The services included work under items 1 through 9 of Exhibit A of the referenced contract. The following

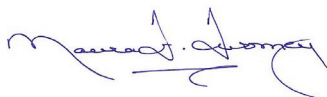
### Work Element 530 - Agency Administration

|                                      |           |           |           |                 |
|--------------------------------------|-----------|-----------|-----------|-----------------|
| Executive Coordinator                | 2 hours @ | \$ 265.00 | \$        | 530.00          |
| Director of Finance & Administration | 0 hours @ | \$ 232.00 | \$        | -               |
| Principal Accountant                 | 0 hours @ | \$ 157.00 | \$        | -               |
| Associate Planner                    | 0 hours @ | \$ 121.00 | \$        | -               |
| GIS Coordinator                      | 0 hours @ | \$ 186.00 | \$        | -               |
| Senior Executive Assistant           | 4 hours @ | \$ 142.00 | \$        | 568.00          |
| Total                                | <u>6</u>  | Subtotal  | <u>\$</u> | <u>1,098.00</u> |

\* Rates approved by the board on 5/6/10 and modified 11/4/2011, 6/3/2016, 06/7/2019, 6/5/2020, and 6/4/2021.

Total now due: \$ 1,098.00

Sincerely,



Maura F. Twomey  
Executive Coordinator



**Regional Analysis and Planning Services  
(RAPS)**

Invoice for PRWFPA  
April 1 - April 30, 2022

| Position Title                       | Total Hours | Billing Rate | Total Cost |
|--------------------------------------|-------------|--------------|------------|
| Executive Coordinator                |             |              |            |
| Project 530 Admin                    | 2.00        | 265.00       | 530.00     |
| Subtotal                             | 2.00        | 265.00       | 530.00     |
| Director of Finance & Administration |             |              |            |
| Project 530 Admin                    | -           | 232.00       | -          |
| Subtotal                             | -           | 232.00       | -          |
| Principal Accountant                 |             |              |            |
| Project 530 Admin                    | -           | 157.00       | -          |
| Subtotal                             | -           | 157.00       | -          |
| Associate Planner                    |             |              |            |
| Project 530 Admin                    | -           | 121.00       | -          |
| Subtotal                             | -           | 121.00       | -          |
| GIS Coordinator                      |             |              |            |
| Project 530 Admin                    | -           | 186.00       | -          |
| Subtotal                             | -           | 186.00       | -          |
| Senior Executive Assistant           |             |              |            |
| Project 530 Admin                    | 4.00        | 142.00       | 568.00     |
| Subtotal                             | 4.00        | 142.00       | 568.00     |
| Total                                | 6.00        |              | 1,098.00   |

**Tasks Completed:**

**Executive Coordinator**

Attendance of the April 1, 2022 PRWFPA Board of Directors meeting; Preparation of the April 19, 2022 SWG agenda; Attendance of the April 19, 2022 SWG meeting.

**Director of Finance & Administration**

**GIS Coordinator**

**Principal Accountant**

**Associate Planner**

**Senior Executive Assistant**

Preparation and attendance of the April 1, 2022 PRWFPA Board of Directors meeting; Preparation and distribution of the April 19, 2022 SWG agenda; Attendance of the April 19, 2022 SWG meeting; Website update; Travel to Salinas for signatures from Chair Baillie.

## REGIONAL ANALYSIS PLANNING SERVICES, INC.

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

|                   | <u>WE 530 Admin</u> | <u>Remaining</u>    |
|-------------------|---------------------|---------------------|
| Budget*           | \$ 45,000.00        | \$ 45,000.00        |
| Amount Spent:     |                     |                     |
| July, 2021        | \$ 142.00           | \$ 44,858.00        |
| August, 2021      | \$ 691.00           | \$ 44,167.00        |
| September, 2021   | \$ 2,305.00         | \$ 41,862.00        |
| October, 2021     | \$ 975.00           | \$ 40,887.00        |
| November, 2021    | \$ 549.00           | \$ 40,338.00        |
| December, 2021    | \$ 0.00             | \$ 40,338.00        |
| January, 2022     | \$ 2,305.00         | \$ 38,033.00        |
| February, 2022    | \$ 5,167.00         | \$ 32,866.00        |
| March, 2022       | \$ 2,007.00         | \$ 30,859.00        |
| April, 2022       | \$ 1,098.00         | \$ 29,761.00        |
| May, 2022         | \$ -                | \$ -                |
| June, 2022        | \$ -                | \$ -                |
| <b>Subtotal</b>   | <b>\$ 15,239.00</b> | <b>\$ 29,761.00</b> |
| Balance Available |                     | <u>\$ 29,761.00</u> |

**A RESOLUTION  
OF THE PAJARO RIVER WATERSHED FLOOD PREVENTION AUTHORITY BOARD OF DIRECTORS  
AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF PRWFPA LEGISLATIVE BODIES PURSUANT  
TO THE RALPH M. BROWN ACT AND FINDING OF IMMINENT RISK TO HEALTH AND SAFETY OF IN-  
PERSON MEETINGS AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF  
EMERGENCY DECLARED BY GOVERNOR NEWSOM**

**WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and,

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government code Section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361 which provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act, provided that a State of Emergency is declared by the Governor pursuant to Government Code section 8625, and either state or local officials have imposed or recommended measures to promote social distancing, or the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and,

**WHEREAS**, the State of Emergency proclaimed by the Governor on March 4, 2020, remains in effect; and,

**WHEREAS**, California Department of Public Health (“CDPH”) and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Delta and Omicron variants of COVID-19, currently the dominant strains of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and,

**WHEREAS**, other variants of COVID-19 exist, and it is unknown at this time whether other variants may result in a new surge in COVID-19 cases; and,

**WHEREAS**, the CDC has established a “Community Transmission” metric with 4 tiers designed to reflect a community’s COVID-19 case rate and percent positivity; and,

**WHEREAS**, Monterey County and San Benito County currently have a Community Transmission metric of “low”; Santa Cruz County and Santa Clara County currently have a Community Transmission metric of “medium”; and,

**WHEREAS**, due to the current pandemic situation, the CDC recommends that all persons, regardless of vaccination status, wear a mask based on your personal preference, informed by your personal level of risk. The public may choose to wear a mask or respirator that offers greater protection in certain situations, such as when you are with people at higher risk for severe illness, or if you are at higher risk for severe illness; and

