



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 – Nancy Bilicich
PRWFPA Vice Chair – John Varela

DATE: June 24, 2024

TIME: 1:00 PM

LOCATION: Zoom Webinar

Please click the link below to join the meeting:

<https://us06web.zoom.us/j/81314630244?pwd=4NkM8hHvd6YKVa4LP2808cSjoNaJaw.1>

Or Telephone:
Dial: +16694449171
Webinar ID: 813 1463 0244
Passcode: 828284

Persons who wish to address the PRWFPA Board of Directors on an item to be considered at this meeting are encouraged to submit comments in writing at info@ambag.org by 12:00 PM, Monday, June 24, 2024. The subject line should read "Public Comment for the June 24, 2024 Board of Directors Meeting". The agency clerk will read up to 3 minutes of any public comment submitted.

If you have any questions, please contact Ana Flores, Clerk of the Board at aflores@ambag.org or at 831-883-3750.

PRWFPA Board Member(s) Meeting Remotely:

Sylvia Arenas:	70 West Hedding St., 10th Floor, San Jose, CA 95110	408-299-5010
Nancy Bilicich:	294 Green Valley Road, Watsonville, CA 95076	831-786-2160
Sonny Flores:	30 Mansfield Rd., Hollister, CA 95023	831-637-8218
Bea Gonzales:	481 4th St., Hollister, CA 95023	831-636-4000
Felipe Hernandez:	701 Ocean St., Room 500, Santa Cruz, CA 95060	831-454-2200
Richard Santos:	3580 Sierra Road, San Jose, CA 95132	408-630-2277

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 two 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 5, 2024 Board of Directors Meeting

- Ana Flores, RAPS, Inc.

Approve the minutes of the April 5, 2024 Board of Directors meeting. (Page 5)

B. Approval of Payment to Gutierrez Consultants

- Lidia Gutierrez, Gutierrez Consultants

Approve the March 2024 through April 2024 invoice for services rendered by Gutierrez Consultants. (Page 9)

C. Approval of Payment to RAPS, Inc.

- Maura Twomey, RAPS, Inc.

Approve the March 2024 and April 2024 invoices for services rendered by RAPS, Inc. (Page 11)

D. Approval of Payment to ABC Law

- Maura Twomey, RAPS, Inc.

Approve the March 2024 and April 2024 invoices for services rendered by ABC Law. (Page 17)

E. Gutierrez Consultants Contract Extension for FY 2024-2025

- Lidia Gutierrez, Gutierrez Consultants

Approve the FY 2024-2025 contract extension with Gutierrez Consultants. (Page 25)

F. RAPS, Inc. Contract Extension for FY 2024-2025

- Maura Twomey, RAPS, Inc.

Approve the FY 2024-2025 contract extension with RAPS, Inc. (Page 33)

G. ABC Law Contract Extension for FY 2024-2025

- Maura Twomey, RAPS, Inc.

Approve the FY 2024-2025 contract extension with ABC Law. (Page 37)

H. PRWFPA Banking and Signature Authorizations

- Errol Osteraa, RAPS, Inc.

Approve the attached letter to Mechanics Bank updating check signing authority for PRWFPA's bank accounts. (Page 41)

I. 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 45)

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

8. ADMINISTRATION

A. Draft FY 2024-2025 Budget

Recommended Action: ADOPT

- Maura Twomey, RAPS, Inc.

Adopt the Draft FY 2024-2025 agency budget. (Page 51)

9. PLANNING

A. Pajaro River Flood Risk Reduction Project Update

Recommended Action: INFORMATION

- Roxanne Grillo, PRFMA Deputy Executive Director

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

10. OTHER BUSINESS

11. ADJOURN

REFERENCE ITEMS:

- A. 2024 Calendar of Meetings (Page 55)
- B. Acronym Guide (Page 57)

NEXT BOARD OF DIRECTORS MEETING:

Date: September 6, 2024
Location: Zoom Webinar
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, at least 48 hours prior to the meeting date.

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

April 5, 2024

1. CALL TO ORDER

The Board of Directors of the Pajaro River Watershed Flood Prevention Authority, Chair Baillie presiding, convened via Zoom Webinar at 9:03 a.m. on Friday, April 5, 2024.

2. PLEDGE OF ALLEGIANCE

Director Baillie led the Pledge of Allegiance.

3. ROLL CALL

Members – Board of Directors	Representative	Present	Absent
County of San Benito	Supervisor Bea Gonzales		X
County of Santa Cruz	Supervisor Felipe Hernandez	X	
County of Monterey	Supervisor Glenn Church	X	
County of Santa Clara	Supervisor Sylvia Arenas	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 Richard Santos	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: Alex Hom, Moss Levy & Hartzheim; Lidia Gutierrez, Gutierrez Consultants; Dr. Mark Strudley and Roxanne Grillo, PRFMA; Mark Foxworthy, County of Monterey; Katie Muller, Valley Water; Marta Lugo; Victoria Lam, Santa Clara County; Clint Miller; Will Condon, Maura Twomey, and Ana Flores, Regional Analysis and Planning Services, Inc. (RAPS, Inc.).

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 comments from the Board.

