

SAN MATEO COUNTY
FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT
Board of Directors meeting held remotely via Zoom
November 9, 2020
MINUTES

1. Roll Call

Acting Chair Ruddock called the meeting to order at 4:02 p.m. via Zoom video conference.

Directors Present:

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
Debbie Ruddock, Representing Coastside communities (Vice Chair)

Directors Absent:

Dave Pine, Representing County Board of Supervisors, At Large (Chair)
Don Horsley, Representing County Board of Supervisors, District 3
Diane Papan, Representing Central San Mateo County cities

Staff Present:

Len Materman, Chief Executive Officer
Brian Kulich, Esq., Legal Counsel
Colin Martorana, Associate Project Manager
Lucy Dong, Senior Accountant
Makena Wong, Associate Project Manager

2. Public Comment

No written or verbal comments.

3. Action to Set the Agenda

Motion: Colson / Second: Gauthier
Ayes: 4 – Ruddock, Colson, Gauthier, Derwin
Noes: 0 – None
Absent: 3 – Dave Pine, Don Horsley, Diane Papan

4. Regular Business

- A. Approval of a Memorandum of Understanding to design, permit, construct, mitigate for, operate, and maintain the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration Project (ACTION)

CEO Len Materman displayed images of the current FEMA floodplain map, explained floodplain as it relates to the Bayfront Canal and Atherton channel, and provided an overview of the terms of the proposed Memorandum of Understanding (MOU) among the project partners.

Director Gauthier asked how the conversations with the cities went and how they arrived at the dollar amount. Len Materman shared that the negotiations had been taking place since Spring of 2020, and we first looked at the design MOU (the second MOU of this project), which was generally based on the amount of water flow that each jurisdiction contributed to the system.

In the new MOU, we again took into account the flow percentages, and this time the Town of Atherton capped its contribution and the State provided a grant – with these numbers known, the

amount left was divided among the other three jurisdictions (cities of Menlo Park, Redwood City, and the County). Percentage-wise, only Atherton's has increased since the design MOU. Mr. Materman further listed the dates that each jurisdiction has or is expected to approve the MOU.

Chair Ruddock asked how the flow was calculated for individual contribution. Mr. Materman shared a slide that shows the water flow contributions calculated as part of a watershed study conducted by the County of San Mateo a few years ago. County Public Works Director Jim Porter explained that the study reviewed the entire watershed and the relative permeability of the land cover in each jurisdiction in order to determine flow contributions.

Chair Ruddock asked for questions from the Directors.

Chair Ruddock asked if there was an existing agreement with the U.S. Fish and Wildlife Service. Len Materman shared that the District is now negotiating an encroachment permit to access part of their lands for operations and maintenance.

Motion: Derwin / Second: Colson

Ayes: 4 - Colson, Gauthier, Derwin, Ruddock

Noes: 0 - None

Absent: 3 - Pine, Horsley, Papan

- B. Authorize the Chief Executive Officer to enter into the easement agreements necessary for the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration Project (ACTION)

Len Materman described the permanent and temporary construction easements needed from Cargill (with the County and cities of Menlo Park and Redwood City), and an encroachment permit needed from the U.S. Fish and Wildlife Service.

District legal counsel Brian Kulich provided an update on the status of these documents. Approval of this item would authorize Len Materman to complete negotiations and execute the three easements with Cargill.

Chair Ruddock asked if this item will need to come back to the Board for ratification. Mr. Kulich responded that if the Board approves this item, it will not need to come back unless the Board would like to receive a report back. Chair Ruddock requested such an update at a future meeting.

Motion: Colson / Second: Derwin

Ayes: 4 - Colson, Gauthier, Derwin, Ruddock

Noes: 0 - None

Absent: 3 - Pine, Horsley, Papan

- C. Adopt a resolution accepting a \$1 million grant from the California Department of Water Resources Urban Streams Restoration Program to restore Belmont Creek within Twin Pines Park (ACTION)

Mr. Materman displayed an image showing erosion of Belmont Creek within Twin Pines Park, and that this State grant enables the District, with Belmont, San Carlos and the County to restore and stabilize the creek bank with environmentally-friendly approaches and reduce sedimentation which contributes to downstream flooding. He also discussed the history of the project.

Chair Ruddock asked if the grant agreement requires us to spend the local match first before the State funds. Mr. Materman responded no, but that we would spend the local match first to make sure that the \$1 million is available for construction, and to make sure that there is no issue with drawing down the State money and not actually completing the project, in which case it would have to be reimbursed.

Chair Ruddock asked how close we are to secure the local match. Mr. Materman responded that the Agreement among the District, Belmont, San Carlos, and the County is being refined right now to include language that ensures: 1) the local match is secured from the cities and County; and 2) Belmont will complete construction. Belmont asked the District to manage design and CEQA, for which we are developing an RFP. We are hoping to bring that agreement to our Board soon and will not sign an agreement with State until the local Agreement is executed.

Director Derwin asked if the captured stormwater under the parking lot is simply going to be used to recharge the aquifer, or will it also be used for park irrigation?

Colin Martorana mentioned that at this early stage of project planning it hasn't been determined whether the basin would be used to capture stormwater for grey water usage (such as irrigation or toilet-flushing) or have an open bottom to allow for recharging of local groundwater.

Director Gauthier asked if we anticipate an increase in construction or if this will be sufficient for the project. Mr. Materman responded that the grant amount will not increase by the State. The current language in the MOU retains flexibility for the funding and discusses how the parties would handle it if the estimates are short of the expenses.

District legal counsel Brian Kulich clarified that approval of this resolution also authorizes the CEO to execute any necessary documentation with the State regarding this grant.

Motion: Derwin / Second: Gauthier
Ayes: 4 - Colson, Gauthier, Derwin, Ruddock
Noes: 0 - None
Absent: 3 - Pine, Horsley, Papan

5. **Chair's Report**

No report made.

6. **CEO's Report**

Mr. Materman shared an update on the FEMA BRIC grant regarding a District-led effort involving Burlingame, Millbrae and San Francisco International Airport (SFO), and he thanked Director Colson for her leadership and support.

Director Colson commended Mr. Materman and staff for doing a comprehensive job and also acknowledged the City of Burlingame for their work.

Mr. Materman also provided an update on the work of the Board Strategic Planning Committee regarding long-term funding strategies and outreach, and the Finance Committee, which is planning its first meeting on November 19 to discuss the first audit an Investment Policy.

Mr. Materman shared that he made presentations in October to two city councils and the County Board of Supervisors, and our grant application will be on the agenda of the Millbrae and Burlingame City Councils in the next few weeks. He mentioned that plan is being developed to present to other city and town councils in 2021 to spread the word about the District and its projects, and mentioned Director Gauthier's idea of having District Board members that represent specific geographies participate in presentations made to jurisdictions located in their area.

7. **Board Member Reports** – None

8. **Items for a Future Agenda** – None

9. **Adjournment** – The meeting adjourned at 5:00 p.m.