**WHEREAS**, the Board of Directors for the Pajaro River Watershed Flood Prevention Authority (PRWFPA) is empowered to take actions necessary to protect public, health, welfare and safety within the region; and,

**WHEREAS**, PRWFPA has an important governmental interest in protecting the health, safety, and welfare of those who participate in meetings of PRWFPA's various legislative bodies subject to the Brown Act; and,

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the PRWFPA Board of Directors deems it necessary to find that meeting in person for meetings of all PRWFPA related legislative bodies subject to the Ralph M. Brown Act would present imminent risks to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing as provided in subdivision (e) of Government Code section 54953; and

**WHEREAS**, all teleconferenced meetings of PRWFPA related legislative bodies shall comply with the requirements to provide the public with access to meetings as prescribed in paragraph (2) of subdivision (e) of Government Code section 54953;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Pajaro River Watershed Flood Prevention Authority does hereby approve as follows:

1. The Board of Directors finds that meeting in person for meetings of all PRWFPA related legislative bodies subject to the Ralph M. Brown Act would present imminent risks to the health or safety of attendees.
2. This finding applies to all PRWFPA related legislative bodies subject to the Brown Act, including but not limited to, the Staff Working Group and any other standing committees.
3. If the Board of Directors desires to continue holding meetings by teleconference consistently with Government Code section 54953(c), it shall make the additional findings required by Government Code section 54953(c)(3).
4. The PRWFPA Executive Coordinator and PRWFPA Counsel are directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

**PASSED AND ADOPTED** this 3rd day of June 2022.

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John Baillie, Chair

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Maura F. Twomey, Executive Coordinator

**DRAFT**  
**CONTRACT FOR SERVICES**

This **Amendment No. 13** to the Contract for Services dated June 4, 2010 between the Pajaro River Watershed Flood Prevention Authority (**Authority**) and Gutierrez Consultants, Inc. (**Contractor**) amends the following sections of the original agreement.

**1. SCOPE OF SERVICES**

A. CONTRACTOR shall perform all of the necessary services as described above and incorporated herein by this reference and shall comply with all relevant conditions as set forth in the AGREEMENT. **The Scope of Work is attached as Exhibit A.**

B. Time is of the essence in this Agreement.

C. Said services and all duties incidental or necessary thereto shall be performed diligently and competently and in accordance with professional standards of performance.

**2. COMPENSATION**

A. Authority shall pay CONTRACTOR for services a total amount not to exceed **SEVENTY THOUSAND DOLLARS (\$70,000.00)**. In no event shall compensation exceed this amount without prior written consent of the AUTHORITY. **Rate schedule is attached as Exhibit B.**

B. Invoices for services must be presented to AUTHORITY no later than the first business day of each month for the month prior. CONTRACTOR shall submit to AUTHORITY an invoice stating a description of services provided, and stating the amount due CONTRACTOR for such service. AUTHORITY shall pay the CONTRACTOR promptly. No interest or carrying charges shall accrue to CONTRACTOR by reason of delayed payment.

**3. TERM OF AGREEMENT.**

The term of this agreement shall commence on **July 1, 2022** (Commencement Date), and shall continue until **June 30, 2023** (Termination Date), or until the parties mutually determine that the work required hereunder is satisfactorily completed, whichever occurs first.

In witness whereof, the parties hereto have executed this agreement on **June 3, 2022**.

**GUTIERREZ CONSULTANTS**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Lidia Gutierrez  
Principal

**PAJARO RIVER WATERSHED FLOOD PREVENTION AUTHORITY**

---

Signature  
John Baillie  
Chair of the Board of Directors

---

Date

**Approved as to Form**

---

Signature  
Anthony Condotti  
Attorney at Law

---

Date

## **EXHIBIT A**

### Scope of Services for Soap Lake Floodplain Preservation Project

The Pajaro River Watershed Flood Prevention Authority was established in October 1999 in order to “identify, evaluate, fund, and implement flood prevention and control strategies in the Pajaro River Watershed, on an intergovernmental basis.” Since the watershed covers areas of four counties and four water districts, the board is comprised of one representative from each of the following agencies:

- County of Monterey
- County of San Benito
- County of Santa Clara
- County of Santa Cruz
- Monterey County Water Resources Agency
- San Benito County Water District
- Santa Clara Valley Water District
- Zone 7 Flood Control District

The Authority acts as a governing body through which each member organization can participate and contribute to finding a method to provide flood protection in the watershed and promote general watershed interests. Although efforts have been made in the past to prevent flooding, it has become apparent over the past decades that the magnitude of the problem was not properly established. Flooding throughout the lower Pajaro River reaches is a hazard to public and private property including residences, agriculture, highways, watercourses, and environmental resources.

Immediately after being established, the Authority began studying the watershed, including identifying the source and magnitude of the floodflows. The Phase 1 Study was completed in July 2002 and consisted of modeling both the hydrologic and sediment regimes of the watershed. The results of Phase 1 provided a better understanding of the characteristics of the watershed and changes over time that affect flooding frequency and flooding potential in the downstream reaches of the Pajaro River.

The Phase 2 work was completed in April 2003 and identified project alternatives that would provide flood protection for the Pajaro River from Chittenden to Monterey Bay from the 100-year flood flows identified in Phase 1. The Phase 2 Study projects were developed to coordinate with a concurrent Army Corps of Engineers (Corps) Lower Pajaro River flood protection project. After the conclusion of Phase 2, the Corps identified a 100-year flood protection project for the Lower Pajaro River without any upstream projects.

The Corps 100-year flood protection project was based on the assumption that the watershed conditions (or current level of flood attenuation provided in the upper watershed) are maintained. The Phase 1 model results highlighted the natural flood attenuation benefits of Soap Lake and the critical importance of maintaining those benefits as part of any Pajaro River flood protection solution.

The focus of the Authority work shifted to ensure that the flows passing through the Lower Pajaro River Flood Risk Reduction Project would not increase above the currently predicted levels. The most direct way to achieve this goal was to preserve Soap Lake and its attenuation capabilities.

The Phase 3 and 4A Study was completed in March 2005 and defined and documented the preferred method to maintain the Soap Lake attenuation and storage capacity, known as the Soap Lake Floodplain Preservation Project (Project). In Phase 3, Soap Lake was hydraulically modeled and the floodplain boundaries defined. The impacts of flooding and land use preservation were examined in compliance with the California Environmental Quality Act (CEQA) and the cost of the Project were estimated.

