

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

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

**Monterey County Water
Resources Agency
893 Blanco Circle
Salinas, California**

May 4, 2007

9:00 a.m.

RECOMMENDED ACTION

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

6. CONSENT AGENDA

RECOMMEND APPROVAL

A. Minutes of the March 2, 2007 Meeting

The minutes of the March 2, 2007 Board meeting are enclosed. **Recommend approval.** (Page 5)

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

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

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

Enclosed are two invoices of \$5,894.83 and \$2,872.90 for Lidia Gutierrez's work on the presentation prepared for and given to the PRWFPA on March 2, 2007. The Staff Working Group recommended approval. Also **enclosed** is the "Fact Sheet" requested by the Board at the March 2, 2007 meeting. **Recommend approval.** (Page 15)

7. ADMINISTRATION

A. Staff Working Group Meeting Notes

INFORMATION

Meeting notes from the January 24, February 21, March 21 and April 18, 2007 Staff Working Group meetings are **enclosed.** (Page 21)

B. Contract with Gutierrez Consultants

**RECOMMEND
APPROVAL**

Enclosed for approval is a proposed contract with Gutierrez Consultants for an amount not to exceed \$15,000. Staff memorandum **enclosed.** (Page 29)

C. Budget Amendment No. 2

**RECOMMEND
APPROVAL**

Proposed amendment to the FY 2006/07 Budget is **enclosed.** (Page 47)

D. Contract with Regional Analysis Planning Services, Inc.

**RECOMMEND
APPROVAL**

Enclosed for approval is a proposed contract with Regional Analysis and Planning Services Inc. for an amount of \$46,178 to perform work complimentary to Gutierrez Consultants (approved at the Board's March 2, 2007 meeting) on the Soap Lake Preservation Project. The Scope of Services and the Fee Estimate are **enclosed.** (Page 49)

E. Legislative Outreach Report

INFORMATION

Accept oral report on Staff Working Group activities to date. **Enclosed** are summaries of the tours with Sharim Asiong of U.S. Senator Dianne Feinstein's Office and Jennifer Tang of U.S. Senator Barbara Boxer's Office. Also **enclosed** is the PRWFPA Coalition Letter regarding funding for the Pajaro River Flood Control Project and the Final "Fact Sheet". (Hill/Palmisano). (Page 59)

8. PLANNING

A. Agency Fiscal Audit

**RECOMMEND
APPROVAL**

Approve selection of auditors for the following three fiscal years. Staff memorandum is **enclosed**. (Page 63)

B. Soap Lake Preservation Project

INFORMATION

Accept status report on the contracts/agreements for carrying out this project. (Gutierrez)

C. Lower Pajaro River Project

INFORMATION

Accept oral report. (Hill)

D. Staff Working Group Roles and Responsibilities

INFORMATION

The Staff Working Group and the Executive Coordinator have initiated a process for presenting to the Board at its July 6, 2007 meeting a report addressing and responding to the Board's direction given at its March 2, 2007 meeting.

9. CORESPONDENCE AND ANNOUNCEMENTS

A. Oral
None

B. Written
None

10. ADJOURN

Next Meetings:

July 6, 2007 – Gilroy City Hall – Gilroy, 9 a.m.

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

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

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

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

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

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

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

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

PRWFPA

March 2, 2007

1. CALL TO ORDER

The Board of Directors of the Pajaro River Watershed Flood Prevention Authority, Chair Marcus presiding, convened at 9:02 a.m. on Friday, March 2, 2007 at the San Benito County Board of Supervisors Chambers, Hollister, CA.

Director Marcus welcomed Silvio Bernardi, Monterey County Water Resources Agency and Sonny Flores, San Benito County Water District to the PRWFPA Board of Directors.

2. ROLL

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

Others Present: Steve Homan, County of Santa Clara; Scott Wilson & Carol Presley, SCVWD; Mica Nitschke, SBCWD; Lidia Gutierrez, Gutierrez Consultants; Kenn Reiller and Lois Robin, Pajaro River Watershed Committee; Colleen Valles, County of Santa Clara; Dave Foote, Schaaft & Wheeler; Craige Edgerton, Silicon Valley Land Conservancy; Marc Klemencic, SCVWD; David C. Collier; Nicolas Papadakis and Ana Flores, Regional Analysis and Planning Services, Inc. (RAPS, Inc.).

Director Marcus led the Pledge of Allegiance. He asked that the Pledge of Allegiance be added to future agendas.

3. CLOSED SESSION

The Board of Directors and the Executive Coordinator left the chambers for the closed session. Director Marcus reported that at the May 2, 2007 meeting an item would be placed on the agenda to discuss the procedural aspects of the Staff Working Group in relationship to

Consent Item 6.A

Page 6 the Board. Director Marcus also stated that he will recommend Item 8.C Request for Proposals was to be removed from the agenda and moved to a future meeting date.

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

Director Campos announced that Ray Belgard, former Santa Cruz County Supervisor past away.

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

None.

6. CONSENT AGENDA

A. Minutes of the January 5, 2007 and February 16, 2007 Board Meeting

None.

