

**COUNTY OF SAN MATEO**  
**FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT**

1<sup>st</sup> Floor, Miller Ream Hall  
1700 S. El Camino Real  
San Mateo, CA 94402

**Board of Directors**

**Supervisors:**

District 3	Don Horsley
At-Large:	Dave Pine - <b>Chair</b>

**City Representatives:**

North:	Donna Colson
Central:	Diane Papan
South:	Lisa Gauthier
Coast:	Debbie Ruddock – <b>Vice Chair</b>
At-Large	Maryann Moise Derwin

# AGENDA

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**January 27, 2020**

**4:00 PM**

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**1. Roll Call**

**2. Public Comment**

*This item is reserved for persons wishing to address the Committee on any Committee-related matters that are not otherwise on this meeting agenda. Public comments on matters listed on the agenda shall be heard at the time the matter is called.*

**3. Action to Set the Agenda**

**4. Approval of Consent Agenda**

- 4.1 Approval of Minutes of January 10, 2020 District Board Special Meeting
- 4.2 Approval of Minutes of January 13, 2020 District Board Meeting
- 4.3 Adopt Resolution Approving FY 19-20 Budget

## **5. Regular Agenda**

- 5.1 Introduce an Ordinance Setting Forth Rules, Regulations, Standards, and Procedures for Appointment, Suspension, And Termination of Employment
- 5.2 Discuss Conflict of Interest Code and Reporting Requirements (INFORMATION)\*
- 5.3 Resolution Supporting A Comprehensive Study of the San Mateo County Bay and Coastal Shorelines Under the 1975 Water Resources Development Act and Instructing the Chief Executive Officer to (1) Revise the Language Of the Existing Authorization Under the Water Resource Development Act Of 1975 to Include the San Mateo County Coastal Shoreline and, If Appropriate, The City And County of San Francisco And County of Marin, and (2) Communicate The Board's Interest In Initiating the Study Under The 1975 Water Resources Development Act to the Army Corps Of Engineers

## **6. Chair's Report\***

## **7. Interim CEO Report\***

## **8. Advisory Committee Reports\***

- 8.1 Ad Hoc CEO Recruitment Subcommittee Report\*
- 8.2 Colma Creek Advisory Committee\*
- 8.3 San Francisquito Creek JPA\*

## **9. Board Member Reports\***

## **10. Items for Future Agenda\***

## **11. Adjournment**

\* Indicates that reports are verbal only.

## Meeting Rules and Procedures

### **Signing up to speak to the Board of Directors and Time Limits:**

For the orderly recognition of members of the public who wish to speak before the Board, speakers are asked to fill out a speaker request form and give it to the Clerk of the Board with the item they wish to speak on. However, speakers may elect to not identify themselves by name. The form is available in the entryway area for the meeting room. Public comment is generally limited to two (2) minutes per speaker, although the Board Chair may modify this time limit. Prearranged presentations are limited to 10 minutes.

### **Accommodations for people with disabilities:**

Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Christine Boland, Clerk to the Board, [cboland@OneShoreline.org](mailto:cboland@OneShoreline.org), at least two working days before the meeting. Notification in advance of the meeting will enable the Board to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Attendees of this meeting are reminded that other attendees may be sensitive to various chemical-based products.

### **Communicating with Board Members:**

If you wish for your written communication or materials to be distributed to all Board Members, please email such communication or materials to Christine Boland, Clerk to the Board, at [cboland@OneShoreline.org](mailto:cboland@OneShoreline.org) or mail them to the address listed on the first page of the agenda, for receipt at least two business days prior to the Board meeting.

**Visual Presentations/Materials:** For PowerPoint presentations, you need to provide the Clerk of the Board a USB flash drive 30 minutes prior to the start of the meeting or via email by 5:00 p.m. the day prior to the meeting. Electronic formats must be PC compatible.

**Public Records:** Public records that relate to any item on the open session agenda for a regular Flood and Sea Level Rise Resiliency District meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to the meeting will be made available for inspection at the same time they are distributed to all members, or a majority of the members of the Board. Such public records will be available for inspection at the San Mateo County Flood and Sea Level Rise Resiliency District office, 1700 El Camino Real, Suite 502, San Mateo, CA 94402 and at [www.oneshoreline.org](http://www.oneshoreline.org). Should you wish to have such documents sent to you by email, please contact Christine Boland, Clerk of the Board, [cboland@OneShoreline.org](mailto:cboland@OneShoreline.org), 650-623-5931.

SAN MATEO COUNTY  
FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT  
555 County Center, 5<sup>th</sup> Floor, Conference Room 1  
Redwood City, CA  
SPECIAL MEETING MINUTES  
January 10, 2020

1. Roll Call

Chair Pine called the meeting to order at 12:08 p.m. Interim Clerk Boland confirmed a quorum.

Directors Present:

Dave Pine, Representing Board of Supervisors, At Large (Chair)  
Debbie Ruddock, Representing Coastside (Vice Chair)  
Donna Colson, Representing Northern San Mateo County cities  
Maryann Moise Derwin, Representing San Mateo County cities at-large  
Lisa Gauthier, Representing Southern San Mateo County cities (arrived at 12:20 p.m.)  
Don Horsley, Representing Board of Supervisors, District 3  
Diane Papan, Representing Central San Mateo County cities.

Staff Present:

Larry Patterson, Interim Chief Executive Officer  
Brian Kulich, Esq., County Counsel  
Jim Porter, County of San Mateo Director of Public Works  
Rochelle Kiner, Deputy Director, Public Works  
Christine Boland, Interim Clerk of the Board

2. Public Comment

None.

3. Closed Session:

The Board convened a Closed Session for the following items:

- a. Public Employment Appointment: Chief Executive Officer, pursuant to Government Code Section 54957
- b. Confidential Labor Negotiation: Agency Designated Representative: Larry Patterson, Chief Executive Officer Negotiation.

4. Adjourn

The meeting reconvened into open session at approximately 5:15 p.m. and adjourned.

San Mateo County  
Flood and Sea Level Rise Resiliency District  
1700 S. El Camino Real, Miller Ream Hall  
San Mateo, CA  
January 13, 2020  
MINUTES

1. Roll Call

Chair Pine called the meeting to order at 4:04 p.m. Interim Clerk Boland took the roll call and confirmed a quorum was present.

Directors Present:

Dave Pine, Representing Board of Supervisors, At Large (Chair)  
Debbie Ruddock, Representing Coastside (Vice Chair)  
Donna Colson, Representing Northern San Mateo County cities  
Maryann Moise Derwin, Representing San Mateo County cities at-large  
Lisa Gauthier, Representing Southern San Mateo County cities  
Don Horsley, Representing Board of Supervisors, District 3  
Diane Papan, Representing Central San Mateo County cities

Directors Present:

Larry Patterson, Interim Chief Executive Officer  
Brian Kulich, Esq., County Counsel  
Jim Porter, County of San Mateo Director of Public Works  
Rochelle Kiner, Deputy Director, Public Works  
Ann Stillman, Deputy Director, Public Works  
Erika Powell, Flood Resiliency Program Manager  
Danielle Lee, Deputy Director, Office of Sustainability  
Colin Martorana, Associate Engineer  
Christine Boland, Interim Clerk of the Board

**2. Public Comment**

None

**3. Action to Set the Agenda**

Motion/Second: Gauthier/Ruddock moved to set the agenda as posted.