In January 2007, the Authority was awarded \$4,425,300 in grant funding from Proposition 50 for the implementation of the Soap Lake Floodplain Preservation Project. Of the approximate \$4.4 million grant, \$3,825,000 was to go towards land and easement acquisitions and the remaining \$600,300 is to go towards development, implementation, and administration of the land and easement acquisition project. The grant funds were to be awarded to entities seeking to purchase land or easements in the Soap Lake Floodplain consistent with the floodplain requirements established by the Authority. At the time the grant expired in December 2016, the Authority had awarded \$2,728,020 in grant funds for acquisition of three properties or easements in the Soap Lake Floodplain.

With the expiration of the grant, the anticipated work activities to continue to implement the Soap Lake Floodplain Preservation Project shift from awarding the Proposition 50 grant funds to coordinating with land acquisition partners and pursuing new funding for easement and land acquisition in the floodplain. This Scope of



Services describes those tasks to be completed by Gutierrez Consultants (CONSULTANT) necessary for the implementation of the Soap Lake Floodplain Preservation Project through June 30, 2020.

In addition to implementation of the Soap Lake Project, the Authority expects to continue to monitor and review proposed development activities in the watershed and participate in watershed coordination, including the proposed California High Speed Rail and the Pajaro Compass. This Scope of Services describes those tasks to be completed by CONSULTANT necessary for support of those activities through June 30, 2020.

Finally, there have been significant issues associated with the Army Corps of Engineers development of the Pajaro River Flood Risk Reduction Project that affect the Authority's role in support of the project. Over the last two years, substantial progress was recorded with respect to the project's acceptance into the Corps SMART planning process, an Alternative Formulation Briefing Conference, execution of a new Feasibility Cost Share Agreement, execution of a contract for the required NEPA and CEQA documents, and then the receipt of full federal funding through completion of the study. Most of the pressing time sensitive matters appeared to be resolved. Unfortunately, additional time sensitive matters have resurfaced.

Since the conversion to the Corps' SMART planning in August 2014, the project study schedule has slipped significantly. These delays postponed the study completion date. A projected study completion is now scheduled for summer 2019. Pajaro River project sponsors have requested that the Authority increase its political lobbying efforts in support of the project. Additionally, the Authority may consider revisiting project alternatives that were originally excluded after the Corps committed to a project that provided the required flood risk reduction. This Scope of Services describes those tasks to be completed by CONSULTANT necessary for additional legislative support and strategic planning through June 30, 2023.

#### **Task 1: Staff Working Group and Board of Directors Meetings**

The Authority anticipates continuing the monthly Staff Working Group meetings and bi-monthly Board of Directors meetings. CONSULTANT shall continue to provide technical support services for these meetings including review and revision of meeting agenda, preparation of meeting presentation and handouts, preparation for and attendance at meetings, and other meeting support services as needed.

#### **Deliverables:**

- Meeting agenda, handouts, memoranda, and presentations as needed

## **Task 2: Evaluation of Funding Opportunities and Grant Application**

Research the general availability of applicable funding sources, including but not limited to SWRCB, DWR, California Department of Conservation, US Department of Agriculture, and Environmental Protection Agency Grants. As necessary, conduct in-person or phone meetings and attend funding workshops with funding agencies to confirm project funding eligibility and requirements. Prepare regular updates summarizing the funding opportunities and the recommended strategy for securing the maximum grants and loans for all phases of the project, from planning to construction.

The Storm Water Management Planning Act of 2014, Senate Bill 985, amended Water Code Section 10560 et seq. to require a Storm Water Resource Plan (SWRP) in order to receive grant funding for storm water and dry weather runoff capture projects from any bond approved by voters after January 1, 2014. This applies to Proposition 1 grants for multi-benefit storm water management projects. In early 2021, the FPA began working to include the Upper Pajaro River and Soap Lake Floodplain in the SWRP being developed by the City of Hollister. Inclusion in the plan is necessary for grant funding eligibility. CONSULTANT shall continue to work with the team developing the plan to adequately address FPA issues and projects.

Due to the nature of funding opportunities and the need to respond immediately following the release of the application submittal requirements, this scope assumes the preparation and submittal of one application (funding program to be determined). CONSULTANT shall prepare all application documents and be responsible for submittal of the application.

### **Deliverable:**

- Funding Updates.
- Funding application (one)

## **Task 3: Information and Public Outreach**

It is anticipated that there will continue to be many questions from the community regarding the status of the Soap Lake project and general Authority activities. There are also requests of the Authority to make presentations at public meetings and workshops. CONSULTANT shall respond to questions and requests for information, prepare informational materials, and attend and participate in meetings and workshops as requested.

Additionally, CONSULTANT shall review the Authority website and provide updated information as needed.

**Deliverables:**

- Public Information (handouts, mailings, presentations and other applicable products as developed)
- Information for Web Postings

**Task 4: Partner and Land Owner Facilitation**

The FPA has identified interested partners and maintains on-going communications with each partner through regular meetings, conference calls and e-mail. Each land trust or agency has their own public outreach efforts and the Authority would assist them with their outreach programs. The land trusts also may have established relationships with land owners and would make contact directly with them. CONSULTANT shall inform all partners of the on-going status of acquisitions, facilitate inter-agency cooperation, share strategies, work on joint projects, monitor that the project goals are being met through acquisitions, and support land owner facilitation.

**Deliverables:**

- Partner Meeting Agenda, Meeting Summaries, and Other Applicable Documentation

**Task 5: Soap Lake Development Reviews**

The Authority will continue in its role of reviewing proposed development activities in the Soap Lake Floodplain and their potential impacts on floodplain detention capacity. Of note, the California High Speed Rail has two proposed alignments through the floodplain and the Authority has been coordinating with the design team regarding the project and potential impacts. Additionally, the Santa Clara Valley Water District, in partnership with the San Benito County Water District, are evaluating the potential expansion of the Pacheco Reservoir. The Authority will coordinate with the water districts to identify potential flood benefits associated with the expanded reservoir. CONSULTANT shall support the review of proposed development activities and project documentation including development plans and environmental analysis of the proposed developments.