B. Staff Working Group Meeting Notes

Meeting notes from the January 24, 2007 and February 21, 2007 Staff Working Group meetings were not enclosed pending further review.

C. Approval of Payment for RAPS, Inc. for January 2007

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

Motion made by Director Gage, seconded by Director Calcagno to approve the Consent Agenda. Motion passed unanimously with Director Campos and Director Flores abstaining from the minutes.

The Executive Director apologized to Kenn Reiller and the Staff Working Group for his behavior at the January 24, 2007 Staff Working Group meeting.

7. PLAN DEVELOPMENT

A. Pajaro River Flood Prevention – A Watershed Approach

Don Hill, Santa Cruz County gave a presentation on the history of the Pajaro River and future flood protection strategies. Discussion followed.

Carol Presley, Santa Clara Valley Water District, gave an update on the Soap Lake Project and the Upper Watershed Study. Ms. Presley also gave a presentation on the IRWMP Flood Program Objectives. Ms. Presley touched on several points which included implementing multi benefit flood projects throughout the watershed and developing adaptive management approaches to minimize maintenance and protect the environment. Discussion followed.

By consensus, the Board discussed item 8.A. Legislative Outreach Report at this time. Don Hill reported that a conference call took place on February 27, 2007 among the Staff Working Group members, Executive Coordinator and three lobbyists, Mia O'Connell, John Freshman and Carolyn Chaney. Ms. Chaney will draft a letter and when finalized will be circulated to the Authority's member agencies for signatures. Mr. Hill also reported on the U.S. Army Corps of Engineers schedule update. The Draft General Reevaluation Report release date has been set for December 2007 and the 2008 funding has been submitted for the amount of \$3,000,000 (three million dollars).

Motion made by Director Gage, seconded by Director Skillicorn to accept the presentation. Motion passed unanimously.

B. Soap Lake Preservation Project

Carol Presley reviewed the enclosed Agreement for Services, scope for services and fee estimate for a two-year contract with Gutierrez and Associates.

Motion made by Director Gage, seconded by Director Campos to approve the enclosed agreement for a two-year contract with Gutierrez Consultants. Motion passed unanimously.

C. Lower Pajaro River Project Report

This item was discussed as part of Item 7.A.

8. ADMINISTRATION

A. Legislative Outreach Report

This item was discussed as part of Item 7.A.

B. Frequency of Board of Directors Meetings

The Executive Coordinator reviewed the enclosed staff memorandum which addressed the frequency of the Board of Directors meetings. Due to the anticipated increase in work, it was recommended that the present schedule be continued. Discussion followed.

C. Request for Proposals

This item was removed from the agenda and will be brought back at a future meeting.

Page 8 9. **CORRESPONDENCE AND ANNOUNCEMENT**

A. **Oral**

None

B. **Written**

None

10. **ADJOURN**

The meeting was adjourned at 10:35 a.m.

REGIONAL ANALYSIS PLANNING SERVICES, INC.

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

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

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

March 6, 2007

Board of Directors
Pajaro River Watershed Flood Prevention Authority

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

This letter is our billing for services rendered in the period February 1 through February 28, 2007. The services included work under items 1 through 9 of Exhibit A of the referenced contract. The following breakdown of charges is summarized in accordance with Exhibit B of the referenced contract. Data is from the official time records under Work Element No. 530.

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

Work Element 530 - Agency Administration

Executive Coordinator	7 hours @ \$ 240.98	\$ 1,686.86
Associate Planner	6.16 hours @ \$ 71.03	\$ 437.54
Administrative Assistant	3 hours @ \$ 62.50	\$ 187.50
	Subtotal	<u>\$ 2,311.90</u>

Total now due: \$ 2,311.90

Sincerely,



Nicolas Papadakis
Executive Coordinator

Attachments

Regional Analysis and Planning Services
(RAPS)

Invoice for PRWFPA
February 1 to February 28, 2007

Position Title	Total Hours	Personnel Cost	Overhead Cost	Total Cost
Executive Coordinator Rate/hr		\$131.96	\$109.02	\$240.98
Project 530 Admin	7	\$ 923.72	\$ 763.14	\$ 1,686.86
Subtotal	7	\$ 923.72	\$ 763.14	\$ 1,686.86
Associate Planner Rate/hr		\$39.52	\$31.51	\$71.03
Project 530 Admin	6.16	\$ 243.44	\$ 194.10	\$ 437.54
Subtotal	6.16	\$ 243.44	\$ 194.10	\$ 437.54
Administrative Assistant Rate/hr		\$34.70	\$27.80	\$62.50
Project 530 Admin	3	\$ 104.10	\$ 83.40	\$ 187.50
Subtotal	3	\$ 104.10	\$ 83.40	\$ 187.50
Total	16	1,271.26	1,040.64	2,311.90

Tasks Completed:

Executive Coordinator:

WE 530: SWG draft agenda preparation, distribution, and meeting attendance (2/15). Board of Directors agenda preparation.

Associate Planner:

WE 530: Review SWG materials and correspondence, prep powerpoint presentation, internal meetings re: presentation.

Administrative Assistant:

WE 530: Board of Directors agenda preparation, distribution.

