Proposal

Flood and Sea Level Rise Resiliency Agency Proposal

DECEMBER 21, 2018

COUNTY OF SAN MATEO
FOUNDED 1856

C/CAG
City/County Association of Governments
of San Mateo County

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1. Introduction

Sea level rise (SLR) is one of the most serious consequences of climate change and it will have a significant effect on San Mateo County, which has more people and property value at risk from the rising sea than any other county in the state. The San Mateo County Sea Level Rise Vulnerability Assessment completed in March 2018 found that in the event of a mid-level 2100 sea level rise scenario, property with an assessed value of $34 billion would be flooded on the Bayshore and on the Coastside north of Half Moon Bay. In addition, the Vulnerability Assessment found that $932 million in assessed property value could be at risk from erosion on the Coastside north of Half Moon Bay.

Congresswoman Jackie Speier identified the need for a countywide agency to address the challenges of flooding, sea level rise and coastal erosion at the "Floods, Droughts, Rising Seas, Oh My!" water summit convened by the County and the City/County Association of Governments (C/CAG) in March 2018. A countywide agency would: allow San Mateo County and its cities to coordinate across jurisdictional lines; avoid duplication of efforts and build expertise; and create a unified voice that would far better position the County and its cities to obtain state and federal funds for addressing flooding, SLR and coastal erosion.

Several efforts to address flooding, sea level rise and coastal erosion in San Mateo County are already underway. Since 1959, the San Mateo County Flood Control District (FCD) has addressed flooding issues in three county flood zones with an annual budget of $3.8 million. The County's Flood Resilience Program was started in 2016 with the mission to address cross-jurisdictional flood risks. The Flood Resilience Program is currently leading project development in seven cities pursuant to three Memoranda of Understanding (MOU): Bayfront Canal (Redwood City, Atherton, Menlo Park, Unincorporated SMC); Belmont Creek (Belmont, San Carlos, Unincorporated SMC); and Navigable Slough (South San Francisco, San Bruno, Unincorporated SMC). The County's Office of Sustainability has several planning initiatives related to sea level rise and climate change more broadly, including the Sea Change San Mateo County initiative. Several cities have pursued their own flood and sea level rise protection projects, particularly the cities of San Mateo and Foster City. C/CAG is helping cities and the County identify and fund regional stormwater management infrastructure that will improve water quality and mitigate downstream flood risk. However, as identified by the 2014 Grand Jury Report, "Flooding Ahead: Planning for Sea Level Rise," the County and its 20 cities need a coordinated approach to effectively address flooding, SLR and coastal erosion across the County as a whole.

In April of 2018, C/CAG's Countywide Water Coordination Committee, which consists of eight elected officials from across the County, formed an 18-person Staff Advisory Team (SAT) consisting of city, County, and other agency staff to develop a proposal to form an agency to address SLR, flooding, coastal erosion, and regional stormwater infrastructure on a countywide basis. The SAT completed an intensive six-month engagement and collaboration process (Phase 1), resulting in the creation of this Agency Proposal. The C/CAG Water Coordination Committee has reviewed the Agency Proposal and recommends that it be endorsed by the C/CAG Board of Directors and the San Mateo County Board of Supervisors. After analyzing different governance approaches and agency models, the Water Coordination Committee's recommendation is to modify the FCD by legislation to expand its scope, restructure its governance, and rename it the Flood and Sea Level Rise Resiliency Agency (Agency).

The discussion below outlines the Agency Proposal which reflects the identified needs and priorities of the 20 cities and the County. Supporting materials are provided in **Appendix A**.

Figure 1 summarizes the process to date and anticipated process for review and potential endorsement of the Agency Proposal by C/CAG, the County Board of Supervisors, and the 20 cities..

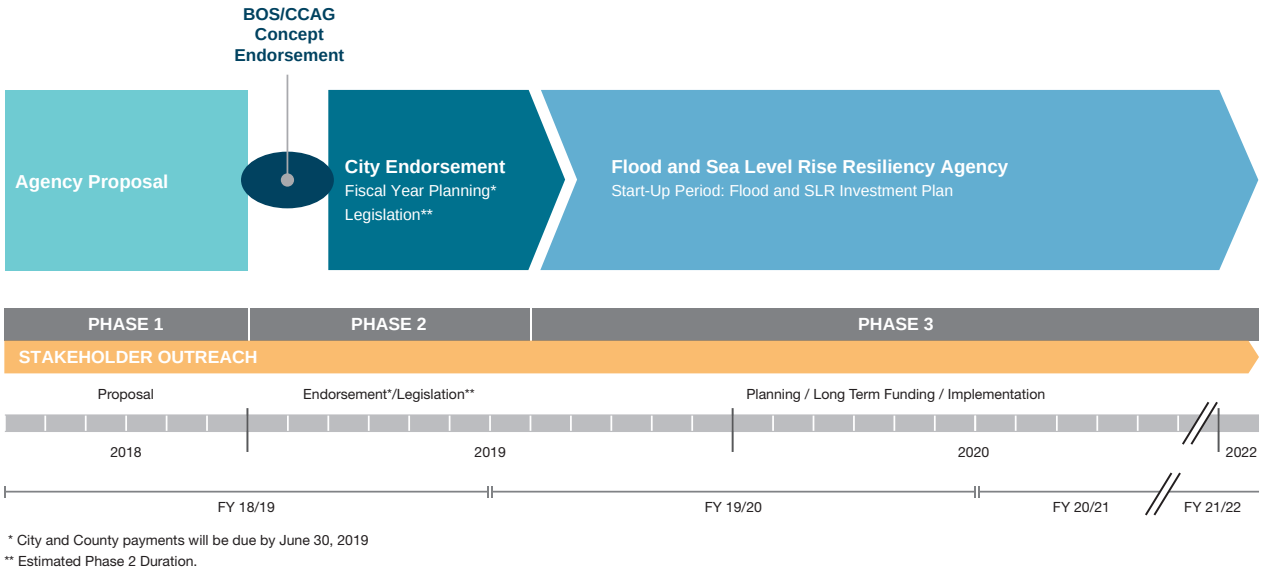


Figure 1. Anticipated Agency Proposal Review Process

2. Agency Mission & Role

The Agency's mission 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" San Mateo County by 2100. The Agency will work with stakeholders to plan, implement, and maintain multi-jurisdictional projects that mitigate risks from SLR, flooding, and coastal erosion and enhance public benefits such as water quality, habitat, restoration, and recreation.