**Deliverables:**

- Project review notes

**Task 6: Legislative and Lobbying Support**

The Corps Pajaro River Flood Risk Reduction Project planning is delayed again and is now well outside the three year planning window, which requires additional federal attention. Pajaro River project sponsors have requested that the Authority increase its political lobbying efforts in support of the project. Additionally, the Authority may consider revisiting project alternatives that were originally excluded after the Corps

committed to a project that provided the required flood risk reduction. CONSULTANT shall support preparation for and participate in legislative activities including meetings with State and Federal representatives.

**Deliverables:**

- Lobbying informational materials and meeting notes

**EXHIBIT B**

**Rate Schedule  
for  
Gutierrez Consultants, Inc.**

| <u>Classification</u>   | <u>2022/2023 Rate</u> |
|---|-----------------------|
|   |                       |
| Principal   | \$258/hour            |
| Associate Planner   | \$189/hour            |
| Project Assistant   | \$162/hour            |
| Project Administrator   | \$112/hour            |
| 1. The individual hourly rates include salary, overhead and profit. The hourly rates also include ordinary expenses, including telecommunications, computer usage, and regular reproduction jobs. Other direct costs (ODCs) such as large reproduction jobs and travel expenses will be charged at actual cost plus 10%. Mileage will not be marked up. Subconsultants will be billed at actual cost plus 10%. Mileage rate will be that allowed by current IRS guidelines. |                       |

**DRAFT  
CONTRACT FOR SERVICES**

This **Amendment No. 24** to the Contract for Services dated July 21, 2000 between the Pajaro River Watershed Flood Prevention Authority (**Authority**) and Regional Analysis & Planning Services, Inc. (**Contractor**) amends the following sections of the original agreement.

1. SCOPE OF WORK. The Scope of Work is attached as Exhibit A.
2. COMPENSATION. For all services listed in Exhibit A, Contractor shall be reimbursed for actual costs incurred, (time and material). A rate schedule is attached as Exhibit B.
3. TERM OF AGREEMENT. The term of this agreement shall commence on **July 1, 2022** (Commencement Date), and shall continue until **June 30, 2023** (Termination Date), or until the parties mutually determine that the work required hereunder is satisfactorily completed, whichever occurs first.
4. COST LIMITATIONS. The total amount of compensation under this agreement shall not exceed **\$45,000.00** for Agency Administration.

In witness whereof, the parties hereto have executed this agreement on **June 3, 2022**.

**REGIONAL ANALYSIS & PLANNING SERVICES, INC.**

\_\_\_\_\_  
Signature

Maura Twomey

Executive Coordinator

\_\_\_\_\_  
Date

**PAJARO RIVER WATERSHED FLOOD PREVENTION AUTHORITY**

\_\_\_\_\_  
Signature

John Baillie

Chair of the Board of Directors

\_\_\_\_\_  
Date

**Approved as to Form**

\_\_\_\_\_  
Signature  
Anthony Condotti  
Attorney at Law

\_\_\_\_\_  
Date

## **EXHIBIT A**

### **Scope of Services**

#### **AGENCY ADMINISTRATION**

1. Organize, schedule and notice meetings, workshops and hearings of the Authority.
2. Organize and schedule meetings of the Authority's Staff Working Group.
3. Prepare/distribute agendas, take minutes, activate/set up public address systems, record proceedings and carry out similar work related to the meetings.
4. Prepare basic non-technical reports to and correspondence from the combined agencies based on input from the Staff Working Group.
5. Ensure that all participating agencies are kept up to date and informed (through the use of mail, email, and fax) of proposed agenda items, correspondence and other information related to the efforts of the Authority.
6. Process correspondence, maintain files and carry out related work.
7. Provide a range of clerical and administrative staff support to ensure the most effective, efficient and fiscally responsible staffing level for the respective tasks.
8. Provide liaison with the legal counsel and administer legal contract.
9. Maintain FPCC filing responsibility.
10. Act as the fiscal agent for the Authority.
11. Administer contract(s) agreement(s).
12. Fulfill other tasks as needed, and directed by the Authority's Board of Directors.
13. Maintain PRWFPA website.

## **EXHIBIT B**

### HOURLY RATES

|                                      |          |
|--------------------------------------|----------|
| Associate Planner                    | \$126.00 |
| Director of Finance & Administration | \$241.00 |
| Clerk of the Board                   | \$180.00 |
| Executive Coordinator                | \$276.00 |
| GIS Coordinator                      | \$193.00 |
| Principal Accountant                 | \$163.00 |

Note. 1. Rates proposed are fully loaded rates including direct labor and indirect costs. Indirect Costs include: insurance, rent, utilities, office supplies, computer services, communications (telephone, postage, fax, and email), in-house printing, and administrative services.

Note 2. Itemized monthly invoices will include hours worked for each major task (to the quarter hour). Staff time records shall be available for review upon request.



**DRAFT**  
**CONTRACT FOR SERVICES**

This agreement is made and entered into as of the date and place set forth below by and between **The Pajaro River Watershed Flood Prevention Authority**, hereinafter referred to as **Authority**, and, **Atchison, Barisone & Condotti** hereinafter referred to as **Contractor** upon the following terms and conditions:

1. Authority hereby engages contractor and contractor hereby agrees to perform all services as hereinafter described. The contractor, who represents that he is qualified and will perform services described in the "Scope of Work", Attachment 1.
2. For all of the services described above and all goods and material supplied by contractor, Authority shall pay the Contractor according to the "Fee Schedule", Attachment 2. Payment will be made upon approval of invoice(s) from the Authority at their Board of Directors meeting.
3. Invoices for services must be presented to Authority. Receipts for expenditures and invoices for services should be presented in accordance with the Fee Schedule. Authority shall pay the Contractor promptly after Authority receives an invoice, as appropriate, and the invoice has been approved for payment by the Authority at their Board of Directors meeting.
4. The work to be performed under this agreement shall commence on or about **July 1, 2022**, and shall remain in effect until **June 30, 2023**, or until the work required is satisfactorily completed, whichever occurs first. Any extension beyond the Termination Date must be requested in writing two weeks prior to the Termination Date, and approved and signed by both parties.
5. The contract amount shall **not exceed Ten Thousand Dollars (\$10,000.00)**. No interest or carrying charges shall accrue to contractor by reason of delayed payment. Contractor shall not be entitled to extra compensation for services or materials not otherwise authorized under this agreement, unless Authority has first authorized such extra services or materials in writing.
6. Contractor is an independent contractor and shall not be considered an agent or employee of the Authority, its member agencies or the Association of Monterey Bay Area Governments (AMBAG).
7. Contractor shall, at all times during the terms of this agreement, carry worker's compensation insurance covering all of its employees, public liability, errors and omissions insurance and property damage insurance, and automotive insurance as required by current statute, and shall comply with all state and federal laws relating to employees. All insurance coverages shall be maintained in full force by the contractor for the duration of this agreement, and shall name Authority as an additional insured on such policies of insurance.
8. Authority may terminate this agreement without cause, at any time, upon giving thirty (30)

days advance written notice to contractor. Such notice will set forth the effective date of the termination. An oral stop work order may be used to temporarily halt work by the contractor in anticipation of written notice of termination. The written notice of termination immediately discontinue all services under this agreement and deliver all products, and other items developed in the performance of this contract.