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

	<u>WE 530 Admin</u>	<u>TOTAL</u>
Budget*	\$ 35,185.00	\$ 35,185.00
Amount Spent:		
July, 2006	\$ 1,392.40	\$ 1,392.40
August, 2006	\$ 1,454.90	\$ 1,454.90
September, 2006	\$ 3,025.78	\$ 3,025.78
October, 2006	\$ 2,663.11	\$ 2,663.11
November, 2006	\$ 1,431.07	\$ 1,431.07
December, 2006	\$ 1,401.42	\$ 1,401.42
January, 2007	\$ 1,974.83	\$ 1,974.83
February, 2007	\$ 2,311.90	\$ 2,311.90
March, 2007	\$ -	\$ -
April, 2007	\$ -	\$ -
May, 2007	\$ -	\$ -
June, 2007	\$ -	\$ -
Subtotal	<u>\$ 15,655.41</u>	<u>\$ 15,655.41</u>
Balance Available	<u>\$ 19,529.59</u>	<u>\$ 19,529.59</u>

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

REGIONAL ANALYSIS PLANNING SERVICES, INC.

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

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

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

April 2, 2007

Board of Directors
Pajaro River Watershed Flood Prevention Authority

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

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

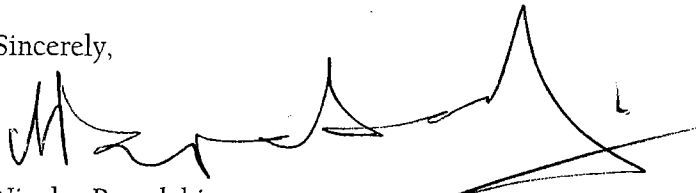
This invoice will be reviewed by the Staff Working Group, and a recommendation will be presented at the Board of Directors Meeting on May 4, 2007.

Work Element 530 - Agency Administration

Executive Coordinator	8 hours @ \$ 240.98	\$ 1,927.84
Associate Planner	9.66 hours @ \$ 71.03	\$ 686.15
Administrative Assistant	6 hours @ \$ 62.50	\$ 375.00
	Subtotal	<u>\$ 2,988.99</u>

Total now due: \$ 2,988.99

Sincerely,



Nicolas Papadakis
Executive Coordinator

Attachments

Regional Analysis and Planning Services
(RAPS)

Invoice for PRWFPA
March 1 to March 31, 2007

Position Title	Total Hours	Personnel Cost	Overhead Cost	Total Cost
Executive Coordinator Rate/hr		\$131.96	\$109.02	\$240.98
Project 530 Admin	8	\$ 1,055.68	\$ 872.16	\$ 1,927.84
Subtotal	8	\$ 1,055.68	\$ 872.16	\$ 1,927.84
Associate Planner Rate/hr		\$39.52	\$31.51	\$71.03
Project 530 Admin	9.66	\$ 381.76	\$ 304.39	\$ 686.15
Subtotal	9.66	\$ 381.76	\$ 304.39	\$ 686.15
Administrative Assistant Rate/hr		\$34.70	\$27.80	\$62.50
Project 530 Admin	6	\$ 208.20	\$ 166.80	\$ 375.00
Subtotal	6	\$ 208.20	\$ 166.80	\$ 375.00
Total	24	1,645.64	1,343.35	2,988.99

Tasks Completed:

Executive Coordinator:

WE 530: SWG draft agenda preparation, distribution, and meeting attendance. Board of Directors agenda preparation.

Associate Planner:

WE 530: Prep for meeting and notes; reviewed and updated draft meeting minutes; meeting with Lidia and PVWMA staff re: grant implementation; correspondence with DMB re: El Rancho San Benito project; coordinate with GIS staff for updated Soap Lake cons. Easement layers.

Administrative Assistant:

WE 530: Board of Directors agenda preparation, distribution, and meeting attendance (3/2).
SWG agenda preparation, distribution, and meeting attendance (3/21)

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

	<u>WE 530 Admin</u>	<u>TOTAL</u>
Budget*	\$ 35,185.00	\$ 35,185.00
Amount Spent:		
July, 2006	\$ 1,392.40	\$ 1,392.40
August, 2006	\$ 1,454.90	\$ 1,454.90
September, 2006	\$ 3,025.78	\$ 3,025.78
October, 2006	\$ 2,663.11	\$ 2,663.11
November, 2006	\$ 1,431.07	\$ 1,431.07
December, 2006	\$ 1,401.42	\$ 1,401.42
January, 2007	\$ 1,974.83	\$ 1,974.83
February, 2007	\$ 2,311.90	\$ 2,311.90
March, 2007	\$ 2,988.99	\$ 2,988.99
April, 2007	\$ -	\$ -
May, 2007	\$ -	\$ -
June, 2007	\$ -	\$ -
Subtotal	<u>\$ 18,644.40</u>	<u>\$ 18,644.40</u>
Balance Available	<u>\$ 16,540.60</u>	<u>\$ 16,540.60</u>

