



County of San Mateo

Inter-Departmental Correspondence

Department: PUBLIC WORKS

File #: 23-753

Board Meeting Date: 9/12/2023

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Ann M. Stillman, Director of Public Works

Subject: Agreement between the San Mateo County Flood and Sea Level Rise Resiliency District and the County of San Mateo

RECOMMENDATION:

Adopt a resolution authorizing the Director of Public Works to execute an agreement between the County of San Mateo and the San Mateo County Flood and Sea Level Rise Resiliency District (District) to provide engineering and administrative services for the continuation of operations and maintenance of the flood control sub-zones and to support the District's long-term operations, for a term of October 1, 2023 to June 30, 2024 in an amount not to exceed \$4,870,000, with an option to extend through June 30, 2025, upon mutual consent.

BACKGROUND:

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." AB 825 took effect on January 1, 2020. All assets, liabilities, obligations, and benefits held by the former San Mateo County Flood Control District were assumed by the District as of this date. This includes, but is not limited to, land assets, vendor contracts, grants, bond debt, property tax revenues, other flood control zone revenues, and fund balances.

On December 10, 2019, this Board adopted Resolution No. 077113 authorizing the execution of a Master Agreement with the 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. The Resolution also authorized the Director of Public Works, designee, or assignee 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.

On July 1, 2021, the County and District entered into Amendment No. 1 of the Master Agreement, which exercised the option to extend the term of providing services to the District for communication and community outreach by the County's Office of Sustainability to June 30, 2022.

On July 1, 2022, the County and District entered into Amendment No. 2 of the Master Agreement, which extended the term to June 30, 2023.

On July 1, 2023, the County and District entered into Amendment No. 3 of the Master Agreement, which extended the term to September 30, 2023.

DISCUSSION:

To facilitate the continued operation and maintenance of the District flood control sub-zones while the District continues to transition to a fully functioning independent agency with additional staff and funding, the County Department of Public Works (Department) can leverage the Department's staffing resources, vendor contracts, and subject-area expertise to support the District. As set forth in Exhibit A of the new agreement, services provided will be on a time and materials basis and include engineering services for the management and operations of the sub-zones and flood-related projects and administrative support. Similar to the previous Master Agreement, the new agreement includes a mutual indemnity/hold harmless provision covering services performed by the Department.

County Attorney has reviewed and approved the Resolution and Agreement as to form.

FISCAL IMPACT:

Approval of this resolution authorizes execution of a new agreement between the County of San Mateo and the San Mateo County Flood and Sea Level Rise Resiliency District, in an amount up to \$4,870,000, for the period of October 1, 2023 to June 30, 2024, with an option to extend to June 30, 2025 upon mutual consent.

There is no impact to the General Fund.