Rather than create a new agency, the existing FCD would be modified to create the Agency. The FCD would need to be modified through passage of legislation which could be completed as early as June 2019. The cities (on a population-scaled basis) and the County would contribute funding to support the Agency for a three-year period beginning on July 1, 2019 (Startup Period). The Flood Resiliency Program would continue to be funded by the County and the existing FCD would utilize its existing property tax revenue to advance its projects.

During this Startup Period, the Agency would do the following:

- **Develop an Integrated Flood and Sea Level Rise Resiliency Investment Plan (Flood and SLR Plan).** The Agency would develop an Integrated Flood and Sea Level Rise Resiliency Investment Plan for the Bayshore and the Coastside to address short-term (2050) and long-term (2100) SLR, flooding, and coastal erosion. The plan would be a living document that provides a mechanism for regional prioritization of projects and would recommend funding and financing options for long-term implementation.

- **Secure Long-Term Funding.** During the Startup Period the Agency would pursue a stable long-term funding structure to fund its operations, such as an Enhanced Infrastructure Financing District, a Geologic Hazard Abatement District, or a targeted special tax. This would require community and stakeholder engagement and outreach on the need for long-term resiliency and any potential revenue measure.

- **Continue Implementation of Flood Resiliency Program Projects.** The Agency would implement existing and new projects in collaboration with individual cities or groups of cities pursuant to MOUs, creating multi-jurisdictional solutions.

- **Existing Flood Control Zone Services:** The Agency would continue oversight, management, and execution of projects in the three existing Flood Control Zones. This work would be contracted back to the County during some or all of the Startup Period.

- **Leverage State and Federal Funding.** By prioritizing and coordinating projects countywide, the agency would position the County to seek substantial state and federal funding.

3. Organization Type and Governance

Consistent with the current FCD, the Agency would be a Countywide Special District and would have all the necessary legal authority to carry out its mission and secure funding. As part of the legislation needed to create the Agency, governance would be shifted from the Board of Supervisors to a governing board made up of seven members consisting of two members from the Board of Supervisors (one of whom would be the Supervisor representing District 3, which covers most of the coast) and five city council members. Four of the city council members would represent specific geographic areas (North, Central, South, and Coastal), and one council member would represent the cities at large. The candidates for the five city council member positions on the Agency's Board would apply to, and be appointed by, the C/CAG Board.

The existing Colma Creek Flood Control Advisory Committee that is made up of elected officials and citizens would be retained for oversight and continuity on the Colma Creek watershed projects that are currently the responsibility of the FCD. In addition, an Advisory/Technical Committee would be formed to advise the governing board of the Agency.

It is anticipated that all the cities and the County will participate in the Agency. There is critical work to be performed by the Agency to address sea level rise, flooding, coastal erosion, and large-scale stormwater infrastructure improvements that benefit all cities within the county, all of which are within the existing FCD's jurisdiction.

4. Agency Funding

Identifying and securing reliable on-going funding will be the top priority for the agency and is essential for its long-term viability. Funding for the first three years of the Agency's services would be provided through three sources:

- Existing FCD revenue within the existing flood zones from pre-Prop 13 property tax allocations
- County contribution
- Cities' contributions

Financial Benefit of Acting Now to Create a Resilient Shoreline

Each $1 spent on mitigation saves an average of $6 in future disaster costs.

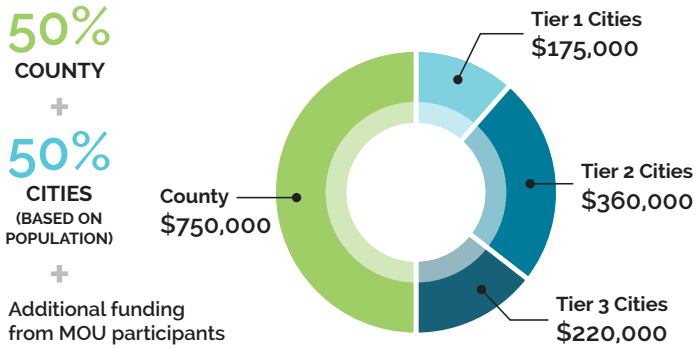
Natural Hazard Mitigation Saves: 2017 Interim Report, www.nibs.org/page/mitigationsaves

SERVICES	ESTIMATED FUNDING AMOUNT (PER YEAR)	FUNDING SOURCE	ENTITY PARTICIPANTS
Agency Startup Services*	• $1.1 million	• SMC pays $350k • 20 cities pay $750k	• All 21 entities
MOU Services	• $400k + potential new MOU funding	• $400k from SMC • $TBD – depending on specific project needs	• Participating cities and the County
Flood Control District Services • Countywide Stormwater Fees Collection	• $3.8 million • $1.5 million	• Per existing Flood Control District (Pre-Proposition 13 property tax revenue) • Existing FCD (Countywide fees on tax roll on behalf of C/CAG)	• Existing Active Flood Control District Flood Zones • C/CAG

**Agency startup services include developing an Integrated Flood and Sea Level Rise Resiliency Investment Plan and securing long-term funding for the Agency.*

Table 1. Agency Description of Roles & Responsibilities by Funding Level.

The annual funding contribution by the County and by cites (allocated by population) would be as follows:



CITY BREAK-DOWN
(BASED ON POPULATION)

TIER	POPULATION	COST PER CITY	# OF CITIES
1	0 - 20,000	$25,000	7
2	20,001 - 60,000	$40,000	9
3	60,001 +	$55,000	4

Figure 2. 50/50 Cost-Share Based on Population.