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

Gutiérrez Consultants
 5000 Lilac Ridge Road
 San Ramon, CA 94582

Date	Invoice #
3/9/2007	7

OK
WF
 3/2/07

Bill To
Pajaro River Watershed FPA Nick Papadakis

				P.O. No.
Item	Quantity	Description	Rate	Amount
Task 1 Prepare Powerpoint P...	25.5	Prepare Draft Presentation, Prepare for and attend Dry-Run Presentation Meeting, Revise Presentation, Produce Final Electronic and Printable Presentation. 2/16 (1) 2/19 (3) 2/21 (2) 2/23 (6) 2/27 (7.5) 2/28 (2) 3/1 (4)	165.00	4,207.50
Task 2 Board of Directors Pr...	6	Attend Board of Directors Meeting 3/2/07 in Hollister	165.00	990.00
Task 3 Prepare Fact Sheet			165.00	165.00
ODCs	1	2/27/07 Presentation Review Meeting in Santa Cruz rental + fuel (\$101.93), 3/2/07 Board of Directors Meeting in Hollister mileage(\$83.22); reproduction costs (\$347.18)	532.33	532.33
			Total	\$5,894.83

W.S.G. 3/2/07

INVOICE



DESIGN ■ COPY ■ PRINT ► COMMUNICATE

12893 Alcosta Boulevard, Suite A
San Ramon, CA 94583

No. 16447

Date 3/1/07

Customer P.O. No.

Consent Item 6.C

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Ms. Lidia Gutierrez
Gutierrez Consultants
5000 Lilac Ridge Road
San Ramon CA 94582
Phone: 925.766.5294

QUANTITY	DESCRIPTION	AMOUNT
12	Color Copy Power Point Presentation, 8.5 x 11 Bright White Mohawk Color Copy 28#, 37 originals, copied on 1 side 12 Clear Front 12 Leatherette Back 12 Spiral Coil (1 to 175 Sheets)	320.72

ALPHA GRAPHICS
1021 MARKET PLACE
SAN RAMON, CA 94583
TID: 07149966

3/01/07 15:44:56

SALE

67887235880
ATCH: 432

ISXXXXXXXXXXXX8003

IPPR CODE: 051735
INV#: 000005

AMOUNT: \$ 320.72
TAX: \$ 26.46

TOTAL: \$ 347.18

CUSTOMER COPY

Account Type: COD	SUB	320.72
Received by: _____ Date: _____	TAX	26.46
PLEASE PAY FROM THIS INVOICE - NET 15 DAYS "I understand interest shall accrue on all past due accounts at 1&1/2 percent per month. In the event payment is not made and the account is referred to collections, I will pay the cost of collection including attorney fees and costs incurred."	SHIPPING	
	TOTAL	347.18

1/3 PUWMA \$92.46 + 10% = \$101.93
 1/3 FPA 92.46 + 10% = \$101.93
 1/3 SBCWD 92.46 + 10% = \$101.93

Return RA Document 774555364
 RESERVATION # 37563423-US-2G
 CAR# 1 3 7 6 8 7 4 Car Group B/C
 RY CHRY 300M 4DR CA SUKY876

Rate 2A/C	3 DY	17 HR	
444 MI @		.00	=
0 HR @		20.43	=
4 DY @		40.84	=
0 WK @		285.88	=
2A/C 400FM			
Discount	5.0%		= 8.17
Subtotal			= 155.19
Tax	8.250%		+ = 12.80
Total Charges			= 167.99
AMOUNT DUE	CV	USD	= 167.99

GUTIERREZ, LIDIA

VIZ# = W3G88Z AWD# = A278200

Out SAN RAMON CA F25FEB07/1445
 In SAN RAMON CA 01MAR07/0735
 Miles-Out 25010 Miles-In 25853
 Miles Driven 844 Fuel In 8/8
 Method of pay = CLUB
 VISA XXXXXXXXXXXXXXX8003

The an 4m
 All ct 1d
 For lc -3

SA09/2

*** DUPLICATE RECEIPT ***

SAN RAMON SHELL
 3048 CROW CANYON
 SAN RAMON CA 94583

MAGIC SANDS CHEVRON
 161 BLOSSOM HILL R
 SAN JOSE, CA
 STN 00093029

CHEVRON
 1250 N. DAVIS
 SALINAS, CA
 STN 00207707

SHELL
 3048 CROW CANYON ROA
 D
 SAN RAMON CA
 RT# 27441847202

02/28/07 14:45:37

02/26/07 16:33:56

03/01/07 07:25:13
 GUTIERREZ/LIDIA
 VISA Acct#
 XXXX XXXX XXXX 8003

E/VISA
 XXXXXXXXXXXXXXX8003
 Invoice# 2925829
 Auth# 086151

E/VISA
 XXXXXXXXXXXXXXX8003
 Invoice# 0751389
 Auth# 031894

RCPT# 8-2873
 Inv# 232280
 Auth# 061362

Pump#: 2
 15.669 G @ \$ 2.999
 UNLE/Self \$ 46.99
 Total \$ 46.99

Pump#: 2
 15.217 G @ \$ 2.979
 Unle/Self \$ 45.33
 Total \$ 45.33

PUMP# 7
 REGULAR 5.819G
 SELF
 PRICE/GAL \$3.039
 FUEL TOTAL \$17.68
 TOTAL \$17.68

Tell us about
 your shopping
 experience by
 logging onto
 Survey.Chevron.com

Tell us about
 your shopping
 experience by
 logging onto
 Survey.Chevron.com

THANK YOU
 PLEASE COME AGAIN

SHELL V-POWER, OUR
 MOST ADVANCED FUEL
 EVER.

