



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Public Works



Date: June 3, 2015
Board Meeting Date: July 7, 2015
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: James C. Porter, Director of Public Works

Subject: Formation of the Los Trancos County Maintenance District - Los Trancos and Vista Verde Communities

RECOMMENDATION:

Conduct a public hearing on the proposed formation of the Los Trancos County Maintenance District, and after conducting the public hearing, adopt a resolution creating the Los Trancos County Maintenance District.

BACKGROUND:

Your Board previously adopted Resolution 073800, declaring your intention to form a County Maintenance District to serve properties in the Los Trancos and Vista Verde communities; and to set July 7, 2015, at 9:00 a.m. in your Board's chambers as the date, time and place for a public hearing to consider any and all objections to the formation of said district and the levying of costs for providing services on the parcels to be served.

DISCUSSION:

Section 5820 et seq. of the State of California Streets and Highways Code requires that a public hearing be held to consider any and all protests to the formation of the district and the levying of the costs of maintaining services to the properties located within said district. Absent a majority protest, a majority vote is required of your Board to initiate the formation of a maintenance district. Should there be a majority protest, your Board may, at its discretion, consider and override such a protest through a 4/5ths vote of approval.

The Los Trancos County Water District sold its water distribution system to the California Water Service Company in 2005, but continues to collect tax revenues originally intended to support the management of a water purveyor. The Local Agency Formation Commission (LAFCO) has reviewed this condition and recommended

dissolution of the Los Trancos County Water District (LTCWD). The LTCWD has concurrently identified the need for specific enhanced services including fire safety measures, storm water runoff management and land stewardship.

The LTCWD has recommended dissolution and that a County Maintenance District (CMD) be created as a successor agency to the dissolved LTCWD to enable the provision of these enhanced services.

NEXT STEPS

Forming the district is the mechanism that will allow enhanced services to be provided to the properties in the Los Trancos and Vista Verde communities, and will allow the costs of providing these services to be financed by the properties receiving said service. However, there are other steps that will also have to be completed before the district can provide enhanced services to the communities.

Your Board, as the governing board of the new district, will also need to enter into an agreement with the Woodside Fire Protection District for fire protection services for the parcels within the districts. We will bring this agreement to your Board, acting as the governing board of the new county maintenance district, if the new district is formed.

A copy of this staff report has been sent to the Los Trancos County Water District, and property owners have been notified that a public hearing has been set regarding the proposed area to be included in the County Maintenance District.

County Counsel has reviewed and approved the resolution as to form.

Approval of this action contributes to the Shared Vision 2025 outcome of a Collaborative Community as the formation of a County Maintenance District provides a mechanism for continued services that directly benefit the communities.

FISCAL IMPACT:

Revenues which are collected by the LTCWD through property tax assessments will be redistributed to the County of San Mateo to be administered in accordance with the "Plan for Services Document" attached hereto and identified herein as Exhibit "A". Based on the equalized roll, the district receives approximately \$246,000 in property tax revenues (net of its contribution to the Education Revenue Augmentation Fund). The proposed County-governed Los Trancos County Maintenance District will receive approximately \$200,000 for enhanced services. The remaining \$46,000 of property tax revenues will be redistributed amongst the following taxing agencies: the County of San Mateo, Town of Portola Valley, County Free Library, Portola Valley Elementary, Sequoia High School, San Mateo County Community College District, County Office of Education, Midpeninsula Regional Open Space District, San Francisquito Flood Control Zone 2, Woodside Fire District, San Mateo County Mosquito & Vector Control District, Sequoia Hospital District, County Resource Conservation District, County Harbor District, and the Bay Area Air Quality Management District.

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There is no impact to the General Fund or other funds administered by the County.

Attachment A: Plans for Services Document

EXHIBIT A-SERVICES

Los Trancos County Maintenance District ENHANCED – Storm Drainage and Road Improvements

I. Enhanced Funds Overview

a. CMD funds - All funds distributed by the CMD to the San Mateo County Public Works Department (DPW) for Storm Drainage and Road Improvements shall solely be used for Enhanced Storm Drainage and Roadway Improvement Work within the boundaries of the CMD (“Enhanced Funds”).

1. No Enhanced Funds are to be applied to routine maintenance or improvements to existing facilities that could be otherwise funded through regular appropriations of County monies or other publicly available funding for maintenance or improvements of existing facilities.

2. Certain deficiencies in the existing storm drainage infrastructure within the CMD have been identified and documented in the Storm Drainage Management Master Plan -Final dated December 2013 (2013 SDMP) attached as Exhibit A-1. The 2013 SDMP shall serve to identify and prioritize suggested Enhanced Storm Drainage and Roadway Improvement Work. The information provided in the 2013 SDMP and associated reviews and suggested project prioritization provided by members of the Los Trancos County Water District Board constitute recommendations only. Project selection and scope is solely the responsibility of the San Mateo County DPW.

3. Addressing and resolving storm drainage issues within the CMD identified by the SDMP or newly identified storm drainage issues shall be completed before Enhanced Funds are allocated to improvements that solely address roadway improvements.

b. Enhanced Storm Drainage and Road Way Improvement Work shall be defined as any improvements or necessary additions to the existing storm drainage systems and/or associated roadways that serve to correct deficiencies as identified by the staff of the DPW, excepting work that would be identified as routine maintenance or replacement of existing facilities that have reached the end of useful service life (“Enhanced Storm Drainage and Road Way Improvement Work”).

