



County of San Mateo

Inter-Departmental Correspondence

Department: PUBLIC WORKS

File #: 19-063

Board Meeting Date: 1/29/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: James C. Porter, Director of Public Works
Subject: San Mateo County Flood and Sea Level Rise Resiliency Agency proposal

RECOMMENDATION:

Adopt a resolution in support of the proposal for the new San Mateo County Flood and Sea Level Rise Resiliency Agency.

BACKGROUND:

In December 2013, Congresswoman Jackie Speier, Assembly member Rich Gordon, and County Supervisor Dave Pine convened a conference titled "Meeting the Challenge of Sea Level Rise in San Mateo County." The conference initiated the County's efforts to plan for sea level rise, including the County's launch of its "Sea Change SMC" initiative in 2015 and commencement of a countywide sea level rise vulnerability assessment.

In December 2015, the City/County Association of Governments (C/CAG) convened an ad-hoc Water Committee to discuss opportunities for better countywide coordination, communication, and collaboration on integrated water issues that would improve efficiency and maximize funding opportunities, including state and federal grants. The ad-hoc Water Committee met throughout 2016 and explored options for a comprehensive approach to water management. Their meetings included presentations by numerous agencies that are responsible for integrated water management outside of San Mateo County. The ad-hoc Water Committee recommended that C/CAG establish a standing committee as a first step toward increasing the levels of countywide collaboration and decision-making with specific focus on regional stormwater management, tidal and fluvial flooding issues, and future sea level rise.

On February 23, 2016, your Board approved the report entitled "Improving Flood Control in San Mateo County's Areas of Responsibilities" (Report) and approved Resolution No. 074363 for an Appropriation Transfer Request to begin implementation of the Report recommendations. This included funding totaling \$6.2 million from the General Fund over a three-year period to establish a program to address flood risks in the County's areas of responsibility as outlined in the Report.

In May 2017, C/CAG's Countywide Water Coordination Committee (Committee) was established,

which consisted of seven city elected officials and Supervisor Dave Pine.

On March 30, 2018, a water summit entitled “Floods, Droughts, Rising Seas, Oh My!”, attended by over 300 people, closed with a video address by Congresswoman Speier urging San Mateo County and the 20 cities and towns to create a joint flood control agency to better compete for state and federal funds to address sea level rise and other flood control projects.

In April 2018, the Committee decided to develop a proposal by the end of 2018 to establish a new water management agency that could be considered by the C/CAG Board of Directors and your Board. To achieve this goal, the Committee convened a Staff Advisory Team (SAT) comprised of 18 staff level representatives from C/CAG, the County, cities, and other water-related or interested agencies to help develop the draft proposal. The process has been a partnership between C/CAG and the County of San Mateo.

The SAT met eight times and focused on evaluating options for a new entity, including reviewing different governance structures, the potential scope of work of the new entity, obtaining feedback from the cities on their needs related to a countywide integrated water agency, and regularly informing and receiving feedback from the Committee. The SAT, in coordination with the Committee, developed an overall roadmap for the process to create a new agency as described in the “Flood and Sea Level Rise Resiliency Agency Proposal” (Proposal), dated December 21, 2018.

DISCUSSION:

The Proposal focuses on modifying the existing San Mateo County Flood Control District (District) to enable additional water related activities and jurisdictional areas. The District, which is currently governed by your Board and utilizes County staff for its functions, has been in place since its creation via special State legislation in 1959.

The Proposal recommends revising (through special legislation) the 1959 San Mateo Flood Control District Act (Act) to change the governance from the Board of Supervisors to a seven-member board consisting of five city and two Board members, one of which will be from District 3, which could go into effect as early as July 1, 2019. The revisions to the Act would also enhance authorities related to sea level rise and coastal erosion, clarify funding/financing authorities to reflect current state regulations/constitutional restrictions, and change the name of the District to the Flood and Sea Level Rise Resiliency Agency (Agency). The Agency’s mission and role would be to address sea level rise, flooding, coastal erosion, and large-scale stormwater infrastructure improvements through integrated regional planning, design, permitting, project implementation, and long-term operations and maintenance to create a resilient “one shoreline” approach in San Mateo County by 2100.