THANK YOU
 COME BACK AGAIN

Gutierrez Consultants

April 14, 2007

Mr. Nick Papadakis, Executive Director
Association of Monterey Bay Area Governments
Post Office Box 809
Marina, CA 93933-0809

Dear Nick,

Attached is an invoice from Gutierrez Consultants for professional services provided from March 5, 2007 through April 14, 2007. The services were provided in accordance with the \$10,000 Purchase Order approved by the Pajaro River Watershed Flood Prevention Authority for work on the Soap Lake Floodplain Preservation Project Presentation and Fact Sheet.

The invoice is for a total amount of \$2,872.90 and the budget remaining is \$1,232.27.

Sincerely,

Lidia Gutierrez
Principal

Gutierrez Consultants
 5000 Lilac Ridge Road
 San Ramon, CA 94582

MM OK

Date	Invoice #
4/13/2007	14

Bill To
Pajaro River Watershed FPA Nick Papadakis C/O RAPS, Inc. P.O. Box 809 Marina, CA 93933-0809

P.O. No.

Item	Quantity	Description	Rate	Amount
Task 3 Prepare Fact Sheet	17	Prepare draft fact sheet, prepare for and attend SWG meeting, incorporate comments, revise and finalize fact sheet	165.00	2,805.00
ODCs	1	SWG Meeting 3/21/07 (140 miles, \$0.485 per mile)	67.90	67.90
Total				\$2,872.90

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**Pajaro River Watershed
Flood Prevention Authority
c/o RAPS, Inc.
P.O. Box 809
Marina, CA 93933
(831) 883-3750**

MEETING NOTES

Pajaro River Watershed Flood Prevention Authority
Staff Working Group
Wednesday, January 24, 2007
10:00 a.m.
Watsonville City Hall

Present: Carol Presley and Scott Wilson, Santa Clara Valley Water District; Don Hill, Santa Cruz County and Jeff Cattaneo and Mica Nitschke, San Benito County Water District

Also Present: Steve Palmisano, City of Watsonville; Lidia Gutierrez, Gutierrez Consultants; Lloyd Wagstaff, TNC; Kenn Reiller and Lois Robin, Sierra Club; Nicolas Papadakis, Megan Tolbert and Ana Flores, RAPS, Inc.

Approval of Invoice:

RAPS, Inc. December 2006 invoice was reviewed and recommended for approval.

Soap Lake Area Proposed Projects Referrals:

None

Pajaro River Watershed IRWMP --- Planning

The next IRWMP collaborative stakeholder meeting is February 15, 2007 from 4 – 6 p.m. in Hollister.

Legislative Advocacy

- a. Each agency will contact their lobbyists and get dates to set up a phone conference ASAP.
- b. Timeframe: the legislative visit should be before April.
- c. A presentation regarding the Pajaro River Watershed, studies and Board actions to date will be given to the Board at the March 2, 2007 meeting. It will be put together by Lidia G. per her diagram.

Pajaro River Watershed IRWMP—Implementation/Soap Lake Project

Presentation of proposed scope of services by Lidia Gutierrez. Staff expressed concerns that there had not been sufficient time to review the scope of services as presented because the agenda and scope were not issued by RAPS, Inc. until the day preceding the meeting. The scope of services included both hours allocated for RAPS, Inc. and hours allocated for Gutierrez Consultants.

Staff expressed concerns over lack of differentiation over hours allocated to RAPS, Inc. staff for execution of work task items. Discussion ensued regarding the actual work deliverables tasked to RAPS Inc. and to Gutierrez Consultants.

After departure of RAPS, Inc. staff from the meeting at approximately 11:05AM, the SWG members continued discussions regarding the appropriate distribution of tasks associated with the scope of services. Staff requested Ms. Gutierrez to prepare a revised scope limited to those work elements to be produced solely by Gutierrez Consultants.

Administration Item 7.A

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Other

a. Emergency meeting

The Executive Coordinator will contact Don Marcus, President and ask for an emergency meeting with the contract with Gutierrez Consultants as the only item. The contract is not to exceed \$10,000.

The SWG also recommended that in the future the budget should be amended to designate money for specific work to be done with out having to go to the Board first.

Submitted by Ana Flores, RAPS, Inc.

**Pajaro River Watershed
Flood Prevention Authority
c/o RAPS, Inc.
P.O. Box 809
Marina, CA 93933
(831) 883-3750**

MEETING NOTES

Pajaro River Watershed Flood Prevention Authority
Staff Working Group
**Wednesday, February 21, 2007
10:00 a.m.**
Watsonville City Hall

Present: Carol Presley, Santa Clara Valley Water District; Don Hill, Santa Cruz County; Bill Phillips, Monterey County Water Resources Agency and Steve Homan, Santa Clara County

Also Present: Steve Palmisano, City of Watsonville; Lidia Gutierrez, Gutierrez Consultants; Lloyd Wagstaff, TNC; Craige Edgerton, Silicon Valley Land Conservancy and Nicolas Papadakis, RAPS, Inc.

