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**San Mateo County Flood & Sea Level Rise
Resiliency District
BOARD OF DIRECTORS**

County Supervisors:

District 3 Don Horsley
At-Large Dave Pine – **Chair**

City Representatives:

North Donna Colson
Central Diane Papan
South Lisa Gauthier
Coast Debbie Ruddock – **Vice Chair**
At-Large Marie Chuang

AGENDA

February 28, 2022

4:00 PM

- 1. Roll Call**
- 2. Public Comment** Persons wishing to address the Board on District-related matters not on this Agenda may speak for up to two minutes; comments on Agenda items shall be heard during that item for up to two minutes.
- 3. Action to Set the Agenda and Approve the Consent Agenda**
 - A. Adopt Resolution 2022-02-28 to continue conducting meetings of the Board of Directors remotely due to public health concerns caused by the COVID-19 pandemic
 - B. Approve the Minutes of December 13, 2021 and January 24, 2022 District Board meetings
 - C. Approve the appointment of members to the Colma Creek Citizens Advisory Committee
- 4. Regular Business**
 - A. Discuss and take action to elect Board officers; confirm, establish, and appoint members to Board committees; and appoint Board members to outside agencies
 - B. Approve an amendment to the Fiscal Year 2021-22 Flood Zones Budget to fund the construction of the San Bruno Creek Emergency Tide Gate Repair Project
- 5. Chair's Report ***
- 6. CEO's Report ***

Update regarding Bayfront Canal and Atherton Channel Project, including approved construction change orders
- 7. Board Member Reports and Items for a Future Agenda ***
- 8. Adjournment**

* There is no written staff report for this item

Meeting information, and public access and communications

- During the meeting, public comment can be submitted at the appropriate time via Zoom Chat or by raising your hand, speaking if joining by phone, or email to board@OneShoreline.org prior to 12:00 pm on the meeting day; please indicate the agenda item to which your comment applies and it will be read or summarized at the meeting by the Board Clerk.
- If you require assistance to participate in the meeting or wish to submit written communication to all Board Members regarding the meeting, please contact the Clerk of the Board by 9:00 am on the day of the meeting.
- Public records relating to an open session item on the agenda are available at least 72 hours prior to a Regular Board meeting or at least 24 hours prior to a Special Board meeting, when these records are distributed to Board members. Public records are available at the District office at 1700 South El Camino Real, Suite 502, San Mateo, CA 94402 and at OneShoreline.org. To receive these documents electronically, please email board@OneShoreline.org.

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

Date: February 28, 2022
To: San Mateo County Flood and Sea Level Rise Resiliency District Board of Directors
From: Len Materman, CEO
Subject: Continued remote meetings due to public health concerns caused by the COVID-19 pandemic

Recommendation

That the San Mateo County Flood and Sea Level Rise Resiliency District (“District”) Board of Directors (“Board”) adopt Resolution 2022-02-28 re-invoking the provisions of Assembly Bill 361 (“AB 361”), finding that the COVID-19 pandemic state of emergency continues to present imminent risks to the health or safety of attendees and continues to directly impact the ability of the Board to meet safely in person.

Background and Discussion

AB 361 sets forth remote meeting requirements and procedures for local legislative bodies during a proclaimed state of emergency. Specifically, AB 361 allows a local legislative body to continue holding remote meetings between October 1, 2021 and January 1, 2024 under the following circumstances:

- Automatically whenever the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
- When the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- When the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Once the Board complies with AB 361, the following Brown Act rules for remote meetings are suspended: that the Board makes available a physical location to observe the meeting or to make a public comment, and each teleconference location has posted notices or agendas, is accessible to the public, and is identified by address on the agenda. In addition, the following procedures apply to the remote meetings:

- AB 361 forbids agencies from requiring public comment to be submitted in advance (for example via email) and requires an opportunity to address the public/Board in real-time.
- AB 361 regulates, for the first time, the rules and procedures for opening and closing a public comment period for agenda items. Specifically, a reasonable time for indicating a desire to comment (i.e., to use the “raise hand” feature in Zoom) must be provided.
- AB 361 prohibits agencies from taking action on agenda items when there is a disruption or technical failure on the agency’s end which prevents the public from making comments during the meeting until public access is restored, and creates a cause of action to challenge actions taken while access is unavailable.
- Notwithstanding Brown Act prohibitions on requiring attendees to register their names as a condition of meeting attendance, AB 361 expressly authorizes agencies to use third-party teleconference platforms that require registration (i.e., Zoom requiring an attendee to include their email).