Cities participating in existing or future MOU Projects will also contribute to the funding of their respective projects. This may be through in-kind staffing services if the city is the project lead, the city's local share for grant matching funds, or direct financial contributions towards consultant or construction costs.

A primary objective of the agency in the first 3 years, will be to design an Investment Plan in order to establish a source of sustainable funding. The County and the City would make their annual financial contributions for three years following the Agency's formation. During this three year time period the Agency would pursue an alternative and more sustainable long term funding structure such as an Enhanced Infrastructure Financing District, a Geologic Hazard Abatement District, or a targeted special tax. This would require community and stakeholder engagement and outreach. In the event a long term funding structure is not in place within this three year period, the annual funding contributions of the County and the Cities will be extended for up to an additional two 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.

The Agency would continue to collect the committed property tax revenue for the FCD. However, this property tax revenue will continue to be restricted to only fund projects within the designated Flood Zones where the revenue is generated. The FCD currently collects approximately $3.8 million annually in pre-Proposition 13 property tax revenue from three flood zones. Most of the revenue is generated and spent in the Colma Creek Flood Zone. In addition, the Agency would continue to annually impose, collect, and direct to C/CAG two countywide property-related fees on the tax rolls that fund the Countywide Water Pollution Prevention Program. These fees generate approximately $1.5 million per year for the C/CAG program and are restricted to efforts by C/CAG to support the County and the cities in complying with State requirements to address water quality issues associated with stormwater runoff.

5. Initial Staffing

The governing board of the Agency will hire an Executive Director who will be charged with managing the Agency. In addition, the two County staff members now working on cross-jurisdictional flood risks under the three existing MOUs would join the Agency. The Agency would hire additional staff members and also utilize consultant services as appropriate.

During most or all of the initial three year Startup Period, the agency would enter into an agreement with San Mateo County to manage and operate the FCD. At such time as the Agency has hired its own staff and/or consultants with the expertise to handle this function, the agreement with the County would terminate.

The Agency will obtain an accounting system such as Cost Accounting Management System (CAMS) to allocate staff time based on actual time spent (documented on employee timecards) to the various functions or projects they are working on. This will ensure that both direct and indirect (overhead) costs are tracked and charged to the appropriate areas (i.e., MOU projects, FCD functions, or Agency startup services) based upon the actual amount of time spent in each area and avoid subsidizing one functional area with funds derived from another. For example, the Executive Director may spend 20 hours of his or her time on FCD matters, 10 hours on MOU projects, and 10 hours on Agency startup services in a given week. For cost recovery purposes CAMS would then allocate his/her staff time charges as follows: 50% to the FCD, 25% to the MOU projects, and 25% to Agency startup services.

6. Preliminary Work Plan

A preliminary work plan for the Agency during the initial three-year Startup Period is described in Table 2 below. This plan would be refined, and modified as appropriate, by the governing board and Executive Director after the Agency is created.

	YEAR 1	YEAR 2	YEAR 3
Agency Startup Services	• Begin work on the Flood and SLR Plan • Release RFP and select consultant teams that will support Agency staff	• Complete work on the Flood and SLR Plan • Seek state/federal funds as appropriate • Explore possible long-term sustainable revenue sources • Recruit additional staff	• Pursue a long-term sustainable revenue source, including a public engagement program
MOU Services	• Develop implementation plan and preliminary designs for the Navigable Slough Feasibility Study projects • Develop preliminary design and an implementation plan for the Belmont Creek Flood Management Plan projects • Develop conceptual designs for the Bayfront Canal/ Atherton Channel Flood Management Plan projects	• Launch CEQA and/or environmental engineering planning process for MOU projects. • Pursue potential new projects under new MOUs	• Begin implementing MOU projects

Table 2. Work Plan Year 1 to 3.

Appendix A. Supporting Graphics

- Figure A1. Functions Matrix
- Figure A2. Collaboration Opportunities and Benefits
- Flood Resiliency Program Factsheet

Flood and Sea Level Rise Resiliency Agency | Functions Matrix								
	Function / Responsibility as it Relates to Flooding, Sea Level Rise, Erosion, and Regional Stormwater	**County**		**C/CAG**		**Cities**		**FSLRRA**
		Current	Future	Current	Future	Current	Future	Future
Advocacy and Outreach on stormwater, flooding, erosion and Sea Level Rise	Public outreach and education	◐	◐	◐	◐	◕	◕	◐
	Agency outreach and education	◐	◐	◐	◐	○	○	●
	Legislative advocacy	◕	◕	○	○	○	○	●
Planning, Design, Permitting, Construction, and Technical Assistance on stormwater, flooding, erosion and Sea Level Rise projects	Project planning and design	◐	◐	◕	◕	◐	◐	●
	Permitting and construction	◐	◐	○	○	◐	◐	●
	Technical assistance to local agencies on PDPC and related issues (FEMA, NFIP, etc.)	◐	◐	○	○	◐	◐	●
Cross-Jurisdictional Coordination on stormwater, flooding, erosion and Sea Level Rise	Integrated planning	◐	◐	◐	◐	○	○	●
	General plan/policy development	◐	◐	○	○	●	●	◕
	Regional Stormwater	○	○	◐	◐	○	○	●
Funding for stormwater, flooding, erosion and Sea Level Rise	Grant applications	◐	◐	◕	◕	○	○	●
	Pursuing countywide revenue streams	○	○	◕	◕	○	○	●
	Distributing funding for planning and project construction	◐	○	◕	◕	○	○	●

● Primary ◐ Secondary ◕ Support ○ Not Involved

Note: This matrix is currently in draft form and is subject to change due to agency feedback.