Ayes: Colson, Derwin, Horsley, Gauthier, Papan, Ruddock, Pine

Noes: None

Absent/Abstain: None

Vote: 7-0-0

**4. Ceremonial Items**

4.1 Swearing in of District Board Members

County Counsel Kulich administered the Oath of Office to the new District board members.

## 5. Approval of Consent Agenda

Motion/Second: Horsley/Gauthier moved approval of the Consent Agenda.

Ayes: Colson, Derwin, Horlsey, Gauthier, Papan, Ruddock, Pine

Noes: None

Absent/Abstain: None

Vote: 7-0-0

- 5.1 Selected District Board Chair Pine and Vice Chair Ruddock as Chair and Vice Chair, respectively, for 2020
- 5.2 Approved Minutes of December 9, 2019 District Advisory Committee
- 5.3 Adopted Administrative Memorandum A1: Soliciting, Selecting, and Developing Agreements with Providers of Goods and Services and Establishing Signature Authority Levels
- 5.4 Adopted the San Mateo County Flood and Sea Level Rise Resiliency District 2020 Board Meeting Schedule
- 5.5 Adopted Resolution No. 2020-1, Affirming Colma Creek Advisory Committee and adopting standing rules for the Committee
- 5.6 Received Master Agreement for San Mateo County Services
- 5.7 Adopted Resolution No. 2020-2, Approving the San Mateo County Flood and Sea Level Rise Resiliency District Board Member Guidelines
- 5.8 Adopted Resolution No. 2020-3, Approving an Agreement with San Mateo County Counsel to Provide District Counsel Services
- 5.9 Authorized appointment of Interim Clerk of the Board

## 6. Presentations

- 6.1 Funding History of MOU Projects

Interim CEO Patterson introduced Erika Powell, P.E., Manager of the Flood Resiliency Program, who provided a companion presentation to the San Francisquito Creek presentation heard at the December 9, 2019 Board meeting.

Ms. Powell provided an overview of four flood resiliency projects under MOU contract with various cities and the County of San Mateo. She reviewed in detail the Belmont Creek project (cities of Belmont and San Carlos), Navigable Slough project, (cities of San Bruno and South San Francisco) and Colma Creek project (town of Colma) and Bayfront Canal Atherton Channel (cities of Redwood City, Atherton, and Menlo Park), including sources of funding and project challenges. Ms. Powell responded to board members' questions regarding project feasibility, grant funding and potential future projects.

### Public Comment

Brian Perkins, Congresswoman Speier's office, commented on the agenda item.

## 7. Regular Agenda

### 7.1 Adopt a Resolution approving the FY 19-20 District Budget

Interim CEO Patterson reviewed the draft budget for the Fiscal Year 2019-2020. He provided an overview of the Flood District funding derived from the historical flood zone projects and start-up contributions from the County of San Mateo and Peninsula cities. He noted high contingency reserves for the projects which were expected to be drawn down over the coming year as work progressed on the projects.

Continuing, Mr. Patterson reviewed the budget for expenditures. Staffing was proposed at 4.5 full time equivalents, consisting of a Chief Executive Officer, Manager, Flood Resiliency Program, Engineer, Senior Accountant and part-time clerk. He discussed the costs for internet and website services and concluded by stating that the budget would be tight over the coming year. However, it could be adjusted after a new CEO is hired.

Mr. Patterson responded to Board members' questions regarding the opportunity to work on other capital projects if funding is found, allocating staff expenses across capital budget, and obtaining federal funds to recover administrative costs.

Mr. Patterson stated the item would return at the Board's next meeting for action.

### 7.2 Receive Staff Recommendation to Request the Army Corps of Engineers Support in Preparing a Study of the San Mateo Bay and Coastal Shorelines Under Section 142 of the Water Resources Development Act of 1975

Interim CEO Patterson updated the Board on the possibility of a flooding study being conducted by the Army Corps of Engineers of the San Mateo County Bay and Coastal Shorelines. He acknowledged the research and extensive work done by Brian Perkins of Congresswoman Speier's office in this area. Board members discussed the value of the study and concurred that a study should be requested. Mr. Patterson stated the item would return at the next meeting for formal action.

#### Public Comment

Brian Perkins representing Congresswoman's Jackie Speier's Office, distributed correspondence signed by the Congresswoman on behalf of the District. The letter requested a study by the U.S. Army Corps of Engineers be authorized for the ocean shorelines of San Mateo, San Francisco and Marin counties and that the bay shorelines of San Francisco and Marin be added to the existing study authorization for the bay shoreline of San Mateo County be included within Section 142 of the Water Resources Development Act of 1976, Public Law 94-587. He noted matching funds would be needed for the Corps study done in the future.

- 7.3 Appoint San Mateo County Supervisor Members of the Flood and Sea Level Rise District as Director and Alternate Director to the San Francisquito Creek Joint Powers Authority's Board of Directors

Mr. Patterson stated that an appointed representative and alternate was needed for the San Francisquito Creek Joint Powers Authority Board of Directors.

Motion/Second Gauthier/Ruddock moved to appoint Supervisor Pine and Supervisor Horsley as appointed representative and alternative, respectively, to the San Francisquito Creek Joint Powers Authority.

Ayes: Colson, Derwin, Horlsey, Gauthier, Papan, Ruddock, Pine

Noes: None

Absent/Abstain: None

Vote: 7-0-0

#### Public Comment

Len Materman, San Francisquito Creek Joint Powers Authority, discussed the jurisdiction representation.

### **8. Chair's Report**

Chair Pine reported on the Foster City levy project and a resiliency bond proposal by Assemblymember Mullin for the November ballot.

### **9. Interim CEO Report**

Interim CEO Patterson acknowledged the hard work by many individuals in the making of the new Special District. He reported that the District's insurance coverage is underway, the new office in San Mateo has received new carpet, paint, and telephone and internet services. The website domain is [www.oneshoreline.org](http://www.oneshoreline.org). Mr. Patterson stated that interviews for the new CEO and senior accountant positions are being scheduled and the next meeting's agenda would contain the Ordinance for staff positions.

### **10. Advisory Committee Reports**

- 10.1 Ad Hoc CEO Recruitment Subcommittee Report\*
- 10.2 Colma Creek Advisory Committee

Mr. Patterson noted the item on the Consent Calendar regarding Colma Creek.