At its meetings on October 25, 2021, November 15, 2021, December 13, 2021, and January 24, 2022, the Board adopted, by unanimous vote, resolutions finding that, as a result of the continuing COVID-19 state of emergency, meeting in person would present imminent risks to the health or safety of attendees.

The federal Centers for Disease Control and Prevention (“CDC”) advises that the Omicron variant, which was classified as a Variant of Concern in November 2021, spreads more easily than the original virus that causes COVID-19 and Delta variant. The CDC expects that anyone with Omicron can spread the virus to others, even if they are vaccinated or do not have symptoms. The presence and severity of symptoms can be affected by COVID-19 vaccination status, the presence of other health conditions, age, and history of prior infection.

While preliminary data suggest that Omicron may cause more mild disease than previous variants, some people may still have severe disease, need hospitalization, and could die from the infection. The CDC warns that, even if only a small percentage of people with Omicron infection need hospitalization, the large volume of cases could overwhelm local healthcare systems. While the level of transmission has decreased considerably from a peak in mid-January 2022, the County’s current case activity keeps us in the CDC’s “high” level of community transmission.

In addition, effective February 16, 2022, only unvaccinated persons are required to mask in most indoor settings. It is recommended, however, that fully vaccinated individuals continue to mask indoors when the risk of transmission may be high.

In summary, despite sustained efforts to impede its transmission, COVID-19 remains a significant public health hazard among both vaccinated and unvaccinated individuals and continues to spread. Thus, reducing the circumstances under which individuals come into close contact with each other indoors remains a vital component of the strategy to reduce the spread of COVID-19.

The Board found last month, and it continues to be the case, that indoor public meetings of the Board and its committees (collectively, “Legislative Bodies”) pose particularly high risks for transmission of COVID-19, as such meetings would bring together residents from across the county and the open nature of public meetings makes it difficult to enforce compliance with vaccination, physical distancing, masking, and other safety measures essential to enabling that all residents — including those who are unvaccinated or with compromised immune systems — can safely participate.

Therefore, it is recommended that the Board adopt a resolution reinvoking the provisions of AB 361 with findings to confirm that the Board has reconsidered the circumstances of the state of emergency caused by the spread of COVID-19; that the state of emergency caused by the spread of COVID-19 continues to directly impact the ability of the Legislative Bodies to meet safely in person; and that conducting in-person meetings at the present time would present an imminent risk to the health and safety of attendees. A resolution to that effect, which also directs staff to return within 30 days to afford the Board the opportunity to reconsider such findings, is included with this Report.

Impact on District Resources: There is no impact on District resources associated with this item.

Attachment: Draft Resolution 2022-02-28

DRAFT RESOLUTION NO. 2022-02-28

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN MATEO COUNTY FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT
REINVOKING THE PROVISIONS OF ASSEMBLY BILL 361, FINDING THAT THE COVID-19
PANDEMIC STATE OF EMERGENCY CONTINUES TO PRESENT IMMINENT RISKS
TO THE HEALTH OR SAFETY OF ATTENDEES AND CONTINUES TO DIRECTLY IMPACT
THE ABILITY OF THE BOARD OF DIRECTORS TO MEET SAFELY IN PERSON**

RESOLVED by the Board of Directors (“Board”) of the San Mateo County Flood and Sea Level Rise Resiliency District (“District”) that:

