



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: 23-231 **Name:** Advance funding agreement San Ardo Dist.
Type: General Agenda Item **Status:** Passed
File created: 3/8/2023 **In control:** Board of Supervisors
On agenda: 3/14/2023 **Final action:** 3/14/2023
Title: a. Approve and authorize the County Administrative Officer to execute the Advance Funding Agreement between the County of Monterey and the San Ardo Water District (District) for funding of emergency repairs to the District's Wastewater Treatment Facility incurred during the January to February 2023 atmospheric river storms in the amount up to \$1,187,500 effective from date of execution until all funds are repaid to the County; and
b. Approve staff's recommendation to utilize Strategic Reserve Funds in the amount up to \$1,187,500 for advance funding to the District for emergency repairs to the Wastewater Treatment Facility; and
c. Approve request to increase appropriations and estimated revenue by \$1,187,500 in the FY 2022-23 County Administrative Office Adopted Budget 001-1050-CAO005-8541 (4/5ths vote required).
(ADDED VIA ADDENDA)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Advance funding agreement San Ardo Dist 031022a, 3. Completed Board Order Item No. 19.1

Date	Ver.	Action By	Action	Result
3/14/2023	1	Board of Supervisors		

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b. Approve staff's recommendation to utilize Strategic Reserve Funds in the amount up to \$1,187,500 for advance funding to the District for emergency repairs to the Wastewater Treatment Facility; and
c. Approve request to increase appropriations and estimated revenue by \$1,187,500 in the FY 2022-23 County Administrative Office Adopted Budget 001-1050-CAO005-8541 (4/5ths vote required). (ADDED VIA ADDENDA)

It is recommended that the Board of Supervisors:

a. Approve and authorize the County Administrative Officer to execute the Advance Funding Agreement between the County of Monterey and the San Ardo Water District (District) for funding of emergency repairs to the District's Wastewater Treatment Facility incurred during the January to February 2023 atmospheric river storms in the amount up to \$1,187,500 effective from date of execution until all funds are repaid to the County; and
b. Approve staff's recommendation to utilize Strategic Reserve Funds in the amount up to \$1,187,500 for advance funding to the District for emergency repairs; and
c. Approve request to increase appropriations and estimated revenue by \$1,187,500 in the FY 2022-23 County Administrative Office Adopted Budget 001-1050-CAO005-8541 (4/5ths vote required).

SUMMARY/ DISCUSSION:

The San Ardo Water District (District) provides water and wastewater services to the unincorporated San Ardo Community. During the January to February 2023 atmospheric river events, the wastewater treatment plant was damaged, requiring a need to transport wastewater by means of a tanker truck to another treatment facility. The transport of wastewater poses a public health and safety issue to the residents of the San Ardo community due to the absence of a proper wastewater disposal system, and to the public at large who may live or work along the transportation route, in the event there is a crash or other event that could cause a spill of the wastewater which is considered a hazardous material.

The District does not have sufficient funds to complete the emergency repairs needed to the wastewater treatment facility. The current cost estimate for pumping and removal of wastewater to another treatment facility is \$5,000 per day. To date, the District has incurred \$339,219 in expenses for this activity which the State of California has agreed to provide to the District as part of the emergency response operations. Emergency repair costs are estimated to be \$1,187,500 and may be reimbursable through the Federal Emergency Management Agency (“FEMA”), the California Disaster Assistance Act (“CDAA”), or other State of California resources, due to the federal and state proclamations of emergency and designation of the County of Monterey as eligible for the Public Assistance Program administered by FEMA.

Completing the necessary emergency repairs to the wastewater treatment facility will provide significant public benefits to the residents of San Ardo and broader County population by protecting their health, safety, welfare and property. The District serves a historically underserved community in the Monterey County and simply does not have the financial means to complete necessary emergency reports. Staff recommends the County Board of Supervisors consider approving execution of the Advance Funding Agreement between the County and the District to provide the funding necessary to complete emergency repairs to their wastewater treatment facility under the expectation that the District will seek reimbursement from FEMA, CDAA, or other State of California financial resources to repay the County in accordance with the Advance Funding Agreement.

OTHER AGENCY INVOLVEMENT

The County Administrative Office, the Office of the County Counsel, the San Ardo Water District, the County of Monterey Health Department, the County of Monterey Department of Emergency Management, and the State Office of Emergency Services are working together to identify a solution to assure residents in San Ardo have access to a functioning wastewater treatment facility.

FINANCING:

The State Office of Emergency Services is currently providing financial assistance to the District in the amount of \$339,219 to fund necessary pumping and transport of the District’s wastewater at a daily cost of \$5,000. If staff’s recommendation to execute an Advance Funding Agreement in the amount up to \$1,118,750 is approved, the advance payment will be made to the District in Fiscal Year 2022-23. The District will seek reimbursement for emergency repairs to their wastewater treatment facility from FEMA and State of California. The approval by the State of California and FEMA is contingent upon meeting various State and Federal requirements. As part of the Advance Funding Agreement the District will agree to adhere to those requirements with the understanding that reimbursement for emergency repairs is not guaranteed and the District will have to identify an alternative funding source to repay the County for advance payment.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Tracy Molfino, Interim Emergency Services Manager, x1901

Approved by: Nick Chiulos, Assistant County Administrative Officer, x5145

Attachments:

Board Report

Attachment A Advance funding agreement San Ardo District