Staff Requested Closed Session

A closed session was held with Bill Phillips, Carol Presley and Don Hill attending with Nick Papadakis joining later.

Roles, Responsibilities and Tasks of Consultants/Prop. 50 Implementation Project –Soap Lake Preservation

The SWG reviewed Lidia's scope of work. Discussion ensued on tasks 1.8 and sections of 6.1 that will not be conducted by Gutierrez & Associates. Lidia was asked to include a statement in the introduction of the scope of services; that this scope does not include services associated with fiscal administration of the grant budget in connection with the grant contracting agencies. A separate agreement would be drawn up for that. Cash flow potential problems were also discussed.

By consensus the group decided to ask Lidia Gutierrez and Nick Papadakis to revise respective scope of services and e-mail to the SWG.

Approval of Invoice:

RAPS, Inc. January 2007 invoice was reviewed and recommended for approval.

Report on Implementation Grant kick-off meeting with DWR held on February 8 and 9, 2007

Discussed presentations given to the State on February 8 and 9.

The presentations were well received with a couple of comments related to better time table (currently 10 years) and the State's desire to have easements (in perpetuity).

Board Meetings Frequency and Length

Bill Phillips reported on the meeting with Supervisor Calcagno regarding his comments made at the previous Board meeting.

The group asked Nick to draft a staff memorandum for the Board agenda outlining the option to continue the current schedule or go into a quarterly schedule with meeting in between as needed.

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Update on Legislative Outreach

Nick Papadakis announced that the conference with the legislative advocates and member agencies has been scheduled for February 27, 2007 at 8:30 a.m.

Corps Pajaro River Project Status

Don Hill gave a thorough presentation of the status of the Lower Pajaro River project based on a memo prepared by Nicole Ortega. The DEIR is now scheduled for completion in December 2007. The Corps budget for this year is \$750,000 to 1.5 Million. If the Corps does not fully fund this phase, Monterey, Santa Cruz and the City of Watsonville will fill in the funding gap. The Corps preliminary budget will be 3 million in 2008 and 2.5 million in 2009 (the full memo is available from Don Hill or Nick Papadakis).

Board Agenda Items

The SWG decided to place on the agenda Lidia's presentation, Prop. 50 presentation as it relates to the Soap Lake Plain project, the Lower River report, legislative outreach report and the Gutierrez & Associates scope of services with the RAP'S, Inc. scope going to the Board at the following meeting.

Other

Nick announced that the Z-Best Composting and Transfer Facility Expansion Project has been asked to prepare a focused EIR.

Submitted by Ana Flores, RAPS, Inc.

**Pajaro River Watershed
Flood Prevention Authority
c/o RAPS, Inc.
P.O. Box 809
Marina, CA 93933
(831) 883-3750**

MEETING NOTES

Pajaro River Watershed Flood Prevention Authority
Staff Working Group
Wednesday, March 21, 2007
10:00 a.m.
Gilroy City Hall

Present: Carol Presley and Scott Wilson, Santa Clara Valley Water District; Carisa Duran, Santa Cruz County; Bill Phillips, Monterey County Water Resources Agency; Steve Homan, Santa Clara County; and, Mica Nitschke, San Benito County Water District

Also Present: Lidia Gutierrez, Gutierrez Consultants; Lloyd Wagstaff, The Nature Conservancy; Craige Edgerton, Silicon Valley Land Conservancy; Kenn Reiller, Lois Robin and David Collin, Sierra Club; Nicolas Papadakis, Megan Tolbert and Ana Flores, RAPS, Inc.

Approval of Invoice

RAPS, Inc. February 2007 invoice was reviewed and recommended for approval.

Soap Lake Area Proposed Projects Referrals

None

Pajaro River Watershed IRWMP----Planning

Lidia Gutierrez reported that the comment period for the IRWMP Draft Plan will end on March 21, 2007. The revised IRWMP Draft Plan will be taken to the Board of Directors for adoption on May 4, 2007.

Bill Phillips added that a permanent item be added to future agendas regarding information on new/other grant funding opportunities, propositions, and listing new projects.

Kenn Reiller added that Sierra Club prepared letter of support regarding the IRWMP and its institutional structure as measured against the state's flood management guidelines. Mr. Reiller will forward revised letter on 3/21/07 for inclusion in board agenda.

Pajaro River Watershed IRWMP – Implementation/Soap Lake Project

Nick Papadakis reviewed the Scope of Services and Fee Estimate submitted by RAPS, Inc. The Fee Estimate was revised to compensate for maintenance of the PRWFPA website. The Administrative Assistant's hours were increased by 72 hours equaling \$3,960 to update and maintain the website. This brought the total budget to \$46,178.

Lidia Gutierrez volunteered to research steps and cost for reactivating existing website.

Bill Phillips recommended that a SWG discussion about how to best structure conservation easement holder strategies should be added to future agenda.