- 10.3 San Francisquito Creek Joint Powers Authority

### **11. Board Member Reports**

Member Colson reported that the Peninsula Clean Energy board held a strategic planning session recently to discuss greenhouse gas reduction and approved funding to study community resiliency in San Mateo County.

**12. Items for Future Agenda**

Chair Pine requested a future agenda item to learn about future MOU projects and to schedule a subsequent water summit.

Interim CEO Patterson reported that the District is being recognized by a local Chamber of Commerce on February 13.

**13. Adjournment**

The meeting adjourned at 5:59 p.m.

## San Mateo County Flood and Sea Level Rise Resiliency District Agenda Report

**Date:** January 27, 2020

**To:** San Mateo County Flood and Sea Level Rise Resiliency District Board of Directors

**From:** Larry Patterson, Interim CEO

**Subject:** Adopt a Resolution approving the District FY 19-20 Budget

### RECOMMENDATION:

That the San Mateo County Flood and Sea Level Rise Resiliency District (the “District”) Board of Directors (the “Board”) adopt a resolution approving the FY 2019-20 budget for the period from January 1, 2020 and June 30, 2020.

### BACKGROUND:

In June 2019, the San Mateo County Board of Supervisors (the “Board of Supervisors”) acting as the Governing board of the San Mateo County Flood Control District (SMCFCD) adopted the FY 2019-20 budget for flood zone activities. The Board of Supervisors also allocated funding for the Enhanced Flood Resiliency Program. With the approval of AB 825 (Mullin), the SMCFCD was transferred to the District effective January 1, 2020 along with countywide responsibilities for assisting the cities in San Mateo County address the anticipated impacts of sea level rise. Therefore, the District Board must adopt a budget for the remainder of the fiscal year for the period of January 1, 2020 through June 30, 2020 that represents District revenues and expenses.

### DISCUSSION:

Staff recommends that the Board adopt a resolution approving budgets for the flood control zones as presented in Attachment 1 and other activities of the District as presented in Attachment 2. The following is the summary of key budget assumptions that were presented at the January 13, 2020 District Board meeting:

#### *Flood Control Zones*

Revenue for the flood control zones budgeted for FY 19-20 was \$7,025,203 and a fund balance of \$28,241,176. The revenue anticipated from January 1, 2020 through June 30, 2020 is \$32,038,345, which includes a transfer in of \$29,187,077 from the flood zones fund balance.

- Appropriations for the flood control zones for FY 19-20 were \$12,712,919, of which \$5,690,639 is expected to be incurred from January 1, 2020 through June 30, 2020.
- An anticipated \$26,347,706 is budgeted as the fund balance as of June 30, 2020.

*District Administration and Operations*

- The budget for FY 19-20 from January 1 to June 30, 2020 is based on the financial plan that was presented to the Flood and Sea Level Rise Resiliency Advisory Committee at its November 12, 2019 meeting.
- The anticipated revenue of \$2,388,747 includes \$750,000 from the County; \$745,000 from the 20 cities; \$500,000 of Measure K from the County and \$393,747 in State and local funding for Memoranda of Understanding (MOU) project work.
- The budget includes funding for general District administration and operations, continuation of the Flood Resiliency Program MOU projects and initial work advancing a Flood and Sea Level Rise Financial Strategy.
- The budget anticipates five, full-time equivalents (FTEs): The CEO, a Principle Civil Engineer, an Associate Civil Engineer, a Senior Accountant and an administrative staff position.
- Staff costs reflect the anticipated date of hire for the CEO and Senior Accountant in January 2020.
- All staffing would be contracted until an ordinance is in place authorizing the District employees (likely in March 2020).
- The budget assumes that costs incurred by the County between January and June 2020 will be reimbursed.
- Approximately \$160,000 has been appropriated to initiate work on the Investment Strategy including public engagement.
- A contingency of \$600,000 has been appropriated. This includes the \$500,000 in Measure K funds from the County which was intended to fund a second Associate Engineer position in FY 2020-21.

The budget for Administration and Operations of the District reflects a number of assumptions regarding needed appropriations. Some need to make minor revisions to the budget is anticipated and reflected in the resolution recommended for adoption.

**FISCAL IMPACT:**

The budget establishes revenue and expense expectations for the period of January 1, 2020 through June 30, 2020. It establishes the framework within which the fiscal impact of subsequent District actions will be established.

**ATTACHMENTS:**

Resolution

1. Proposed budget for the flood control zones
2. Proposed budget for the administration of the District

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF DIRECTORS OF THE SAN MATEO COUNTY FLOOD AND SEA  
LEVEL RISE RESILIENCY DISTRICT**

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**RESOLUTION ADOPTING THE SAN MATEO COUNTY FLOOD AND SEA  
LEVEL RISE RESILIENCY DISTRICT FISCAL YEAR 2019-2020 BUDGET FOR  
THE PERIOD OF JANUARY 1, 2020 THROUGH JUNE 30, 2020**

**RESOLVED**, by the Board of Directors of the San Mateo County Flood and Sea Level Resiliency District (the "District"), that

**WHEREAS**, Assembly Bill No. 825, ("AB 825") amended, added, and repealed certain sections of the San Mateo County Flood Control District Act (Chapter 2108 of the Statutes of 1959), relating to the District; and

**WHEREAS**, pursuant to AB 825, the District is now governed by an independent Board of Directors (the "Board"), effective January 1, 2020; and

**WHEREAS**, the Board must establish a budget for the continued management and operations of the District's flood control zones and for the District's administrative operations relating to flood-related projects and initiatives; and

**WHEREAS**, the Chief Executive Officer has submitted to the Board for its consideration the recommended District budget for the Fiscal Year 2019-2020, covering the time period of January 1, 2020 through June 30, 2020, which includes anticipated revenues and expenditures for both District flood zone operations and District administrative operations; and

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that:

1. The budget for Fiscal Year 2019-2020 recommended by the Chief Executive Officer is adopted and shall be the District's budget for the Fiscal Year 2019-2020.

2. The District's Chief Executive Officer or designee is authorized to execute non-

substantive additions, clarifications, and/or other changes to the budget consistent with District policies as may be necessary or advisable.

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Regularly passed and adopted this 27<sup>th</sup> day of January 2020.

AYES:

NOES:

ABSENT:

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Chair of the San Mateo County Flood and  
Sea Level Rise Resiliency District

Certificate of Delivery

I certify that a copy of the original resolution filed with the San Mateo County Flood and Sea Level Rise Resiliency District has been delivered to the Chair of the Board of Directors.