WHEREAS, on March 4, 2020, pursuant to Government Code Section 8550, *et seq.*, Governor Newsom proclaimed a state of emergency related to the COVID-19 novel coronavirus (“COVID-19”) and, subsequently, the San Mateo County Board of Supervisors declared a local emergency related to COVID-19, and the proclamation by the Governor and declaration by the Board of Supervisors remain in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions in the California Open Meeting Law, codified at Government Code Section 54950, *et seq.* (the “Brown Act”), related to teleconferencing by local agency legislative bodies, provided that certain requirements were met and followed; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended certain provisions of Executive Order N-29-20 that waive otherwise applicable Brown Act requirements related to remote/teleconference meetings by local agency legislative bodies through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed into law Assembly Bill 361 (“AB 361”) which provides that a local agency legislative body may continue to meet remotely without complying with otherwise applicable requirements in the Brown Act related to remote/teleconference meetings, provided that a state of emergency has been proclaimed and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, on November 30, 2021, the Omicron variant of COVID-19 was classified as a Variant of Concern in the United States; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) advises that the Omicron variant spreads more easily than the original virus that causes COVID-19 and Delta variant, and expects that anyone with Omicron can spread the virus to others, even if they are vaccinated or do not have symptoms; and

WHEREAS, the presence and severity of symptoms can be affected by COVID-19 vaccination status, the presence of other health conditions, age, and history of prior infection; and

WHEREAS, while preliminary data suggest that Omicron may cause more mild disease than previous variants, some people may still have severe disease, need hospitalization, and could die from the infection, and the CDC warns that, even if only a small percentage of people with Omicron infection need hospitalization, the large volume of cases could overwhelm local healthcare systems; and

WHEREAS, while the level of transmission has decreased considerably from a peak in mid-January 2022, the County’s current caseload remains in the CDC’s “high” level of community transmission; and

WHEREAS, while, effective February 16, 2022, only unvaccinated persons are required to mask in most indoor settings, it is recommended that fully vaccinated individuals continue to mask indoors when the risk of transmission may be high; and

WHEREAS, the District Board has an important interest in protecting the health and safety of those who participate in its meetings; and

WHEREAS, the COVID-19 pandemic has informed legislative bodies about the unique advantages of remote public meetings, as well as the unique challenges, which are frequently surmountable; and

WHEREAS, at its meetings on October 25, 2021, November 15, 2021, December 13, 2021, and January 24, 2022, the Board adopted, by unanimous vote, resolutions finding that, as a result of the continuing COVID-19 state of emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, this Board has reconsidered the circumstances of the state of emergency and finds that the state of emergency continues to impact the ability of the Board to conduct its meetings in person because there is a continuing threat of COVID-19 to the community and that in-person meetings of the Board and its committees (collectively, "Legislative Bodies") pose risks to the health or safety of participants through person-to-person contact and make it difficult for those who are immuno-compromised or unvaccinated to be able to safely participate, and it is challenging to ascertain and ensure compliance with vaccination and other safety recommendations at such meetings; and

WHEREAS, in the interest of public health and safety, as affected by the state of emergency caused by the spread of COVID-19, the Board finds that this state of emergency continues to directly impact the ability of the Legislative Bodies to meet safely in person and that meeting in person would present imminent risks to the health or safety of attendees, and the Board will therefore reinvoke the provisions of AB 361 related to teleconferencing for meetings of the Legislative Bodies.

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

1. The above recitals are true and correct.
2. The Board has reconsidered the circumstances of the state of emergency caused by the spread of COVID-19.
3. The Board reinvoles the provisions of AB 361 and finds that the state of emergency caused by the spread of COVID-19 continues to directly impact the ability of the Legislative Bodies to meet safely in person.
4. The Board further finds that meeting in person would continue to present imminent risks to the health or safety of meeting attendees and directs staff to continue to agendize public meetings of the Legislative Bodies only as online teleconference/remote meetings.
5. Staff is directed to return to the Board in a public meeting no later than 30 days after the date of adoption of this resolution with an item for the Board to reconsider whether to make the findings required by AB 361 to continue meeting remotely under its provisions.

PASSED AND ADOPTED this 28th day of February 2022, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

APPROVED:

Clerk of the Board of Directors

Chair of the Board of Directors

SAN MATEO COUNTY
FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT
Board of Directors meeting held remotely via Zoom
December 13, 2021
DRAFT - MINUTES

AGENDA ITEM 3B

1. Roll Call

Chair Dave Pine called the meeting to order at 4:01 p.m. via Zoom video conference software. Interim Clerk of the Board Sukhmani Purewal took the roll call.