Figure A1. Functions Matrix

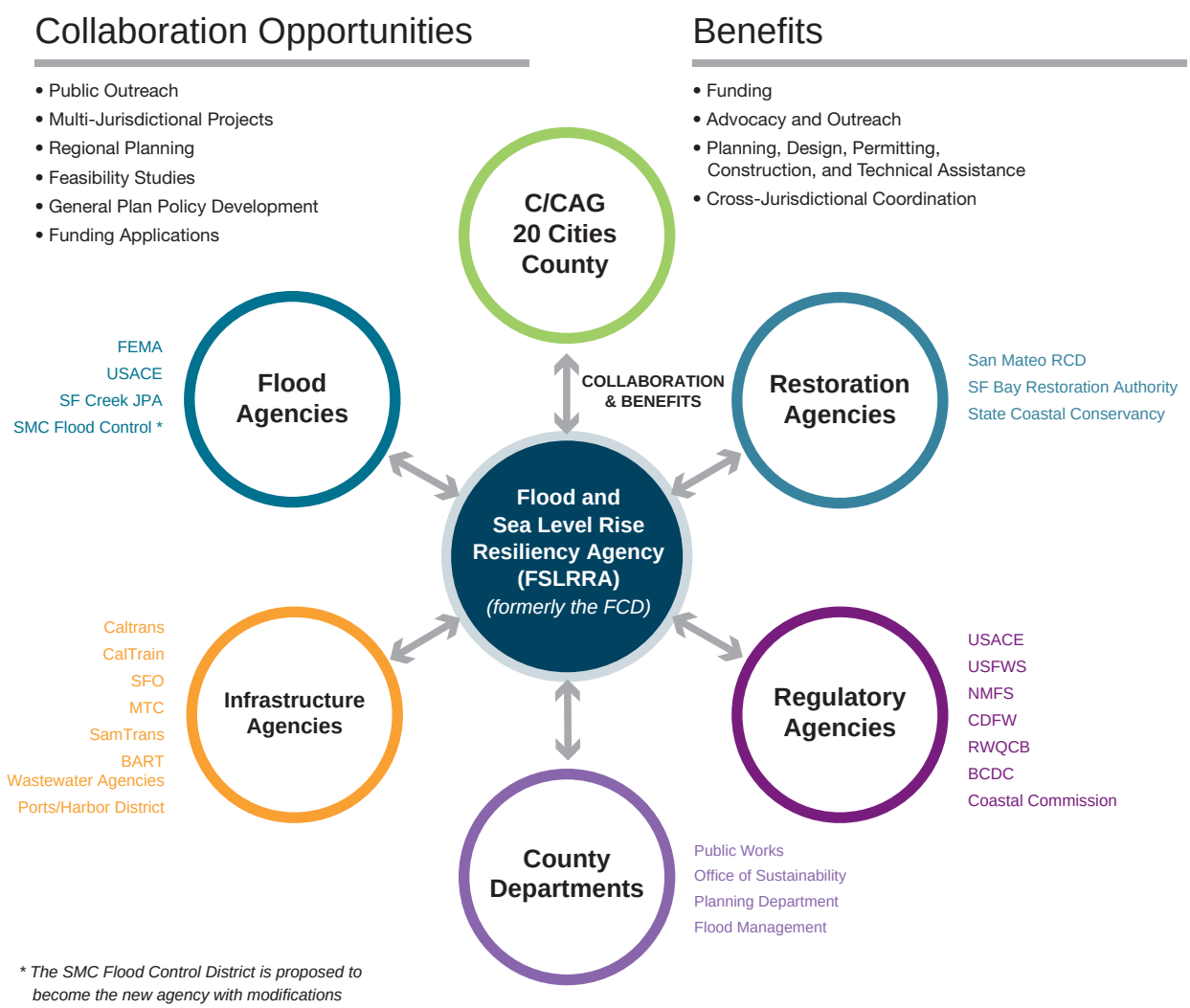


Figure A2. Collaboration Opportunities and Benefits

San Mateo County Flood Resilience Program

Building Resilience One Watershed at a Time

The Flood Resilience Program was established in 2016 by the San Mateo County Board of Supervisors, and is managed within San Mateo County Public Works. With a staff of two, the program has already achieved impressive results.

- **Trust.** Three Memorandums of Understanding (MOUs) were signed with 7 cities to share funding and collaborate on flooding solutions.
- **Leadership.** The Program leads partner agencies in a collaborative process to solve flooding issues, guiding tasks such as selecting consultant teams and coordinating with regional, state and federal agencies.
- **Results.** Several projects, many of which were under discussion for decades, are now being implemented. With 14 applications for grants worth nearly $18 million and over $75 million invested in multi-benefit flood risk management measures, the program is generating results.

Addressing flooding in San Mateo County has never been more complex or urgent.

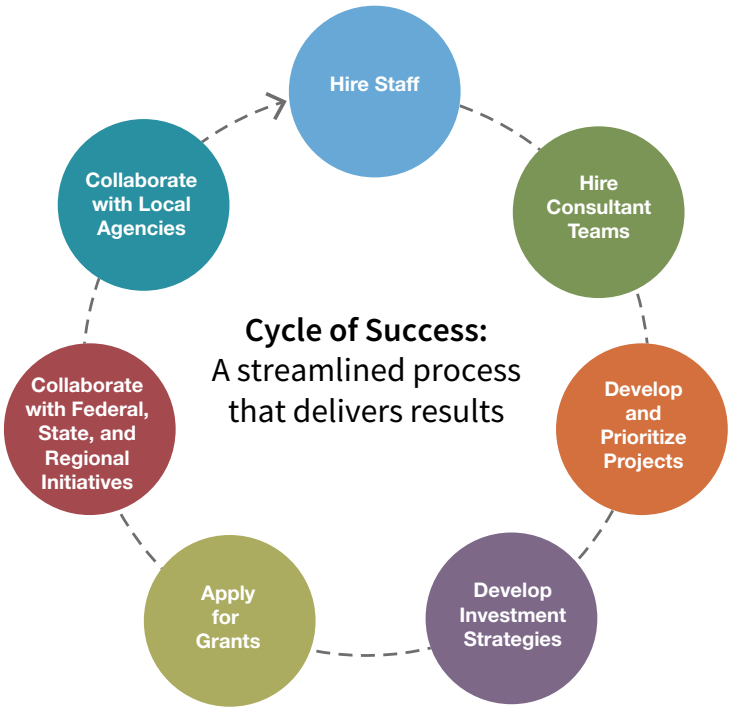
Floods cross multiple jurisdictions, making it difficult to determine who is responsible. Local government budgets are already strapped thin. New requirements to protect ecosystems and consider future conditions make project implementation expensive and highly specialized. The Flood Resilience Program strategically addresses flooding by bringing together affected parties to catalyze solutions.