The Executive Summary to the Proposal and the Proposal, which are included as Attachments 1 and 2 respectively, proposes \$1.5 million in annual funding contributions for the Agency operations for a three-year period. The County would pay \$750,000 and the 20 cities and towns collectively would pay \$750,000 per year for three years. Annual city/town contributions are proposed to fall into three population-based tiers, with seven small size cities/towns paying \$25,000, nine medium size cities paying \$40,000, and four large size cities paying \$55,000. A table listing each agency’s proposed annual contributions is included in Attachment 1.

The County’s \$750,000 contribution is comprised of two components. The first \$350,000 in funding is to support Agency operations and the remaining \$400,000 is to support the continued efforts of the existing Flood Resilience Program under which the County is leading efforts with seven cities under three memoranda of understanding to address multi-jurisdictional flooding problems in three different

watersheds.

In the event a long-term funding structure for the Agency is not in place within this three-year period, the annual funding contributions of the County and the cities are proposed to be extended for up to two additional years provided that (1) the Agency is demonstrating sufficient progress toward meeting its objectives, and (2) the cities and the County agree to continue their respective funding contributions.

During this three-year period, the Agency's activities would fall into two categories: continuing existing efforts and implementing new startup services. For the first activity, the Agency would continue implementing the District's zone-based flood control activities (proposed initially through contracting with the County's Department of Public Works) and maintain the Flood Resilience Program. For the new startup services, the Agency would develop an Integrated Flood and Sea Level Rise Investment Plan and, perhaps most importantly, work to secure long-term sustainable revenue to support the Agency. Sustainable revenue options may include: an Enhanced Infrastructure Financing District, a Geological Hazard Abatement District, or targeted special tax. Any of these structures are anticipated to require significant community and stakeholder engagement and outreach.

The Proposal provides that the new governing board of the Agency will hire an Executive Director and most likely the two County staff currently working on the Flood Resiliency Program. Additional staff and consultants would be hired by the Agency, as needed, to achieve its goals during the three-year startup period and beyond.

The Proposal was endorsed by the C/CAG Board of Directors on January 10, 2019. Following your Board's consideration of this Item, the Proposal will be presented to all 20 city and town councils for their endorsement and commitment of funding. The Department will be returning to your Board in mid-2019 to outline details of modifying the District and the mechanics of separating the District from the County.

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

Approval of this Resolution will contribute to the Shared Vision 2025 outcome of a Collaborative Community by working on a multi-jurisdictional approach to addressing sea level rise, flooding, coastal erosion, and large-scale stormwater infrastructure improvements that benefit communities within the County.

FISCAL IMPACT:

Funding by the County for the first three years, for the start-up of the Agency totals \$2,250,000 or \$750,000 per fiscal year. Funding for the three-year contribution is available in the Department's Flood Resiliency Program budget. A portion of this contribution, \$350,000 will supplement the cities/towns' annual contribution of \$750,000. The remaining \$400,000 of the County contribution would be used to continue its current Flood Resilience Program. The annual funds (property tax revenue) collected by the District will remain unchanged and will continue to be used entirely within the three existing active flood zones (Colma Creek, San Bruno Creek, and San Francisquito Creek).

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two additional years provided that (1) the Agency is demonstrating sufficient progress toward meeting its objectives, and (2) the cities and the County agree to continue their respective funding contributions. Additional County funding would need to be identified at that time and authorized by your Board.

There is no additional impact to the General Fund for the three-year contribution.

Attachments:

- A. Flood and Sea Level Rise Agency Executive Summary of Proposal
- B. Flood and Sea Level Rise Agency Proposal