6. PRESENTATION

A. Audited Financial Statements for FY 2022-2023

Alexander Hom, CPA, Moss Levy & Hartzheim, LLP, presented the draft audited financial statements for FY 2022-2023. Mr. Hom reported that the Authority received an unmodified clean opinion and there were no findings.

7. ELECTION OF OFFICERS

Director Bilicich was nominated as Chair of the Authority.

Director Varela was nominated as Vice Chair of the Authority.

Motion made by Director Santos, seconded by Director Church to elect Director Bilicich as Chair and Director Varela as the Vice Chair of the Authority. Motion passed unanimously.

8. CONSENT

A. Minutes of the November 3, 2023 Board of Directors Meeting

The minutes of the November 3, 2023 Board of Directors meeting were approved.

B. Approval of Payment to Gutierrez Consultants

The invoices for services rendered by Gutierrez Consultants from October 2023 through January 2024 were approved.

C. Approval of Payment to RAPS, Inc.

The invoices for services rendered by RAPS, Inc. in October 2023 through February 2024 were approved.

D. Approval of Payment to ABC Law

The invoice for services rendered by ABC Law in October 2023 was approved.

E. Financial Update Report

The financial update report was accepted.

Motion made by Director Baillie, seconded by Director Church to approve the consent agenda. Motion passed unanimously.

9. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION AND POSSIBLE ACTION

None.

10. PLANNING

A. Pajaro River Flood Risk Reduction Project Update

Dr. Strudley gave an update on the Pajaro River Flood Risk Reduction Project.

9. OTHER BUSINESS

Maura Twomey, Executive Coordinator reported that the PRWFPA received a summons related to a lawsuit from Willoughby Farms Inc. Tony Condotti, PRWFPA Legal Counsel, responded appropriately and will give an update at the next meeting if needed.

10. ADJOURNMENT

The meeting adjourned at 9:23 a.m.

DRAFT PRWFPA BOARD OF DIRECTORS MEETING ATTENDANCE & VOTING RECORD

BOARD MEETING DATE: April 5, 2024

Attendance (X= Present; AB= Absent) Voting (Y= Yes; N=No; A=Abstain)				
MEMBER	PRWFPA REP	Attendance	Item 7	Item 8
County of Monterey	Glenn Church	X	Y	Y
County of San Benito	Bea Gonzales	AB	N/A	N/A
County of Santa Clara	Sylvia Arenas	X	Y	Y
County of Santa Cruz	Felipe Hernandez	X	Y	Y
Monterey County Water Resources Agency	John Baillie	X	Y	Y
San Benito County Water District	Sonny Flores	X	Y	Y
Santa Clara Valley Water District	John Varela	X	Y	Y
Zone 7 Flood Control	Nancy Bilicich	X	Y	Y
Associate Members (Non-Voting Members)				
City of Gilroy (Associate Member)	Vacant	n/a		
City of Hollister (Associate Member)	Vacant	n/a		
City of Morgan Hill (Associate Member)	Rene Spring	AB		

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



Gutierrez Consultants

May 9, 2024

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, 2024 through April 30, 2024. The services were provided in accordance with the Soap Lake Floodplain Preservation Project Contract, Amendment 14. The invoice amount is \$2,536.50 and the balance remaining is \$57,918.25.

Sincerely,

Lidia Gutierrez
Principal

Gutierrez Consultants
118 Diablo Ranch Court
Danville, CA 94506

Invoice

Bill To:
Pajaro River Watershed FPA PO Box 2453 Seaside, CA 93955-2453

Date	Invoice No.	P.O. Number	Service Period
05/09/24	1862		3/1/24-4/30/24

Item	Description	Quantity	Rate	Amount
FPA Subtask 1.9 Partner Facilit	Update and Submit annual federal interest form; prepare for and participate in March 19, 2024 Staff Working Group meeting; review TNC/OSA Gonzales Property transfer documents; prepare for and participate in April 5, 2024 FPA Board meeting; call with TNC, OSA and FPA staff regarding sale of property; review property documents; review Upper Pajaro Watershed Master Plan	9.5	267.00	2,536.50
			Total	\$2,536.50

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, 2024

Board of Directors
Pajaro River Watershed Flood Prevention Authority

RE: Contract for Service 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, 2019, June 5, 2020, June 4, 2021, June 3, 2022 **and June 10, 2023.**

This letter is our billing for services rendered in the period **March 1 through March 31, 2024.**
The services included work under items 1 through 9 of the 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 24, 2024.**

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	0 hours @	\$ 276.00	\$	-
Director of Finance & Administration	0 hours @	\$ 241.00	\$	-
Principal Accountant	2 hours @	\$ 163.00	\$	326.00
Associate Planner	0 hours @	\$ 126.00	\$	-
GIS Coordinator	0 hours @	\$ 193.00	\$	-
Clerk of the Board	7 hours @	\$ 180.00	\$	1,260.00
Total	<u>9</u>	Subtotal	<u>\$</u>	<u>1,586.00</u>

* Rates approved by the board on 5/6/10 and modified 11/4/2011, 6/3/2016, 6/7/2019, 6/5/2020,
6/4/2021, 6/3/2022, and 6/10/2023.