By working together to build resilience through collaboration, the Flood Resilience Program turns shared risks into shared benefits throughout our watersheds.

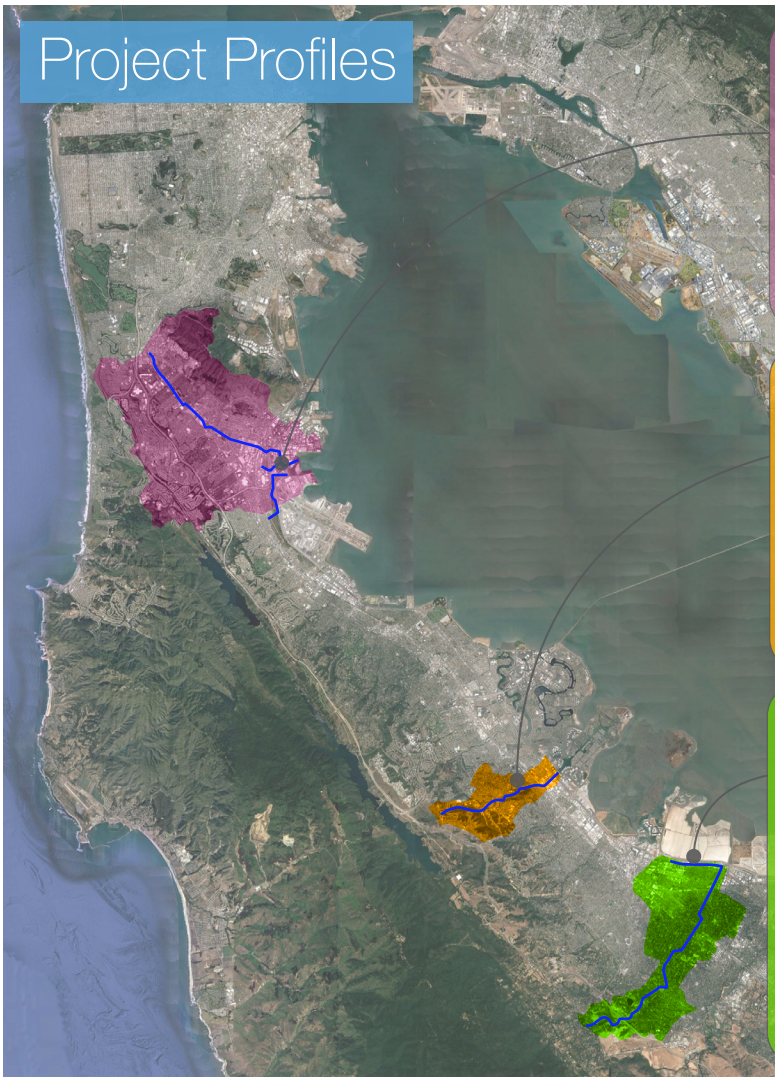
Program Benefits

The Program:

- Creates a platform for efficient collaboration
- Navigates complex federal and state permitting landscape through understanding of agency expectations
- Finds new funding opportunities
- Solves multi-jurisdictional problems with multi-benefit solutions
- Turns adversaries into advocates



Project Profiles



Navigable Slough

Feasibility Study

Navigable Slough is nestled between San Bruno Creek and Colma Creek and is the focus of a recently challenged Flood Insurance Rate Map. The project develops a regional watershed management plan and begins to explore adaptive management solutions. This project brings together the Cities of San Bruno and South San Francisco and leverages existing studies, technical data, and other stakeholder flood resilience efforts to identify near-term solutions for flood mitigation and Sea Level Rise.

Belmont Creek

Flood Management Plan

The Program collaborated with the Cities of Belmont and San Carlos to enter an MOU to address chronic flooding in multi-jurisdictional areas. The Collaboration between the agencies has resulted in a multi-beneficial Flood Management Plan that includes upstream detention, erosion management, flood risk management for larger storms, and a potential for public-private partnerships. The Program, as lead for the Collaborative, has pursued $3.4 million in planning and construction grants for the project.

The Bayfront Canal & Atherton Channel

Flood Management and Habitat Restoration Project

The project is a collaboration between the Cities of Redwood City, Town of Atherton, and Menlo Park. The cities entered a $1 million MOU to provide regional flood risk management. The Program has built public-private partnerships, has pooled resources with Redwood City to use its $1.2 million Prop. 84 grant, and has applied for $14.9 million worth of construction funding. The project will improve water quality and mitigate flooding for five disadvantaged communities.

Appendix B.
Frequently Asked Questions

Flood and Sea Level Rise Resiliency Agency
Frequently Asked Questions

Background and Need

1. **Why is this agency needed?**
   Flooding and erosion are immediate and long-term risks to San Mateo County and its residents. It is estimated that by 2100, over 40% of the County lands, including property with an assessed value of $34 billion, could be adversely affected by flooding and erosional processes related to sea level rise (SLR) and climate change[1]. By forming or modifying an agency, San Mateo County and its cities would create a unified voice and leverage their combined power to take advantage of existing federal and state money to address coastal and flood issues.

2. **Why is the agency needed now?**
   A proactive approach is much better than a reactive approach – every $1 spent on mitigation saves an average of $6 in future disaster costs[2]. By providing an integrated response, San Mateo County may be able to reduce exposure to future SLR and associated future costs, position the County for available state and federal funding programs, and improve coordination among jurisdictions that are grappling with these issues.