After a lengthy discussion the SWG agreed to wait for the legislative visits to Washington D.C. by individual counties to be over before proceeding further.

Revisions were made to Ms. Gutierrez's handout and will bring a revised Fact Sheet to the next meeting.

DMB Development Project

Mr. Papadakis reported that DMB is developing a Master Plan Community and asked the San Benito County Water District for a water assessment at their Board of Directors meeting. Megan Tolbert is to work with David Johnson, GIS Coordinator, RAPS, Inc. to develop the GIS layers of the development.

Staff Working Group Role and Responsibilities

There was brief discussion. SWG agreed to review the recording of the March 2, 2007 PRWFPA Board of Directors meeting in order to verify the comments made by Don Marcus, Chair PRWFPA. It is to be distributed to the SWG group.

Notes from January and February SWG Meetings

Mr. Papadakis recommended that Item 6.B Staff Working Group Meeting Notes be removed from the Consent Agenda. Discussion followed.

Other

Carisa Duran reported that Santa Cruz County had been awarded 1.1 million from the U.S. Army Corps of Engineers for the levee reconstruction.

Lloyd Wagstaff reported that the new HCP for Morgan Hill and Gilroy may lead to new opportunities, federal dollars, and projects that weren't considered in the IRWMP prior.

Mr. Papadakis mentioned that Gutierrez Consultants had sent in an invoice for the amount of 5,894.83. This item will be placed on the April 18, 2007 SWG agenda.

Lidia Gutierrez identified a future outlook/task strategy for moving forward which includes: a) look beyond Soap Lake to provide 100-year flood protection, b) identify federal funding opportunities, and c) identify state funding opportunities.

Submitted by Ana Flores

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MEETING NOTES

Pajaro River Watershed Flood Prevention Authority
Staff Working Group
**Wednesday, April 18, 2007
10:00 a.m.**
Watsonville City Hall

Present: Carol Presley and Scott Wilson, Santa Clara Valley Water District; Don Hill, Santa Cruz County; Steve Homan, Santa Clara County; Mica Nitschke, San Benito County Water District; Byron Turner, San Benito County and Jim Slatter, Monterey County Water Resources Agency

Also Present: Lidia Gutierrez, Gutierrez Consultants; Mary Bannister, Pajaro Valley Water Management Agency; Craige Edgerton, Silicon Valley Land Conservancy; Nicolas Papadakis, Megan Tolbert and Ana Flores, RAPS, Inc.

Soap Lake Area Proposed Projects Referrals

None

Pajaro River Watershed IRWMP----Planning

Lidia Gutierrez reported that they had received comments on the IRWMP at their last meeting and were preparing a response. The Final IRWMP is to be adopted by the three collaborating agencies in May.

Nick Papadakis suggested that the IRWMP be taken to the Board in July.

Pajaro River Watershed IRWMP – Implementation/Soap Lake Project

Lidia Gutierrez reported on the meeting between the PRVWMA, the grant recipient, and the Department of Water Resources on April 9, 2007. The grant reimbursement effective date has been set as January 18, 2007 which means that any work performed since that date is eligible for reimbursement.

Nick Papadakis and Megan Tolbert will provide documentation that is required for implementation of the IRWMP, such as financial statements of the PRWFPA.

PRVWMA will provide Joseph Chang, State of California a full package and set up another meeting after review.

Legislative Advocacy

Don Hill reported on tour with Sharim Asiong, Assistant Field Representative for Senator Dianne Feinstein. Mr. Hill stated that it was well represented by the County of Santa Cruz, County of Monterey, City of Watsonville and the Santa Cruz County Farm Bureau.

SWG reviewed the draft fact sheet. Discussion followed. Lidia to obtain additional information from the U.S. Corps, revise and distribute to members.

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El Rancho San Benito Development Project

Byron Turner, San Benito County Planning Department reported on El Rancho San Benito Development Project. Mr. Turner stated that no application has been received but expects one in September. San Benito County is recruiting staff to manage this project as soon as an application is submitted. The County is also looking into rewriting the Potential Residential Growth Increase (PRGI) a local County Ordinance which states that any project of 100 units or more goes to the voters.

SWG agreed to set a meeting with Raymond Becker, DMB to receive more detailed information on the project. Nick Papadakis, Lidia Gutierrez and Megan Tolbert are in process of scheduling a meeting with Mr. Becker and will report back to the SWG at their next meeting.

Funding

Lidia Gutierrez reported on the "Central Coast Funding Region Group" meeting held April 17, 2007. Lidia suggested that representatives of the County of Santa Cruz and the PRWFPA be invited to participate. Mary Bannister formally extended the invitation to the two agencies at the meeting. The next meeting is on May 23, 2007 at 10:00 a.m. at the Monterey County Water Resources Agency. The funding opportunities were discussed they pertain to the Authority. There are two funding programs which the Authority qualifies for funding: the Levee Improvement Program and the Flood Protection Corridor Program. Lidia Gutierrez suggested that the Authority comment on the proposed Draft Guidelines to specify that the State should offer special consideration for projects that benefit disadvantaged communities, which is missing in the guidelines for both programs. The comments are due April 30, 2007.