Total now due: \$ 1,586.00

Sincerely,



Maura F. Twomey
Executive Coordinator

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

Invoice for PRWFPA
March 1 - March 31, 2024

Position Title	Total Hours	Billing Rate	Total Cost
Executive Coordinator			
Project 530 Admin	-	276.00	-
Subtotal	-	276.00	-
Director of Finance & Administration			
Project 530 Admin	-	241.00	-
Subtotal	-	241.00	-
Principal Accountant			
Project 530 Admin	2.00	163.00	326.00
Subtotal	2.00	163.00	326.00
Associate Planner			
Project 530 Admin	-	126.00	-
Subtotal	-	126.00	-
GIS Coordinator			
Project 530 Admin	-	193.00	-
Subtotal	-	193.00	-
Clerk of the Board			
Project 530 Admin	7.00	180.00	1,260.00
Subtotal	7.00	180.00	1,260.00
Total	9.00		1,586.00

Tasks Completed:

Executive Coordinator

Director of Finance Administration

Principal Accountant

Prepared Financial statements for 4/5/24 Board of Director meeting.

GIS Coordinator

Associate Planner

Clerk of the Board

Preparation and distribution of the March 19, 2024 Staff Working Group meeting; Attendance of the March 19, 2024 Staff Working Group Meeting; Preparation and distribution of the April 5, 2024 PRWFPA Board of Directors agenda; FPCC eDisclosure site management prior to filing deadline; Website update.

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, 2023	\$ -	\$ 45,000.00
August, 2023	\$ -	\$ 45,000.00
September, 2023	\$ 1,998.00	\$ 43,002.00
October, 2023	\$ 4,146.00	\$ 38,856.00
November, 2023	\$ 3,189.00	\$ 35,667.00
December, 2023	\$ -	\$ 35,667.00
January, 2024	\$ 2,086.00	\$ 33,581.00
February, 2024	\$ 1,056.00	\$ 32,525.00
March, 2024	\$ 1,586.00	\$ 30,939.00
April, 2024	\$	\$
May, 2024	\$	\$
June, 2024	\$	\$
Subtotal	\$ 14,061.00	\$ 30,939.00
Balance Available		<u>\$ 30,939.00</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, 2024

Board of Directors
Pajaro River Watershed Flood Prevention Authority

RE: Contract for Service 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, 2019, June 5, 2020, June 4, 2021, June 3, 2022 **and June 10, 2023.**

This letter is our billing for services rendered in the period **April 1 through April 30, 2024.**
The services included work under items 1 through 9 of the 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 24, 2024.**

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	0 hours @	\$ 276.00	\$	-
Director of Finance & Administration	0 hours @	\$ 241.00	\$	-
Principal Accountant	0 hours @	\$ 163.00	\$	-
Associate Planner	0 hours @	\$ 126.00	\$	-
GIS Coordinator	0 hours @	\$ 193.00	\$	-
Clerk of the Board	8 hours @	\$ 180.00	\$	1,440.00
Total	<u>8</u>	Subtotal	<u>\$</u>	<u>1,440.00</u>

* Rates approved by the board on 5/6/10 and modified 11/4/2011, 6/3/2016, 6/7/2019, 6/5/2020,
6/4/2021, 6/3/2022, and 6/10/2023.

Total now due: \$ 1,440.00

Sincerely,



Maura F. Twomey
Executive Coordinator

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

Invoice for PRWFPA
April 1 - April 30, 2024

Position Title	Total Hours	Billing Rate	Total Cost
Executive Coordinator			
Project 530 Admin	-	276.00	-
Subtotal	-	276.00	-
Director of Finance & Administration			
Project 530 Admin	-	241.00	-
Subtotal	-	241.00	-
Principal Accountant			
Project 530 Admin	-	163.00	-
Subtotal	-	163.00	-
Associate Planner			
Project 530 Admin	-	126.00	-
Subtotal	-	126.00	-
GIS Coordinator			
Project 530 Admin	-	193.00	-
Subtotal	-	193.00	-
Clerk of the Board			
Project 530 Admin	8.00	180.00	1,440.00
Subtotal	8.00	180.00	1,440.00
Total	8.00		1,440.00

Tasks Completed:

Executive Coordinator

Director of Finance Administration

Principal Accountant

GIS Coordinator

Associate Planner

Clerk of the Board

FPPC Statement of Economic Interests Form 700's were due on April 2, 2024; Preparation and attendance of the April 5, 2024 PRWFPA Board of Directors meeting; Meeting with Chair Baillie to sign checks; Website update.

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, 2023	\$ -	\$ 45,000.00
August, 2023	\$ -	\$ 45,000.00
September, 2023	\$ 1,998.00	\$ 43,002.00
October, 2023	\$ 4,146.00	\$ 38,856.00
November, 2023	\$ 3,189.00	\$ 35,667.00
December, 2023	\$ -	\$ 35,667.00
January, 2024	\$ 2,086.00	\$ 33,581.00
February, 2024	\$ 1,056.00	\$ 32,525.00
March, 2024	\$ 1,586.00	\$ 30,939.00
April, 2024	\$ 1,440.00	\$ 29,499.00
May, 2024	\$	\$
June, 2024	\$	\$
Subtotal	\$ 15,501.00	\$ 29,499.00
Balance Available		<u>\$ 29,499.00</u>

Atchison Barisone & Condotti

PO Box 481
Santa Cruz, CA 95061
TAX ID 94-2809338

April 17, 2024

Pajaro River Watershed Flood
Prevention Authority
Attn: Maura Twomey
PO Box 2453
Seaside, CA 93955-2453

Re:

Dear Pajaro River Watershed Flood
Prevention Authority,

Enclosed is invoice 34471, which covers services from 3/1/2024 to 3/31/2024. This invoice, dated 4/17/2024, is for \$753.21. Your total balance, including past charges, is \$753.21. Prompt payment of your total balance is appreciated.

