



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

**RESOLUTION No. 16-R05**

**Resolution recommending that**

- a) Monterey County Water Resources Agency Board of Supervisors enter into a Grant Agreement (with attached work plan, budget and schedule) with the California Department of Water Resources (DWR) to receive up to \$10 million in grant funds for the Interlake Tunnel and San Antonio Spillway Modification Project;
- b) Authorize the General Manager, subject to review and approval of the County Counsel, to make such modifications to the Grant Agreement (including attachments) as may be required by DWR, which do not materially change the essential terms of the Grant Agreement; and
- c) Authorize the General Manager, subject to review and approval by the County Counsel, to execute up to three (3) amendments to the Grant Agreement that do not materially alter the terms of the Grant Agreement, and
- d) Pursuant to AB 155, the design-build process be utilized to build the Interlake Tunnel and San Antonio Spillway Modification Project, as required by SB 831, including the requirement (AB 155 11.1(d) of the Agency Act) that ensures all contractors working on the Project be bound to the Project Labor Agreement approved by the Monterey County Water Resources Agency Board of Supervisors; and consider Sections 19.3(i) and (ii) of the Project Labor Agreement to be satisfied.

**WHEREAS**, the Legislature of the State of California enacted and the Governor signed into law Senate Bill No. 831 (Stats. 2016, ch. 338) to provide funds in the form of a grant (State Grant Funds) for the Monterey County Water Resource Agency's (Agency) Interlake Tunnel and San Antonio Spillway Modification Project (Project); and

**WHEREAS**, the Water Resources Agency will comply with the terms of AB 155 by using the design-build process to build the Project, as required by SB 831, including the requirement (AB 155 Sec. 11.1(d) of the Agency Act) that ensures all contractors working on the Project be bound to the Project Labor Agreement approved by the Monterey County Water Resources Agency Board of Supervisors, and

**WHEREAS**, Senate Bill No. 831 delegates the responsibility for the administration of this grant, including establishing necessary procedures for disbursement of the State Grant Funds, to the State Department of Water Resources; and

**WHEREAS**, the Agency desires to enter into a Grant Agreement with the State of California, Department of Water Resources for the Project.

**NOW THEREFORE, BE IT RESOLVED** that the Monterey County Water Resources Agency Board of Directors recommends that the Board of Supervisors of the Monterey County Water Resources Agency:

- e) Authorize the Monterey County Water Resources Agency to enter into a Grant Agreement (with attached work plan, budget and schedule) with California Department of Water Resources (DWR) to receive up to \$10 million in grant funds for the Interlake Tunnel and San Antonio Spillway Modification Project;
- f) Authorize the General Manager, subject to review and approval of the County Counsel, to make such modifications to the Grant Agreement (including attachments) as may be required by DWR, which do not materially change the essential terms of the Grant Agreement; and
- g) Authorize the General Manager, subject to review and approval by the County Counsel, to execute up to three (3) amendments to the Grant Agreement that do not materially alter the terms of the Grant Agreement, and
- h) Pursuant to AB 155, utilize the design-build process to build the Interlake Tunnel and San Antonio Spillway Modification Project, as required by SB 831, including the requirement (AB 155 11.1(d) of the Agency Act) that ensures all contractors working on the Project be bound to the Project Labor Agreement approved by the Monterey County Water Resources Agency Board of Supervisors; and consider Sections 19.3(i) and (ii) of the Project Labor Agreement to be satisfied.

**PASSED AND ADOPTED**, at a meeting of the Monterey County Water Resources Agency Board of Directors by the following vote:

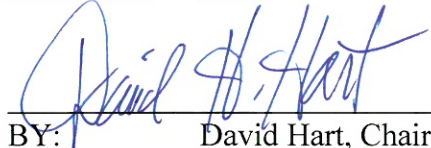
Upon motion of Director Mark Gonzalez, seconded by Director Richard Ortiz, the foregoing is a Resolution passed and adopted this 6<sup>th</sup> day of December 2016, by the following vote, to wit:

AYES: Directors Hart, Ortiz, Dupree, Ekelund, Gonzalez, Scattini and Sullivan

NOES: Director Hoover

ABSENT: Director Huerta

ABSTAIN: None



BY: David Hart, Chair  
Board of Directors



ATTEST: David E. Chardavoyne  
General Manager