

**RESOLUTION 2021-34**

**AUTHORIZING A TASK ORDER AMENDMENT IN THE AMOUNT OF \$17,370  
TO THE CONTRACT BETWEEN THE MID-PENINSULA WATER DISTRICT  
AND ROBERT D NIEHAUS, INC. (RDN), FOR THE WATER CAPACITY CHARGES UPDATE**

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**MID-PENINSULA WATER DISTRICT**

**WHEREAS**, the Mid-Peninsula Water District (District) entered into a contract with Robert D. Niehaus, Inc. (RDN) on June 25, 2020, to provide consulting services for the preparation of the 2020 Water Capacity Charge Study, in the amount of \$22,900 plus a 10-percent contingency of \$2,300, for a total budget of \$25,200; and

**WHEREAS**, RDN was on target and budget for the completion of the 2020 Water Capacity Charge Study, including several meetings with District staff on their findings and recommendations and a meeting with the Board Finance Committee, and presentation to the Board, on their findings and recommendations when the District received critical information from the SFPUC in January 2021 regarding the potential for reduced water supplies in the future due to the potential implementation of the Bay-Delta Plan and the severe cutbacks in water supply to the Regional Water System, which information led to the need to more carefully study and understand the potential ramifications of a reduced water supply to the District that could come from the potential implementation of the Bay-Delta Plan; and

**WHEREAS**, District management placed the 2020 Water Capacity Charge Study in abeyance until the District better understood ramifications from the potential reduction in water supplies, and were appropriately addressed in the District's 2020 Urban Water Management Plan and Water Shortage Contingency Plan, which was submitted to the state Department of Water Resources on October 1, 2021; and

**WHEREAS**, the state adopted California Assembly Bill (AB68) effective in October 2019, which placed limits on local governments to restrict the construction of Auxiliary Dwelling Units (ADUs) and guidance on the circumstances in which local governments can levy a capacity charge for ADUs; and

**WHEREAS**, the District received a proposal from RDN on November 5, 2021, describing their understanding of the additional work to update the capacity charge model with the most recent asset valuation, updates to the capital improvement plan, and any changes to debt obligations; and evaluation of the feasibility of capacity charges for ADUs and design of a capacity fee that meets the burden placed on system by ADUs; and review and provide recommendations to District demand offset fees due to changes in water reliability from the Regional Water System, which could pose significantly increased costs for the District to procure additional water supply.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Mid-Peninsula Water District authorizes additional work to be performed by RDN as stated in its proposal dated November 5, 2021, in the amount of \$17,370 for a new total budget of \$42,270.

**REGULARLY PASSED AND ADOPTED** this 16<sup>th</sup> day of December 2021 by the following vote.

AYES: Wheeler, Vella, Zucca, Schmidt and Mostasisa

NOES: None

ABSTENTIONS: None

ABSENCES: None

DocuSigned by:  
*Kirk Wheeler*  
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Board President

ATTEST:  
DocuSigned by:  
*Jammy A. Rudick*  
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District Secretary