II. Use of Enhanced Funds for Enhanced Storm Drainage and Roadway Improvement Work.

a. The San Mateo County Department of Public Works (“DPW”) will, within 1 year of the date of approval of this outline of services by the San Mateo County Board of Supervisors, create and provide the Community Advisory Committee

with a prioritized list of improvement projects to be funded by the Enhanced Funds allocated under this outline of services.

- b.** The DPW will annually thereafter, communicate in writing to the Community Advisory Committee an accounting of Enhanced Funds allocated, Enhanced Funds dispersed on improvement activities, and fund balance as provided by the County financial system.
- c.** Representatives of the DPW will meet at least 1 time per year with representatives of the Community Advisory Council formed as a part of the creation of the CMD to conduct a review of past and planned activities.
- d.** Enhanced Funds are to be allocated only for Enhanced Storm Drainage and Improvement Work on public property or public easements, except as noted in II.d.1– and II.d.4 below.
 - 1.** Projects that necessitate expenditure of Enhanced Funds on private property as an integral and indispensable part of the public portion of the project may be undertaken using Enhanced Funds for the construction of project facilities and appropriate restoration of private property disturbed through the process of construction, subject to the acquisition and/or presence of a public utility or storm drainage easement.
 - 2.** Any portions of projects constructed on private property will only be undertaken if the owner(s) of said properties(s) have granted to the County an easement or right of entry as is required for the project.
 - 3.** Enhanced Funds may be expended as compensation for obtaining said easements where said easements provide unlimited and unrestricted access to the County for purposes of constructing, maintaining and or upgrading public drainage facilities within the easement, and also temporary construction easements or rights of entry necessary to perform work.
 - 4.** The costs associated with preparing and executing the necessary easements and rights of entry shall be covered entirely by Enhanced Funds.
 - 5.** No Enhanced Funds shall be allocated to fund improvements that are considered a responsibility of a private property owner even if those improvements are located within a public right of way.
- e.** Enhanced Funds may be used to improve existing public or private roadways if necessary to bring these roadways up to a level that can be accepted for

maintenance by the County as needed in order to implement projects to materially improve the storm drainage facilities in the CMD.

- f. Storm Drainage projects will be prioritized in the sequence as follows in sections II.f.1– II.f.4. In all cases prioritization of projects is ultimately left to the judgment of technically appropriate members of the DPW staff.
1. Projects to mitigate risks of possible flooding of occupied structures or other infrastructure.
 2. Projects that will reduce the risks of flooding that could lead to landslide threats to roadways, other structures, or other infrastructure.
 3. Projects to mitigate risks of possible flooding of garages and other outbuildings.
 4. Projects that mitigate risks to landscaping and property appearance.
 5. An initial review of projects and prioritization has been created and reviewed by the Board of Directors of the District and is attached hereto as Exhibit A-2. This review is a recommendation only and is meant to serve as a starting point for recommendations by the DPW.

III. Use of Enhanced Funds for roadway improvements

- a. Some of the public roadways in the CMD are substantially below current county standards and community safety may be improved if some private roadways in the CMD are considered for upgrade and dedication for county maintenance purposes.
1. As Enhanced Funds become available the DPW should consider possible improvements on both public and privately maintained roadways within public rights of ways and prioritize projects in conjunction with prioritized storm drainage projects.
 2. Any improvements to privately maintained roadways within public rights of ways should only be undertaken with the unanimous consent of property owners of the existing rights of way.
 3. Any portions of projects constructed on private property will only be undertaken if the owner(s) of said properties(s) have granted to the County an easement for the construction, maintenance and public use of the roadway.
 4. Enhanced Funds may be expended as compensation for obtaining said easements where said easements provide unlimited and unrestricted access to the County for purposes of constructing, maintaining and or

upgrading public drainage facilities within the easement, and also temporary construction easements and rights of entry. The costs associated with preparing and executing the necessary easements and rights of entry shall be covered entirely by Enhanced Funds.

5. Improvement funding may be augmented through co-funding through the creation of benefit assessment districts for individual roadways with Enhanced Funds covering the community benefit portion and benefit assessment Enhanced Funds covering the private benefit portion.

- b. Enhanced Funds may also be applied to scheduling repaving of some roadways deteriorated through multiple construction projects at a point in time sooner than would occur under the standard County formulas for determining repaving schedules.

IV. Emergency repairs

- a. In the event of significant landslides affecting roadways or catastrophic events such as fire, earthquake, or extreme rain events that cause damage to infrastructure within the CMD, available Enhanced Funds may be loaned for emergency damage repairs.
- b. Any such loans will only be made upon approval of the San Mateo County Board of Supervisors.
- c. Loans will be made on a maximum terms of 3 years.
- d. Loans will be made at an interest rate based on the average daily LIBOR index (or an equivalent index if LIBOR ceases to exist) plus 1.0%.
- e. Loan duration can be extended on an annual basis for an additional 3 years maximum

- V. Notwithstanding anything to the contrary in this Exhibit A the Director of Public Works for San Mateo County shall have authority to determine how best to provide Enhanced Storm Drain and Roadway Improvement to the area served by the CMD. This discretion shall include, but not be limited to the right to increase, decrease and/or suspend any of the programs listed above and to add new programs. Before exercising discretion to suspend or add a new program the Director of Public Works shall advise the Community Advisory Council. The express intent of this Agreement is to provide funding for Enhanced Storm Drain and Roadway Improvements, with an initial emphasis on Storm Drainage, and for the Director of Public Works in consultation with the Community Advisory Council to use the Director's knowledge and expertise to provide Enhanced Storm Drainage and Roadway Improvements in the most efficient manner possible to reflect the advances in technology and engineering and changes in need for Enhanced Storm Drainage and Roadway Improvements in the CMD.