9. None of the services or work to be provided under this contract may be subcontracted to another contractor.

10. This Agreement constitutes the sole and only agreement between the parties hereto relating to the work described under this agreement, and correctly sets forth the rights, duties, and modifications of each to the other as of its date. Any prior agreement, promises, negotiations, or representations not expressly set forth in this agreement are of no force and effect. Any modification of this agreement must be in writing.

In witness whereof, the parties hereto have executed this contract on **June 3, 2022**.

**AUTHORITY**

**CONTRACTOR**

\_\_\_\_\_  
Signature Date

Name: John Baillie  
Title: Chair of the Board of Directors

\_\_\_\_\_  
Signature Date

Name: Anthony Condotti  
Title: Attorney at Law

## **Attachment 1**

### **Scope of Work**

1. Advise the Authority on a broad range of legal matters including, without limitations compliance with:
  - a. The Ralph M. Brown Act.
  - b. The California Environmental Quality Act.
  - c. Conflict of interest laws.
  - d. Laws relating to the functions of joint powers authorities.
2. Advise the Authority, as appropriate, concerning flood control and flood liability issues.
3. Advise the Authority, as appropriate, concerning legal authority and requirements for securing State and Federal grants and loans.
4. Advise the Authority, as requested, on legal matters concerning the Soap Lake Floodplain Preservation Project (Project).

## **Attachment 2**

### **Fee Schedule**

|                  |                   |
|------------------|-------------------|
| Partner          | \$328.00 per hour |
| Associate        | \$270.00 per hour |
| Paralegal        | \$158.00 per hour |
| Legal Assistants | \$100.00 per hour |

## MEMORANDUM

**TO:** PRWFPA Board of Directors

**FROM:** Maura F. Twomey, Executive Coordinator

**RECOMMENDED BY:** Errol Osteraa, Director of Finance and Administration

**SUBJECT:** Financial Update Report

**MEETING DATE:** June 3, 2022

### RECOMMENDATION:

It is recommended that the Board of Directors accept the financial update report.

### BACKGROUND/DISCUSSION:

Regional Analysis & Planning Services, Inc. (RAPS) provides contract staffing services to the Pajaro River Watershed Flood Prevention Authority (PRWFPA). The contract includes administrative and financial services for the Board as well as the Staff Working Group (SWG). The monthly financial reporting, budget preparation and audit assistance fall within RAPS, Inc. duties. The Board packet includes the year-to-date financial reports through April 30, 2022, as well as a budget-to-actual comparison for fiscal year (FY) 2021-2022. Amounts in the financial update report are unaudited.

The Balance Sheet reflects a cash balance of \$654,065.65. There were no accounts receivables outstanding as of April 30, 2022. The current liabilities balance is \$4,628.25. PRWFPA has sufficient current assets on hand to pay all known current obligations.

During the period of July 1, 2021, through April 30, 2022, PRWFPA incurred routine operational expenditures for contractual services. The services provided are summarized as follows:

- RAPS, Inc.: Staff Working Group (SWG) preparation and Board of Director's agenda preparation and meeting attendance, accounting and audit related work.
- Gutierrez Consultants: Work associated with SWRP, Developed Subvention Letters of Support, San Benito County Conservation Plan, Soap Lake Project, Gonzales sale, budget review, and SWG meeting preparation and attendance.

- Atchinson Barisone & Condotti: Legal services consisting of AB 361 Compliance and Brown Act requirements, review of the Gonzales sale, agenda and audit review.
- Wallace Group: Preparation of Greater Hollister Area Storm Water Resource Plan (SWRP).
- Planeteria Media: Maintain and update website.

Expenses for the period of July 1, 2021 through April 30, 2022 totaled \$37,722.45, which included professional services and other expenses.

PRWFPA's Profit and Loss Statement reflects an excess of revenue over expense of \$42,708.77 for the period July 1, 2021 through April 30, 2022.

The following table highlights key Budget to Actual financial data:

**Budget to Actual Financial Highlights For  
Period July 1, 2021 Through April 30, 2022**

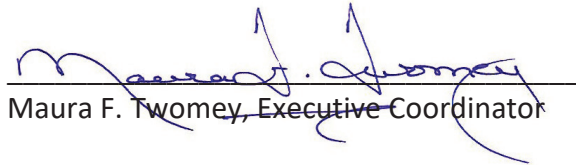
| <b>Expense</b>  | <b>Budget<br/>April 2022</b> | <b>Actual<br/>April 2022</b> | <b>Difference</b>   |
|---|------------------------------|------------------------------|---------------------|
| Professional Services   | \$ 110,067.00                | \$ 36,609.52                 | \$ 73,457.48        |
| Insurance   | \$ 1,167.00                  | \$ 1,080.00                  | \$ 87.00            |
| Supplies  | \$ 3,317.00                  | \$ -                         | \$ 3,317.00         |
| Travel  | \$ 7,083.00                  | \$ 32.93                     | \$ 7,050.07         |
| Total   | <u>\$ 121,633.00</u>         | <u>\$ 37,722.45</u>          | <u>\$ 83,911.55</u> |
| <b>Revenue</b>  |                              |                              |                     |
| State/Local Revenue *   | \$ 67,917.00                 | \$ 80,431.22                 | \$ 12,514.22        |
| * State/Local Revenue does not include \$64,460.00 which will be used from reserves |                              |                              |                     |

Professional Services are under budget primarily due to the timing of work provided by contractual obligation. Revenues are primarily member dues and are received at the start of the year.