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
Don Horsley, Representing Board of Supervisors, District 3
Diane Papan, Representing Central San Mateo County cities
Debbie Ruddock, Representing Pacific Coastside San Mateo County Cities (Vice Chair)
Dave Pine, Representing Board of Supervisors, At Large (Chair)

Director(s) Absent: None

Staff Present:

Len Materman, Chief Executive Officer
Brian Kulich, Esq., Legal Counsel
Colin Martorana, Project Manager
Lucy Dong, Finance Manager
Makena Wong, Associate Project Manager
Sukhmani Purewal, Interim Clerk of the Board

2. Public Comment

Millbrae City Councilmember Ann Schneider commented on the recent flooding of Landing Lane, suggested a future Board item to discuss opportunities for habitat enhancements and flood mitigation for this area.

3. Action to Set the Agenda and Approval of the Consent Agenda

- A. Adopt Resolution 2021-12-13-A to continue conducting meetings of the Board of Directors remotely due to public health concerns caused by the COVID-19 pandemic
- B. Approve the Minutes of September 27, 2021, October 25, 2021, and November 15, 2021 District Board meetings
- C. Accept the District's Audited Financial Statements for July 1, 2020 – June 30, 2021 and authorize the Chief Executive Officer, or Designee, to transmit the Audit to appropriate governmental agencies
- D. Approve the 2022 Schedule of Regular meetings of the Board of Directors

Motion made by Director Ruddock and seconded by Director Colson to set the agenda and approve consent agenda:

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

Noes: None

Absent: None

Vote: 7-0-0

4. **Regular Business**

- A. Receive an update regarding the Bayfront Canal and Atherton Channel Project, including change orders to the construction contract that were approved by the CEO Mr. Materman gave an overview of the Bayfront Canal and Atherton Channel Project since the November 15th Board meeting. The underground placement of pre-cast box culverts and protection of utilities is complete. The hydraulic connection from Bayfront Canal to the Don Edwards San Francisco Bay National Wildlife Refuge Ponds is to be completed by December 31st, an objective set by the California Department of Water Resources grant, and the project is currently on track to complete major construction activities by January 31st. The Celebration of Safety is scheduled for after the completion of construction.
- B. Other speakers on this item: Don Horsley, Colin Martorana, and Lisa Gauthier. Public Speaker(s): None
- C. Discuss the status of and plan for the State Budget appropriation to the District
- The 2021-22 State budget, amended in September by Senate Bill 170, provided billions of dollars for climate resilience, including an \$8 million appropriation to OneShoreline via the State Coastal Conservancy (“SCC”)
 - District staff has been working with SCC staff to plan for the distribution of these funds on a reimbursement basis.
 - At the January 2022 board meeting, additional discussions will be held on the workplan for this grant and approval of a resolution authorizing the CEO to execute all documents to receive and administer the \$8 million appropriation.
 - Mr. Materman is proposing to use these funds for: 1. The sea level rise protection project along the Bay shoreline and creeks in Burlingame and Millbrae (connected to SFO); and 2. District operations to conduct planning and coordination along the county’s Bay shoreline.

Other speakers on this item: Dave Pine, Debbie Ruddock, and Don Horsley.

Public Speaker(s): Millbrae City Councilmember Ann Schneider

5. **Chair’s Report**

Chair Pine mentioned that C/CAG has filled three of the District Board’s seats: Diane Papan was reappointed, Debbie Ruddock was reappointed, and for the At-large seat, Marie Chaung from Hillsborough was appointed to fill a vacancy created by the completed term of Maryann Moise Derwin. This being Ms. Derwin’s last meeting on the Board, Chair Pine thanked her for her many years of work to establish and launch OneShoreline.

Other speakers on this item: Maryann Moise Derwin, Lisa Gauthier, and Len Materman

Public Speaker(s): Sue Digre

6. **CEO’s Report**

Mr. Len Materman provided a report on the following:

- King Tides that occurred on December 4, 2021
 - o Flooding in San Bruno at 7th Ave. near Hwy. 380 overpass
 - o Storm flooding conditions in Hillsborough
- Burlingame Zoning Ordinance, which includes requirements related to sea level rise
 - o Working with other Cities (East Palo Alto and SSF) to incorporate future climate-driven conditions into the key City planning documents

Public Speaker(s): None

7. **Board Members Reports and Items for a Future Agenda**

None

8. **Adjournment**

The meeting adjourned at 4:50 p.m.