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Clerk of the San Mateo County Flood and  
Sea Level Rise Resiliency District Board of Directors

**3610P - Flood Control Districts**

Account Class - Name	2018-19 Actuals	2019-20 Adopted	2019-20 Actuals as of 10/31/19	FSLRRD Budget 1/1-6/30/20	2020-21 Preliminary Adopted
1021 - Current Yr Secured	3,708,848	3,675,273	0	1,958,611	3,748,778
1024 - PY Secured Redemption	965	0	0	0	0
1031 - Current Yr Unsecured	155,674	168,341	158,986	8,736	168,341
1033 - Prior Yr Unsecured	(5,619)	0	453	0	0
1041 - CY SB 813 Secured Supplemental	154,927	0	27,067	0	0
1042 - CY SB 813 Unsec Supplemental	2,892	0	0	0	0
1043 - PY SB 813 Redemption	1,992	0	0	0	0
1045 - PY SB 813 Unsecured Supplemental	401	0	0	0	0
1046 - Non-Departmental ERAF Rebate	419,244	0	207,698	0	0
1047 - Former RDA-Residuals	746,985	0	0	496,117	0
1058 - Former RDA Passthru Payments	127,728	0	0	64,404	0
1000 - Taxes	5,314,039	3,843,614	394,204	2,527,868	3,917,119
1521 - Interest Earned	571,746	404,900	149,770	303,675	404,900
1556 - County Land/Buildings Rentals	0	9,000	0	0	9,000
1559 - Other Rents & Concessions	32,125	0	3,278	4,991	0
1500 - Use of Money and Property	603,871	413,900	153,048	308,666	413,900
1831 - Homeowners Property Tax Relief	18,256	17,689	0	14,734	17,689
1971 - Other In-Lieu Taxes	430	0	0	0	0
1975 - RDA Proceeds From Sale of Assets	41,383	0	13,927	0	0
1977 - Former RDA Other Revenues	0	0	0	0	0
1983 - Aid - Other Local Agencies	0	0	0	0	0
1992 - All Other Local Govern Revenue	0	0	0	0	0
1998 - Former RDA-Passthrough Payments	0	0	0	0	0
1600 - Intergovernmental Revenue	60,069	17,689	13,927	14,734	17,689
2542 - IFR - Special District Fund	0	0	0	0	0
2500 - Interfund Revenue	0	0	0	0	0
2643 - Bad Debt Recoveries	0	0	0	0	0
2658 - All Other Miscellaneous Revenue	0	0	0	0	0
2600- Miscellaneous Revenue	0	0	0	0	0
2731 - Operating Tsfr In	3,450,000	2,750,000	0	29,187,077	2,750,000
2700 - Other Financing Sources	3,450,000	2,750,000	0	29,187,077	2,750,000
<b>Total Revenue</b>	<b>9,427,979</b>	<b>7,025,203</b>	<b>561,179</b>	<b>32,038,345</b>	<b>7,098,708</b>
333 - Fund Balance	26,480,895	28,241,176	28,241,176	0	22,553,460
<b>Total Sources</b>	<b>35,908,874</b>	<b>35,266,379</b>	<b>28,802,355</b>	<b>32,038,345</b>	<b>29,652,168</b>
5188 - Misc Other Expenses	223	0	0	0	0
5191 - Outside Printing & Copy Svc	0	3,000	0	0	3,000
5197 - Postage & Mailing Expense	0	100	0	0	100
5215 - Software License/Maint Expense	0	800	0	0	800
5231 - Maintenance Tools & Equipment	1,586	3,000	335	1,000	3,000
5341 - Legal Notices	0	0	0	0	0
5427 - Other Contract Maintenance	0	7,000	0	0	7,000
5428 - Misc Repairs & Maintenance	5,992	13,000	0	5,500	13,000

ITEM 4.3 - EXHIBIT 1 -  
FLOOD ZONE OPERATIONS

5449 - Motor, Pump & Generator Maint	0	12,000	0	5,000	12,000
5455 - Other General Maintenance Exp	28,066	100,000	20,006	20,000	100,000
5459 - Misc Other Maintenance Expense	32,908	40,000	13,226	15,000	40,000
5473 - Contract Electrical Service	0	12,000	0	5,000	12,000
5514 - Public Works Equipment Rental	132	2,300	149	0	2,300
5516 - Other Special Rental Expense	0	20,000	0	0	20,000
5517 - Miscellaneous Rents & Leases	0	320	0	0	320
5631 - Electric & Gas Utilities	10,109	14,500	2,678	6,000	14,500
5714 - Employee Mileage Reimbursement	801	1,000	216	700	1,000
5722 - Misc Employee Exp Reimbursemnt	247	600	134	100	600
5845 - Contract Engineering Services	173,859	540,200	25,055	365,000	540,200
5848 - Contract Planning & Env Anlsys	0	200,000	0	25,000	200,000
5849 - Contract Inspection & Testing	2,113	0	0	0	0
5851 - Contract Construction	36,254	400,000	0	30,000	400,000
5853 - Other Public Works Contract Sv	20,122	8,000	0	6,000	8,000
5858 - Other Professional Contract Sv	182,529	161,000	13,385	15,000	161,000
5861 - PW - Engineering Services	323,484	640,000	97,446	0	640,000
5871 - Property Management Services	0	23,000	0	1,000	23,000
5872 - In-House Admin & Acctg Service	0	64,000	0	0	64,000
5955 - Registration & Filing Fees	1,388	11,000	0	4,000	11,000
5959 - Film & Photography Expense	0	300	0	0	300
5969 - Other Special Dept Expense	0	225,500	0	11,000	225,500
5972 - Other Xp-Special Item	0	0	0	0	0
5974 - DPW Division Alloc Exp	15,605	44,000	0	0	44,000
<b>5000 - Services and Supplies</b>	<b>835,416</b>	<b>2,546,620</b>	<b>172,630</b>	<b>515,300</b>	<b>2,546,620</b>
6263 - Project Contrib - Other Agency	1,260,000	1,706,000	0	1,703,000	1,706,000
6264 - JPA - County Share	185,000	185,000	185,000	0	185,000
6265 - Misc Other Contributions	0	3,000	0	1,000	3,000
6412 - Other Legal Fees	0	285	0	0	285
6611 - Taxes & Assessments	47	64	0	64	64
6725 - General Liability Insurance	5,000	6,300	0	6,000	6,300
6818 - Depreciation - Flood Control	340,720	0	0	0	0
6821 - A-87 Expense	0	0	0	0	0
<b>6000 - Other Charges</b>	<b>1,790,767</b>	<b>1,900,649</b>	<b>185,000</b>	<b>1,710,064</b>	<b>1,900,649</b>
7111 - Fixed Assets - Land	0	0	0	0	0
7412 - Infrastructure Assets - Water & Sewer	0	0	1,969	0	0
7413 - Infrastructure Assets - Flood Control	85,265	4,000,000	6,240	300,000	4,000,000
7415 - Non Capital Cost	0	0	0	0	0
<b>7000 - Fixed Assets</b>	<b>85,265</b>	<b>4,000,000</b>	<b>8,209</b>	<b>300,000</b>	<b>4,000,000</b>
7541 - Operating Tsfr Out	3,450,000	2,750,000	0	2,750,000	2,750,000
7545 - Debt Service-Operating Transfers Out	1,506,250	1,515,650	1,100,375	415,275	1,515,650
7500 - Other Financing Uses	4,956,250	4,265,650	1,100,375	3,165,275	4,265,650
<b>Total Gross Appropriations</b>	<b>7,667,698</b>	<b>12,712,919</b>	<b>1,466,214</b>	<b>5,690,639</b>	<b>12,712,919</b>
<b>Net Appropriations</b>	<b>7,667,698</b>	<b>12,712,919</b>	<b>1,466,214</b>	<b>5,690,639</b>	<b>12,712,919</b>
8611 - Appropriation for Contingency	28,241,175	22,553,460	0	26,347,706	16,939,249
8500 - Contingencies/Dept Reserves	28,241,175	22,553,460	0	26,347,706	16,939,249
<b>Total Contingencies and Reserves</b>	<b>28,241,175</b>	<b>22,553,460</b>	<b>0</b>	<b>26,347,706</b>	<b>16,939,249</b>
<b>Total Requirements</b>	<b>35,908,873</b>	<b>35,266,379</b>	<b>1,466,214</b>	<b>32,038,345</b>	<b>29,652,168</b>