The budget reflects a linear programming of funds while actual work and related expenses are contingent on variety of factors. As a result, there will be fluctuations from budget-to-actual during the fiscal year.

**ATTACHMENTS:**

1. Balance Sheet as of April 30, 2022
2. Profit and Loss Statement: July 1, 2021 through April 30, 2022
3. Accounts Payable Aging Detail as of April 30, 2022
4. Check Register: March 1, 2022 through April 30, 2022

**APPROVED BY:**

---

Maura F. Twomey, Executive Coordinator

Pajaro River Watershed Flood Prevention Authority

**Balance Sheet - Attachment 1**

As of April 30, 2022

|   | <u>April 30, 2022</u>       |
|---|-----------------------------|
| <b>ASSETS</b>                               |                             |
| <b>Current Assets</b>                       |                             |
| <b>Cash and Cash Equivalents</b>            |                             |
| Cash in Bank Checking                       | 515,137.33                  |
| LAIF Account                                | 138,928.32                  |
| <b>Total Cash and Cash Equivalents</b>      | <u>\$ 654,065.65</u>        |
| <b>Accounts Receivable</b>                  |                             |
| Accounts Receivable                         | -                           |
| <b>Total Accounts Receivable</b>            | <u>\$ -</u>                 |
| <b>TOTAL ASSETS</b>                         | <u><u>\$ 654,065.65</u></u> |
| <b>LIABILITIES &amp; FUND BALANCE</b>       |                             |
| <b>Liabilities</b>                          |                             |
| <b>Current Liabilities</b>                  |                             |
| Accounts Payable                            | 4,628.25                    |
| <b>Total Current Liabilities</b>            | <u>\$ 4,628.25</u>          |
| <b>Total Liabilities</b>                    | <u>\$ 4,628.25</u>          |
| <b>Fund Balance - Unrestricted</b>          |                             |
| Fund Balance - Beginning of Fiscal Year     | 606,728.63                  |
| Net Income/(Loss)                           | 42,708.77                   |
| <b>Total Fund Balance - Unrestricted</b>    | <u>649,437.40</u>           |
| <b>TOTAL LIABILITIES &amp; FUND BALANCE</b> | <u><u>654,065.65</u></u>    |



**Pajaro River Watershed Flood Prevention Authority**

**Profit & Loss - Attachment 2**

July 1, 2021 through April 30, 2022

|  | <u>July 2021 - April 2022</u> | <u>July 2021 - April 2022</u> |
|--|-------------------------------|-------------------------------|
| <b>Income</b>                                      |                               |                               |
| Interest   |                               | 431.22                        |
| Member Dues  |                               | 80,000.00                     |
| <b>Total Income</b>                                | <u>\$</u>                     | <u>80,431.22</u>              |
| <b>Expense</b>                                     |                               |                               |
| Audit Expense                                      |                               | 5,580.00                      |
| Gutierrez Consultants                              |                               | 11,734.25                     |
| Regional Analysis & Planning Services, Inc. (RAPS) |                               | 15,239.00                     |
| Wallace Group                                      |                               | 1,540.00                      |
| Insurance  |                               | 1,080.00                      |
| Legal Services                                     |                               | 2,116.27                      |
| Other Expense                                      |                               |                               |
| Web Hosting/Maintenance Costs                      | 400.00                        |                               |
| Travel   | 32.93                         |                               |
| <b>Total Other Expense</b>                         |                               | <u>432.93</u>                 |
| <b>Total Expense</b>                               | <u>\$</u>                     | <u>37,722.45</u>              |
| <b>Net Income/(Loss)</b>                           | <u>\$</u>                     | <u><b>42,708.77</b></u>       |

Pajaro River Watershed Flood Prevention Authority

**A/P Aging Detail - Attachment 3**

As of April 30, 2022

| Date         | Num   | Name                                  | Due Date   | Open Balance             |
|--------------|-------|---------------------------------------|------------|--------------------------|
| 04/30/2022   | 19350 | AMBAG                                 | 04/30/2022 | 40.00                    |
| 03/31/2022   | 1099  | Regional Analysis & Planning Services | 05/30/2022 | 2,007.00                 |
| 03/31/2022   | 1677  | Gutierrez Consultants                 | 06/29/2022 | 815.75                   |
| 04/30/2022   | 1104  | Regional Analysis & Planning Services | 06/29/2022 | 1,098.00                 |
| 04/30/2022   | 1685  | Gutierrez Consultants                 | 07/29/2022 | 627.50                   |
| 03/31/2022   | 19261 | AMBAG                                 | 03/31/2022 | 40.00                    |
| <b>Total</b> |       |                                       |            | <b><u>\$4,628.25</u></b> |

Pajaro River Watershed Flood Prevention Authority  
**Check Register - Attachment 4**  
March 1, 2022 through April 30, 2022

| Date         | Num | Name                                  | Memo  | Amount                    |
|--------------|-----|---------------------------------------|---|---------------------------|
| 03/30/2022   | 940 | AMBAG                                 |   | 80.00                     |
| 03/30/2022   | 941 | Atchison Barisone & Condotti          | Legal services provided for the month of January 2022 | 62.40                     |
| 03/30/2022   | 942 | Gutierrez Consultants                 |   | 1,631.50                  |
| 03/30/2022   | 943 | Regional Analysis & Planning Services |   | 7,472.00                  |
| <b>TOTAL</b> |     |                                       |   | <u><u>\$ 9,245.90</u></u> |

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### MEMORANDUM

**TO:** PRWFPA Board of Directors

**FROM:** Maura F. Twomey, Executive Coordinator

**RECOMMENDED BY:** Errol Osteraa, Director of Finance and Administration

**SUBJECT:** Draft FY 2022-2023 Budget

**MEETING DATE:** June 3, 2022

### RECOMMENDATION:

It is recommended that the Board of Directors adopt the Draft FY 2022-2023 Budget.

### BACKGROUND/DISCUSSION:

Pursuant to its by-laws, the Pajaro River Watershed Flood Prevention Authority (PRWFPA) is required to adopt a financial budget prior to June 30<sup>th</sup> each year. Throughout the year, the budget is monitored and periodic amendments may be approved by the Board. The Draft FY 2022-2023 Budget is enclosed for Board review and comments. The PRWFPA Draft Budget for FY 2022-2023 was presented at the May 17<sup>th</sup> Staff Working Group (SWG) meeting. Modifications suggested by the SWG to the Draft FY 2022-2023 Budget have been incorporated.