Billing Summary

Total for services rendered	\$752.40
Total expenses	\$0.81
Total interest and finance charges	\$0.00
Total payments and other transactions	(\$309.10)
Total previous balance	\$309.10
Balance Due	\$753.21

Thank you for your confidence in our work and our commitment to serving you.

If you have questions, please call us at 831 423 8383.

Sincerely,
Jennifer Quek

Atchison Barisone & Condotti

PO Box 481
Santa Cruz, CA 95061
TAX ID 94-2809338

Invoice submitted to:
Pajaro River Watershed Flood Prevention Authority
Attn: Maura Twomey
PO Box 2453
Seaside, CA 93955-2453

April 17, 2024

Invoice #34471

Professional Services

			<u>Hrs/Rate</u>	<u>Amount</u>
<u>General</u>				
3/18/2024	APC	Review Authority annual budget on webpage; email corresp. w/ M. Twomey. General	0.20 342.00/hr	68.40
3/20/2024	APC	Rec/rev Authority insurance policy; reply to A. Flores re same. General	0.20 342.00/hr	68.40
3/26/2024	APC	Rec/rev J. Oberg advice on coverage; email corresp. w/ BHC/APC. General	0.10 342.00/hr	34.20
3/28/2024	APC	Rec/rev corresp. from J. Oberg, Liability Examiner; email corresp. w/ A. Flores re same. General	0.20 342.00/hr	68.40
SUBTOTAL:			[0.70	239.40]
<u>Willoughby Farms Inc. v. County of Monterey, et al.</u>				
3/14/2024	APC	Review Willoughby Complaint; email corresp. w/ A. Flores/M. Twomey re same. Willoughby Farms Inc. v. County of Monterey, et al.	0.60 342.00/hr	205.20
3/15/2024	APC	Follow-up email corresp. w/ M. Twomey re check-in on Willoughby lawsuit. Willoughby Farms Inc. v. County of Monterey, et al.	0.10 342.00/hr	34.20
3/18/2024	APC	Tcw M. Twomey re Willoughby Complaint - initial handling. Willoughby Farms Inc. v. County of Monterey, et al.	0.30 342.00/hr	102.60

831 423 8383

CONFIDENTIAL & PRIVILEGED ATTORNEY-CLIENT
COMMUNICATION

		<u>Hrs/Rate</u>	<u>Amount</u>
3/29/2024	APC Rec/ref Glatfelter Management, Inc.'s coverage analysis; email corresp. w/ A. Flores re same. Willoughby Farms Inc. v. County of Monterey, et al.	0.20 342.00/hr	68.40
3/31/2024	APC Introductory email message to Plaintiff's counsel re status of PRWFPA as defendant. Willoughby Farms Inc. v. County of Monterey, et al.	0.30 342.00/hr	102.60
SUBTOTAL:		[1.50	513.00]
For professional services rendered		2.20	\$752.40
Additional Charges :			
		<u>Qty/Price</u>	
<u>General</u>			
3/15/2024	APC Lexis Research General	1 0.81	0.81
SUBTOTAL:			[0.81]
Total additional charges			\$0.81
For professional services rendered		2.20	\$753.21
Previous balance			\$309.10
Accounts receivable transactions			
4/11/2024	Payment for October 2023 Legal Fees (Invoice 34370) - Thank You. Check No. 0969		(\$309.10)
Total payments and adjustments			(\$309.10)
Balance due			\$753.21

Payments are due by the last day of each month. A finance charge may be assessed pursuant to agreement. A \$25 in addition to any bank fees will be charged for any returned checks.

CONFIDENTIAL & PRIVILEGED ATTORNEY-CLIENT
COMMUNICATION

Atchison Barisone & Condotti

PO Box 481
Santa Cruz, CA 95061
TAX ID 94-2809338

May 15, 2024

Pajaro River Watershed Flood
Prevention Authority
Attn: Maura Twomey
PO Box 2453
Seaside, CA 93955-2453

Re:

Dear Pajaro River Watershed Flood
Prevention Authority,

Enclosed is invoice 34492, which covers services from 4/1/2024 to 4/30/2024. This invoice, dated 5/15/2024, is for \$1922.94. Your total balance, including past charges, is \$2676.15. Prompt payment of your total balance is appreciated.

Billing Summary

Total for services rendered	\$1,922.30
Total expenses	\$0.64
Total interest and finance charges	\$0.00
Total payments and other transactions	\$0.00
Total previous balance	\$753.21
Balance Due	\$2,676.15

Thank you for your confidence in our work and our commitment to serving you.

If you have questions, please call us at 831 423 8383.