Nick Papadakis suggested that the SWG draft a comment letter and add to the Board agenda as an informational item.

Nick Papadakis reviewed the enclosed list of Prop 84 and Environmental Quality Bond Implementation Proposals. Discussion followed.

Other

Nick Papadakis proposed that the Board approve a contract with Gutierrez Consultants up to \$15,000 in order to pay for eligible work being done now but will not be reimbursed until after the contracts with the State have been executed.

Staff Working Group Role and Responsibilities

Scott Wilson read the announcement made by Don Marcus, PRWFPA Chair after the closed session on March 2, 2007 regarding the Staff Working Group. Discussion followed.

Nick Papadakis suggested that written guidelines instead of opting for a public workshop be presented to the Board.

Steve Homan will provide draft working procedures or guidelines which the SWG can comment on and revise. Nick Papadakis will review and revise RAPS, Inc. if necessary the existing Scope of Work of the contract between RAPS, Inc. and PRWFPA. The Board will be informed at its May 4, 2007 meeting that this process is underway.

Approval of Invoices

RAPS, Inc. March 2007 invoice and two invoices submitted by Gutierrez Consultants in amounts of \$5,894.83 and \$2,872.90 were reviewed and recommended for approval.

Motion made by Steve Homan seconded by Don Hill to approve the RAPS, Inc. invoice and the two invoices from Gutierrez Consultants. Motion passed unanimously.

*Submitted by Ana Flores

MEMORANDUM

TO: Board of Directors
FROM: Nicolas Papadakis, Executive Coordinator
DATE: May 5, 2007

SUBJECT: Contract with Gutierrez Consultants

The Pajaro River Watershed Flood Prevention Authority's share of the Proposition 50 funds, \$4,425,300, to undertake the Soap Lake Preservation Project is subject to the execution of an agreement between the State and Pajaro Valley Water Management Agency (PVWMA) (the primary grant recipient of the Proposition 50 grant) and between the PVWMA and the Authority. These two agreements are in the process of being negotiated.

We have been informed that the effective date will be January 18, 2006. Therefore, some of the required preliminary work would be reimbursable. Unfortunately, the Authority cannot reimburse for such expenditures prior to executing a contract with PVWMA.

Staff recommends that in the interim, the Authority enter into an agreement with Gutierrez Consultants for an amount not to exceed \$15,000 to perform initial work required under the Proposition 50 grant. The Authority would utilize funds from its reserve account and get reimbursed once the appropriate agreements with PRWFPA, PVWMA and the State have been executed.

Staff Recommendation

Staff recommends approval of the attached agreement with Gutierrez Consultants for up to \$15,000.

AGREEMENT FOR SERVICES

THIS AGREEMENT is entered into this 4th day of May, 2007, by and between **THE Pajaro River Flood Prevention Authority** (hereinafter referred to as "AUTHORITY") and **Gutierrez Consultants** (hereinafter referred to as "CONTRACTOR").

W I T N E S S E T H

WHEREAS, Authority has entered into an Agreement dated May 4, 2007 with CONTRACTOR, for the purpose of the following:

Part of Task 1: Program Administration per attached Scope of Services and Fee Estimate for Soap Lake Preservation Project.

WHEREAS, CONTRACTOR represents that they are qualified to perform the services pursuant to this Agreement.

NOW, THEREFORE, THE PARTIES HERETO DO MUTUALLY AGREE AS FOLLOWS:

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.

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 FIFTEEN THOUSAND DOLLARS (\$15,000). In no event shall compensation exceed this amount without prior written consent of AUTHORITY.

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. OWNERSHIP OF WORK PRODUCT

A. Ownership of any reports, data, studies, surveys, charts, memoranda, and any other documents which are developed, compiled, or produced as a result of this Agreement, whether or not completed, shall vest with AUTHORITY.

B. Methodology, materials, software, logic and systems developed under this Agreement are the property of AUTHORITY, and may be used by AUTHORITY as it sees fit, including the right to revise or publish the same without limitation.

4. GENERAL ADMINISTRATION AND MANAGEMENT

A. The Executive COORDINATOR for Authority shall have the primary administrative responsibility for Authority pursuant this Agreement, and shall review and recommend approval of CONTRACTOR'S invoices to Authority under this Agreement.

5. TERM OF AGREEMENT

A. CONTRACTOR shall commence work on upon the issuance of a Notice To Proceed and shall complete all tasks within a two year period from date of issuance of Notice to Proceed.

6. SUSPENSION/TERMINATION OF AGREEMENT

A. The right is reserved by AUTHORITY or CONTRACTOR to terminate or suspend this Agreement with or without cause at any time by giving five (5) days written notice to the other party. In that event all finished or unfinished documents, reports, or other material prepared by CONTRACTOR pursuant to this Agreement shall be delivered to AUTHORITY, and CONTRACTOR shall be entitled to receive just and equitable compensation for any satisfactory work completed on the project prior to the date of suspension or termination.

7. ASSIGNMENT

A. This Agreement may not be assigned or otherwise transferred by either party hereto without the prior written