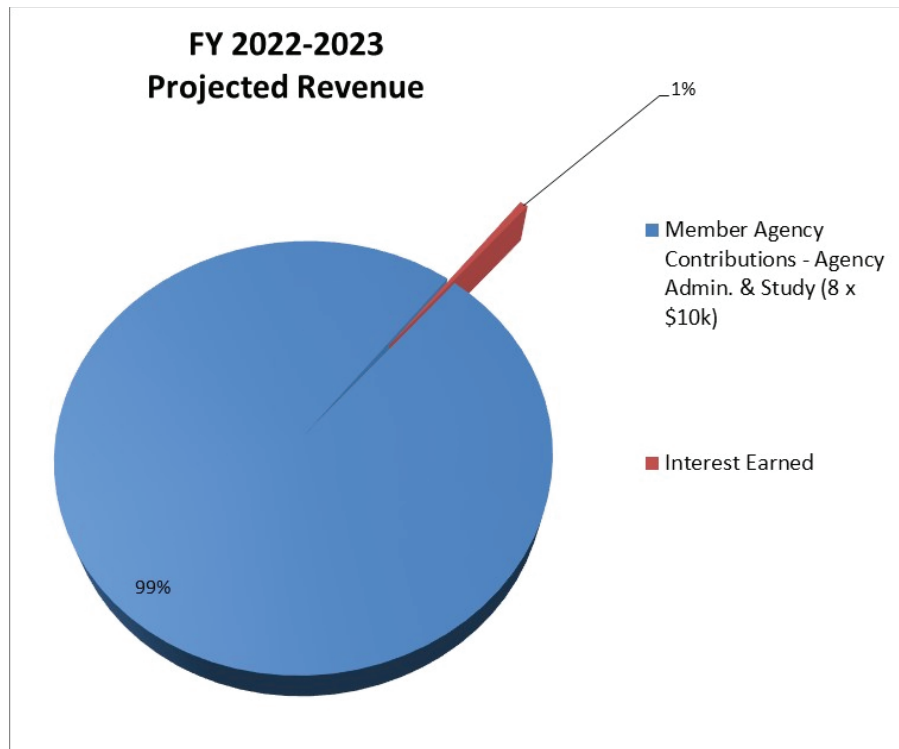
### REVENUE:

PRWFPA operations for FY 2022-2023 are funded by a combination of sources which include:

1. Member Agency Contributions - \$80,000
2. Interest Income - \$500
3. Transfer from Reserves as Needed- \$64,155

Revenue projected for FY 2022-2023 is \$80,500. Note from the chart below, that a majority of this consists of Member Agency Contributions.

A summary chart of projected revenue by percentage for FY 2022-2023 is provided below:



In addition to \$80,500 in anticipated revenues, PRWFPA will also fund ongoing operations with a transfer from the general reserves in the amount of \$64,155 as needed. A transfer from general reserves will assist PRWFPA with identifying new funding opportunities to fund floodplain acquisitions. There is a decrease in projected revenue in comparison to FY 2021-2022 of \$1,000, primarily due to a decrease in projected interest.

#### **EXPENDITURES:**

The Board of Directors of PRWFPA operates the Authority on a contract basis. All administrative and technical services are provided under contract with various agencies and firms. This methodology reduces operational costs while ensuring the efficient operation of PRWFPA. Anticipated contracts for FY 2022-2023 are as follows:

##### **2022-2023 CONTRACT SERVICE AMOUNTS:**

|  |    |                |
|--|----|----------------|
| Atchison, Barisone & Condotti, APC                   | \$ | 10,000         |
| Gutierrez Consultants                                | \$ | 70,000         |
| Planeteria   | \$ | 480            |
| Moss, Levy & Hartzheim LLP                           | \$ | 5,775          |
| Regional Analysis and Planning Services, Inc. (RAPS) | \$ | 45,000         |
| Total Contracted Services                            | \$ | <u>131,255</u> |

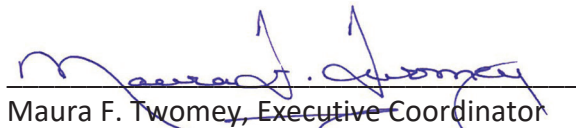
Contracts for these services require approval by the Board of Directors. The draft budget proposes funding for these contracts in the aggregate amount of \$131,255. PRWFPA incurs other routine expenses including insurance, travel, supplies/miscellaneous expenses, and board meeting expenses which are projected to be \$13,400. Of this amount, \$7,500 in Board approved travel expenses is included to fund a possible trip to Washington, DC. Total expenditures estimated for FY 2022-2023 are \$144,655.

The proposed balanced budget for FY 2022-2023 is consistent with the purpose of Pajaro River Watershed Flood Prevention Authority (PRWFPA), which 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 (AB807 Keeley).