Sincerely,
Jennifer Quek

Atchison Barisone & Condotti

PO Box 481
Santa Cruz, CA 95061
TAX ID 94-2809338

Invoice submitted to:
Pajaro River Watershed Flood Prevention Authority
Attn: Maura Twomey
PO Box 2453
Seaside, CA 93955-2453

May 15, 2024

Invoice #34492

Professional Services

			<u>Hrs/Rate</u>	<u>Amount</u>
<u>General</u>				
4/2/2024	APC	Email corresp. w/ BHC/JQ re division of labor/assignment of litigation attorney. General	0.20 342.00/hr	68.40
SUBTOTAL:			[0.20	68.40]
<u>Willoughby Farms Inc. v. County of Monterey, et al.</u>				
4/1/2024	APC	Follow-up email corresp. w/ K. Sundberg (plaintiff's counsel) re meet and confer. Willoughby Farms Inc. v. County of Monterey, et al.	0.20 342.00/hr	68.40
	JS	Confer with APC re case intake, calendar responsive pleadings deadline, tel. call to superior court re hearing schedule, update calendar. Willoughby Farms Inc. v. County of Monterey, et al.	0.50 165.00/hr	82.50
4/3/2024	APC	Prepare for and attend mtg. w/ Willoughby counsel. Willoughby Farms Inc. v. County of Monterey, et al.	1.20 342.00/hr	410.40
	VT	Attended call with APC and Willoughby Farms counsel regarding dismissing complaint. Willoughby Farms Inc. v. County of Monterey, et al.	0.40 281.00/hr	112.40
4/4/2024	APC	Status update to M. Twomey re discussions with Willoughby counsel Willoughby Farms Inc. v. County of Monterey, et al.	0.20 342.00/hr	68.40
4/16/2024	JS	Odyssey research re judicial assignment, calendar case management conference, prepare case summary update to APC re history of case filings, parties who have appeared in case, cross-complaint filed by	0.60 165.00/hr	99.00

831 423 8383

CONFIDENTIAL & PRIVILEGED ATTORNEY-CLIENT
COMMUNICATION

		<u>Hrs/Rate</u>	<u>Amount</u>
	Watsonville. Willoughby Farms Inc. v. County of Monterey, et al.		
4/18/2024 JS	Tel. conf. with civil clerk re APC registration for case participation, copies of records filed prior to case appearance, confer with APC re case deadlines following service of process. Willoughby Farms Inc. v. County of Monterey, et al.	0.40 165.00/hr	66.00
4/22/2024 JS	Confer with APC re initial response deadlines, local rules/CRC re stip to extend re extension to respond. Research local rules Monterey Superior Court re local forms/order for Judge's signature. Willoughby Farms Inc. v. County of Monterey, et al.	0.40 165.00/hr	66.00
APC	Email corresp. w/ JLS re response deadline; email corresp. w/ K. Sundberg re same; follow-up email corresp. w/ JLS re stip for extension. Willoughby Farms Inc. v. County of Monterey, et al.	0.30 342.00/hr	102.60
4/23/2024 JS	Draft stip to extend/proposed order, proof of service, confer with APC re same. Email to pltf's counsel re stipulation for signature. Willoughby Farms Inc. v. County of Monterey, et al.	0.80 165.00/hr	132.00
APC	Rec/rev draft stipulation; email corresp. w/ K. Sundberg re same; assemble materials for plaintiffs' counsel review; email A. Flores re same; rec/rev K. Sundberg edits to proposed stip; assign JLS task re same. Willoughby Farms Inc. v. County of Monterey, et al.	1.60 342.00/hr	547.20
4/25/2024 JS	Finalize stip/prop order/pos in prep of filing/e-service. Calendar extension granted by Plaintiff. Willoughby Farms Inc. v. County of Monterey, et al.	0.60 165.00/hr	99.00
SUBTOTAL:		[7.20	1,853.90]
For professional services rendered		7.40	\$1,922.30

Additional Charges :

		<u>Qty/Price</u>	
	<u>General</u>		
4/25/2024 ADM	Postage	1	0.64
	General	0.64	
SUBTOTAL:		[0.64]
Total additional charges			\$0.64

CONFIDENTIAL & PRIVILEGED ATTORNEY-CLIENT
COMMUNICATION

		<u>Amount</u>
For professional services rendered	7.40	\$1,922.94
Previous balance		\$753.21
Balance due		<u><u>\$2,676.15</u></u>

Payments are due by the last day of each month. A finance charge may be assessed pursuant to agreement. A \$25 in addition to any bank fees will be charged for any returned checks.

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DRAFT
CONTRACT FOR SERVICES

This **Amendment No. 15** 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, 2024** (Commencement Date), and shall continue until **June 30, 2025** (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 24, 2024**.

GUTIERREZ CONSULTANTS

Signature

Lidia Gutierrez
Principal

Date

PAJARO RIVER WATERSHED FLOOD PREVENTION AUTHORITY

Signature

Nancy Bilicich

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, 2024.

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. This Scope of Services describes those tasks to be completed by CONSULTANT necessary for support of those activities through June 30, 2024.