3. **Why a new agency at all?**
   The issues related to flooding and erosion associated with SLR are enormous, and are beyond the capabilities of a single agency to absorb the responsibility for response and adaptation into their existing missions. SLR crosses jurisdictional boundaries. A new agency would have the following benefits:
   - Coordinate a more focused and effective response to Flood/Erosion/SLR and Regional stormwater infrastructure improvements
   - Realize economies of scale for planning, project development and implementation. Implement planning at a regional scale to bridge jurisdictional boundaries
   - Position the region for State/Federal Funding opportunities to address the issues at the appropriate scale
   - Leverage expertise among agencies to focus on implementation of large, multi-benefit projects that affect multiple jurisdictions

4. **If San Francisco protected the area with flood gates at the Golden Gate Bridge, would our sea level rise and flood control issues be resolved?**
   This solution is not technically feasible nor is it desirable from an environmental and economic perspective. Regardless, we do not have a singular voice within the County that could represent the cities and county in any discussion with San Francisco about tidal gates or other regional solutions. The proposed agency would allow the county and cities to participate more effectively in regional

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[1] SeaChange Sea Level Rise Vulnerability Assessment for San Mateo County, https://seachangesmc.org/vulnerability-assessment/

[2] Natural Hazard Mitigation Saves: 2017 Interim Report, www.nibs.org/page/mitigationsaves

solutions. If a regional solution is found and agreement reached, our participation in the funding of the project would benefit from the proposed Flood and Sea Level Rise Resiliency Agency (Agency)[3].

5. **Shouldn't this start as a public information campaign and not an infrastructure agency? There may be a lack of resident support for flood control, shoreline protection, and sea level rise issues.**
One of the first priorities of the Agency would be to initiate a public information campaign. This campaign will be required to gain support for reliable on-going funding for the agency. However, the first step is to organize the cities and county into an entity with the authority to secure tax revenue, issue bonds, and take other actions that may be required to implement the needed projects. The Office of Sustainability (OoS) is already educating the public about the County's vulnerabilities to SLR, most notably through the SeaChange Sea Level Rise Vulnerability Assessment. The agency would take these existing planning efforts and begin implementing projects based on the assessment's recommendations.

6. **What are the mission and goals of the agency?**
The mission of the Agency would be to address current and future sea level rise, flooding, coastal erosion, and regional stormwater vulnerabilities through integrated regional planning, design, permitting, and project implementation to create a resilient San Mateo County by 2100. The Agency will work with stakeholders from all 21 jurisdictions to fund and build multi-jurisdictional projects that reduce risks from sea level rise, flooding, and coastal erosion and enhance public benefits such as habitat, restoration, and recreation.

   The Agency would develop an integrated Flood and Sea Level Rise Resiliency Implementation and Funding Plan for the Bayshore and the Coastside to address short-term (2050) and long-term (2100) sea level rise, flooding, and coastal erosion impacts.

7. **Why are cities responsible for flood control and shoreline protection?**
Almost all flood control and shoreline protection solutions have land use impacts and building code implications, which are within the purview of cities. Additionally, there is no countywide or regional agency available to either assist with or conduct the necessary funding, design, and construction of these types of projects. Zones covered by the existing San Mateo County Flood Control District (FCD) and its associated pre-Prop 13 revenue are the only areas where the County currently has flood control responsibilities.

Agency Structure and Governance

8. **What governance structures were explored for the Agency?**
A recommended governance structure is identified as part of the Agency Proposal. See response to Question 10. Several options for governance structure were considered as part of Agency proposal development, including: Joint Powers Authority (JPA) or Memorandum of Understanding (MOU) between the Cities and the County, Special District by action of the State Legislature, an Advisory Committee reporting to a Board of Directors, a department within the County of San Mateo, or a branch of an existing agency such as C/CAG. Criteria such as ease of establishment, ability to

[3] The name of the proposed agency is being discussed and could change.

leverage Federal and State Funding, and legal authority were used to select the recommended governance structure.

9. What governance options were ruled out?

- *MOUs* will be used for new projects, but they would not provide the range of functions proposed for the new agency.
- A *new special district* does not provide any advantage over a modified County FCD and could not incorporate work funded by pre-Prop 13 revenue within existing FCD. It would likely take longer to form and encounter greater political resistance in Sacramento.
- *Modifying the C/CAG JPA* would require modifications to the existing JPA, would need to include all 21 agencies in the county from the beginning and would represent a significant shift in the focus of the agency to include design, construction and maintenance of flood and sea level rise improvements.
- Using *San Mateo Public Works Department* is not a viable option. The Department currently manages the flood resiliency projects and the existing FCD. It can provide implementation of projects for a new agency. However, governance would need to remain the Board of Supervisors which would not likely be supported by some cities. It would not be feasible to modify the governance structure to include city partners.
- Forming a *new JPA* would take a significant amount of time to draft the agreement and obtain support from local agencies. It would not be as effective in developing a reliable on-going revenue stream and bonding for projects could be more complicated. Pre-Prop 13 revenue to the Flood Control District could not be transferred to JPA.

10. What is the recommended governance structure?

The Staff Advisory Team (SAT) supports modifying the existing San Mateo FCD through legislation to include flooding, SLR, coastal erosion and stormwater infrastructure in its mission. The recommended legislation to move governance from the Board of Supervisors to a City/County Board removes one of the largest drawbacks to the FCD option. The pre-Prop 13 revenue would be retained and could help fund staffing as it is related to eligible projects. MOU projects within the adapted FCD would retain local agency control of projects from which they benefit.