SAN MATEO COUNTY
FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT
Board of Directors meeting held remotely via Zoom
January 24, 2022
DRAFT - MINUTES

AGENDA ITEM 3B

1. Roll Call

Vice Chair Ruddock called the meeting to order at 4:02 p.m. via Zoom video conference software. Interim Clerk of the Board Sukhmani Purewal took the roll call.

Directors Present:

Donna Colson, Representing Northern San Mateo County cities
Lisa Gauthier, Representing Southern San Mateo County cities
Don Horsley, Representing Board of Supervisors, District 3
Diane Papan, Representing Central San Mateo County cities
Debbie Ruddock, Representing Pacific Coastside San Mateo County Cities (Vice Chair)

Director(s) Absent: Dave Pine, Representing Board of Supervisors, At Large (Chair)

Staff Present:

Len Materman, Chief Executive Officer
Brian Kulich, Esq., Legal Counsel
Colin Martorana, Project Manager
Lucy Dong, Finance Manager
Makena Wong, Associate Project Manager
Sukhmani Purewal, Interim Clerk of the Board

Newly-appointed Director Marie Chuang, representing San Mateo County cities at-large attended the meeting as a member of the public because she was not yet sworn in as a member of the Board.

2. Public Comment

Speakers: Millbrae City Councilmember Ann Schneider and, with a brief response, Mr. Materman.

3. Action to Set the Agenda and Approval the Consent Agenda

- A. Adopt Resolution 2022-01-24-A to continue conducting meetings of the Board of Directors remotely due to public health concerns caused by the COVID-19 pandemic

Motion made by Director Horsley and seconded by Director Colson to set the agenda and approve consent agenda:

Ayes: Colson, Gauthier, Horsley, Papan, and Ruddock

Noes: None

Absent: Pine

Vote: 5-0-1

4. Regular Business

- A. Adopt Resolution 2022-01-24-B approving the filing of an application for, and all requirements related to, an \$8 million grant from the State Coastal Conservancy, and authorizing the CEO to execute all documents necessary to receive and administer that grant

Mr. Materman provided context on the \$8 million grant application from the State Coastal Conservancy and where the grant monies will be spent. \$4 million will be spent on the Millbrae and Burlingame Shoreline Area Protection and Enhancement Project, \$3 million will be spent on Regional Planning and Coordination, and \$1 million will be spent on indirect costs such as consultants for operations and services and office lease/supplies.

Other speakers on this item: Debbie Ruddock, Don Horsley, and Donna Colson.

Public Speaker(s): Millbrae City Councilmember Ann Schneider

Motion made by Director Gauthier and seconded by Director Horsley to approve resolution 2022-01-24-B:

Ayes: Colson, Gauthier, Horsley, Papan, and Ruddock

Noes: None

Absent: Pine

Vote: 5-0-1

- B. Discuss and take action to elect Board officers; confirm, establish, and appoint members to Board committees; and appoint Board members to outside agencies

Mr. Materman talked about the current Board positions and committee assignments:

- Dave Pine is the Chair and Debbie Ruddock is Vice Chair
- Directors Horsley, Papan, and Pine serve on the *ad hoc* Strategic Planning Committee
- Directors Colson and Gauthier serve on the standing Finance Committee
- Directors Colson and Pine currently serve on the *ad hoc* Personnel Committee
- Director Gauthier is the representative to the ACWA JPIA and the alternate is Finance Manager Lucy Dong.

Mr. Materman talked about the Board possibly establishing an *ad hoc* Government Affairs Committee in the near future.