Net County Cost

(1)

0 (27,336,141)

0

0

3620P & 3630P FSLRRD Administration - Program Roll-up

Account Class - Name	FSLRRD Budget 1/1-6/30/20
1521 - Interest Earned	0
1500 - Use of Money and Property	0
1871 - All Other State Aid	297,870
1992 - All Other Local Govern Revenue	2,090,877
1600 - Intergovernmental Revenue	2,388,747
2542 - IFR - Special District Fund	0
2545 - Other Interfund Revenue	0
2500 - Interfund Revenue	0
<b>Total Revenue</b>	<b>2,388,747</b>
333 - Fund Balance	0
<b>Total Sources</b>	<b>2,388,747</b>
4111 - Regular Hour - Perm Positions	0
4118 - Bilingual Pay	0
4123 - Experience Pay	0
4128 - Regular Pay Adjustments	264,528
4131 - Employee Sick Leave	0
4133 - Vacation Pay	0
4134 - Holiday Pay	0
4135 - Compensatory Time Used	0
4136 - Jury Duty Paid Leave	0
4141 - Work Group 4 Comp\$	0
4154 - Bereavement Leave	0
4161 - Extra Help Hours - Reg Pay	0
4171 - Overtime - Straight Pay	0
4172 - Overtime - 1 1/2 Time Pay	0
4311 - FICA	0
4312 - Medicare Contribution	0
4321 - County Retirement Contribution	0
4322 - County Annuity Contribution	0
4323 - Plan 3 Survivor Benefits	0
4402 - Kaiser HDHP	0
4411 - Blue Shield HMO	0
4412 - Kaiser Health Plan	0
4413 - Blue Shield POS	0
4418 - Retiree Health Benefits	0
4421 - Cigna Dental Plan	0
4422 - County Dental Plan	0
4423 - Delta Dental Plan	0
4431 - Vision Insurance Plan	0
4441 - Life Insurance Plan	0
4442 - Long Term Disability Insurance	0
4451 - Unemployment Insurance	0
4511 - Workers Comp Insurance Contrib	0
4512 - Workers Comp Experience Component	0
4621 - Other Employee Benefits	0
4628 - Wellness Dividend	0
4629 - Benefit Adjustments	0
4649 - Other Benefits-Adjustments	0
4711 - JL Salary Memo	0
4726 - JL Combined Benefits Memo	0
4731 - JL Salary & Ben Offset Memo	0
4000 - Salaries and Benefits	264,528
5122 - Personal Supplies	0
5124 - Safety Equipment	0
5132 - Direct Communications Expense	0
5155 - Laundry Service	0
5162 - Photography Supplies	0
5188 - Misc Other Expenses	0

3620P & 3630P FSLRRD Administration - Program Roll-up

Account Class - Name	FSLRRD Budget 1/1-6/30/20
5191 - Outside Printing & Copy Svc	0
5193 - General Office Supplies	2,500
5194 - Books, Manuals, & Literature	0
5195 - Subscriptions & Periodicals	0
5197 - Postage & Mailing Expense	0
5199 - Other Office Expense	0
5212 - Computer Equipt <\$5000	27,295
5214 - Proprietary Software Purchase	500
5215 - Software License/Maint Expense	500
5216 - VDT Furn/Equipment/Supplies	0
5231 - Maintenance Tools & Equipment	0
5232 - Professional Tools & Equipment	0
5233 - Inspection & Testing Equipt	0
5234 - Office Furniture & Equipment	25,000
5332 - Professional Groups & Assns	500
5341 - Legal Notices	0
5343 - Advertising & Publicity Expens	0
5423 - Computer/Electronics Eqpt Main	0
5428 - Misc Repairs & Maintenance	0
5441 - Lighting & Fixtures Expense	0
5459 - Misc Other Maintenance Expense	0
5521 - Direct Facility Rental Expense	48,735
5631 - Electric & Gas Utilities	0
5638 - Other Utility Expense	0
5641 - Telephone Charges	2,100
5713 - Airfare & Vehicle Rental	0
5714 - Employee Mileage Reimbursement	3,200
5721 - Meetings & Conference Expense	1,663
5722 - Misc Employee Exp Reimbursemnt	0
5724 - Other Business Travel Expense	0
5731 - Dept Employee Training Expense	0
5732 - Trainer & Workshop Expense	0
5733 - Train & Educ Materials/Supply	0
5826 - Contract Laboratory Services	0
5834 - Contract Legal Services	75,000
5838 - Contract Administrative Svcs	105,930
5842 - Contract Audit Services	20,000
5844 - Contract Investment & Fin Svcs	100,000
5845 - Contract Engineering Services	278,094
5848 - Contract Planning & Env Anlsys	219,558
5853 - Other Public Works Contract Sv	238,000
5858 - Other Professional Contract Sv	229,095
5866 - Fingerprinting & Criminology	0
5955 - Registration & Filing Fees	0
5957 - Maps & Drafting Supplies	0
5958 - Other Engineering Expense	0
5969 - Other Special Dept Expense	146,549
5972 - Other Xp-Special Item	0
5974 - DPW Division Alloc Exp	0
5998 - Construction Mtls for Reissue	0
5000 - Services and Supplies	1,524,219
7541 - Operating Tsfr Out	0
7500 - Other Financing Uses	0
<b>Total Gross Appropriations</b>	<b>1,788,747</b>
8142 - Other Intrafund Transfers	0
8000 - Intrafund Transfers	0
<b>Net Appropriations</b>	<b>1,788,747</b>
8611 - Appropriation for Contingency	600,000
8500 - Contingencies/Dept Reserves	600,000
<b>Total Contingencies and Reserves</b>	<b>600,000</b>

