

RESOLUTION NO. 15-044

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AUTHORIZING THE CITY MANAGER TO AMEND AN EXISTING AGREEMENT WITH BREZACK AND ASSOCIATES PLANNING FOR CONTINUED PLANNING, ENGINEERING AND TECHNICAL SUPPORT SERVICES FOR THE PACIFIC GROVE LOCAL WATER PROJECT FOR AN ADDITIONAL AMOUNT

FINDINGS

1. On October 1, 2012, the City of Pacific Grove submitted a public participation proposal to the California Public Utilities Commission (CPUC) for the Cal-Am MPWSP through the implementation of one or more small water projects, as authorized by the City Council in Resolution No. 12-067.
2. The Pacific Grove Local Water Project is a non-potable recycled water supply project of 125 acre-feet per year (AFY) to meet irrigation needs on the Pacific Grove Golf Links, El Carmelo Cemetery, and other uses, reducing potable water demands on the CalAm system.
3. Given the CPUC's schedule delays and other factors, CalAm does not expect to have its project in place within the timeframe of the SWRCB CDO.
4. Small projects like the PGLWP may help to avoid water rationing and other draconian measures that would be detrimental to public health and safety as well as severely impact the local economy.
5. The City has continued development of this project with the assistance of Brezack and Associates Planning (BAP) and funding from the SWRCB in the form of a Facilities Planning Grant (FPG). The FPG Plan of Study was approved by the SWRCB in March 2013, and the grant agreement executed in May 2013.
6. BAP has initiated the required environmental review process called CEQA-Plus. The CEQA-Plus process includes requirements under National Environmental Protection Act (NEPA), to be prepared because the SRF includes Federal funding.
7. The Final Environmental Impact Report was certified for the Local Water Project in November of 2014.
8. The purpose of this amendment is to continue to move the project forward:
 - Completion of negotiations with Design- Build Entities
 - City support for recommended selection
 - Serve as City's representative to coordinate with D-B team
 - Project plan & design review
 - CEQA Mitigated Measure requirements
 - Regulatory permit compliance
 - State Revolving Loan Funds implementation requirement's

- Oversight assistance to the City on construction, testing and start-up
9. In addition to the task noted above, if certification of the SEIR or further SEIR evaluation or coordination is required beyond August, 2015, all fees associated with these actions will be available under this amendment.
 10. Funds in the amount of \$40,000 for the recommended contract amendment are available in the Fund 1, Division 126 Local Water Project, as approved in the Fiscal Year 2015/16 budget
 11. Estimated completion of work for Amendment #8 is June 30, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:

1. The Council determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.
2. The Council authorizes the City Manager to execute an amendment to an existing agreement with Brezack and Associates Planning for Continued Planning, Engineering and Technical Support Services for the Pacific Grove Local Water Project in amount of \$40,000.
3. This Resolution shall become effective immediately following passage and adoption thereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
this 15th day of July, 2015, by the following vote:

AYES: Mayor Kampe, Councilmembers Cuneo, Fischer, Huitt, Lucius and Peake.

NOES: Councilmember Miller.

ABSENT: None.

APPROVED:

BILL KAMPE, Mayor

ATTEST:

SANDRA KANDELL, Deputy City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney