

**RESOLUTION NO. .**

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

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**RESOLUTION:**

**A) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A MEMORANDUM OF UNDERSTANDING AMONG THE SAN MATEO COUNTY FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT, CITY OF REDWOOD CITY, CITY OF MENLO PARK, TOWN OF ATHERTON, AND COUNTY OF SAN MATEO TO PREPARE FOR CONSTRUCTION, AND OPERATE THE BAYFRONT CANAL AND ATHERTON CHANNEL FLOOD PROTECTION AND ECOSYSTEM RESTORATION PROJECT FOR UP TO \$7,455,000; AND**

**B) THE COUNTY MANAGER, OR COUNTY MANAGER'S DESIGNEE, TO EXECUTE THE MEMORANDUM OF UNDERSTANDING AMONG THE SAN MATEO COUNTY FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT, CITY OF REDWOOD CITY, CITY OF MENLO PARK, TOWN OF ATHERTON, AND COUNTY OF SAN MATEO TO PREPARE FOR CONSTRUCTION, AND OPERATE THE BAYFRONT CANAL AND ATHERTON CHANNEL FLOOD PROTECTION AND ECOSYSTEM RESTORATION PROJECT WITH ANY ADDITIONS, CLARIFICATIONS AND OTHER CHANGES AS THE COUNTY MANAGER, OR COUNTY MANAGER'S DESIGNEE, DEEMS NECESSARY OR ADVISABLE AFTER CONSULTATION WITH COUNTY COUNSEL**

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

**WHEREAS**, this Board did, on February 23, 2016, accept the report "Improving Flood Control in San Mateo County's Areas of Responsibilities" and adopt Resolution No. 074363, which authorized funding to address flooding in County unincorporated areas, as recommended by the report; and

**WHEREAS**, the report included the Bayfront Canal and Atherton Channel Flood Management and Restoration Project, now referred to as the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration Project (Project), as an anticipated project related to flood protection that would be evaluated, studied, permitted, and designed by the County's Enhanced Flood Control Program; and

**WHEREAS**, stormwater runoff from the Cities of Redwood City and Menlo Park, and the Towns of Atherton and Woodside, and the County unincorporated areas contribute to the Bayfront Canal and Atherton Channel before the Bayfront Canal drains into Flood Slough and the Bay adjacent to Bayfront Bedwell Park; and

**WHEREAS**, flooding from the Bayfront Canal and Atherton Channel affect the Cities of Redwood City and Menlo Park and the County unincorporated areas; and

**WHEREAS**, this Board did on December 5, 2017, execute Resolution No. 075517, which authorized a Memorandum of Understanding amongst the City of Redwood City, City of Menlo Park, Town of Atherton, and the County on the Bayfront Canal and Atherton Channel Flood Management and Restoration Project to complete the planning, design, and environmental permitting process in an amount not to exceed \$1,000,000; 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 (District), changed the governing structure to an independent Board of Directors, and expanded its project areas of work and powers to include addressing and protecting against the impacts of sea level rise. AB 825 took effect on January 1, 2020 and the District became the agency responsible for the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration Project (Project); and

**WHEREAS**, additional work is necessary to complete the final environmental compliance, construction permitting, land acquisition, and final design and construction documents; and

**WHEREAS**, the Memorandum of Understanding among the San Mateo County Flood and Sea Level Rise Resiliency District, City of Redwood City, City of Menlo Park, Town of Atherton, and County of San Mateo to Prepare for Construction, and Operate the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration Project (MOU) includes the remaining work to commence construction of the Project, construction, operations and maintenance of the Project for five (5) years post-construction, mitigation activities required by the environmental permits for five (5) years post-construction, and is for a term of five (5) years post-construction or December 31, 2026; and

**WHEREAS**, the Project construction is estimated to cost \$8,590,000; and

**WHEREAS**, the MOU includes maximum contributions for construction from the Parties in the amount of \$7,455,000 with the County's maximum contribution amount of \$2,294,000 (30.77%); and

**WHEREAS**, the City of Redwood City has received a \$1,135,000 grant from the California Department of Water Resources to fund construction a portion of the Project; and

**WHEREAS**, the MOU has been or will be executed by the Town of Atherton, the City of Menlo Park, the City of Redwood City, and the District.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** as

follows:

- 1) The President of the Board of Supervisors to execute a Memorandum of Understanding among the San Mateo County Flood and Sea Level Rise Resiliency District, City of Redwood City, City of Menlo Park, Town of Atherton, and County of San Mateo to Prepare for Construction, and Operate the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration Project for up to \$7,455,000.
  
- 2) The County Manager, or County Manager's designee, to execute the Memorandum of Understanding among the San Mateo County Flood and Sea Level Rise Resiliency District, City of Redwood City, City of Menlo Park, Town of Atherton, and County of San Mateo to Prepare for Construction, and Operate the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration Project with any additions, clarifications and other changes as the County Manager, or County Manager's designee, deems necessary or advisable after consultation with County Counsel.

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