Motion made by Director Papan and seconded by Director Colson to continue this item to the next Board meeting, as newly-appointed Director Marie Chuang has not yet been sworn in as a Board member:

Ayes: Colson, Gauthier, Horsley, Papan, and Ruddock

Noes: None

Absent: Pine

Vote: 5-0-1

Other speakers on this item: Brian Kulich

5. **Chair's Report**

Vice Chair Debbie Ruddock reported that she will be listening to the Assembly Budget Committee tomorrow and will provide an update at the next Board meeting.

Public Speaker(s): None

6. **CEO's Report**

Mr. Materman provided a report on the following:

- Update regarding Bayfront Canal and Atherton Channel Project construction
 - o Hydraulic connection between Bayfront Canal and US Fish & Wildlife Service ponds completed before 12/31/21.
 - o Project elements to be completed are: final grading, paving of Marsh Road, installing erosion control, installing a power source to operate a new trash rack and dewatering pump
 - o Groundwater entering the culverts is being investigated.
- Potential requests for FY 2022-23 State Budget include funding for flooding and/or sea level rise protection for: the Belle Air neighborhood in San Bruno, the Kehoe watershed in Half Moon Bay, wastewater treatment plants (with water recycling infrastructure), and a project to elevate the entrance to Bedwell Bayfront Park to protect the east side of Menlo Park

Other speakers on this item: Lisa Gauthier

Public Speaker(s): None

7. **Board Members Reports and Items for a Future Agenda**

None

8. **Adjournment**

The meeting adjourned at 4:49 p.m.

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

Date: February 28, 2022
To: San Mateo County Flood and Sea Level Rise Resiliency District Board of Directors
From: Len Materman, CEO
Subject: Approve the appointment of members to the Colma Creek Citizens Advisory Committee

Recommendation:

That the San Mateo County Flood and Sea Level Rise Resiliency District (“District”) Board of Directors (“Board”) approve the re-appointment of the following “at-large” members to the Colma Creek Citizens Advisory Committee (“Committee”):

- Gail DeFries, from the City of Daly City, for a term expiring on March 31, 2026
- Edward Bortoli, from the City of South San Francisco, for a term expiring on March 31, 2026

Background and Discussion:

Formalized by the San Mateo County Board of Supervisors in 2002, the Committee provides input and recommendations regarding the operations, maintenance, and capital improvements within the Colma Creek Flood Zone, which includes portions of the Cities of Daly City, Pacifica, San Bruno, and South San Francisco, and the entire Town of Colma (collectively, the “Cities”). The Committee meets quarterly and is staffed by the District, with support from staff of the County’s Department of Public Works and from the Cities. The Committee has nine voting members, including:

- one member appointed by each of the five cities’ City Council, and
- four “at-large” members appointed by the Board.

Following the District’s formation on January 1, 2020, the Board assumed the role of governing body of the Committee and responsibility for appointing its “at-large” members. The Board has acted on this authority twice before, appointing Ryan Mayfield on February 22, 2021 and Richard Irli on May 24, 2021.

“At-large” Committee members must be property owners residing within the Colma Creek Flood Zone and serve terms of four years. Gail DeFries is a property owner residing in Daly City and Edward Bortoli is a property owner residing in South San Francisco. Both have served for multiple terms and wish to continue to serve on the Committee.

A list of the current Committee Members, including the proposed re-appointments of Gail DeFries and Edward Bortoli, are included in the attached.

Fiscal Impact on District Resources:

There is no direct fiscal impact on District resources; Committee members are not compensated for their service.

Attachment:

Table of members of the Colma Creek Citizens Advisory Committee

Members of the Colma Creek Citizens Advisory Committee

Member Name/Designation	Appointed By	Member Since	Term Expiration
<i>City/Town Appointed Representatives (Members)</i>			
Helen Fiscaro, Town of Colma Representative	Colma Town Council	April 1, 2002	March 31, 2026
Sue Vaterlaus, City of Pacifica Representative	Pacifica City Council	April 1, 2018	March 31, 2024
Mike Futrell, City of South San Francisco Representative	South San Francisco City Council	July 23, 2014	March 31, 2026
Jovan Grogan, City of San Bruno Representative	San Bruno City Council	April 1, 2020	March 31, 2026
Raymond Buenaventura, City of Daly City Representative	Daly City Council	April 1, 2019	March 31, 2026
<i>Board Appointed Representatives (Members "At-Large")</i>			
Gail DeFries, City of Daly City Member At Large	County Board of Supervisors <i>(Next term: OneShoreline Board Approval Proposed)</i>	April 1, 2002	March 31, 2026 <i>(if appointed)</i>
Edward Bortoli, City of South San Francisco Member At Large	County Board of Supervisors <i>(Next term: OneShoreline Board Approval Proposed)</i>	December 31, 2014	March 31, 2026 <i>(if appointed)</i>
Richard Irlu, City of South San Francisco Member At Large	OneShoreline Board of Directors	September 9, 2014	March 31, 2025
Ryan Mayfield, City of South San Francisco Member At Large	OneShoreline Board of Directors	April 1, 2020	March 31, 2024

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

Date: February 28, 2022

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

From: Len Materman, CEO

Subject: Discuss and take action to elect Board officers; confirm, establish, and appoint members to Board committees; and appoint Board members to outside agencies (continued from January 24, 2022 meeting)

Recommendation:

That the Board of Directors (“Board”) of the San Mateo County Flood and Sea Level Rise Resiliency District (“District”) discuss and take action regarding the:

- selection of Board officers;
- number of Board committees and ensuring that there are three Board members on each committee; and
- appointment of a Board member to serve as a director of the Association of California Water Agencies Joint Powers Insurance Authority (“ACWA JPIA”) and a District staff member to serve as alternate ACWA JPIA director.

Background and Discussion:

The District’s Board Member Guidelines call for the Board to annually appoint members to fill Board officer positions. Since January 2020, the position of Chair of the Board has been filled by San Mateo County Supervisor Dave Pine, and the position of Vice Chair has been filled by Half Moon Bay Mayor Debbie Ruddock. There is no term limit for an individual Board member to serve as a Board officer.

The Board has three committees – Finance, Personnel, and Strategic Planning – that it intended to have three members each. The Finance Committee reviews the District’s investment portfolio and annual budgets and audit; the Personnel Committee evaluates the performance of the CEO; and the Strategic Planning Committee is focused on the long-term funding of the District. The following is a list of each committee, whether it is a standing or *ad hoc* committee, and its current membership:

Finance (standing)	Donna Colson and Lisa Gauthier
Strategic Planning (<i>ad hoc</i>)	Dave Pine, Don Horsley, Diane Papan
Personnel (<i>ad hoc</i>)	Dave Pine and Donna Colson

Both the Finance and Personnel committees have a vacancy due to the fact that the term of Board member Maryann Moise Derwin, who served on both committees, expired on December 31, 2021. As of January 1, 2022, she was replaced on the Board by City Councilmember Marie Chuang from Hillsborough following a selection process run by the City/County Association of Governments of San Mateo County (Board members Diane Papan, Dave Pine, and Debbie Ruddock were re-appointed to new four-year terms).

Additionally, Board members have expressed an interest in creating a committee to lead on District interests before the state and federal governments. Given the current funding and policy-related opportunities and the Board’s expertise in this realm, I recommend that an *ad hoc* Government Affairs Committee be established to meet as needed for this purpose and to discuss how the District, with its limited staffing, can maximize its effectiveness in this key area.

On September 14, 2020, the Board approved a resolution to participate in the ACWA JPIA to enable District employees to participate in its benefits program. As required by the ACWA JPIA, the Board also designated Board member Lisa Gauthier to serve as a director of the ACWA JPIA and District Finance Manager Lucy Dong to serve as alternate ACWA JPIA director. At this meeting, I recommend that the Board confirm or change these decisions.

Impact on District Resources: There is no fiscal impact associated with this item.

Attachments: None

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

Date: February 28, 2022
To: San Mateo County Flood and Sea Level Rise Resiliency District Board of Directors
From: Len Materman, CEO
Subject: Approve an amendment to the Fiscal Year 2021-22 Flood Zones Budget to fund the construction of the San Bruno Creek Emergency Tide Gate Repair Project

Recommendation:

That the San Mateo County Flood and Sea Level Rise Resiliency District (“District”) Board of Directors (“Board”) approve the Draft Amendment to the Fiscal Year 2021-22 Flood Zones Budget.

