RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION A) APPROVING, AUTHORIZING AND DIRECTING THE COUNTY EXECUTIVE, OR DESIGNEE, TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF DALY CITY AND THE NORTH SAN MATEO COUNTY SANITATION DISTRICT REGARDING FUNDING OF THE VISTA GRANDE DRAINAGE BASIN IMPROVEMENT PROJECT, BY WHICH THE COUNTY WILL CONTRIBUTE $15,000,000 FOR ACTUAL, REASONABLE AND NECESSARY COSTS OF SAID PROJECT, SUBJECT TO THE TERMS AND CONDITIONS THEREIN, FOR A TERM ENDING DECEMBER 31, 2029; AND B) AUTHORIZING AND APPROVING THE TAKING OF ALL NECESSARY AND ADVISABLE ACTIONS BY THE COUNTY EXECUTIVE, OR DESIGNEE, IN CONNECTION WITH THE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF DALY CITY AND THE NORTH SAN MATEO COUNTY SANITATION DISTRICT AND TO GIVE EFFECT TO THIS RESOLUTION

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the Vista Grande Watershed is a densely developed urban community that borders the City and County of San Francisco on the north, the Colma Creek watershed to the south and east, and the Pacific Ocean on the west; and

WHEREAS, the Watershed is drained through the Vista Grande Canal and Vista Grande Tunnel, both of which are located near the southern shoreline of Lake Merced, and stormwater from the northwest area of Daly City and the unincorporated areas of San Mateo County known as the Broadmoor drainage area; and

WHEREAS, in response to ongoing flooding problems in the Vista Grande Watershed, and to provide a sustainable source of additional water to increase water surface elevations of Lake Merced, to improve water quality in Lake Merced through

increased water surface elevations, and to further the restoration of the drainage basin's natural hydrology, the City of Daly City has approved the Vista Grande Drainage Basin Improvement Project (the "Project"); and

WHEREAS, the Project is expected to provide a range of public benefits, including improved storm drainage, water supply, wastewater disposal, solid waste capture, recreation, and environmental enhancement benefits to the Cities of Daly City and San Francisco, the Counties of San Francisco and San Mateo, and their respective residents and other major stakeholders, such as CalTrans, Bay Area Rapid Transit, the Town of Colma, San Francisco Public Utilities Commission, the San Francisco Gold Club and the Olympic Club; and

WHEREAS, the total cost to construct and complete the Project is estimated as of December 7, 2023 to be $150,858,396; and

WHEREAS, it is in the interests of the County, Daly City, the North San Mateo County Sanitary District ("NSMCSD") and the other stakeholders to proceed with the implementation of the Project, and to do so in a manner that addresses historic flooding and associated problems related to the Vista Grande Canal and the Vista Grande Tunnel, within the unincorporated areas of San Mateo County; and

WHEREAS, the County and impacted communities have an interest in allocating costs for the Project in proportion to the public benefits provided by the Project; and

WHEREAS, this Board has been presented with a Memorandum of Understanding By And Between The City Of Daly City, The North San Mateo County Sanitation District and the County of San Mateo Regarding Funding of the Vista Grande Drainage Basin Improvement Project (the "MOU"), by which the County will contribute $15,000,000 to be used exclusively for actual, reasonable and necessary allowable costs incurred for the construction of the Project, as approved by the County, for a term ending December 31, 2029; and

WHEREAS, this Board finds that the Project serves a public purpose, provides public benefits and the County's financial contribution toward the Project as provided in the MOU serves these interests, and desires that the County enter into the MOU.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the MOU, by which the County will contribute $15,000,000 for actual, reasonable, and necessary costs of said project, subject to the terms and conditions therein, for a term ending December 31, 2029 is approved, and the County Executive, or designee, is authorized and directed to execute said MOU.

BE IT FURTHER RESOLVED that the Board hereby authorizes and approves the taking of all necessary actions by the County Executive, or designee, in connection with the MOU and to give effect to this Resolution, including to do any and all things and to execute and deliver any and all documents and certificates deemed necessary or advisable by the County Executive, or designee, in order to consummate the execution and delivery of the documents mentioned herein and otherwise to effectuate the purposes of this Resolution and the transaction contemplated hereby.

BE IT FURTHER RESOLVED that the County Executive or designee is authorized to execute contract amendments to the MOU which modify the County's maximum fiscal obligation by no more than $25,000 (in aggregate) and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

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