Finally, there have been significant issues associated with the Army Corps of Engineers development of the Pajaro River Flood Risk Management 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 funding, design and environmental compliance. Pajaro River project sponsors have requested that the Authority maintain 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, 2024.

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.

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 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 is currently in design and construction is scheduled to begin in 2024. Pajaro River project sponsors have requested that the Authority maintain its political lobbying efforts in support of the project funding and implementation. 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, as requested.

Deliverables:

- Lobbying informational materials and meeting notes

EXHIBIT B

Rate Schedule for Gutierrez Consultants, Inc.

<u>Classification</u>	<u>2024/2025 Rate</u>
Principal	\$276/hour
Associate Planner	\$203/hour
Project Assistant	\$174/hour
Project Administrator	\$120/hour
<p>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.</p>	

**DRAFT
CONTRACT FOR SERVICES**

This **Amendment No. 26** 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, 2024** (Commencement Date), and shall continue until **June 30, 2025** (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 24, 2024**.

REGIONAL ANALYSIS & PLANNING SERVICES, INC.

Signature
Maura Twomey
Executive Coordinator

Date

PAJARO RIVER WATERSHED FLOOD PREVENTION AUTHORITY

Signature
Nancy Bilicich
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	\$195.00
Director of Finance & Administration	\$250.00
Clerk of the Board	\$198.00
Executive Coordinator	\$303.00
GIS Coordinator	\$195.00
Principal Accountant	\$185.00

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, 2024**, and shall remain in effect until **June 30, 2025**, 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 Twenty Thousand Dollars (\$20,000.00)**. 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.

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	\$355.00 per hour
Associate	\$292.00 per hour
Paralegal	\$171.00 per hour
Legal Assistants	\$108.00 per hour

MEMORANDUM

TO: PRWFPA Board of Directors

FROM: Maura F. Twomey, Executive Coordinator

RECOMMENDED BY: Errol Osteraa, Director of Finance and Administration

SUBJECT: PRWFPA Banking and Signature Authorizations

MEETING DATE: June 24, 2024

RECOMMENDATION:

Staff recommends that the Board approve the attached letter to Mechanics Bank updating check signing authority for PRWFPA's bank accounts as detailed below.

BACKGROUND/DISCUSSION:

PRWFPA has not changed its signature authorization since April 1, 2022. Since that time, there have been changes in the composition of the PRWFPA Board of Directors, necessitating a change in the list of authorized signers.

PRWFPA proposes adding Vice Chair John Varela and removing Director John Phillips. This will result in the following authorized signers on PRWFPA's Checking account ending in 9936; which represent all PRWFPA's accounts with Mechanics Bank:

Board Signers – Chair Nancy Bilicich; Vice Chair John Valera; Director John Baillie

Staff Signers – Executive Coordinator Maura Twomey; Director of Modeling Bhupendra Patel; Director of Planning Heather Adamson

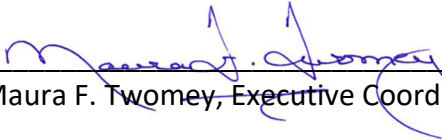
FINANCIAL IMPACT

There is no financial impact from this action. It should be noted that any checks issued on this account will be authorized and approved by the PRWFPA Board before any action is taken by the authorized signer.

ATTACHMENT:

1. Bank Signature Authorization Letter

APPROVED BY:



Maura F. Twomey, Executive Coordinator

June 24, 2024

Dianica Serrano, Personal Banker
Government and Corporate Enterprise Banking
Mechanics Bank
18400 Von Karman Avenue, Suite 1100
Irvine, CA 92612

Dear Ms. Serrano:

This letter updates the authorized check signers for the account(s) maintained by this organization as listed below.

PRWFPA – XXXXXX9936 (Checking)

To be added: John Varela, Vice Chair

To be removed: John Phillips, Director

In addition, the following individuals will remain on the list of authorized signers:

Nancy Bilicich, Chair
John Baillie, Director
Maura F. Twomey, Executive Coordinator
Bhupendra Patel, Director of Modeling
Heather Adamson, Director of Planning

Sincerely,

Maura F. Twomey
Executive Coordinator

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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: Financial Update Report

MEETING DATE: June 24, 2024

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 Board packet includes the year-to-date financial reports through April 30, 2024, as well as a budget-to-actual comparison for fiscal year (FY) 2023-2024. Amounts in the financial update report are unaudited.

The Balance Sheet reflects a cash balance of \$727,288.52. There were no accounts receivables outstanding as of April 30, 2024. The current liabilities balance is \$9,150.39. PRWFPA has sufficient current assets on hand to pay all known current obligations.

During the period of July 1, 2023, through April 30, 2024, 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.
- Gutierrez Consultants: Work associated with Soap Lake Project, Gonzales sale, Willoughby Claim, and SWG meeting preparation and attendance.
- Atchinson Barisone & Condotti: Legal services consisting of consultant contract extensions and services regarding Willoughby claim.
- Moss, Levy & Hartzheim : Audit services include both the current and the balance from the prior year audit
- Planeteria Media: Maintain website.

Expenses for the period of July 1, 2023, through April 30, 2024 totaled \$44,400.20, which included professional services and other expenses.

PRWFPA's Profit and Loss Statement reflects an excess of revenue over expense of \$41,038.92 for the period July 1, 2023, through April 30, 2024.

