



County of Monterey

Item No.3

Board Report

Board of Supervisors
Chambers

168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: WRAG 23-165

December 05, 2023

Introduced: 11/22/2023

Current Status: Agenda Ready

Version: 1

Matter Type: WR General Agenda

Ratify Amendment No. 1 to the Services Agreement with the Pajaro Regional Flood Management Agency for Maintenance and Repair Activities of the Pajaro River Federal Flood Control Project (“Project”) to extend the term for one year to December 1, 2024, and include additional emergency response activities; and authorize the General Manager to execute the amendment.

RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Board of Supervisors:

Ratify Amendment No. 1 to the Services Agreement with the Pajaro Regional Flood Management Agency for Maintenance and Repair Activities of the Pajaro River Federal Flood Control Project (“Project”) to extend the term for one year to December 1, 2024, and include additional emergency response activities; and authorize the General Manager to execute the amendment.

SUMMARY/DISCUSSION:

The Pajaro Regional Flood Management Agency (“PRFMA”) was formed under the Joint Exercise of Powers Act, Government Code section 6500 *et seq.*, pursuant to a Joint Exercise of Powers Agreement (“JPA Agreement”) dated July 21, 2021, in order to coordinate, finance, acquire, construct, improve, operate or maintain flood management infrastructure on the Pajaro River in Santa Cruz and Monterey Counties.

The Member Agencies of the PRFMA are County of Santa Cruz, Santa Cruz County Flood Control and Water Conservation District, Zone 7 (“Zone 7”), County of Monterey (“County”), City of Watsonville, and the Monterey County Water Resources Agency (“MCWRA” or “Agency”). The PRFMA will be the lead local agency to work with the United States Army Corps of Engineers in continuing the Project, which is currently maintained jointly by Zone 7 and MCWRA, as non-federal sponsors.

An Operations, Maintenance, Repair, Replacement, and Rehabilitation Assignment Agreement (“OMRR&R”) to transfer the operation, maintenance, repair, replacement, and rehabilitation of the Project was approved by the MCWRA Board of Supervisors in April 2023. PRFMA approved the OMRR&R at their November 9, 2022 meeting. Both the Cost Sharing Agreement and the OMRR&R became effective on July 1 2023. A similar assignment agreement has been negotiated between PRFMA and Zone 7 for the activities on the levee in Santa Cruz County. PRFMA has approved the agreement at their November 8, 2023 meeting and Zone 7 will be considering it later this month.

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MCWRA and PRFMA staff continue to coordinate the transition of the activities and propose to have continued support by MCWRA on some general activities to support a successful transition. The proposed amended Services Agreement will support PRFMA requests for general maintenance activities as well as emergency response activities for up to one year. MCWRA will assess their ability to fulfill those requests. The Services Agreement also supports the continued involvement of MCWRA in the coordination of the critical levee damage sites that occurred in March 2023. Time and materials to be invoiced and reimbursed. Time is of the essence in amending the Services Agreement which expires on December 1, 2023.

OTHER AGENCY INVOLVEMENT:

PRFMA, County Counsel's Office, Monterey County Water Resources Agency Board of Directors approved on November 20, 2023.

FINANCING:

The MOU includes the reimbursement of MCWRA staff time for any approved activities.

Prepared by: Shaunna Murray, Deputy General Manager (831) 755-4860

DocuSigned by:

11/28/2023

Approved by:

Ara Azhderian

Ara Azhderian, General Manager, (831) 755-4860

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Attachments:

1. Services Agreement
2. Amendment No 1
3. Executed MCWRA Board of Directors Board Order