3620P & 3630P FSLRRD Administration - Program Roll-up

Account Class - Name	FSLRRD Budget 1/1-6/30/20
<b>Total Requirements</b>	<b>2,388,747</b>
Net Cost	0
FTE - FTE	5.0

## San Mateo County Flood and Sea Level Rise Resiliency District Agenda Report

**Date:** January 27, 2020

**To:** San Mateo County Flood and Sea Level Rise Resiliency District Board of Directors

**From:** Larry Patterson, Interim CEO

**Subject:** Introduction of an Ordinance Setting Forth Rules, Regulations, Standards, and Procedures for Appointment, Suspension, and Termination of Employment of District Employees

### **RECOMMENDATION:**

That the Board of Directors (“Board”) of the San Mateo County Flood and Sea Level Rise Resiliency District (the “District”) introduce an ordinance setting forth rules, regulations, standards, and procedures for appointment, suspension, and termination of employment of District employees.

### **BACKGROUND:**

On September 29, 2019, Governor Newsom signed into law Assembly Bill 825 (“AB 825”), which amended the San Mateo County Flood Control District Act effective January 1, 2020 to expand the scope of the District, to address and protect against the impacts of sea level rise, and to change the governance of the District from the San Mateo County Board of Supervisors sitting as the District’s governing board to an independent board of directors.

AB 825 provides that the Board “may in its discretion appoint an executive officer, a clerk, and any other officers and employees for the [B]oard or [D]istrict as in its judgment may be deemed necessary, prescribe their duties, and fix their compensation. The employment of those officers and employees shall be governed in accordance with an ordinance setting forth rules, regulations, standards, and procedures for appointment, suspension, and termination of employment.”

### **DISCUSSION:**

Staff recommends that the Board introduce the draft ordinance setting forth rules, regulations, standards, and procedures for appointment, suspension, and termination of employment of District employees (the “Ordinance”). Because applicable laws governing these issues are frequently updated, the Ordinance attempts to maximize the District’s flexibility while, at the same time, establish the framework for a range of employment-related issues—specifically,

hiring/appointment, compensation and benefits, discipline, incompatible activities, and equal employment opportunities.

**FISCAL IMPACT:**

Introduction of the Ordinance has no fiscal impact. However, implementation of polices set forth in the Ordinance, including employee compensation and benefits, will have a fiscal impact, the amount of which is currently unknown.

**ATTACHMENTS:**

Ordinance Setting Forth Rules, Regulations, Standards, and Procedures for Appointment, Suspension, and Termination of Employment of District Employees

**ORDINANCE NO. \_\_\_\_\_.**

**BOARD OF DIRECTORS, SAN MATEO COUNTY FLOOD AND SEA LEVEL RISE  
RESILIENCY DISTRICT**

\* \* \* \* \*

**AN ORDINANCE SETTING FORTH RULES, REGULATIONS, STANDARDS, AND  
PROCEDURES FOR APPOINTMENT, SUSPENSION, AND TERMINATION OF  
EMPLOYMENT**

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**SECTION 1. FINDINGS.** The Board of Directors (the “Board”) of the San Mateo County Flood and Sea Level Rise Resiliency District (the “District”) hereby finds and declares as follows:

**WHEREAS**, on September 29, 2019, the Governor signed into law Assembly Bill 825 (“AB 825”), which amended the San Mateo County Flood Control District Act to expand the scope of the District to address and protect against the impacts of sea level rise and, commencing January 1, 2020, changed the governance of the District from the San Mateo County Board of Supervisors sitting as the governing board to the Board as an independent board of directors; and

**WHEREAS**, AB 825 provides that the Board “may in its discretion, appoint an executive officer, a clerk, and any other officers and employees for the [B]oard or [D]istrict as in its judgment may be deemed necessary, prescribe their duties, and fix their compensation. The employment of those officers and employees shall be governed in accordance with an ordinance setting forth rules, regulations, standards, and procedures for appointment, suspension, and termination of employment”; and

**WHEREAS**, the Board now wishes to set forth the rules, regulations, standards, and procedures for appointment, suspension, and termination of employment District officers and employees; and

**NOW, THEREFORE**, the Board ordains as follows:

**SECTION 2. DISTRICT POLICY.** The policy of the District hereby declared and adopted is that District employees shall be those persons competent to perform the District's public responsibilities and services; that there shall be provided adequate compensation for such employees; and policies ensuring equal employment opportunity.

**SECTION 3. HIRING AND APPOINTMENT.**

3.1. Chief Executive Officer.

(a) Appointment. The Chief Executive Officer is the chief administrative officer of the District. The Chief Executive Officer shall be appointed by the Board on the basis of executive and administrative qualifications and experience, and shall serve at the pleasure of the Board.

(b) Vacancy. In the event of a vacancy or disability, the Board shall appoint an Acting Chief Executive Officer until the Board either determines that the Chief Executive Officer is able to resume the duties of the office or appoints a new Chief Executive Officer.

(c) Compensation. The Chief Executive Officer's compensation shall be commensurate with the responsibilities of the position.

(d) Duties. The Chief Executive Officer is responsible to the Board for the proper and efficient administration of the District. The Chief Executive Officer shall:

- (i) Coordinate the work of all other District officers or employees;
- (ii) Hire, appoint, promote, discipline, suspend, or terminate all District officers or employees, consistent with District policies and procedures;
- (iii) Formulate and present to the Board plans to implement policies and accomplish goals established by the Board;
- (iv) Recommend an annual District budget;
- (v) Have responsibility for the administration of the budget after its adoption by the Board;
- (vi) Provide an in-depth analysis and review of all District programs on a regular basis in such a manner that the Board may make informed policy decisions;
- (vii) Provide and implement systems of adequate checks and balances and controls to safeguard District money and property;
- (viii) Work with all other government entities; federal, state, regional, and local, in the best interests of the District;

The Chief Executive Officer shall have such other powers and shall perform such other duties as are necessary for the efficient operation of the District which are not inconsistent with this Ordinance.

3.2. Remaining District Employees. The Chief Executive Officer shall be authorized to hire, appoint, advance, and/or promote all other District employees, consistent with District policies and goals and applicable state, federal, and local laws.

#### **SECTION 4. EMPLOYEE COMPENSATION AND BENEFITS**

4.1. District Policy. It is the policy of the District that its employees shall be compensated at levels fairly and reasonably commensurate with those available for the same services in other areas of public and private employment and that all appointments, hiring, advancements, and promotions shall be upon considerations of merit and consistent with the needs and goals of the District and applicable state, federal, and local laws.