The following table highlights key Budget to Actual financial data:

**Budget to Actual Financial Highlights For
Period July 1, 2023 Through April 30, 2024**

Expense	Budget April 2024	Actual April 2024	Difference
Professional Services	\$ 109,150.00	\$ 42,833.11	\$ 66,316.89
Insurance	\$ 1,167.00	\$ 1,080.00	\$ 87.00
Supplies	\$ 3,317.00	\$ 408.56	\$ 2,908.44
Travel	\$ 7,083.00	\$ 78.53	\$ 7,004.47
Total	<u>\$ 120,717.00</u>	<u>\$ 44,400.20</u>	<u>\$ 76,316.80</u>
Revenue			
State/Local Revenue *	\$ 68,750.00	\$ 85,439.12	\$ 16,689.12
* State/Local Revenue does not include \$62,360.00 which will be used from reserves as needed			

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 a 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, 2024
2. Profit and Loss Statement: July 1, 2023, through April 30, 2024
3. Accounts Payable Aging Detail as of April 30, 2024
4. Check Register: March 1, 2024, through April 30, 2024

APPROVED BY:


Maura F. Twomey, Executive Coordinator

Pajaro River Watershed Flood Prevention Authority

Attachment 1

Balance Sheet

As of April 30, 2024

	April 30, 2024
ASSETS	
Current Assets	
Cash and Cash Equivalents	
Cash in Bank Checking	580,561.33
LAIF Account	146,727.19
Total Cash and Cash Equivalents	\$ 727,288.52
Accounts Receivable	
Accounts Receivable	-
Total Accounts Receivable	\$ -
TOTAL ASSETS	\$ 727,288.52
LIABILITIES & FUND BALANCE	
Liabilities	
Current Liabilities	
Accounts Payable	9,150.39
Total Current Liabilities	\$ 9,150.39
Total Liabilities	\$ 9,150.39
Fund Balance - Unrestricted	
Fund Balance - Beginning of Fiscal Year	677,099.21
Net Income/(Loss)	41,038.92
Total Fund Balance - Unrestricted	718,138.13
TOTAL LIABILITIES & FUND BALANCE	727,288.52

Pajaro River Watershed Flood Prevention Authority

Attachment 2

Profit & Loss

July 1, 2023 through April 30, 2024

	July 1, 2023 - April 30, 2024	July 1, 2023 - April 30, 2024
Income		
Interest		5,439.12
Member Dues		80,000.00
Total Income	\$	85,439.12
Expense		
Audit Expense		9,725.00
Gutierrez Consultants		12,081.75
Regional Analysis & Planning Services, Inc. (RAPS)		15,501.00
Insurance		1,080.00
Legal Services		5,525.36
Other Expense		
Web Hosting/Maintenance Costs	400.00	
Postage/Supplies	8.56	
Travel	78.53	
Total Other Expense		487.09
Total Expense	\$	44,400.20
Net Income/(Loss)	\$	41,038.92

Pajaro River Watershed Flood Prevention Authority

Attachment 3

A/P Aging Detail

As of April 30, 2024

Date	Num	Name	Due Date	Open Balance
03/31/2024	34471	Atchison Barisone & Condotti	04/30/2024	753.21
04/30/2024	21402	AMBAG	04/30/2024	40.00
03/31/2024	1154	Regional Analysis & Planning Services	05/30/2024	1,586.00
04/30/2024	34492	Atchison Barisone & Condotti	05/30/2024	2,676.15
04/30/2024	1155	Regional Analysis & Planning Services	06/29/2024	1,440.00
04/30/2024	1862	Gutierrez Consultants	07/29/2024	2,536.50
03/31/2024	21301	AMBAG	03/31/2024	40.00
04/05/2024	040524 - AF	AMBAG	04/05/2024	78.53
Total				<u><u>\$9,150.39</u></u>

Pajaro River Watershed Flood Prevention Authority

Attachment 4

Check Register

March 1, 2024 through April 30, 2024

Date	Num	Name	Memo	Amount
03/28/2024	968	AMBAG	Reimbursement for Website Monthly Maintenance - October 2023 - February 2024 & Postage	208.56
03/28/2024	969	Atchison Barisone & Condotti	Legal services provided for the month of October 2023	309.10
03/28/2024	970	Gutierrez Consultants	Lake Floodplain Preservation Project Services & Meetings - December 2023 - January 2024	2,603.25
03/28/2024	971	Moss, Levy & Hartzheim	1st Progress Billing for Audit Services to date for FY 2022-2023	5,950.00
03/28/2024	972	Regional Analysis & Planning Services	RAPS WE 530 Agency Administration - October 2023- February 2024	10,477.00
03/28/2024	973	Moss, Levy & Hartzheim	2nd Progress Billing for Audit Services to date for FY 2021-2022	3,775.00
TOTAL				<u>\$23,322.91</u>

MEMORANDUM

TO: PRWFPA Board of Directors

FROM: Maura F. Twomey, Executive Coordinator

RECOMMENDED BY: Errol Osteraa, Director of Finance and Administration

SUBJECT: Draft FY 2024-2025 Budget

MEETING DATE: June 24, 2024

RECOMMENDATION:

It is recommended that the Board of Directors adopt the Draft FY 2024-2025 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 30th each year. Throughout the year, the budget is monitored, and periodic amendments may be approved by the Board. The Draft FY 2024-2025 Budget is enclosed for Board review and comments. The PRWFPA Draft Budget for FY 2024-2025 was presented at the May 29th Staff Working Group (SWG) meeting. Modifications suggested by the SWG to the Draft FY 2024-2025 Budget have been incorporated.