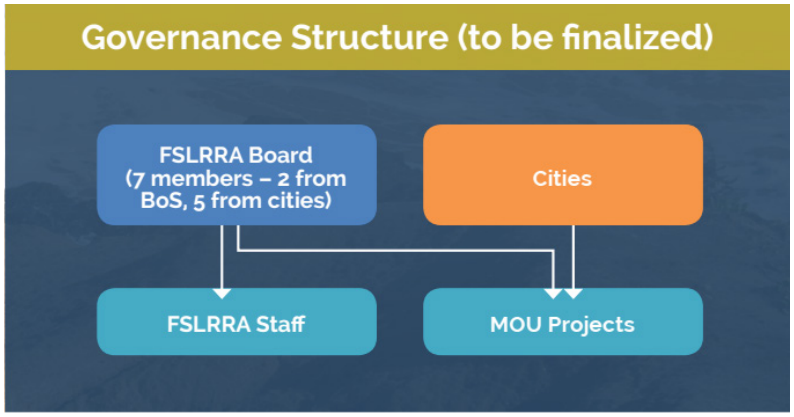


Figure 1 - Proposed Governance Structure

11. **Is this just a new County expansion scheme?**
    No, this project would not include any net new benefits for existing County staff. The Agency would be made up of mostly new staff, with the exception of two County staff members now working on cross-jurisdictional flood risks under the three existing MOUs who would join the Agency. This isn't the County's expansion scheme – it is a response to meet our long term SLR challenges.

12. **Is there a SLR/Climate Scientist hired as part of the initial team?**
    Not initially. The agency may utilize a consultant with expertise related to climate science and SLR.

13. **How will other agencies participate?**
    Through an 18-member Staff Advisory Team (SAT), a Stakeholder Outreach Program has been developed to engage agencies throughout the County. We have completed a series of six interview meetings to facilitate input into this process, followed by two meetings in November and December at which we shared progress to date in the creation of the Agency. The SAT will also engage other key collaborations in the County, including C/CAG, City/County Engineers Association, and others. See Appendix **Figure A2 – Collaboration Opportunities and Benefits** for examples of collaborations and crossover.

14. **What will be the relationship between this Agency and the County's Office of Sustainability?**
    The two agencies would work very closely together in public outreach, communications, and funding priorities on SLR. The Agency would take the lead on prioritizing and implementing projects that OoS identifies to create a resilient county by 2100.

15. **What will be the new responsibilities as related to SLR for this Agency, C/CAG, and cities/county?**
    The Agency would work with the cities to develop multi-jurisdictional MOU projects and take the lead on regional stormwater infrastructure improvements that would create multi-jurisdictional benefits. C/CAG would continue to lead and manage the stormwater regional permit. Local agencies retain local control of local or multi-agency projects with the Agency being a partner in the process. The agency would provide those services required to advance these projects. The Functions Matrix, provided in the Agency Proposal, delineates the current and future responsibilities of these entities related to SLR.

Questions Specific to Cities

16. **How will multi-jurisdictional projects that require multiple agencies participating be funded under the Agency?**
    It is anticipated that multi-jurisdictional projects would be advanced under new MOUs. It is also likely that sea level rise needs may require a county-wide response (at least in the planning and project development phases). For example, the work performed by the OOS could provide a basis upon which the Agency would identify specific projects county-wide. Likely these projects would be advanced and funded through individual MOUs between the agencies affected and benefiting.

17. **What will the overall costs be, and what will this cost cities?**
    Cities obligations would be $750,000 annually for the first three years, based on the three tiers by population, as demonstrated in the table below. The estimated total cost for the Agency's services

over the first three years would be $1.5 million dollars, which would be paid by the county (50%) and the cities (50%). Additional MOU services, and continuing FCD responsibilities, would be paid by participating cities and the existing flood zones, respectively.

Table 1. Cost Breakdown by Population.

Tiers based on Population	City Break-Down Population	# of Cities	Cost Per City
1	0-20,000	7	$25,000
2	20,001-60,000	9	$40,000
3	60,001+	4	$55,000

18. <u>What will motivate cities with existing MOU projects to participate in the Agency</u>*?*

The County has been providing the bulk of the funding for the MOU projects. This funding will expire in June 2019. This Proposal recommends that the County provide half of the Agency funding for the first three years of its operation. The Agency is designed to provide assistance and coordination for these projects and would be formally a part of the new agency. A key function that the Agency would be expected to provide is the pursuit of Regional, State, and Federal funding opportunities. The MOU projects will be expensive so their progress will depend on the success in obtaining grants. For these reasons participation by the cities with MOUs in the Agency would be mandatory to advance the projects beyond June 2019.

19. <u>What will motivate cities with NO existing MOU projects to participate in the Agency?</u>

The initial work related to flooding, SLR, erosion, and stormwater improvements would provide value to most, if not all, agencies in the county. The cost of this initial work, when spread over most agencies within the County, would be modest and should justify broad participation. Much like the other MOU projects, it would be necessary for the Agency to enter into some agreement with the participating agencies to fund this effort prior to initiating the work. In addition, it would be anticipated that other MOUs would be created. For example, the Seymour Ditch erosion problem might trigger an MOU between the County, the Agency, and Half Moon Bay.

20. <u>What will the first MOU projects be?</u>

In addition to continuing the existing MOU projects – see the Factsheet to learn about the Navigable Slough Feasibility Study, the Belmont Creek Flood Management Plan, and the Bayfront Canal & Atherton Channel Flood Management & Restoration Project – new MOU projects would be developed with cities interested in collaboration. The new agency would be the lead in developing the MOU, the scope of work, hiring the consultants, and overall management of moving the MOU projects forward.

21. <u>If a city joins the new Agency for one project do they enter for every project? Similarly, if a city has only one project, can they exit once the project is complete?</u>

As discussed above in Question 16, broader issues like multi-jurisdictional flooding, sea level rise, erosion, and stormwater improvements will warrant funding countywide. Funding for this type of broader need would be in addition to the requirements of an individual MOU. The funding for a project is defined by the MOU participants. A city would not participate in the funding of another project governed by a separate MOU.

22. **Can a city exit from the Agency once they join?**
With the desire for the agency to perform maintenance of completed projects that was expressed by cities, cities would not be allowed an ability to exit. The first three years will be critical to get the agency started and focused on a new implementation and funding plan and would require a three-year commitment.

23. **What will be requested of cities that are already paying for their own flood protection (i.e., Foster City bond measure)?**
This answer will vary depending on the specific funding mechanism. Using the benefit district concept, it is conceivable that what is paid within a jurisdiction will vary depending on the anticipated benefits. For example, if San Mateo needs to develop and fund projects to meet 2050 sea level rise conditions, the property owners might pay more than in Foster City where 2050 needs are being constructed but assistance may be needed to meet 2100 needs. These considerations will be taken into account as we devise our finance and funding strategies in 2019.

