

RESOLUTION NO. .

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA,
ACTING AS THE GOVERNING BOARD OF THE SAN MATEO COUNTY FLOOD
CONTROL DISTRICT**

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**RESOLUTIONS: A) ACKNOWLEDGING THE TRANSFER OF ALL ASSETS,
LIABILITIES, AND OBLIGATIONS CURRENTLY IN THE NAME OF THE SAN
MATEO COUNTY FLOOD CONTROL DISTRICT TO THE SAN MATEO COUNTY
FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT, INCLUDING BUT NOT
LIMITED TO, THE TRANSFER OF LAND ASSETS, VENDOR CONTRACTS,
GRANTS, BOND DEBT, PROPERTY TAX REVENUES, AND FUND BALANCES, ON
OR AFTER JANUARY 1, 2020; AND**

**B) AUTHORIZING A MASTER AGREEMENT BETWEEN THE COUNTY OF SAN
MATEO AND THE COUNTY OF SAN MATEO FLOOD AND SEA LEVEL RISE
RESILIENCY DISTRICT (DISTRICT) TO PROVIDE ENGINEERING,
ADMINISTRATIVE, AND FISCAL SERVICES FOR THE CONTINUATION OF SAN
MATEO COUNTY FLOOD CONTROL DISTRICT OPERATIONS AND
MAINTENANCE, AND THE EXPANSION OF FLOOD-RELATED PROJECTS AND
PROGRAMS, FOR A TERM OF JANUARY 1, 2020 TO JUNE 30, 2022 IN AN
AMOUNT UP TO \$2,721,200 PER YEAR FOR A TOTAL NOT-TO-EXCEED AMOUNT
OF \$6,803,000, WITH AN OPTION TO EXTEND THROUGH JUNE 30, 2023 AT THE
SAME ANNUAL RATE, UPON MUTUAL CONSENT (ATTACHMENT A); AND**

**C) AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS, ON OR AFTER
JANUARY 1, 2020, TO TRANSFER THE BALANCE OF THE SAN MATEO COUNTY
FLOOD CONTROL DISTRICT ZONE FUNDS TO THE SAN MATEO COUNTY FLOOD
AND SEA LEVEL RISE RESILIENCY DISTRICT, WITH THE DEPARTMENT OF
PUBLIC WORKS RETAINING 10% OF THE FY 2019-20 BUDGETED RESERVE
FUNDS IN EACH ZONE TO PAY FOR SERVICES THROUGH DECEMBER 31, 2019
AND EXPENDITURES INCURRED ON BEHALF OF THE SAN MATEO COUNTY
FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT, UNTIL THE END OF THE
CURRENT FISCAL YEAR, WHEN THE REMAINING BALANCE WILL BE
TRANSFERRED TO THE DISTRICT; AND**

**D) AUTHORIZING ALL FUTURE REVENUES OF THE SAN MATEO COUNTY
FLOOD CONTROL DISTRICT, INCLUDING PROPERTY TAX REVENUES FROM
THE COLMA CREEK FLOOD CONTROL ZONE AND SUB-ZONES, THE SAN
BRUNO CREEK FLOOD CONTROL ZONES, THE SAN FRANCISQUITO CREEK
FLOOD CONTROL ZONES, AND THE RAVENSWOOD SLOUGH FLOOD CONTROL
ZONE, TO BE TRANSFERRED TO THE SAN MATEO COUNTY FLOOD AND SEA
LEVEL RISE RESILIENCY DISTRICT, COMMENCING JANUARY 1, 2020 AND
THEREAFTER**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, acting as the Governing Board of the San Mateo County Flood Control District, that

WHEREAS, on January 29, 2019, this District Board of Directors, adopted Resolution No. 076380 in support of the “Flood and Sea Level Rise Resiliency Agency” Proposal for the San Mateo County Flood and Sea Level Rise Resiliency District; and

WHEREAS, on September 12, 2019, Governor Newsom signed into law Assembly Bill 825 (“AB 825”), which renamed the San Mateo County Flood Control District as the San Mateo County Flood and Sea Level Rise Resiliency District (the “District”), changed the governing structure to an independent Board of Directors, and expanded its powers to specifically include “addressing and protecting against the impacts of sea level rise,” effective January 1, 2020; and

WHEREAS, all assets, liabilities, obligations, and benefits held by the County of San Mateo Flood Control District will be assumed by the District as of January 1, 2020; and

WHEREAS, to facilitate the continued operation and maintenance of the District zones and facilitate the District’s transition to an independent Board of Directors, the District must take certain administrative actions; and

WHEREAS, on November 12, 2019, the District’s Advisory Board approved the transfer of all assets, liabilities, obligations and rights to the District, the Master Agreement with the County of San Mateo (in concept), and the proposed retention

percentage of 10% of FY 2019-20 budgeted reserve funds recommended by the Department of Public Works; and

WHEREAS, on December 9, 2019, the Master Agreement will be presented to the District Advisory Committee for approval.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1. This Board hereby acknowledges the transfer of all assets, liabilities, and obligations currently in the name of the San Mateo County Flood Control District to the San Mateo County Flood and Sea Level Rise Resiliency District, including but not limited to, the transfer of land assets, vendor contracts, grants, bond debt, property tax revenues, and fund balances, on or after January 1, 2020.
2. The County of San Mateo shall enter into a Master Agreement with the County of San Mateo Flood and Sea Level Rise Resiliency District to provide engineering, administrative, and fiscal services for the continuation of District operations and maintenance, and the expansion of flood-related projects and programs, for a term of January 1, 2020 to June 30, 2022, in an amount up to \$2,721,200 per year, for a total not-to exceed amount of \$6,803,000, with an option to extend through June 30, 2023 at the same annual rate, upon mutual consent.

3. The Department of Public Works, on or after January 1, 2020, is authorized to transfer the balance of the San Mateo County Flood Control District zone funds to the San Mateo County Flood and Sea Level Rise Resiliency District, with the Department of Public Works retaining 10% of the FY 2019-20 budgeted reserve funds in each sub-fund to pay for services through December 31, 2019, and expenditures incurred on behalf of the San Mateo County Flood and Sea Level Rise Resiliency District, until the end of the current fiscal year, when the remaining balance will be transferred to the District.
4. All future revenues of the San Mateo County Flood Control District, including property taxes revenues from the Colma Creek Flood Control Zone and Sub-Zones, the San Bruno Creek Flood Control Zones, the San Francisquito Flood Control Zones, and the Ravenswood Slough Flood Control Zone, to be transferred to the San Mateo County Flood and Sea Level Rise Resiliency District, commencing on January 1, 2020 and thereafter.
5. The Director of Public Works, designee, or assignee is authorized to execute contract amendments to the Master Agreement which modify the District's maximum fiscal obligation by no more than \$25,000 (in aggregate) and/or modify the contract term and/or services as long as the modified term or services is/are within the current or revised fiscal provisions.

6. The Director of Public Works, designee, or assignee is authorized to execute non-substantive additions, clarifications, and other changes as is necessary or advisable to the Master Agreement after consultation with District Counsel.

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