REVENUE:

PRWFPA operations for FY 2024-2025 are funded by a combination of sources which include:

1. Member Agency Contributions - \$80,000
2. Interest Income - \$5,000
3. Transfer from Reserves as Needed- \$76,040

Revenue projected for FY 2024-2025 is \$85,000. Note from the chart below, that a majority of this consists of Member Agency Contributions.

In addition to \$85,000 in anticipated revenues, PRWFPA will also fund ongoing operations with a transfer from the general reserves in the amount of \$76,040 as needed. A transfer from general reserves will assist PRWFPA with identifying new funding opportunities to fund

floodplain acquisitions. There is an increase in projected revenue in comparison to FY 2023-2024 of \$2,500, primarily due to an increase 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 2024-2025 are as follows:

2024-2025 CONTRACT SERVICE AMOUNTS:

Atchison, Barisone & Condotti, APC	\$	20,000
Gutierrez Consultants	\$	70,000
Planeteria Media	\$	6,450
Moss, Levy & Hartzheim LLP	\$	6,190
Regional Analysis and Planning Services, Inc. (RAPS)	\$	45,000
Total Contracted Services	\$	<u>147,640</u>

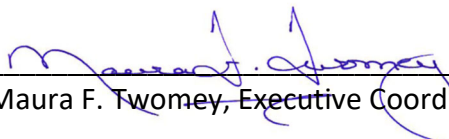
Contracts for these services require approval by the Board of Directors. The draft budget proposes funding for these contracts in the aggregate amount of \$147,640. PRWFPA incurs other routine expenses including insurance, travel, supplies/miscellaneous expenses, and board meeting expenses which are 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 2024-2025 are \$161,040.

The proposed balanced budget for FY 2024-2025 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 2024-2025 Budget

APPROVED BY:



Maura F. Twomey, Executive Coordinator

Pajaro River Watershed Flood Prevention Authority
Attachment 1
FY 2024-2025 Budget

	FY 2023-2024 Approved 06/02/23	FY 2023-2024 Actual As Of 03/31/24	FY 2024-2025 Draft Budget 06/24/24
REVENUE:			
Member Agency Contributions - Agency Admin. & Study (8 x \$10k)	\$ 80,000	\$ 80,000	\$ 80,000
Interest Earned	\$ 2,500	\$ 3,883	\$ 5,000
Total Revenue	\$ 82,500	\$ 83,883	\$ 85,000
Transfer from General Reserves	\$ 62,360	\$ -	\$ 76,040
Total Funding	\$ 144,860	\$ -	\$ 161,040
EXPENDITURES:			
Agency Administration			
RAPS, Inc.	\$ 45,000	\$ 14,061	\$ 45,000
Legal Fees	\$ 10,000	\$ 2,849	\$ 20,000
Audit Fees	\$ 5,980	\$ 9,725	\$ 6,190
Liability Insurance	\$ 1,400	\$ 1,080	\$ 1,400
Travel	\$ 1,000	\$ -	\$ 1,000
Travel - Washington D.C.	\$ 7,500	\$ -	\$ 7,500
Misc. Expense (Meeting Costs, Website Hosting, Supplies, Etc.)	\$ 3,500	\$ 9	\$ 3,500
Technical Services			
Gutierrez Consultants	\$ 70,000	\$ 9,545	\$ 70,000
Website Drupal Upgrade & Annual Maintenance	\$ 480	\$ 360	\$ 6,450
Total Expenditures	\$ 144,860	\$ 37,629	\$ 161,040
FUND BALANCE RESTRICTED (CARRY-OVER):			
General Reserves	\$ 690,497	\$ 677,099	\$ 723,353
Total Fund Balance	\$ 639,171	\$ 723,353	\$ 677,099
NOTES:			
(1) FUND BALANCE RECONCILIATION:			
Beginning Fund Balance	\$ 690,497	\$ 677,099	\$ 723,353
Prior Period Adjustments	-	-	-
Excess of Revenues Over/(Under) Expenditures	\$ (62,360)	\$ 46,254	\$ (76,040)
Ending Fund Balance	\$ 628,137	\$ 723,353	\$ 647,313

- (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 2024-2025 Budget**

2024-2025 CONTRACT SERVICE AMOUNTS:

Atchison, Barisone & Condotti, APC	\$	20,000
Gutierrez Consultants	\$	70,000
Planeteria Media	\$	6,450
Moss, Levy & Hartzheim LLP	\$	6,190
Regional Analysis and Planning Services, Inc. (RAPS)	\$	45,000
Total Contracted Services	\$	<u>147,640</u>

2024-2025 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>

2024 PRWFPA Meeting Calendar

September 6, 2024:

Zoom Webinar

Meeting Time: 9 am

November 1, 2024:

Zoom Webinar

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