24. **What does staffing look like in the interim (between Flood Control District and New Agency) vs. long-term?**
The staffing through the County Department of Public Works would continue for the existing FCD work. Staffing would remain unchanged for the Flood Resiliency Program unless modified through changes in the existing MOUs to fund and execute an expanded scope of work. The key technical activity for the Agency will be the Implementation and Funding Plan which will be consultant-driven with the Agency providing project management. The Interim Director with consultant support will lead the other initial functions (legislation and on-going funding). A staffing plan beyond the initial 3-year period will be part of the Implementation and Funding Plan. See Section 5 of the Agency Proposal for more details.

25. **Will there be problems related to use of funds if not all cities participate?**
We have based the new agency's success on full participation by all cities in the county for the benefit of a greater, more resilient San Mateo County shoreline. The pre-Prop 13 monies that are currently received by the existing FCD will be restricted and can only be used in the flood zone from which they were collected. Bonds issued without all cities participating would also create some restricted funds. Issuance of bonds would be related to one or more specific MOU project(s) and would naturally be restricted for use on that project only.

Legislation-related Questions

26. **Are there potential risks with the legislative action required to change governance and other aspects of the existing Flood Control District*?***
Yes. This would be considered a "district bill" in the state legislature (i.e. only applicable to the district and thus of less importance to everyone else). However, it will still undergo strict scrutiny by the local government committees and the taxpayer advocates for its precedential importance. Once the idea is further refined we will contact Assemblymember Kevin Mullin and ask that the Assemblymember introduce the concept to the Assembly Local Government Committee for guidance.
27. **Will it take too long legislatively to modify the existing Flood Control District?**
The hope is that modifying an existing Flood Control District should require much less time than forming a new district. In discussion with consultants, attorneys, and legislative advocates, it is anticipated we can complete the process as soon as June 2019. In the interim, the work can proceed

in parallel to the legislation and under the direction of Board of Supervisors with the existing C/CAG Water Committee acting as an advisory board to the County. This will allow the existing projects to progress and work to begin identifying an on-going funding source. It would also permit grant applications to be submitted from a single entity.

Progress and Next Steps

28. What is the process for forming this new agency?

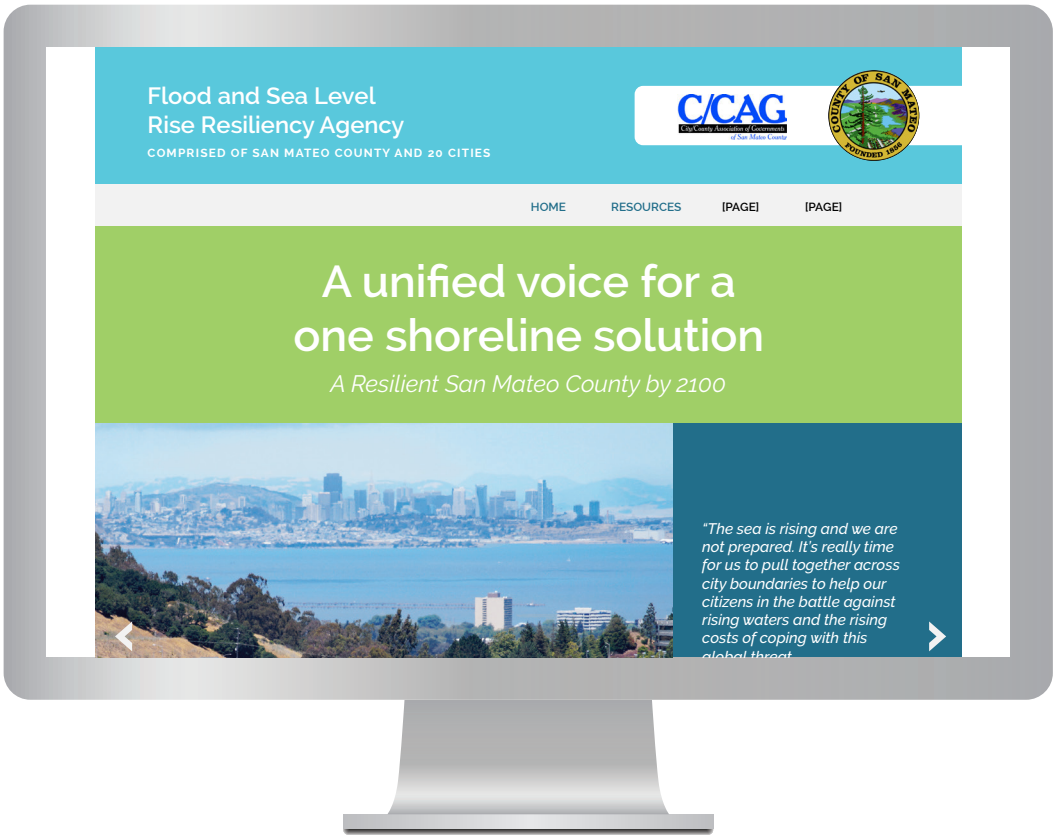
Please see Section 1 of the Proposal.

29. How will existing agencies transition into the Agency?

See Section 5 of the Proposal.

30. What is the timing for specific items, such as implementing the Flood Protection and Resiliency Implementation and Funding Plan, creating a new board, and setting up a program funding measure?

It is anticipated that by Q2 2019, we will have asked for all 20 cities and the county's full endorsement and funding of the agency. We will begin developing legislative action to modify the FCD by Quarter 1 2019 and the new agency will be effective by July 1, 2019. The Water Committee will solicit applications for new board members in Q1 2019 to be governing by July 1, 2019. The new board will hire an Executive Director by Q3 2019. We will also initiate a new Implementation and Funding Plan in Q3 2019, which will initiate the details for a funding measure.

Appendix C. Development of New Agency Proposal, Supporting Information.

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