



***Before the Board of Directors of the Monterey County Water Resources Agency
County of Monterey, State of California***

BOARD ORDER No. _____

- 1. FINDS THAT:)
 - a. EMERGENCY REPAIRS ARE NECESSARY TO MAINTAIN SERVICE ESSENTIAL TO THE PUBLIC)
HEALTH, SAFETY OR WELFARE AT THE NACIMIENTO DAM SPILLWAY PLUNGE POOL)
PURSUANT CEQA GUIDELINE 15269(B); AND)
 - b. SPECIFIC ACTIONS ARE NECESSARY TO PREVENT OR MITIGATE AN EMERGENCY AT THE)
NACIMIENTO DAM SPILLWAY PLUNGE POOL PURSUANT CEQA GUIDELINE 15269(C).)
- 2. APPROVE AN AGREEMENT WITH WHITAKER CONSTRUCTION GROUP, INC. FOR AN AMOUNT)
NOT TO EXCEED \$2,000,000, FOR EMERGENCY REPAIR AND PROTECTION OF THE NACIMIENTO)
DAM SPILLWAY PLUNGE POOL BANKS; AND)
- 3. AUTHORIZE THE INTERIM GENERAL MANAGER TO EXECUTE THE AGREEMENT WITH WHITAKER)
CONSTRUCTION GROUP, INC., UPON COUNTY COUNSEL REVIEW AND APPROVAL OF THE)
AGREEMENT; AND)
- 4. AUTHORIZE THE INTERIM GENERAL MANAGER TO EXECUTE CHANGE ORDERS TO THE)
AGREEMENT TOTALING UP TO \$1,000,000.)

Upon motion of Director _____, seconded by Director _____, and carried by those members present, the Board of Directors hereby:

- 1. Finds that:
 - a. Emergency repairs are necessary to maintain service essential to the public health, safety or welfare at the Nacimiento Dam spillway plunge pool pursuant CEQA Guideline 15269(b); and
 - b. Specific actions are necessary to prevent or mitigate an emergency at the Nacimiento Dam spillway plunge pool pursuant CEQA Guideline 15269(c).
- 2. Approves an Agreement with Whitaker Construction Group, Inc. for an amount not to exceed \$2,000,000, for emergency repair and protection of the Nacimiento Dam spillway plunge pool banks; and
- 3. Authorizes the Interim General Manager to execute the Agreement with Whitaker Construction Group, Inc., upon County Counsel review and approval of the Agreement; and
- 4. Authorizes the Interim General Manager to execute Change Orders to the Agreement totaling up to \$1,000,000.

PASSED AND ADOPTED on this 1st day of **February, 2023** by the following vote, to-wit:

AYES:

NOES:

ABSENT:

BY: John Ballie, Chair
Board of Directors

ATTEST: Lew Bauman
Interim General Manager