Background and Discussion:

In June 2021, the Board approved the Fiscal Year (“FY”) 2021-22 Budget for the District’s three active Flood Zones: Colma Creek, San Bruno Creek, and San Francisquito Creek. Many District activities within these Flood Zones are conducted on our behalf by the San Mateo County Department of Public Works (“County”), including maintenance of the Colma Creek and San Bruno Creek Channels and of the pump stations and tide gate on San Bruno Creek.

The County conducts these activities on behalf of the District through a “Master Agreement” between the two agencies executed in January 2020 with a term from January 1, 2020 to June 30, 2022 with an option to extend for one additional year. This Master Agreement authorizes a total annual expenditure by the County (reimbursed by the District) of just over \$2.2 million, plus \$500,000 in one-time costs for emergency response.

The County activities have largely been implemented in all three Flood Zones and within the budgeted amount for FY2021-22. However, a new time-sensitive repair is required to the San Bruno Creek tide gate structure. In October 2021, County staff observed that two of the four flap gates that hinder the flow of Bay water into San Bruno Creek had detached from the tide gate, and a third flap gate detached in November 2021. The current condition of the tide gate reduces the effectiveness of storm drains during high tides and increases flood risk on low-lying residential streets. Furthermore, tidal influence could negatively impact freshwater habitat and species located upstream within San Francisco International Airport property.

Earlier this month, the District filed a CEQA Notice of Exemption for these tide gate repairs and, with support from the County, we have received the necessary emergency permits from regulatory agencies, including the U.S. Army Corps of Engineers, Regional Water Quality Control Board, San Francisco Bay Conservation and Development Commission, and California Department of Fish and Wildlife. The anticipated total cost of this repair is almost \$825,000.

Because of the urgent nature of this effort, a portion of the costs of this repair borne by the County to be reimbursed by the District under the Master Agreement will fall under that Agreement’s allowance of \$500,000 for one-time emergency response. The remaining tide gate costs of approximately \$325,000 will fall under the annual \$2.2 million authorized for County work on behalf of the District in the Flood Zones this fiscal year.

Impact on District Resources:

This approximately \$825,000 repair, not anticipated at the start of the fiscal year, necessitates an amendment to the San Bruno Creek portion of the FY2021-22 Flood Zones Budget. As indicated in bold red text on the following page, this budget amendment proposes to increase total expenses within the San Bruno Creek Flood Zone from \$381,900 to \$1,206,900. These proposed expenses will exceed anticipated annual property tax revenue from that Flood Zone by slightly over \$900,000 and leave a reserve of \$2,821,391 at the end of this fiscal year.

Attachment:

Draft Amendment to the Fiscal Year 2021-22 Flood Zones Budget

**San Mateo County Flood & Sea Level Rise Resiliency District
Flood Zones Budget**

Proposed Amendment for Fiscal Year 2021-22

Budget Item	Colma Creek	San Bruno Creek	San Francisquito Creek
REVENUE			
Taxes (Secured Property)	3,409,734	285,543	359,703
Rent and interest income	107,805	12,543	2,576
Inter-governmental revenue	22,225	1,296	1,291
Total Revenue	3,539,764	299,382	363,571
EXPENSES			
General administration of Flood Zones	120,000	15,500	15,300
Utilities	0	14,500	0
Maintenance planning, design & construction	2,333,473	1,175,000	25,000
Capital Projects planning & design	350,000	0	0
Capital Projects construction	0	0	0
Other contract services	20,000	0	0
Debt service on a bond	1,502,500	0	0
Annual contribution to SFCJPA	0	0	337,240
Other fees, including membership	2,000	600	600
General Liability Insurance	5,000	1,300	0
Total Expenses	4,332,973	1,206,900	378,140
Total Revenue minus Total Expenses	(793,209)	(907,518)	(14,569)
Reserves from prior fiscal year	29,628,664	3,728,909	808,483
Estimated Reserves at end of FY2021-22	28,835,455	2,821,391	793,914

Includes \$825,000 in additional expenses proposed on February 28, 2022 for the San Bruno Creek Emergency Tide Gate Repair Project