4.2. Schedule of Salaries. Each fiscal year, the Chief Executive Officer shall prepare an annual schedule of salaries, including benefits, for District employees. Upon review and approval of said schedule of salaries by the Board, either as proposed by the Chief Executive Officer or as amended by the Board, the Board by resolution shall adopt same. The resolution shall be regularly reviewed by the Chief Executive Officer, who shall recommend any such amendments to the Board as may be appropriate.

4.3. Attendance and Hours of Work.

(a) The Chief Executive Officer shall fix the hours of work with due regard for the goals of the District, convenience of the public, and applicable state, federal, and local laws.

(b) Employees occupying part-time positions shall work such hours and schedules as the Chief Executive Officer or designee shall prescribe.

(c) Except as hereinafter provided, District offices shall be open for the transaction of business from 8:00 a.m. to 5:00 p.m. every day except Saturdays, Sundays and holidays. The Chief Executive Officer may make such changes to the schedule of office hours as may be required, convenient, or appropriate.

(d) The Chief Executive Officer or designee shall maintain complete attendance records for all employees showing time worked and including all categories of the employees' pay status such as straight time, overtime, shift differential pay, call back pay, vacation, sick leave, leaves of absence, and other categories. The Chief Executive Officer or designee shall insure that utilization of employee benefits such as vacations, leaves of absence, and other related benefits and privileges do not exceed those which they have accrued or have been allowed.

#### 4.4 Overtime.

(a) Employees working overtime shall be compensated as provided by applicable state, federal, and local laws.

(b) All compensable overtime must be authorized by the Chief Executive Officer or designee in advance of being worked. If prior authorization is not feasible because of emergency conditions, a confirming authorization must be made on the next regular working day following the date on which the overtime was worked.

4.5 Vacations and Leave. The District will provide paid vacation and sick leave to its employees in accordance with applicable state, federal, and local laws. The Chief

Executive Officer will develop for the Board's approval by resolution such vacation and leave policies.

4.6. Travel Expense Reimbursement Policy. Whenever any District employee, in the performance of his or her duty, is required to travel, such employee shall be allowed, in addition to any salary or compensation, actual and necessary travel expenses, according to a reimbursement policy developed by the Chief Executive Officer and approved by the Board by resolution.

4.7. Holidays.

(a) Full-time employees in established positions shall be entitled to take all authorized holidays on full pay, not to exceed eight (8) hours for any one day. Part-time employees shall be entitled to holiday pay in proportion to the percentage of full-time hours worked during the pay period which includes each holiday, i.e., a part-time employee working fifty (50) percent of the full-time hours in a pay period shall be paid for four (4) hours for each holiday falling within that pay period.

(b) Employees must be in a pay status on both their regularly scheduled workdays immediately preceding and following the holiday to be entitled to holiday pay.

(c) The holidays for the District are:

January 1	New Year's Day
Third Monday in January	Martin Luther King Jr's Birthday

Third Monday in February	Washington's Birthday
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
Second Monday in October	Columbus/Indigenous Peoples' Day
November 11	Veteran's Day
Fourth Thursday in November	Thanksgiving Day
Friday following Thanksgiving Day	
December 25	Christmas

(d) Every day appointed by the President of the United States or the Governor of the State of California to be a day of public mourning, thanksgiving, or holiday. The granting of such holidays shall be discretionary with the Board.

(e) If the Legislature or the Governor appoints a date different from the one shown above for the observance of one of these holidays, then the District shall observe the holiday on the date appointed by the Legislature or the Governor.

**SECTION 6. EMPLOYEE DISCIPLINE.** All District employees are at-will. The Chief Executive Officer is authorized to discipline and/or dismiss such employees when the Chief Executive Officer, in his or her sole discretion, deems it in the best interest of the District and in compliance with District policies and applicable state, federal, and local laws.

**SECTION 7. INCOMPATIBLE ACTIVITIES OF DISTRICT EMPLOYEES.** No District employee shall engage in activities that are inconsistent with, incompatible to, or in conflict with, or inimical to, the duties of such employee, and the Chief Executive Officer shall develop for the Board's approval rules governing such activities.

**SECTION 8. EQUAL EMPLOYMENT OPPORTUNITY POLICY.**

8.1. The District recognizes, welcomes, and appreciates a diverse and multi-cultural workforce, and the Board commits the District and all employees to an inclusive, results-oriented, equal employment opportunity environment aimed at a workforce free of illegal discrimination, retaliation, and harassment.

8.2. The Chief Executive Officer or designee shall develop for the Board's approval an equal employment opportunity policy consistent with all applicable laws that, without limitation, prevents illegal discrimination, retaliation, and harassment, provides reasonable accommodations to qualified individuals with disabilities, and sets forth internal reporting procedures.

**SECTION 9. SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance.

**SECTION 10. EFFECTIVE DATE.** This Ordinance shall be effective 30 days from the date of its passage.

\* \* \* \* \*

## San Mateo County Flood and Sea Level Rise Resiliency District Agenda Report

**Date:** January 27, 2020

**To:** Flood and Sea Level Rise Resiliency District Board of Directors

**From:** Larry Patterson, Interim CEO

**Subject:** Resolution Supporting a Comprehensive Study of the San Mateo County Bay and Coastal Shorelines under the 1975 Water Resources Development Act and Instructing the Chief Executive Officer to (1) Revise the Language of the Existing Authorization under the Water Development Act of 1975 to Include the San Mateo County Coastal Shoreline and, if Appropriate, the City and County of San Francisco and/or County of Marin, and (2) Communicate the Board’s Interest in Initiating the Study under the 1975 Water Resources Development Act to the Army Corps of Engineers

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### RECOMMENDATION:

That the San Mateo County Flood and Sea Level Rise Resiliency District (the “District”) Board of Directors (the “Board”) adopt a resolution

1. Supporting a comprehensive study of the San Mateo County bay and coastal shorelines under the 1975 Water Resources Development Act (WRDA); and
2. Instructing the Chief Executive Officer to coordinate with Congresswoman Jackie Speier’s office to revise the language of the existing authorization under WRDA to include the San Mateo County Coastal Shoreline and, if appropriate, to also include the City and County of San Francisco and County of Marin, and to communicate the Board’s interest in initiating the WRDA study to the Army Corps of Engineers.

### BACKGROUND:

WRDA authorizes water resource studies and projects, including navigation, flood control/protection, hydrology/hydropower, water supply, and emergency management for the U.S Army Corps of Engineers (“Army Corps”). Legislation is usually passed on a biennial basis and addresses county interests related to ports, inland waterways, levees, dams, wetlands, watersheds and coastal restoration.

In the 1975 version of WRDA, a proposed project was authorized to study the San Francisco Bay Shoreline in San Mateo County. Language in this existing law authorizes the Army Corps to

conduct a study of flooding and related issues along the San Mateo County Bay Shoreline. No study has ever been initiated under this authorization, but it remains valid. This is critical, as the Army Corps will only perform studies under existing valid authorizations.