**ATTACHMENT:**

1. Draft FY 2022-2023 Budget

**APPROVED BY:**

  
Maura F. Twomey, Executive Coordinator

**Pajaro River Watershed Flood Prevention Authority**  
**FY 2022-2023 Budget**  
**Attachment 1**

|   | FY 2021-2022<br>Approved<br>06/04/21 | FY 2021-2022<br>Actual As Of<br>04/30/22 | FY 2022-2023<br>Draft<br>06/03/22 |
|---|--------------------------------------|--|-----------------------------------|
| <b>REVENUE:</b>   |                                      |  |                                   |
| Member Agency Contributions - Agency Admin. & Study (8 x \$10k) | \$ 80,000                            | \$ 80,000                                | \$ 80,000                         |
| Interest Earned   | \$ 1,500                             | \$ 431                                   | \$ 500                            |
| <b>Total Revenue</b>  | <b>\$ 81,500</b>                     | <b>\$ 80,431</b>                         | <b>\$ 80,500</b>                  |
| Transfer from General Reserves                                  | \$ 64,460                            | \$ -                                     | \$ 64,155                         |
| <b>Total Funding</b>  | <b>\$ 145,960</b>                    | <b>\$ -</b>                              | <b>\$ 144,655</b>                 |
| <b>EXPENDITURES:</b>  |                                      |  |                                   |
| Agency Administration   |                                      |  |                                   |
| RAPS, Inc.  | \$ 45,000                            | \$ 15,239                                | \$ 45,000                         |
| Legal Fees  | \$ 10,000                            | \$ 2,116                                 | \$ 10,000                         |
| Audit Fees  | \$ 5,580                             | \$ 5,580                                 | \$ 5,775                          |
| Liability Insurance   | \$ 1,400                             | \$ 1,080                                 | \$ 1,400                          |
| Travel  | \$ 1,000                             | \$ 33                                    | \$ 1,000                          |
| Travel - Washington D.C.  | \$ 7,500                             | \$ -                                     | \$ 7,500                          |
| Misc. Expense (Meeting Costs, Website Hosting, Supplies, Etc.)  | \$ 3,500                             | \$ -                                     | \$ 3,500                          |
| Technical Services  |                                      |  |                                   |
| Gutierrez Consultants   | \$ 70,000                            | \$ 11,734                                | \$ 70,000                         |
| Website Redesign for ADA Compliancy                             | \$ -                                 | \$ -                                     | \$ -                              |
| Website Maintenance   | \$ 480                               | \$ 400                                   | \$ 480                            |
| Wallace Group (Storm Water Management Plan)                     | \$ 1,500                             | \$ 1,540                                 | \$ -                              |
| <b>Total Expenditures</b>                                       | <b>\$ 145,960</b>                    | <b>\$ 37,722</b>                         | <b>\$ 144,655</b>                 |
| <b>FUND BALANCE RESTRICTED (CARRY-OVER):</b>                    |                                      |  |                                   |
| General Reserves  | \$ 636,556                           | \$ 606,729                               | \$ 649,437                        |
| <b>Total Fund Balance</b>                                       | <b>\$ 623,260</b>                    | <b>\$ 649,437</b>                        | <b>\$ 606,729</b>                 |

**NOTES:**

**(1) FUND BALANCE RECONCILIATION:**

|  |                   |                   |
|--|-------------------|-------------------|
| Beginning Fund Balance                       | \$ 606,729        | \$ 649,437        |
| Prior Period Adjustments                     | \$ -              | \$ -              |
| Excess of Revenues Over/(Under) Expenditures | \$ 42,709         | \$ (64,155)       |
| Ending Fund Balance                          | <b>\$ 649,437</b> | <b>\$ 585,282</b> |

- (2)** The Fund Balance represents an accumulation of net income since the inception of the agency. Please note that the Agency has restricted these funds for general business use.



**Pajaro River Watershed Flood Prevention Authority  
FY 2022-2023 Budget**

**2022-2023 CONTRACT SERVICE AMOUNTS:**

|  |    |                |
|--|----|----------------|
| Atchison, Barisone & Condotti, APC                   | \$ | 10,000         |
| Gutierrez Consultants                                | \$ | 70,000         |
| Planeteria   | \$ | 480            |
| Moss, Levy & Hartzheim LLP                           | \$ | 5,775          |
| Regional Analysis and Planning Services, Inc. (RAPS) | \$ | 45,000         |
| Total Contracted Services                            | \$ | <u>131,255</u> |

**2022-2023 MEMBERSHIP CONTRIBUTIONS:**

|   |    |               |
|---|----|---------------|
| • County of Monterey  | \$ | 10,000        |
| • County of San Benito  | \$ | 10,000        |
| • County of Santa Clara   | \$ | 10,000        |
| • County of Santa Cruz  | \$ | 10,000        |
| • Monterey County Water Resources Agency                                  | \$ | 10,000        |
| • San Benito County Water District  | \$ | 10,000        |
| • Santa Clara Valley Water District                                       | \$ | 10,000        |
| • Santa Cruz County Flood Control and Water Conservation District, Zone 7 | \$ | 10,000        |
| Total Dues  | \$ | <u>80,000</u> |

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The 2022 PRWFPA Board of Directors meeting locations are subject to change and may be held remotely in light of Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak and in accordance with AB 361.

### **2022 PRWFPA Meeting Calendar**

**September 9, 2022:**

**Gilroy City Hall**

Council Chambers

7351 Rosanna Street

Gilroy, CA 95020

**Meeting Time: 9 am**

**November 4, 2022:**

**TBD**

Meeting Time: 9 am

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| PRWFPA Acronym Guide |  |
|----------------------|--|
| ABC Law              | Atchison Barisone & Condotti                 |
| AEP                  | Annual Exceedance Probability                |
| AFB                  | Alternate Formulation Briefing               |
| ASA-CW               | Assistant Secretary of the Army, Civil Works |
| cfs                  | Cubic feet per second                        |
| CEQA                 | California Environmental Quality Act         |
| DWR                  | Department of Water Resources                |
| EIR                  | Environmental Impact Report                  |
| EIS                  | Environmental Impact Statement               |
| EPA                  | Environmental Protection Agency              |
| ESA                  | Environmental Science Associates             |
| FCSA                 | Federal Cost Sharing Agreement               |
| FEIS                 | Final Environmental Impact Statement         |
| FRM                  | Flood Risk Management                        |
| FRRP                 | Flood Risk Reduction Project                 |
| FY                   | Fiscal Year                                  |
| FFY                  | Federal Fiscal Year                          |
| GRR                  | General Reevaluation Report                  |
| LPP                  | Locally Preferred Plan                       |
| LRP                  | Locally Requested Plan                       |
| MCWRA                | Monterey County Water Resources Agency       |
| NED                  | National Economic Development                |
| NFS                  | Non-Federal Sponsors                         |
| NEPA                 | National Environmental Policy Act            |
| OMB                  | Office of Management & Budget                |
| OSA                  | Santa Clara County Open Space Authority      |
| PED                  | Preconstruction Engineering and Design       |
| PDT                  | Project Delivery Team                        |

|                |  |
|----------------|--|
| PRWFPA         | Pajaro River Watershed Flood Prevention Authority                |
| RAPS, Inc.     | Regional Analysis Planning Services, Inc.                        |
| RWQCB          | Regional Water Quality Control Board                             |
| SBCWD          | San Benito County Water District                                 |
| SCVWD          | Santa Clara Valley Water District                                |
| SF             | San Francisco  |
| SMART Planning | Specific, Measurable, Attainable, Risk Informed, Timely Planning |
| SWG            | Staff Working Group  |
| SWRCB          | State Water Resources Control Board                              |
| TNC            | The Nature Conservancy   |
| TSP            | Tentatively Selected Plan  |
| USACE          | U.S. Army Corps of Engineers                                     |
| WRDA           | Water Resources Development Act                                  |