Brian Perkins, Congresswoman Jackie Speier's District Director, has been investigating the District's options for initiating a WRDA study. Staff and Mr. Perkins met with Stu Townsley, Deputy District Engineer for Project Management of the Army Corps' San Francisco District. The purpose of the meeting was to confirm that the authorization for the study remained in place and to investigate modifying the authorizing language so that *both* the Bay and Coastal shorelines could be included in the study in order to increase the likelihood of Congressional approval. Ultimately, initiating a study under the modified authorizing language would require the following steps: (1) a formal request from the District; (2) support from the Army Corps; and (3) Congressional approval.

#### **DISCUSSION:**

If the Board wishes to initiate a WRDA study, it should demonstrate support for a comprehensive study of the San Mateo County Bay and coastal shorelines and make a formal request for such a study, which could then be pursued by the Army Corps over the next three years. At the suggestion of Mr. Townsley, the study could be expanded to include the City and County of San Francisco and County of Marin. If the Board adopts a resolution requesting initiation of the WRDA study, staff will work with Mr. Perkins to obtain letters of support from San Francisco and Marin County.

Staff understands that the earliest Congress could authorize a modified study would be later this year. If that occurs, the Army Corps would then seek Congressional funding for the study. This step would likely occur after 2020, and depends, in part, on the likelihood of local matching funds (50%) for the study. Staff estimates that funding for the study would occur in approximately three years, which would coincide with the District's three-year start-up investment plan.

Finally, once the study is complete, and assuming it identifies a federal interest in one or more projects, yet another request would be made for Congressional funding to actually commence design and construction of the projects.

Broadly speaking, this cycle of study authorization/appropriation, establishing a federal interest, project authorization/appropriation, and project construction is the cycle that has sustained numerous flood control and resiliency projects in the Bay Area. Though there are other sources of federal funds for projects—for example, US Fish and Wildlife Service, NOAA Fisheries, or FEMA—sustained funding for large-scale projects is primarily obtained through partnership with the Army Corps.

**FISCAL IMPACT:**

The overall fiscal impact associated with initiating a WRDA study is unknown at this time. However, local matching funds (50% of study costs) will be required. If the Board decides to initiate the study, staff believes it would become an integral part of the District's investment strategy envisioned during District's three-year start-up period.

**ATTACHMENTS:**

Resolution

1. Existing WRDA Study Language

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF DIRECTORS OF THE SAN MATEO COUNTY FLOOD AND SEA LEVEL  
RISE RESILIENCY DISTRICT**

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**RESOLUTION SUPPORTING A COMPREHENSIVE STUDY OF THE SAN MATEO COUNTY BAY AND COASTAL SHORELINES UNDER THE 1975 WATER RESOURCES DEVELOPMENT ACT AND INSTRUCTING THE CHIEF EXECUTIVE OFFICER TO (1) REVISE THE LANGUAGE OF THE EXISTING AUTHORIZATION UNDER THE WATER RESOURCE DEVELOPMENT ACT OF 1975 TO INCLUDE THE SAN MATEO COUNTY COASTAL SHORELINE AND, IF APPROPRIATE, THE CITY AND COUNTY OF SAN FRANCISCO AND COUNTY OF MARIN, AND (2) COMMUNICATE THE BOARD'S INTEREST IN INIATIATING THE STUDY UNDER THE 1975 WATER RESOURCES DEVELOPMENT ACT TO THE ARMY CORPS OF ENGINEERS**

**RESOLVED**, by the Board of Directors (the "Board") of the San Mateo County Flood and Sea Level Resiliency District (the "District"), that

**WHEREAS**, the 1975 Water Resource Development Act ( the "WRDA") authorizes study of the San Francisco Bay shoreline in San Mateo County, but does not currently include language authorizing study of the San Mateo County coastal shoreline; and

**WHEREAS**, the District Board wishes to modify the authorizing WRDA language to expand the study to also include the San Mateo County coastal shoreline; and

**WHEREAS**, the District recognizes that it may be advantageous to also include the City and County of San Francisco and County of Marin within the authorization; and

**WHEREAS**, the District has worked with, and intends to continue working with, Congresswoman Jackie Speier's office and the Army Corps of Engineers regarding the WRDA authorization;

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the District supports a comprehensive WRDA study that includes both the San Francisco Bay shoreline in San Mateo County and the San Mateo County coastal shoreline.

**IT IS FURTHER DETERMINED AND ORDERED** that the District instructs the Chief Executive Officer of the District to coordinate with Congresswoman Jackie Speier's office in order to revise the existing language of the WRDA authorization to include the San Mateo County coastal shoreline in addition to the currently authorized San Francisco Bay shoreline and, if appropriate, to also include the City and County of San Francisco and/or County of Marin within the WRDA authorization.

**IT IS FURTHER DETERMINED AND ORDERED** that the District instructs the Chief Executive Officer of the District to communicate the Board's interest in initiating a WRDA study to the Army Corps of Engineers, to work with the Army Corps of Engineers regarding initiation of the study, and to keep the Board informed regarding the status of such study.

\*\*\*\*\*

Regularly passed and adopted this 27<sup>th</sup> day of January 2020.

AYES:

NOES:

ABSENT:

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Chair of the San Mateo County Flood and  
Sea Level Rise Resiliency District

Certificate of Delivery

I certify that a copy of the original resolution filed with the San Mateo County Flood and Sea Level Rise Resiliency District has been delivered to the Chair of the Board of Directors.

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Clerk of the San Mateo County Flood and  
Sea Level Rise Resiliency District Board of Directors

b. Section 142 of the Water Resources Development Act of 1976 (Public Law 94-587):

The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to investigate the flood and related problems to those lands lying below the plane of mean higher high water along the San Francisco Bay Shoreline of San Mateo, Santa Clara, Alameda, Napa, Sonoma and Solano Counties to the confluence of the Sacramento and San Joaquin Rivers, and along the ocean coastline of San Mateo County, San Francisco, and Marin County, with a view toward determining the feasibility of and the Federal interest in providing protection against tidal and fluvial flooding and, with respect to the bay and ocean coastlines of San Mateo County, San Francisco, and Marin County, the feasibility and the Federal interest in providing measures to adapt to rising sea levels. Nothing within the study shall detract from the San Francisco Waterfront study.

The investigation shall evaluate the effects of any proposed improvements on wildlife preservation, agriculture, municipal and urban interests in coordination with Federal, State, regional, and local agencies with particular reference to preservation of existing marshland in the San Francisco Bay region and, additionally with respect to the bay and ocean coasts and streams running to the bay and ocean coasts of San Mateo County, San Francisco, and Marin County, the effects of proposed improvements on the local economy, habitat restoration and enhancement, habitat expansion, public infrastructure protection and improvement, stormwater runoff capacity and control measures including those that may mitigate flooding, erosion of beaches and coasts, and any other measures relevant to adapting to rising sea level.

Version: 12/23/19 4 pm